



**TOWN OF WINCHENDON
SPECIAL TOWN MEETING WARRANT
MONDAY, NOVEMBER 13, 2023
7:00pm – Murdock High School**

SPECIAL TOWN MEETING SUMMARY SHEET

ARTIC	DESCRIPTION	SOURCE
1	Committee Report	N/A
2	Payment of Prior Year Bills	Free Cash
3	OPEB Trust Account	Free Cash
4	Separation Liability Account	Free Cash
5	Stabilization Funds	Free Cash
6	Fire Department Houseman Wages	Free Cash
7	Fire Department Spare Houseman Account	Free Cash
8	2016 Freight Liner Ambulance	Borrow
9	DPW and Fire Department Repair Account	Free Cash
10	ARPA Fund for SCBA	Free Cash
11	Reallocate Winchendon Community Park Barn Funds to Blair Square	N/A
12	Lincoln Ave Transfer to Redevelopment Authority	N/A
13	Transfer Poland and Streeter Schools to MVOC	N/A
14	Winchendon Furniture Land Swap for Bike Path	N/A
15	Accept Unaccepted Roads-DPW	N/A
16	Previous Town Charter Revisions (Revote needed)	N/A
17	Zoning Bylaw Final Draft	N/A
18	General Bylaw Final Draft	N/A
19	Name Change Board of Selectmen to Select Board- Charter	N/A
20	Name Change Board of Selectmen to Select Board - Bylaw	N/A
21	Prudent Investment Rules Acceptance	N/A
22	Temporary Solar Moratorium Non-Binding Referendum	N/A

FINANCE COMMITTEE PUBLIC HEARING
Tuesday, October 24th, 2023
7:00 PM
Town Hall, 2nd Floor Auditorium, 109 Front Street

**TOWN OF WINCHENDON
SPECIAL TOWN MEETING
NOVEMBER 13, 2023**

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, NOVEMBER 13, 2023

AT 7:00 P.M.

then and there to act on the following articles:

REPORTS AND COMMITTEES

ARTICLE 1

To see if the Town will vote to hear and act on the reports of the Finance Committee, and any other Board or Committee, or act in relation thereto. (Usual and customary article)

BOARD OF SELECTMEN: 4-0-0 RECOMMEND FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 2

To see if the Town will vote to transfer from Free Cash the sum of \$193,469.01 for the payment of bills of a prior fiscal year as follows:

Fiscal Year	Name	<u>Invoice Amount</u>
FY2023	Point Software	\$ 3,913.00
FY2023	Safeguard Business System	\$ 799.34
FY2023	Law Office of Iris Leahy	\$ 560.00
FY2023	M.I.I.A	\$ 187,876.73
FY2023	Verizon	\$ 319.94
Total		\$ 193,469.01

or act in relation thereto.

(Submitted by the Town Manager)

Nine-tenths vote required

BOARD OF SELECTMEN: 3-1-0 No Vote At This Time FINANCE COMMITTEE:

FINANCIAL ARTICLES

ARTICLE 3

To see if the Town will vote to transfer from Free Cash the amount of \$ 118,555.00 to the OPEB Trust Account that was established to mitigate the Town’s liability for Other Post-Employment Benefits (OPEB), or act in relation thereto.

(Submitted by the Finance Committee)

Majority Vote Required

BOARD OF SELECTMEN: 3-0-1 Not Recommend FINANCE COMMITTEE:

ARTICLE 4

To see if the Town will vote to accept the provisions of General Laws Chapter 40, Section 13D relative to establishing a reserve fund for future contractual separation payments upon the termination of a town employee or officer’s employment, and further to see if the Town will vote to transfer from Free Cash the sum of \$50,000 to such a Reserve Account established to mitigate the Town’s liability for Contractual Separation Pay-outs, or act in relation thereto.

(Submitted by the Finance Committee)

Majority Vote Required

BOARD OF SELECTMEN: 3-0-1 Not Recommend At This Time FINANCE COMMITTEE:

ARTICLE 5

To see if the Town will vote to transfer from Free Cash a sum of money to the Stabilization Fund, or act in relation thereto.

(Submitted by the Finance Committee)

Majority Vote Required

BOARD OF SELECTMEN: 3-0-1 Not Recommend At This Time FINANCE COMMITTEE:

ARTICLE 6

To see if the Town will vote to transfer from Free Cash the additional sum of \$60,000.00 to be added to the Fire Department Houseman account to pay for phase one of a Wage Scale Adjustment, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required

BOARD OF SELECTMEN: 4-0-0 No Vote At This Time FINANCE COMMITTEE:

ARTICLE 7

To see if the Town will vote to transfer from Free Cash the additional sum of \$126,245.00 to the Fire Department Spare Houseman account to pay for the additional staffing needed to cover multiple emergency calls, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required

BOARD OF SELECTMEN: 3-1-0 No Vote At This Time FINANCE COMMITTEE:

ARTICLE 8

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$442,551.00 for the purposes of purchasing and equipping an ambulance (with an estimated 18-month delivery time) to replace the current 2016 Freightliner ambulance, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow under and pursuant to Chapter 44 of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor, or act in relation thereto.

