



**TOWN OF WINCHENDON**  
**SPECIAL TOWN MEETING WARRANT**  
and  
**ANNUAL TOWN MEETING WARRANT**

## TOWN MEETING ARTICLE SUMMARY SHEETS

STM	Item Description	Amount Sought	Funding Sought	Prop 2 1/2 Impact	BoS Vote	FinCom Vote
1	Report	none	n/a	none	Approve	
2	Existing Capital	\$70,665.00	Free Cash and Transfer	none	Approve	
3	Snow and Ice Deficit	\$83,000.00	Free Cash	none	Approve	
4	Year End Transfers		Existing Accounts	none		
5	Stipends-FY08-09	\$96,304.00	Free Cash	none	Approve	
6	Prior Year Bill	\$9,200.00	Sewer Enterprise Fund	none	Approve	
7	Charter Review	none	none	none	Approve	
8	Charter Review	none	none	none	Approve	
9	Bylaw Review	none	none	none	Approve	
10	Capital Plan Bylaw	none	none	none	Approve	
<b>ATM</b>						
1	Report	none	n/a	none	Approve	
2	Reports	none	n/a	none	Approve	
3	Committees	none	n/a	none	Approve	
4	Committees	none	n/a	none	Approve	
5	Public Roadwork	\$338,440.00	Ch. 90- State Funds	none	Approve	
6	Treasurer Actions	none	n/a	none	Approve	
7	Revolving Funds	none	n/a	none	Approve	
8	General Government Budget	\$10,599,528.00	Raise and Appropriate and Available Funds	none	Approve	
9	Water Enterprise Fund	\$740,092.00	Water Rate: \$4.77	none		
10	Supplement Water Meters	\$75,000.00	Borrow and/or rates	none	Approve	
11	Water System Project	\$2,500,000.00	Borrow @ 0%	none	Approve	
12	Sewer Enterprise Fund	\$996,464.00	Sewer Rate: \$7.57	none		
13	Sewer System Extension	\$4,600,000.00	Borrow/betterments	none	Disapprove	
14	Enterprise Fund Set-up	none	n/a	none	Approve	
15	Trans.Station Ent. Fund	\$197,103.85	User fees	none	Approve	
16	School Budget	\$12,667,093.00	Raise and Appropriate and Available Funds	none	Approve	
17	School Transportation	\$1,081,539.00	Raise and Appropriate	none	Approve	
18	Indirect Cost Reconcile	\$64,421.00	FY 09 School Budget	none	Approve	
19	Medicaid Reimburse	\$53,754.00	Free Cash	none	Approve	
20	Fire Chief Legislation	none	n/a	none	Approve	

21	Tax Title Work	\$15,000.00	Overlay Surplus	none	Approve	
22	Assessor's Inspections	\$20,000.00	Overlay Surplus	none	Approve	
23	Assessor's Re-eval.	\$13,500.00	Overlay Surplus	none	Approve	
24	Senior Tax Program	\$10,000.00	Overlay Surplus	none	Approve	
25	Whitney Dam Evaluation	\$98,000.00	Borrow/Available Fund	none	Approve	
26	Community Action	\$18,000.00	Free Cash	none	Approve	
27	Insurance Reserve		Available Funds	none		
28	Clark YMCA-Bill	\$9,150.00	Available Funds	none	Approve	
29	Retirees Medicare Switch	none	n/a	none	Approve	
30	School Dept. Capital	\$34,000.00	Capital Exclusion	.04/\$1000 <sup>1</sup>	Approve	
31	Emergency Mgt. Capital	\$87,380.00	Capital Exclusion	.11/\$1000 <sup>2</sup>	Approve	
32	Stabilization	\$5,555.00	Free Cash	none	Approve	
33	Expedited Permitting	Non-financial	n/a	none	Approve	
34	Land Transfer	Non-financial	n/a	none	Approve	
35	Tax Increment Financing	Non-financial	n/a	none	Approve	
36	Tax Title Properties	Non-financial	n/a	none	Approve	
37	Senior Tax Deferral	Non-financial	n/a	none	Approve	
38	Tax and Fee Liens	Non-financial	n/a	none	Approve	
39	Low Impact Devel.	Non-financial	n/a	none	Approve	
40	Marijuana Bylaw	Non-financial	n/a	none	Approve	
41	Zoning- Bemis Road	Non-financial	n/a	none	Approve	
42	Zoning- River Street Sand	Non-financial	n/a	none	Disapprove	
43	Monomonac Road West	Non-financial	n/a	none	Approve	
44	Cardinal Lane, Eagle Rd.	Non-financial	n/a	none	Approve	
45	Mellen Road	Non-financial	n/a	none	Approve	
46	Petition-Planned Dev.	Non-financial	n/a	none	Disapprove	
47	Petition- Sand and Gravel	Non-financial	n/a	none	Disapprove	
48	Petition- Landfill	Non-financial	n/a	none	Disapprove	

<sup>1</sup> \$8.00 one time cost to a home valued at \$200,000

<sup>2</sup> \$22.00 one time cost to a home valued at \$200,000

<b>FREE CASH ARTICLE SUMMARY</b>		
	<b>\$314,484.00</b>	<b>Available Free Cash</b>
<b>ARTICLE #</b>	<b>AMOUNT</b>	<b>ITEM</b>
<b>STM</b>		
<b>2</b>	\$ (48,721.00)	Prior Year Capital Articles
<b>3</b>	\$ (83,000.00)	FY09 Snow and Ice Deficit
<b>5</b>	\$ (96,304.00)	Wage Stipends-Not on Base
<b>ATM</b>		
	\$ (53,754.00)	FY07 Medicaid
	\$ (18,000.00)	CAC
	\$ (9,150.00)	Clark YMCA Water and Sewer Bill
	\$ (5,555.00)	Stabilization

<b>OVERLAY SURPLUS ARTICLES SUMMARY</b>		
	<b>\$58,500.00</b>	<b>Available Overlay Surplus</b>
<b>ARTICLE #</b>	<b>AMOUNT</b>	<b>ITEM</b>
<b>ATM</b>		
	\$ (20,000.00)	Assessor's
	\$ (13,500.00)	Assessor's
	\$ (15,000.00)	Treasurer's Tax Title
	\$ (10,000.00)	Senior Work-off Program

**TOWN OF WINCHENDON  
SPECIAL TOWN MEETING  
MAY 18, 2009**

Worcester, ss:

To either of the Constables in the Town of Winchendon, 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 the Town of Winchendon qualified to vote in town elections and town affairs to meet at the MURDOCK MIDDLE/HIGH SCHOOL, 3 Memorial Drive, off Elmwood Road in said Winchendon on

