



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

**SPECIAL TOWN MEETING SUMMARY SHEET**

| <b>ARTICLE</b> | <b>DESCRIPTION</b>                      | <b>COST</b> | <b>SOURCE</b> |
|----------------|---|-------------|---------------|
| 1              | Committee Report                        | N/A         | N/A           |
| 2              | Prior Year Bills                        | \$1,394.86  | Free Cash     |
| 3              | Broadcasting Equipment Upgrades         | \$40,000    | Free Cash     |
| 4              | Town Bylaw Amendment - Recreation       | N/A         | N/A           |
| 5              | Community Preservation Act              | N/A         | N/A           |
| 6              | Whitney Pond Dam Non-Binding Referendum | N/A         | N/A           |
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**FINANCE COMMITTEE PUBLIC HEARING**  
**Tuesday, February 7<sup>th</sup>, 2023**  
**7:00 PM**  
**Town Hall, 2<sup>nd</sup> Floor Auditorium, 109 Front Street**

**TOWN OF WINCHENDON  
SPECIAL TOWN MEETING  
MARCH 13<sup>th</sup>, 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, MARCH 13<sup>th</sup>, 2023  
AT 7:00 P.M.**

then and there to act on the following articles:

*Met at the Murdock Middle/High School Auditorium at 7pm with a quorum of 196 voters present. The Pledge of Allegiance was conducted. Attorney Matt Sirigu was present representing KP Law. CART service captioning was provided.*

**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: PASSED OVER      FINANCE COMMITTEE: 6-0 PASS OVER**

***VOTED: To Passover***

***Yes: 96%    No: 4% Passed over by Majority at 7:03pm***

**FINANCIAL ARTICLES**

**ARTICLE 2**

To see if the Town will vote to transfer from Free Cash the sum of \$1,394.86 for payment of prior fiscal year bills as follows:

| <b>Fiscal Year</b> | <b>Name</b>            | <b><u>Invoice Amount</u></b> |
|--------------------|------------------------|------------------------------|
| FY2022             | To Each His Own Design | \$747.62                     |
| FY2022             | KP Law                 | <u>\$647.24</u>              |
| <b>Total</b>       |                        | <b>\$1,394.86</b>            |

(submitted by the Town Manager)      (Nine Tenths Vote Required)

**BOARD OF SELECTMEN: 5-0 RECOMMEND      FINANCE COMMITTEE: 6-0 RECOMMEND**

**VOTED:** *Approved by 9/10<sup>th</sup> Majority that the Town vote to transfer from Free Cash the sum of \$1,394.86 for the payment of prior year bills as outlined in the Special Town Meeting Warrant.*

**Yes: 95% No: 5% Passed by 9/10<sup>th</sup> Majority at 7:06pm**

### **CAPITAL ARTICLES**

#### **ARTICLE 3 - CAPITAL PURCHASE**

To see if the Town will vote to transfer from Free Cash the sum of \$40,000 for Broadcasting Equipment Upgrades and staff support in Town Hall, or to take any other action related thereto.

(submitted by the Board of Selectmen) (Majority Vote Required)

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

**FINANCE COMMITTEE: 6-0 RECOMMEND**

**SCHOOL COMMITTEE: 4-0 RECOMMEND**

**VOTED:** *Approved by Majority that the Town vote to transfer from Free Cash the sum of \$40,000 for Broadcasting Equipment Upgrades and staff support in Town Hall as presented.*

**Yes: 83% No: 17% Passed by Majority Vote at 7:10pm**

### **OTHER ARTICLES**

#### **ARTICLE 4 - GENERAL BYLAW AMENDMENT**

To see if the Town will vote to amend the General Bylaws of the Town of Winchendon as recommended by the Recreation Commission and Winchendon Community Park Committee as shown below with text to be inserted underlined and text to be deleted crossed out:

### **ARTICLE 24 PARKS & RECREATION COMMISSION**

1. A) There shall be a Parks & Recreation Commission [the Commission] consisting of nine (9) ~~seven (7)~~ members appointed by the Board of Selectmen. The Commission shall consist of not more than two (2) Middle or High School students who reside in Winchendon. ~~One (1) member shall be a Winchendon middle school student in good standing, and one (1) member shall be a Winchendon high school student in good standing.~~
  - (B) Except as provided in subsection 1(D), the terms shall be for three (3) years and so arranged that the term of as nearly an equal number as is possible shall expire each year.
  - (C) Upon the completion of these original terms, each member shall serve for three years, except as provided in subsection 1(D).
  - (D) Middle or High School Student members, if any, shall be appointed annually.
2. The Commission acts in an advisory capacity in matters pertaining to public recreation; The Commission shall makes annual budget recommendations and assists in creating policy and planning a recreation program to stimulate public interest and community wide engagement, including the planning of park and recreation facility maintenance.
3. The stated primary function of the Commission is to expand and enhance the recreation opportunities for the residents of Winchendon as well as to help beautify & maintain the parks and recreation areas within Winchendon.

4. The Commission may make recommendations for the establishment of reasonable fees for use of any recreation facilities and Programs as it deems to be consistent with established Recreation Policy and Bylaws.

The Commission shall submit to the Town Manager its recommendation for an annual budget.  
or act in relation thereto.