(Submitted by the Town Manager)

2/3 Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 4-3-0 RECOMMEND

ARTICLE 9

To see if the Town will vote to transfer from Free Cash the additional sum of \$35,000 to the DPW & Fire Department vehicle repair account, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required

BOARD OF SELECTMEN: 3-0-1 RECOMMEND

FINANCE COMMITTEE:

ARTICLE 10

To see if the Town will vote to transfer the sum of \$158,754.00 from Free Cash, to supplement previously appropriated ARPA funds, for the purpose of funding the purchase of the Fire Department apparatus fire equipment known as Self-Contained Breathing Apparatus (“S.C.B.A .”), and all related expenses and costs, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required

BOARD OF SELECTMEN: 2-1-1 RECOMMEND

FINANCE COMMITTEE:

ARTICLE 11

To see if the Town will vote to transfer the sum of \$140,000.00, which was previously approved pursuant to a vote under Article 18 of the May 15, 2023 Annual Town Meeting for purpose of funding the Recreation Department - Winchendon Community Park Barn Exterior Project, for the new purpose of funding the Blair Square Project, or act in relation thereto.

(Submitted by the Town Manager)

2/3 Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

REQUEST TO TRANSFER/ACQUIRE PROPERTY

ARTICLE 12 Lincoln Avenue – Town to the Redevelopment Authority

To see if the Town will vote to transfer from the board or commission having the care, custody and control of certain property located at Lincoln Avenue, shown as Assessors Map 2-0-77 and described in a deed recorded with the Worcester South District Registry of Deeds in Book 50638 Page 37, to the Board of Selectmen for general municipal purposes and the purpose of conveyance, and authorize the Board of Selectmen to convey said property to the Winchendon Redevelopment Authority, for such consideration, which may be nominal consideration, and upon such other terms and conditions as the Board of Selectmen deems appropriate, and to take such additional action as may be needed to effectuate the purposes of this vote, including but not limited to execution of instruments and documents to convey said property, or act in relation thereto.

(Submitted by the Town Manager)

2/3 Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 13 Conveyance to Montachusett Veterans Outreach Center, Inc. for Veterans Housing

To see if the Town will vote to authorize the Board of Selectmen to convey the Town-owned property located at Oak Street, and shown as Assessors Map 5B2-0-117, being a portion of the Poland and Streeter Schools property, for nominal consideration, to Montachusett Veterans Outreach Center, Inc., or its nominee, being the remaining portion of the property described in a deed recorded with the Worcester South District Registry of Deeds in Book 742, Page 492, and authorized for conveyance by Article 13 of the October 28, 2019 Special Town Meeting, upon such terms and conditions as the Board of Selectmen deems appropriate, and to take such additional action as may be needed to effectuate the purposes of this vote, including but not limited to execution of instruments and documents to convey said property, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required

BOARD OF SELECTMEN: 3-0-1 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 14: Property Exchange for Bicycle Path

To see if the Town will vote to transfer the care, custody and control of a Town-owned parcel of land containing 100 square feet, more or less, being a portion of the property located at Spruce Street identified as Assessors' Map 5B3-0-173 and acquired by the Town by a deed recorded with the Worcester South District Registry of Deeds in Book 154, Page 98, said property shown on a sketch plan on file with the Town Clerk, from the Board of Selectmen or other board or officer having custody thereof for the purpose for which said parcel is currently held to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to convey said parcel on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, including, without limitation, in exchange for a parcel of land containing 749 square feet, more or less, being a portion of the property located at Central Street, identified as Assessor's Map 5A3-0-353, said property shown on a sketch plan on file with the Town Clerk, for general municipal purposes; and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary or appropriate to effectuate the foregoing, or act in relation thereto.

(Submitted by the Town Manager)

2/3 Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

GENERAL BUSINESS ARTICLES

ARTICLE 15

To see if the Town will vote to accept the list of public way the roadways known as, and listed on file in the office of the Town Clerk, and available on the Town's website at <http://www.townofwinchendon.com/> and authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, the fee to and/or easements in said for all purposes for which public ways are used in the Town of Winchendon and any drainage, access, utility and/or other easements related thereto, or act in relation thereto.

(Submitted by the Town Manager)

Majority Vote Required – Unless road is not shown on a subdivision road approved by the Planning Board, in which case the vote is 2/3

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

PLANNING BOARD: 5-0-0 RECOMMEND

OTHER ARTICLES

ARTICLE 16

To see if the Town will vote pursuant to G.L. c.43B, §10(a) to amend the Town Charter as recommended by the Charter Bylaw Review Committee in a document entitled, "2021 Proposed Charter Revisions", on file in the office of the Town Clerk and available on the Town's website at <http://www.townofwinchendon.com/>, with text to be inserted underlined and text to be deleted shown in the margins; revisions include but are not limited to: ministerial and clerical amendments such as grammar, capitalization, gender neutrality, internal consistency, and references to and updates based upon state law and other matters; or act in relation thereto.