**MONDAY, MAY 18, 2009  
AT 7:00 P.M.**

then and there to act on the following articles:

**REPORTS AND COMMITTEES  
(majority vote required)**

**ARTICLE 1**

To see if the Town will vote to hear and act on the report of the Finance Committee, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**FISCAL YEAR-END FINANCIAL ARTICLES  
(majority vote required)**

**ARTICLE 2**

To see if the Town will vote to transfer from free cash the sum of \$48,721 and to transfer from the FY09 Council on Aging Accounts (015411 511029 and 015411 511045) the sum of \$21,944 for a total of \$70,665 into the Treasurer's FY09 Debt Service Principal Account (017102 591000), to pay previously approved capital expenses, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 3**

To see if the Town will vote to transfer from free cash the sum of \$83,000 into the Department of Public Works Snow and Ice Budget for FY09, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 4**

To see if the Town will vote to amend the budget for FY2009, as approved under Article 10 of the 2008 Annual Town Meeting Warrant, by increasing certain line items and decreasing others, or otherwise amend said vote, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN:**

**FINANCE COMMITTEE:**

**ARTICLE 5**

To see if the Town will vote to transfer from free cash the sum of \$96,304 to fund one-time, non-base pay wage stipends for general government town employees for FY08 and FY09, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**PRIOR YEAR BILL ARTICLE  
(9/10<sup>th</sup> Vote Required)**

**ARTICLE 6**

To see if the town will vote to appropriate from Wastewater revenues the sum of \$9,200.00 for a prior year unpaid bill to Wall Trucking, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**CHARTER REVIEW COMMITTEE ARTICLES**  
**(majority vote required)**

**ARTICLE 7**

To see if the Town will vote to authorize the Board of Selectmen to request a special act of the General Court amending the Town Charter as set forth in the report of the Charter and Bylaw Review Committee dated 2009, and entitled, "Charter: Final Draft," as on file with the Town Clerk, which amendments include, but are not limited to: **creation of an appointed Board of Health**, revisions to the Town's recall process, organizing and clarifying the appointment authority of the Board of Selectmen and the Town Manager, Capital Planning Committee is formally re-organized to include its composition being established by bylaw, imposition of certain limitations on multiple office-holding, making selection of the Montachusett Regional Vocational Technical School District representative consistent with the Regional School District Agreement, and deletion of certain transitional provisions that are no longer necessary; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or act in relation thereto. (submitted by the Charter Review Committee)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 8**

To see if the Town will vote to authorize the Board of Selectmen to request a special act of the General Court amending the Town Charter as set forth in the report of the Charter and Bylaw Review Committee dated 2009, and entitled, "Charter: Final Draft," as on file with the Town Clerk, which amendments include, but are not limited to: revisions to the Town's recall process, organizing and clarifying the appointment authority of the Board of Selectmen and the Town Manager, imposition of certain limitations on multiple office-holding, making selection of the Montachusett Regional Vocational Technical School District representative consistent with the Regional School District Agreement, and deletion of certain transitional provisions that are no longer necessary; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or act in relation thereto. (submitted by the Charter Review Committee)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**BYLAW REVIEW COMMITTEE ARTICLES**  
**(majority vote required)**

**ARTICLE 9**

To see if the Town will vote to amend the General Bylaws of the Town as set forth in the report of the Charter and Bylaw Review Committee dated 2009, and entitled, “ Final Bylaw Draft” as on file with the Town Clerk, which amendments include, but are not limited to, certain clerical and other ministerial and organizational amendments, as well as certain substantive amendments relative to procedural rules of Town Meeting, the posting of the warrant therefore and notice of the same to the Finance Committee, deleting unnecessary provisions relative to enforcement of the state building code, deleting the Personnel Administration Board, providing that the Historic District Commission shall also have the duties of an Historical Commission, inserting a Demolition Delay Bylaw, and revising the Solid Waste and Recycling Bylaw to provide that the Town Manager shall promulgate regulations relative to the operation thereof, or act in relation thereto. (submitted by the Bylaw Review Committee)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**BYLAW ARTICLE**  
**(majority vote required)**

**ARTICLE 10**

To see if the Town shall vote to create a new bylaw reading as follows or act in relation thereto.

Capital Planning Advisory Committee: In concert with the Winchendon Home Rule Charter, sections 2.3.d and 5.7, the Committee shall be composed of two citizens appointed by the Board of Selectmen and one member chosen by and from each of the following boards and committees: Board of Selectmen, Finance Committee and Planning Board. The committee shall appoint a chairman. Appointments shall be completed as indicated in the Winchendon Town Charter. Vacancies shall be reported to the respective appointing authority for filling such vacancy. Each appointing authority shall give consideration to the personal qualifications of these citizens and who will best meet the responsibility of the board to represent both town employees and taxpayers. If possible, the appointees shall include citizens who are familiar with financial principles and experienced in their methods and practices. If after 30 days the board’s written notification and request for reappointment is not acted upon, the board may appoint on behalf of its self. Such appointment information and qualifications shall be forwarded to the Board of Selectman. (submitted by Selectman Mark Shea)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

And you are hereby directed to serve this warrant by posting attested copies thereof at the several places designated by the bylaws of the town of Winchendon fourteen days at least before the time of holding such meeting and by mailing a copy of this warrant to each household in Winchendon in which a registered voter resides or by publication of the same in a newspaper of local distribution as required by said bylaws.

Hereof, fail not and make due return of said warrant with your doings thereon at the time and place of the meeting aforesaid. Given under our hands and seal this 4<sup>th</sup> day of May 2009.

**BOARD OF SELECTMEN:**

\_\_\_\_\_  
Keith R. Barrows, Chair

\_\_\_\_\_  
Mark S. Shea, Vice Chair

\_\_\_\_\_  
Burton E. Gould Jr.

\_\_\_\_\_  
Corey A. Bohan

\_\_\_\_\_  
Elizabeth Hunt

I have this day posted the within warrant as therein directed:

\_\_\_\_\_  
PRINT CONSTABLE NAME

\_\_\_\_\_  
SIGN CONSTABLE NAME

\_\_\_\_\_  
DATE:

**FINANCE COMMITTEE PUBLIC HEARING  
THURSDAY, APRIL 28, 2009  
AT 6:00 PM  
SECOND FLOOR AUDITORIUM  
TOWN HALL**

This institution is an equal opportunity provider. To file a complaint of Discrimination write USDA, Director, Office of Civil Rights, Washington, DC 20250-9410.

**TOWN OF WINCHENDON  
ANNUAL TOWN MEETING  
MAY 18, 2009**

Worcester, ss:

To either of the Constables in the Town of Winchendon, 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 the Town of Winchendon qualified to vote in town elections and town affairs to meet at the MURDOCK MIDDLE/HIGH SCHOOL, 3 Memorial Drive, off Elmwood Road in said Winchendon on

**MONDAY, MAY 18, 2009  
AT 7:00 P.M.**

then and there to act on the following articles:

**REPORTS AND COMMITTEES  
(majority vote required)**

**ARTICLE 1**

To see if the Town will vote to hear and act on the report of the Finance Committee, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 2**

To see if the Town will vote to hear the annual report of the Selectmen and of any other officers or committees required to report to the Town, or act in relation thereto. (usual and customary article)

- Charter and Bylaw Review Committee
- Public Safety Facility Committee
- School Safety Committee
- Sand Study Committee

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 3**

To see if the Town will vote to choose all other town officers or committees that may be required or deemed necessary to the Town for the ensuing year and give any instructions to same, or to any other town officer or officers, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 4**

To see if the Town will vote to discharge any committees, which have completed their duties, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**CUSTOMARY FINANCIAL BORROWING ARTICLES**  
(2/3 vote required)

**ARTICLE 5**

To see if the Town will vote to appropriate by borrowing, if necessary, the sum of \$338,440 or such lesser amount distributed to the Town by the Commonwealth to be used by the Town for the repair and maintenance of Town roads. Said sum will be reimbursed by the Commonwealth of Massachusetts, pursuant to Chapter 90 of the Massachusetts General Laws, and the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum of money under and pursuant to Chapter 44, Section 7 of the General Laws as amended and supplemented, or any other enabling authority, and to issue bonds or notes, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**CUSTOMARY FINANCIAL ARTICLES**  
(majority vote required)

**ARTICLE 6**

To see if the Town will vote to authorize the Town Collector/Treasurer to enter into a compensating balance agreement or agreements for Fiscal Year 2010 pursuant to Chapter 44, Section 53(F) of the General Laws, as amended, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

# **REVOLVING FUNDS AUTHORIZATION ARTICLE**

**(majority vote required)**

## **ARTICLE 7**

To see if the Town will vote to establish the following revolving accounts revolving account as provided for under the provisions of section 53E ½ of Chapter 44 of the Massachusetts General Laws, for the purposes specified:

1. Hazardous Materials- To see if the Town will vote to establish a Hazardous Materials Recovery revolving account as provided for under the provisions of section 53E ½ of Chapter 44 of the Massachusetts General Laws, into which account receipts for charges to responsible parties for the disposal of hazardous materials collected pursuant to section 4 of Chapter 21E of the Massachusetts General Laws, shall be deposited, and to authorize the Fire Chief to expend funds received and deposited into said account for the purchase of supplies and material relating to hazardous material recovery, and that the total amount which may be expended in the current fiscal year for this purpose shall not exceed \$2,500.00, or act in relation thereto. (submitted by the Fire Chief)
2. Student Parking Fees- To see if the Town will vote to establish a Student Parking Fees Revolving Fund for the 2009 and 2010 fiscal year in accordance with the provisions of M.G.L. Chapter 44, Section 53E ½ as follows: receipts from the student parking permit fees at Murdock Middle High School shall be credited to said fund; the Winchendon Public Schools shall be authorized to expend said fund for establishing and operating parking permit program and maintenance of parking lot and/or proposed parking lot expansion; the total amount of said fund shall not exceed \$20,000; or act in relation thereto. (submitted by the School Department)
3. Land Use Restitution Fees- To see if the Town will vote to establish a Court Ordered Restitution and/or Insurance Reimbursement Fees Revolving Fund for the 2009 and 2010 fiscal year in accordance with the provisions of M.G.L. Chapter 44, Section 53E ½ as follows: receipts from court ordered restitution relating to Land Use matters shall be credited to said fund; the Land Use Office shall be authorized to expend said fund for any lawful purpose relating to its department; the total amount of said fund shall not exceed \$20,000; or act in relation thereto. (submitted by the Building Commissioner)
4. Athletics Advertising Fees- To see if the Town will vote to establish a Athletics Advertising Fees Revolving Fund for the 2009 and 2010 fiscal years in accordance with the provisions of M.G.L. Chapter 44, Section 53E ½ as follows: receipts from advertising sold shall be credited to said fund; the School Athletic Department shall be authorized to expend said fund for any lawful purpose relating to its department; the total amount of said fund shall not exceed \$20,000; or act in relation thereto. (submitted by the Town Manager)

5. Agricultural Commission Fees- To see if the Town will vote to establish a Agricultural Commission Fees Revolving Fund for the 2010 fiscal year in accordance with the provisions of M.G.L. Chapter 44, Section 53E ½ as follows: receipts from Agricultural Commission activities shall be credited to said fund; the Agricultural Commission shall be authorized to expend said fund for any lawful purpose relating to its department; the total amount of said fund shall not exceed \$20,000; or act in relation thereto. (submitted by the Agricultural Commission)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE**

**GENERAL GOVERNMENT BUDGET ARTICLE**  
(majority vote required)

**ARTICLE 8**

To see if the Town will vote to raise and appropriate and transfer from other available funds\* the sum of \$10,599,528, for the operating budget of the Town for the fiscal year beginning July 1, 2009, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**\*Other Available Funds**

Cemetery Trust	8,000.00
Cemetery Sale of Lots	1,500.00
Dog Fees	15,000.00
Conservation Wetland Fees	7,500.00
Title V Liens Redemption	7,810.00
Wheeler-Poland Poor Trust Fund	2,000.00
Pension Trust Fund	7,000.00
Library Book Fines	5,000.00
Infrastructure Fund	79,999.53
<b>TOTAL OTHER AVAILABLE FUNDS</b>	<b>133,809.53</b>