(Submitted by Charter Bylaw Review Committee in 2021 – Revote needed) **2/3 vote required**

BOARD OF SELECTMEN: 4-0-0 RECOMMEND FINANCE COMMITTEE: 7-0-0 RECOMMEND

Explanation: This article passed at ATM of May 2021 and was returned approved by the Attorney General's office. It was required to be placed on the next Town Elections Ballot and was not; therefore, at the guidance of Town Counsel, the article is being resubmitted at Town Meeting the Fall 2023.

ARTICLE 17

To see if the Town shall accept the renumbering and revision of the Zoning Bylaw of the Town from its original numbering, as amended through May 15, 2023, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Winchendon, dated September 28, 2023; said codification of the Zoning Bylaw having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning Bylaw, including amendments thereto. The Zoning Bylaw shall be codified as Chapter 300 of the "Code of the Town of Winchendon, Massachusetts." or act in relation thereto.

(Submitted by the Town Manager) **2/3 Vote Required**

BOARD OF SELECTMEN: 4-0-0 RECOMMEND AS AMENDED TO UPDATE THE FINAL DRAFT OF THE CODE TO BE DATED OCTOBER 24, 2023

FINANCE COMMITTEE: 7-0-0 RECOMMEND

PLANNING BOARD: 3-0-0

ARTICLE 18

To see if the Town shall accept the renumbering and revision of the various bylaws of the Town from their original numbering or their numbering in the former General Bylaw compilation, as amended through May 15, 2023, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General Bylaws as set forth in the Final Draft of the Code of the Town of Winchendon, dated September 28, 2023; said codification having been done under the direction of the Board of Selectmen and Town Attorney, and said Code being a compilation and comprehensive revision of the present bylaws of the Town. All bylaws of a general and permanent nature, as amended, heretofore in force and not included in the Code shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any bylaw, order or article heretofore adopted accepting or adopting the provisions of any statute of the Commonwealth. These bylaws shall be referred to as the "Code of the Town of Winchendon, Massachusetts." or act in relation thereto.

(Submitted by the Town Manager) **Majority Vote Required**

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 19

To see if the Town will vote, pursuant to M.G.L. c. 43B, Section 10(a), to amend the Town Charter to rename the Board of Selectmen as the "Select Board," and, for such purposes, to replace the words "Board of Selectmen" or "Selectmen" with "Select Board", and replace the word "Selectman" with "Select Board member"; and further, to authorize the Town Clerk to make non-substantive ministerial revisions to ensure that gender issues in the Town Charter are revised to properly reflect such change in title; and further, that said "Select Board" and "Select Board member" shall have all powers and authority granted to the Board of Selectmen under any state law or special act; or take any other action relative thereto.

(Submitted by the Board of Selectmen)

2/3 Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 20

To see if the Town will vote to amend the Town's General Bylaws to rename the Board of Selectmen as the "Select Board," and, for such purposes, to replace the words "Board of Selectmen" or "Selectmen" with "Select Board", and replace the word "Selectman" with "Select Board member"; and further, to authorize the Town Clerk to make non-substantive ministerial revisions to ensure that gender issues in the General Bylaws are revised to properly reflect such change in title; and further, that said "Select Board" and "Select Board member" shall have all powers and authority granted to the Board of Selectmen under any state law or special act; or take any other action relative thereto.

(Submitted by Board of Selectmen)

Majority Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 21

To see if the Town will vote to accept the provisions of G.L. c. 44, § 54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule", or take any other action relative thereto.

(Submitted by the Board of Selectmen)

Majority Vote Required

BOARD OF SELECTMEN: 4-0-0 RECOMMEND

FINANCE COMMITTEE: 7-0-0 RECOMMEND

ARTICLE 22 TEMPORARY SOLAR MORATORIUM NON-BINDING REFERENDUM

To see if the Town will seek to amend the Town's Zoning Bylaw by adding a new Section 6.11.19: Temporary Moratorium on the Construction of Solar Energy Collection Systems.

(Submitted by the Board of Selectmen)

BOARD OF SELECTMEN: 4-0-0 NO VOTE

FINANCE COMMITTEE:

THIS PAGE LEFT INTENTIONALLY BLANK

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 notice with information on how and where a copy of the warrant can be obtained and where it can be viewed (electronically and/or in person) to be mailed to each household owned or occupied by a registered voter of the Town. Immediately upon posting of the warrant, copies shall be provided to citizens on request and the warrant shall be posted on any Town electronic bulletin board and on the Town website 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 23rd day of October, 2023

BOARD OF SELECTMEN:

Audrey LaBrie
Audrey LaBrie, Chair

Rick Ward
Rick Ward, Vice-Chair

Barbara Anderson
Danielle LaPointe
Danielle LaPointe

Melissa Blanchard

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

David Walsh
PRINT CONSTABLE NAME

D. Walsh
SIGN CONSTABLE NAME

10/26/23
DATE:

FINANCE COMMITTEE PUBLIC HEARING
Tuesday, October 24, 2023 at 7:00 PM
Town Hall, 2nd Floor Auditorium, 109 Front St.

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