	<b>FY09</b>	<b>FY10</b>	<b>%</b>		
<b>ACCOUNT</b>	<b>BUDGET</b>	<b>PROPOSED</b>	<b>CHANGE</b>	<b>COMMENTS:</b>	
1	SELECTMEN OFFICE	14,000.00	14,000.00	0.0%	No change
2	TOWN MANAGER OFFICE	243,203.00	245,268.00	0.8%	Salary inc., misc cuts
3	FINANCE COMMITTEE	49,160.00	47,860.00	-2.6%	Misc. minor reductions
4	ACCOUNTING OFFICE	115,903.00	110,600.00	-4.6%	Salary inc., cut hours
5	ASSESSORS OFFICE	69,947.00	73,326.00	4.8%	Salary increase
6	COLLECTOR/TREAS.	166,426.00	174,931.00	5.1%	Salary increase
7	AUDIT EXPENSE	37,000.00	29,000.00	-21.6%	Renegotiated Contract
8	LEGAL EXPENSE	65,000.00	65,000.00	0.0%	No change
9	DATA PROCESSING	25,378.00	25,015.00	-1.4%	Misc. minor reductions
10	TECHNOLOGY	17,575.00	17,575.00	0.0%	No change
11	COMM. COMMITTEE	6,500.00	6,500.00	0.0%	No change
12	TOWN CLERK OFFICE	94,776.00	87,307.00	-7.9%	Salary inc., cut hours
13	REGISTRAR OF VOTERS	22,185.00	13,685.00	-38.3%	Fewer elections
14	CONSERVATION	15,215.00	15,497.00	1.9%	Salary increase
15	PLANNING BOARD	7,550.00	6,000.00	-20.5%	Misc. minor reductions
16	ZONING BOARD	3,388.00	3,388.00	0.0%	No change
17	COMMUNITY DEV.	49,434.00	49,333.00	-0.2%	Salary inc., misc. cuts
18	TOWN HALL	116,063.00	111,836.00	-3.6%	Cut hours
19	POLICE/DISPATCH/ACO	1,207,137.00	1,211,449.00	0.4%	Salary inc., misc. cuts
20	FIRE/AMB. TOTAL	642,560.00	660,673.00	2.8%	Salary increase
21	LAND USE OFFICE	73,641.00	70,778.00	-3.9%	Fewer staff hours
22	CIVIL DEFENSE	2,702.00	3,762.00	39.2%	Supplies Increase

23	PUBLIC WORKS DEPT.	1,161,725.65	1,001,661.00	-13.8%	Trans. Stat. into Ent. Fund
24	HEALTH	62,943.00	62,235.00	-1.1%	Misc. minor decrease
25	COUNCIL ON AGING	114,831.00	94,340.00	-17.8%	Shift MART van charges
26	VETERANS	183,318.00	220,875.00	20.5%	Increase Vets Benefits
27	LIBRARY	150,390.00	153,394.00	2.0%	Salary inc., misc. incr.
28	RECREATION COMM.	3,400.00	3,400.00	0.0%	No change
29	HISTORICAL COMM.	500	500	0.0%	No change
<b>BENEFITS ACCOUNTS</b>					
	PENSIONS	712,844.00	775,797.00	8.8%	Actual Assessment
	WORK'S COMP & UNEMP.	227,732.00	182,346.00	-19.9%	Actual expense
	HEALTH INSURANCE	1,832,544.00	1,689,387.00	-7.8%	Flat rate and less users
	LIFE INSURANCE	24,666.00	24,666.00	0.0%	Actual expense
	MEDICARE	186,329.00	190,000.00	2.0%	Estimated expense
30	<b>BENEFITS TOTAL</b>	2,984,115.00	2,862,196.00	-4.1%	
31	PROP./LIABILITY INS.	209,395.00	176,376.00	-15.8%	Actual exp., Indirects out
32	DEBT SERVICE	2,288,200.00	2,374,408.00	3.8%	Actual expense
33	REGIONAL PLANNING	2,610.00	2,676.00	2.5%	Actual assessment
34	MONTY TECH	713,269.00	604,684.00	-15.2%	Actual assessment
<b>RAISE &amp; APPR. TOTAL:</b>		<b>10,919,439.65</b>	<b>10,599,528.00</b>	<b>-2.9%</b>	

**WATER ENTERPRISE ARTICLE**  
**(majority vote required)**

**ARTICLE 9**

To see if the Town will vote to appropriate from Water revenues<sup>3</sup> and/or retained earnings the sum of \$740,092 for the operating budget of the Water Department enterprise fund for the fiscal year beginning July 1, 2009, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN:**

**FINANCE COMMITTEE:**

**ARTICLE 10**

To see if the town will vote to transfer from water department retained earnings or by borrowing the following sum for the following Water Enterprise purpose:

\$75,000          Supplemental Appropriation for the Town-wide Meter Replacement

or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 11**

To see if the Town will vote to appropriate \$2,500,000 from the Massachusetts Water Pollution Abatement Trust pursuant to Chapter 29C of the General Laws, or other funding agencies, or otherwise as permitted by Chapter 44, Section 7 or 8 of the General Laws, for design, permitting, legal and construction of a Water system improvements project to comply with the requirements of a MADEP Administrative Consent Order including relocation and replacement of approximately 5,000 linear feet of the 12-inch transmission main from the Joint Winchendon-Ashburnham Water Authority treatment plant to the Town's distribution system (the Town's only source of supply) to increase the pipeline capacity and improve reliability, various improvements along the pipeline to facilitate future pipeline maintenance (clearing, installation of fire hydrants, etc.), fencing of the High Street tank and instrumentation improvements at the Elmwood Road tank, and replacement of the antiquated High Street water storage tank with a water booster pumping station to provide increased fire storage and reliability to the Old Winchendon Center area and as funding therefore that the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow said sum of money pursuant to Chapter 44 of the General Laws, or any other enabling authority, to issue bonds or notes therefore and to authorize the Town Treasurer and the Board of Selectmen to enter into any and all agreements, including with said Trust and the Department of Environmental Protection, and/or other funding agencies, and to take any other actions necessary to carry out this

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<sup>3</sup> For Informational Purposes-FY09 Rate: \$4.00 hcf FY10 Rate: \$4.70 hcf

project consistent with the purposes, terms and conditions of said Trust and in the best interests of the Town, provided, however, that the amounts authorized to be borrowed hereunder shall be reduced by any gifts or grants received by the Town for the purposes set forth herein or act in thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

## **WASTEWATER ENTERPRISE ARTICLE** **(majority vote required)**

### **ARTICLE 12**

To see if the Town will vote to appropriate from Wastewater revenues<sup>4</sup> and/or retained earnings the sum of \$996,464 for the operating budget of the Wastewater Treatment Department enterprise fund for the fiscal year beginning July 1, 2009, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN:**

**FINANCE COMMITTEE:**

### **ARTICLE 13**

To see if the Town will vote to appropriate \$4,600,000 from the Massachusetts Water Pollution Abatement Trust pursuant to Chapter 29C of the General Laws, or other funding agencies, or otherwise as permitted by Chapter 44, Section 7 or 8 of the General Laws, for design, permitting, legal and construction of all necessary appurtenances and extensions to the wastewater collection system along portions of Maple Street, Vaine St., Glenallen Street, Maple Place A, Maple Place B and adjoining areas, and as funding therefore that the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow said sum of money pursuant to Chapter 44 of the General Laws, or any other enabling authority, to issue bonds or notes therefore, and that betterments shall be assessed for one hundred (100 %) percent of total project costs by the uniform unit method pursuant to section 14 and 15 of Chapter 83, Article 22 of the Bylaws of the Town of Winchendon or any other enabling authority, and to authorize the Town Treasurer and the Board of Selectmen to enter into any and all agreements, including with said Trust and the Department of Environmental Protection, and/or other funding agencies, and to take any other actions necessary to carry out this project consistent with the purposes, terms and conditions of said Trust and in the best interests of the Town, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 2-1-2 DISAPPROVE**

**FINANCE COMMITTEE:**

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<sup>4</sup> For Informational Purposes-FY09 Rate: \$6.05 hcf FY10 Rate: \$7.57 hcf

**TRANSFER STATION ENTERPRISE ARTICLES**  
(majority vote required)

**ARTICLE 14**

To see if the Town will accept the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws establishing the Winchendon Transfer Station as an enterprise fund effective fiscal year 2010, or act in relation thereto. (submitted by the Board of Selectmen and the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 15**

To see if the Town will vote to appropriate from Transfer Station revenues the sum of \$197,103.85 for the operating budget of the Transfer Station enterprise fund for the fiscal year beginning July 1, 2009, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**EDUCATION BUDGET ARTICLES**  
(majority vote required)

**School Operating Budget Article**

**ARTICLE 16**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,401,507 (\$10,861,118 Chapter 70 plus \$4,540,389 Local Aid) less \$2,734,414 in Indirect Costs) for the School Department for the operating budget of the Winchendon Public Schools for the fiscal year beginning July 1, 2009, or act in relation thereto. (submitted by the School Committee)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 17**

To see if the Town will vote to raise and appropriate, and/or appropriate from available funds, the sum of \$1,081,539 for School Transportation for the following purposes:

In town Transportation:	\$624,800
Special Education Transportation:	\$445,579
Crossing Guards:	\$11,160

said sum to be expended by the School Committee, or act in relation thereto. (submitted by the Town Manager, usual and customary article)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 18**

To see if the Town will vote to transfer from the FY 2009 School Operating Budget the sum of \$64,421 to the FY09 general government School Transportation Account, where actual expenditures for all FY 2008 Indirect Costs were more than original estimate, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 19**

To see if the Town will vote to appropriate from free cash the sum of \$53,754 as reimbursement for expenses and revenue generated during fiscal year 2008 from the Municipal Medicaid Reimbursement Program to the fiscal year 2009 School Department budget, or act in relation thereto. (submitted by the School Department)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**PERSONNEL ARTICLE**  
**(majority vote required)**

**ARTICLE 20**

To see if the Town will vote to authorize the Board of Selectmen and the Town Manager to petition the General Court for special legislation in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen and the Town Manager approve amendments to the bill before enactment by the General Court, and that the Board of Selectmen and the Town Manager are authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or act in relation thereto. (submitted by the Town Manager)

**AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO CONTINUE THE EMPLOYMENT OF ALLEN J. LAFRENNIE AS FIRE CHIEF.**

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, Allen J. Lafrennie, chief of the fire department of the town of Winchendon, may continue in such position until and including June 30, 2012; provided, however, that said Allen J. Lafrennie is mentally and physically capable of performing the duties of such position. If requested said Allen J. Lafrennie shall, at his own expense, be examined by an impartial physician designated by said town to

determine such capacity. No further deductions shall be made from the regular compensation of said employee under the provisions of Chapter 32 of the General Laws for service subsequent to February 28, 2010 and upon retirement said employee shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on said date.

SECTION 2. This act shall take effect upon its passage

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**MISCELLANEOUS FINANCIAL ARTICLES**  
**(majority vote required)**

**ARTICLE 21**

To see if the Town will vote to transfer from Overlay Surplus account the sum of \$15,000 to be used to fund the tax title work of the Town Treasurer Collector, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 22**

To see if the town will vote to transfer from the Overlay Surplus account the sum of \$20,000 for the purpose of Assessors cyclical inspection program in FY10, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 23**

To see if the town will vote to transfer from the Overlay Surplus account the sum of \$13,500 for the purpose of Assessors evaluating New Permits and Growth for FY10, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 24**

To see if the Town will vote to appropriate from Overlay Surplus account the sum of ten thousand dollars (\$10,000) for the Senior Tax Work-off Program, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 25**

To see if the Town will vote to appropriate from available funds or by borrowing the sum of \$98,000 to fund the state mandated Study and Investigation of the town-owned Whitney Pond Dam

to comply with the Commonwealth of Massachusetts' Department of Conservation and Recreation order, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 26**

To see if the Town will vote to appropriate from available funds the sum of eighteen thousand dollars (\$18,000) for the Community Action Committee, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 27**

To see if the town will vote to create an Insurance Deductible Reserve Fund and to transfer into said fund from available funds a sum of money, or act in relation thereto. (submitted by the Selectwoman Hunt)

**BOARD OF SELECTMEN: FINANCE COMMITTEE:**

**ARTICLE 28**

To see if the Town will vote to appropriate from free cash the sum of nine thousand one hundred and fifty dollars (\$9,150) for the water bill of the Clark Memorial YMCA, in consideration of the numerous services provided to the town, or act in relation thereto. (submitted by Selectmen Gould and Shea)

**BOARD OF SELECTMEN: 3-2 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 29**

To see if the town will vote to accept the provisions of MGL 32B, section 18a under which the town would require that all prospective retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a Medicare health benefits supplement plan offered by the town, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 4-0-1 APPROVE**

**FINANCE COMMITTEE:**

**SCHOOL DEPARTMENT CAPITAL ARTICLES**

**ARTICLE 30**

To see if the Town will vote to appropriate, borrow or transfer from available funds the following sum for the following School Department:

- \$34,000 to fund for the School Department the purchase and acquisition of a pickup truck, new or used, and related equipment / attachments for snow plowing, landscaping, and hauling, or take any action thereon.

**BOARD OF SELECTMEN: 4-0-1 APPROVE  
AS CAPITAL EXCLUSION**

**FINANCE COMMITTEE:**

**CAPITAL PLANNING COMMITTEE:**

## **EMERGENCY MANAGEMENT CAPITAL ARTICLE**

### **ARTICLE 31**

To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$87,380 for the following purposes:

- \$6,000 upgrades for the emergency generator at Murdock Middle High School
- \$38,780 purchase and installation of an emergency generator for the Toy Town Elementary School
- \$10,000 purchase cots, blankets, communication and emergency operation center equipment for the Winchendon Emergency Management Center
- \$32,600 upgrades the town hall/police station emergency generator

, or act in relation thereto. (submitted by the Emergency Management Director )

**BOARD OF SELECTMEN: 5-0 APPROVE  
AS CAPITAL EXCLUSION  
CAPITAL PLANNING COMMITTEE:**

**FINANCE COMMITTEE:**

## **STABILIZATION FUND ARTICLE**

(two-thirds vote required)

### **ARTICLE 32**

To see if the Town will vote to transfer one dollar (\$5,555.00) from free cash to the stabilization fund, or act in relation thereto. (Submitted by the Board of Selectmen, Finance Committee and Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

## **ECONOMIC DEVELOPMENT ARTICLES**

(majority vote required)

### **ARTICLE 33**

To see if the Town will accept the provisions of Chapter 43D of the MA General Laws as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006, and to approve the filing of an application with the Interagency Permitting Board for the designation of land at the following locations as Priority Development Sites:

1. Former Glenallen/Sanborn Mill Property
  - Winchendon Assessors Map 6B1, Parcel 1
  - Winchendon Assessors Map 6B1, Parcel 5
  - Winchendon Assessors Map 6B1, Parcel 6
  - Winchendon Assessors Map 6B1, Parcel 8
  - Winchendon Assessors Map 6B1, Parcel 35
  
2. Former Baxter D. Whitney Complex: Summer Drive
  - Winchendon Assessors Map 5B3, Parcel 93
  - Winchendon Assessors Map 5B3, Parcel 95
  - Winchendon Assessors Map 5B3, Parcel 96
  - Winchendon Assessors Map 5B3, Parcel 97
  - Winchendon Assessors Map 5B3, Parcel 98
  - Winchendon Assessors Map 5B3, Parcel 99
  - Winchendon Assessors Map 5B3, Parcel 100
  - Winchendon Assessors Map 5B3, Parcel 102
  - Winchendon Assessors Map 5B3, Parcel 153
  - Winchendon Assessors Map 5B3, Parcel 157
  - Winchendon Assessors Map 5B3, Parcel 158
  - Winchendon Assessors Map 5B3, Parcel 159
  - Winchendon Assessors Map 5B3, Parcel 160
  - Winchendon Assessors Map 5B3, Parcel 161
  - Winchendon Assessors Map 5B3, Parcel 177
  
3. Hillview Business Park (Rt. 140)
  - Winchendon Assessors Map12, Parcel 14
  - Winchendon Assessors Map12, Parcel 15
  - Winchendon Assessors Map12, Parcel 16
  - Winchendon Assessors Map12, Parcel 20
  - Winchendon Assessors Map12, Parcel 21
  - Winchendon Assessors Map12, Parcel 22
  - Winchendon Assessors Map12, Parcel 23

4. Lincoln Avenue Extension  
Winchendon Assessors Map 2, Parcel 77
5. Webster Street  
Winchendon Assessors Map 5A3, Parcel 185
6. High St.  
Winchendon Assessors Map 5C2, Parcel 54
7. River Street (Kamenstein's)  
Winchendon Assessors Map 5C1, Parcel 56  
Winchendon Assessors Map 5C1, Parcel 57  
Winchendon Assessors Map 5C1, Parcel 78  
Winchendon Assessors Map 5C1, Parcel 79
8. River St.(New England Woodenware)  
Winchendon Assessors Map 5D1, Parcel 72
9. River Street (Bellecraft)  
Winchendon Assessors Map 4C4, Parcel 27
10. Murdock Avenue (Saloom)  
Winchendon Assessors Map 2D2, Parcel 11  
Winchendon Assessors Map 5A2, Parcel 25  
Winchendon Assessors Map 5A2, Parcel 26
11. Brown Street (M.H. Parks)  
Winchendon Assessors Map 5C1, Parcel 43  
Winchendon Assessors Map 5C1, Parcel 44
12. Mill Circle (Mylec)  
Winchendon Assessors Map M17, Parcel 26
13. Franklin Street (Multi-State Roofing Co.)  
Winchendon Assessors Map 2D2, Parcel 26
14. Lincoln Avenue (Diehl Graphics)  
Winchendon Assessors Map 2D2, Parcel 3

, or take any other action in relation thereto. (submitted by the Planning Board)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 34**

To see if the town will vote to amend the vote of the May 2005 Annual Town Meeting, Article 51 relating to a land swap between the Town and the Beals Trust by deleting the phrase “to be preserved as open space” from the prior approved vote, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 35**

To see if the Town will vote to approve the Master Tax Increment Financing Agreement (the “Agreement”) substantially in the form as is on file with the Town Clerk between the Town and one or more owners of real estate located within the **(insert name of areas)** described on the map on file with the Town Clerk, and which owners may be approved, from time to time, by the Winchendon Board of Selectmen through its designee the Winchendon Redevelopment Authority, and which Agreement is authorized pursuant to GL c. 40, §59, and to authorize the Winchendon Board of Selectmen to designate the land and any buildings shown on said map, or any portions thereof should said property be subdivided, as one or more Economic Opportunity Areas and to authorize the Winchendon Board of Selectmen through its designee the Winchendon Redevelopment Authority to submit, from time to time, one or more Economic Opportunity Area Applications, Tax Increment Financing Plans, and Certified Project Applications to the Massachusetts Economic Assistance Coordinating Council all relating to any Certified Projects as described in the Agreement and Certified Project Applications which are to be located in said Economic Opportunity Areas, and to take such other actions as may be necessary to obtain approval of the Certified Project Applications, the Economic Opportunity Areas, the Tax Increment Financing Plans and TIF Zones and to implement the Master TIF Agreement, or take any other action in relation thereto (submitted by the Town Manager)

**BOARD OF SELECTMEN: 4-0-1 APPROVE**

**FINANCE COMMITTEE:**

**ARTICLE 36**

To see if the Town will vote to authorize the Board of Selectmen to convey to the Winchendon Redevelopment Authority, on such terms and consideration as the Board of Selectmen deems appropriate, the following parcels of land:

- Map 10B4, Parcel 16 Baldwinville State Road
- Map 10B4, Parcel 21 Baldwinville State Road
- Map 4C4, Parcel 29 531 River Street
- Map 5A2, Parcel 106 School Street (former Toytown Lumber)
- Map 5A2, Parcel 138 154 Mill Street

for community or economic development purposes, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**GENERAL BUSINESS ARTICLES**  
**(majority vote required)**

**ARTICLE 37**

To see if the Town will vote to petition the legislature under the home rule petition section of the Massachusetts Constitution for the legislation to use MGL Ch.59, section 5, 41A as a baseline to do the following:

Defer real estate taxes for the actual domicile of senior citizens age 70 or older whose total household income from all sources is no greater than \$20,000 and who apply and meet any other established program requirements with the value of any subsequent real estate tax increase that takes effect after said acceptance into the program accruing, with interest at a rate of prime minus 1%, as a lien on the property with said lien to be redeemed in full at time of sale, transfer, mortgaging or re-mortgaging said property, or act in relation thereto. (Submitted by the Town Manager)

**SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

**GENERAL BYLAW ARTICLES**  
**(majority vote required)**

**ARTICLE 38**

To see if the Town will vote to create a new bylaw to read as follows:

The Tax Collector shall place a lien on any property that is in arrears for at least three years on real estate taxes, betterment assessments, excise taxes and/or water and sewer charges, unless the customer is current on a duly approved payment agreement, or act in relation thereto. (submitted by Selectwoman Hunt)

**BOARD OF SELECTMEN: 4-1 APPROVE**

**FINANCE COMMITTEE:**

## ARTICLE 39

To see if the Town will vote to approve a new general bylaw entitled, Low Impact Development (LID) Bylaw as set forth in the full text of the proposed bylaw dated 2009 and on file with the Town Clerk. A general summary of the bylaw is as follows:

- Winchendon is rich in water resources which are also threatened by development that creates stormwater impacts. Many towns will face large expenses to fix water problems that can be prevented at low cost.
- The bylaw consolidates references to stormwater management in Town bylaws and regulations and will reinforce the Town's Flexible Residential Development Bylaw.

### LID Bylaw benefits:

- The LID Bylaw affords an opportunity to be proactive in protecting valuable waters. **It is cheaper to prevent damages than to restore polluted waters.** Preventing damages will save taxpayers money. Clean water provides an economic benefit to the Town.
- Town bylaws and regulations are intended to protect and preserve the surface and groundwater resources of the Town from land uses that may harm the quality and quantity of its waters and other natural resources. The bylaw will provide a process with clear performance standards to carefully treat stormwater runoff where development occurs.
- The state assessment of Town waters shows these are being damaged by stormwater, and the bylaw will help prevent more problems and remedy current problems. It can diminish additional loads to existing stormwater infrastructure and may reduce the need for infrastructure updating.
- The bylaw and regulations provide detailed guidance, which is not in current Town bylaws and regulations.
- The bylaw will enable procedures and performance standards to be consistent for review of projects outside and within the wetland areas that are regulated by state stormwater policy.
- The bylaw will help the Town to meet state and federal water quality standards.
- The bylaw will foster "low impact development" (LID) practices, such as reducing impervious cover. LID techniques are highly effective, "low tech" stormwater and site planning methods, which tend to be less expensive to build and maintain than conventional stormwater methods.
- The bylaw is intended to encourage better land use and development in Winchendon and help protect the town's rural character.
- The bylaw will help the Town to apply for state and federal grants.

### Bylaw features:

- The purpose is to protect public health, safety and welfare by establishing requirements and procedures to manage runoff, increase groundwater recharge and prevent water pollution.
- The bylaw is proposed as a General Bylaw so that the Town can address stormwater impacts from many kinds of land disturbing activities.
- The bylaw will keep the amount and quality of stormwater from development equal to or better than pre-development conditions in order to reduce flooding, property damage, stream erosion, pollution, harm to aquatic life and overloading of Town drainage systems.
- The bylaw is **NOT** retroactive.

- The bylaw will apply to projects that disturb more than 20,000 square feet of land. Many of these will be larger subdivisions and projects already requiring site plan review by the Planning Board. Construction, repair or replacement of septic systems are exempt from the bylaw as are agriculture, timber harvesting with an approved Forest Cutting Plan, maintenance of existing landscaping, gardens or lawn areas associated with residential dwellings and construction of fences and utilities serving residences.
- The bylaw will establish clear, consistent procedures for submission of stormwater management plans that meet approved stormwater treatment practices. It will establish maintenance provisions to ensure treatment practices will function as designed and pose no threat to public safety.
- The Planning Board will administer, implement and enforce the bylaw. The Board will adopt and amend rules and regulations relating to the procedures and administration of the bylaw after conducting a public hearing to receive comments on proposed regulations.

or act in relation thereto. (submitted by the Planning Board)

**BOARD OF SELECTMEN: 4-1 APPROVE      FINANCE COMMITTEE:**

**ARTICLE 40**

To see if the town will vote to adopt the following General Bylaw, or act in relation thereto. (submitted by the Police Chief)

**Public Consumption or Use of Marijuana or Tetrahydrocannabinol.**

A. No person, whether in or upon a vehicle, motor vehicle, conveyance, or on foot, shall burn, smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended) while in or upon any area owned by or under the control of the Town, including but not limited to, any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, school, school grounds, cemetery, or parking lot; or in or upon any place to which the public has a right of access as invitees or licensees.

B. Any marijuana or tetrahydrocannabinol burned, smoked, ingested, or otherwise used or consumed in violation of this bylaw shall be seized, held, and disposed of in accordance with G.L. c. 94C, § 47A.

C. Whoever is found in violation of this bylaw shall, when requested by an official authorized to enforce this bylaw, state his true name and address to said official.

D. This bylaw may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by non-criminal disposition pursuant to G.L. c. 40, § 21D, by the Board of Selectmen, the Town Manager, or their duly authorized agents, or any police officer.

E. The fine for a violation of this bylaw shall be three hundred dollars (\$300.00) for each offense. A penalty imposed under this bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

**BOARD OF SELECTMEN: 4-0-1 APPROVE**

**FINANCE COMMITTEE:**

## **ZONING BYLAW ARTICLE**

**(2/3 vote required)**

### **ARTICLE 41**

To see if the town will vote to adopt the Winchendon Zoning Map as amended or act in relation thereto.

The proposed amendment will rezone the parcel identified as Assessors Map 12 Parcel 23 from (R80) Residential to (C1) Large Scale Commercial. Said parcel is located on Bemis Road. The proposed amendment to the Zoning Map is shown on a map dated April 6, 2009 and is on file with the Office of the Town Clerk. (submitted by the Redevelopment Authority and Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE  
PLANNING BOARD:**

**FINANCE COMMITTEE:**

### **ARTICLE 42**

To see if the town will vote to amend its Zoning Map by designating the following parcels located off River Street as part of the Industrial Zone. (These parcels are the site of the closed landfill/current transfer station.)

- Map 4, Parcels 25, 26, 27, 28 and 29

Or act in relation thereto. (submitted by the Planning Board)

**BOARD OF SELECTMEN: 4-1 DISAPPROVE**

**FINANCE COMMITTEE:**

**PLANNING BOARD:**

## **ROADWAY ARTICLES**

**(majority vote required)**

### **ARTICLE 43**

To see if the Town will vote to accept as a public way, the road known as Monomonac Road West, as laid out by the Board of Selectmen on April 13, 2009 and shown on plans entitled "Monomonac

Road West prepared by Edmond Boucher and dated October \_\_, 2008, and recorded at the Worcester District Registry of Deeds in Plan Book \_\_\_\_\_ Page \_\_\_\_\_, which are on file with the Town Clerk, and to further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, land or rights in land within said ways as so laid out, for all purposes for which public ways are used in the Town of Winchendon , and associated easements or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

#### **ARTICLE 44**

To see if the Town will vote to accept as public ways, a portion of the road known as Eagle Road, and all of the road known as Cardinal Lane, as laid out by the Board of Selectmen and shown on plans entitled “Benjamin Estates, Winchendon, Mass. prepared by Joseph R. Henry and Associates dated December 24, 1986, revised March 26, 1987”, and recorded at the Worcester District Registry of Deeds in Plan Book 576 Page 16, which are on file with the Town Clerk, and to further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, land or rights in land within said ways as so laid out, for all purposes for which public ways are used in the Town of Winchendon , and associated easements or act in relation thereto. (submitted by the Planning Board)

**BOARD OF SELECTMEN: RECOMMEND 5-0**

**FINANCE COMMITTEE:**

#### **ARTICLE 45**

To see if the Town will vote to accept, for the purpose of maintenance, that certain portion of Mellen Road that had been previously DISCONTINUED at the 1914 Town Meeting, being the Third Way under Article 25. The Discontinuance being formerly described as “So much of the Mellen Road, so called, as extends from the house of J. Q. Mellen deceased, to the lane leading to house of J. Shaw”, and is now being described as follows:

Beginning at the junction of an old road (Raymond Road) running easterly at a point where Mellen Road turns and runs southerly, said intersection being at land now or formerly owned by John A. & Celeste Wehmeyer; thence southerly about 3916 feet to the “lane” that leads to the former location of the house of J. Shaw” being situated on land now or formerly owned by Ronald J. Eddy. Mellen Road is a Variable Width road that is bounded generally by stone walls and, in most cases further defined by various and many plans filed at the Worcester District Registry of Deeds, or act in relation thereto. (Submitted by the Superintendent of Public Works)

**BOARD OF SELECTMEN: 5-0 APPROVE**

**FINANCE COMMITTEE:**

## CITIZEN PETITIONS ZONING ARTICLES

(2/3 vote required)

### ARTICLE 46

To see if the Town will vote to amend Article 7 Site Considerations – Dimensional and Density Regulations of the Town of Winchendon Zoning By-Law as follows:

#### 7.2 Table of Dimensional & Density Regulations

Zoning District	Minimum Lot Area Square Feet	Frontage (3)	Front Setback (3)	Side Setback (3)	Rear Setback (3)	Maximum Structure Height (floors)	Maximum Man Made Structure Height	Maximum Impervious Area as % of Lot (1)
R80	43,560	150	40	25	50	2-1/2	35'	10%
R40	40,000	150	40	25	50	2-1/2	35'	15%
R10	10,000	75	20	10	20	2-1/2	35'	25%
C1	75,000	250	75	25	25	3	45'	45%
C2	20,000	100	30	15	30	3	45'	45%
I	43,560	150	40	25	50	no	50'	no
PD except residential Note 2	5,000	75	5	0	0	3	45'	70%
PD 1&2 Family residential	10,000	75	20	20	20	2-1/2	35'	25%
PD Other residential	10,000 Note 3, 9	75 Note 9	20	Combined 30' Note 4	50	3	45'	70%
WF Note 5								

Or act in relation thereto. (submitted by George Mizhir)

**BOARD OF SELECTMEN: 4-0-1 DISAPPROVE**

**FINANCE COMMITTEE:**

**PLANNING BOARD: NOT RECOMMEND 3-0**

### ARTICLE 47

To see if the Town will vote to amend Article 10 Soil, Vegetation, Rock and gravel Removal of the Town of Winchendon Zoning Bylaws as follows:

10.2.5 Any earth removal over 19 yards for the sole purpose of commercial processing and/or sale may be done in an industrial Zone or R-80 zone, or act in relation thereto. (submitted by George Mizhir)

**BOARD OF SELECTMEN: 4-0-1 DISAPPROVE**

**FINANCE COMMITTEE:**

**PLANNING BOARD: NOT RECOMMEND 3-0**

**ARTICLE 48**

To see if the Town will vote to amend Article 5 Use Regulations by adding to Article 5.2.3 Principal Use Categories

Industrial Uses	R80	R40	R10	C1	C2	I	PD
L. Landfill	N	N	N	N	N	SP	N

Or act in relation thereto. (submitted by George Mizhir)

**BOARD OF SELECTMEN: 4-0-1 DISAPPROVE**

**FINANCE COMMITTEE:**

**PLANNING BOARD: NOT RECOMMEND 3-0**

You are hereby directed to serve this warrant by posting attested copies thereof at the several places designated by the bylaws of the town of Winchendon seven days at least before the time of holding such meeting and by mailing a copy of this warrant to each household in Winchendon in which a registered voter resides or by publication of the same in a newspaper of local distribution as required by said bylaws.

Hereof, fail not and make due return of said warrant with your doings thereon at the time and place of the meeting aforesaid. Given under our hands and seal this 4<sup>th</sup> day of May, 2009.

**BOARD OF SELECTMEN:**

\_\_\_\_\_  
Keith R. Barrows, Chair

\_\_\_\_\_  
Mark S. Shea, Vice Chair

\_\_\_\_\_  
Burton E. Gould Jr.

\_\_\_\_\_  
Corey A. Bohan

\_\_\_\_\_  
Elizabeth Hunt

I have this day posted the within warrant as therein directed:

\_\_\_\_\_  
PRINT CONSTABLE NAME

\_\_\_\_\_  
SIGN CONSTABLE NAME

\_\_\_\_\_  
DATE:

**FINANCE COMMITTEE PUBLIC HEARING  
THURSDAY, April 28, 2009  
at 7:00 PM  
SECOND FLOOR AUDITORIUM  
TOWN HALL**

This institution is an equal opportunity provider. To file a complaint of Discrimination write USDA, Director, Office of Civil Rights, Washington, DC 20250-9410.