(Submitted by Recreation Commission and Winchendon Community Park Committee) (Majority Vote required)

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

**FINANCE COMMITTEE: 6-0 RECOMMEND**

**RECREATION COMMISSION: 5-0 RECOMMEND**

**WCPC: 4-0-1 RECOMMEND**

***VOTED: Approved by 2/3<sup>rd</sup> Majority that the Town vote to amend the General Bylaws of the Town of Winchendon as recommended by the Recreation Commission and Winchendon Community Park Committee as shown in the Town Meeting Warrant with text to be inserted underlined and text to be deleted crossed out.***

***Yes: 79% No: 21% Passed by 2/3<sup>rd</sup> Majority at 7:13pm***

#### **ARTICLE 5 - COMMUNITY PRESERVATION ACT**

To see if the Town will vote to accept the Community Preservation Act, G.L. c.44B, §§3-7, and establish a property tax surcharge of 3%, to be effective July 1, 2023, for the three general purposes of the CPA, open space and recreation land, historical preservation and creation and support of community housing, and adopt the following three statutory exemptions:

1. Property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the town would be exempt from the surcharge upon filing an annual application.
2. The first \$100,000 of taxable value of residential real estate would be exempt (automatically applied).
3. The first \$100,000 of taxable value of class three commercial and class four industrial properties would be exempt (automatically applied).

and, further noting that, as required by law, adoption of the act and imposition of the surcharge may occur only if the voters of the Town also approve adoption of the CPA in the form voted by this meeting; or take any other action relative thereto.

(Submitted by Community Preservation Act Exploratory Committee) (Majority Vote required)

*The Community Preservation Act is a statewide program dedicating funds to three general purposes: acquisition and preservation of open space and recreation land; historical preservation of land, buildings, and documents of historic value; and creation or support of community housing (with affordability defined by reference to HUD average median income findings). Locally, a property tax surcharge of up to 3% is assessed for such purposes. At the state level, each Registry of Deeds assesses a surcharge on all transactions, and such amounts are later dispersed to participating communities based upon a formula that includes the amount collected through the local surcharge and the percent surcharge assessed. The Community Preservation Exploratory Committee, Finance Committee and Select Board support adoption of the CPA with a 3% surcharge and all of the available exemptions, and recommend adoption of a financial policy that limits the total amount to be expended annually, so that 5% of annual revenues will remain in the fund, and prohibits borrowing.*

*If approved by Town Meeting and, later, at an election, a Community Preservation Fund (CPF) will be established to receive the local surcharge and state matching funds. State law requires that each year, 10% of what is collected in the CPF be spent or set aside for each of the four purposes of the CPA. State law also allows up to 5% of what is collected to be appropriated for the annual expenses of a Community Preservation Committee (CPC); any unexpended portion of the annual*

*appropriation closes out to the CPF at the end of the fiscal year. The CPC will be established by by-law, with 5 statutorily required representatives of particular boards and committees, and up to 4 additional elected members. Town Meeting cannot appropriate CPA funds without a recommendation from the CPC, although Town Meeting may reduce or reject the CPC's recommendation.*

|  |                      |
|--|----------------------|
| <b>BOARD OF SELECTMEN:</b>                               | <b>3-2 RECOMMEND</b> |
| <b>SCHOOL COMMITTEE:</b>                                 | <b>4-0 RECOMMEND</b> |
| <b>FINANCE COMMITTEE:</b>                                | <b>6-0 RECOMMEND</b> |
| <b>COMMUNITY PRESERVATION ACT EXPLORATORY COMMITTEE:</b> | <b>7-0 RECOMMEND</b> |
| <b>CAPITAL PLANNING COMMITTEE:</b>                       | <b>5-0 RECOMMEND</b> |
| <b>PLANNING BOARD:</b>                                   | <b>4-0 RECOMMEND</b> |
| <b>CONSERVATION COMMISSION:</b>                          | <b>4-0 RECOMMEND</b> |
| <b>HISTORIC COMMISSION:</b>                              | <b>5-0 RECOMMEND</b> |
| <b>RECREATION COMMISSION:</b>                            | <b>5-0 RECOMMEND</b> |
| <b>AGRICULTURAL COMMISSION:</b>                          | <b>5-0 RECOMMEND</b> |

***VOTED: Failed by Majority Vote***

***Yes: 38% No: 62% Failed by Majority at 7:48pm***

### **ARTICLE 6 - WHITNEY POND DAM NON-BINDING REFERENDUM**

To see if the Town will vote to recommend the Board of Selectmen seek grant and other available funds for the purpose of making certain improvements to the Whitney Pond Dam such that water levels in the Whitney Pond will be higher and restored to the levels obtained when the Dam was originally installed, rather than proceeding with a more cost effective repair of the existing Dam with available funds that would keep the water level at its current, lower level but permit the Dam to continue functioning as needed for the foreseeable future; or to take any other action relative thereto.

*(Submitted by the Board of Selectmen) (Majority Vote Required)*

**BOARD OF SELECTMEN: 5-0 RECOMMEND      FINANCE COMMITTEE: 6-0 RECOMMEND**

***VOTED: Defeated by Majority that the Town vote to recommend the Board of Selectmen seek grant and other available funds for the purpose of making certain improvements to the Whitney Pond Dam such that water levels in the Whitney Pond will be higher and restored to the levels obtained when the Dam was originally installed, rather than proceeding with a more cost effective repair of the existing Dam with available funds that would keep the water level at it's current, lower level but permit the Dam to continue functioning as needed for the foreseeable future.***

***Yes: 49% No: 51% Failed by Majority at 8:01pm***

***On a motion duly made and seconded, the Special Town Meeting was adjourned at 8:03pm.***

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 6th day of February 2023.

**BOARD OF SELECTMEN:**

Audrey LaBrie  
Audrey LaBrie, Chair

Rick Ward  
Rick Ward, Vice-Chair

Barbara Anderson  
Barbara Anderson

Danielle LaPointe  
Danielle LaPointe

Amy Salter  
Amy Salter

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

R.S. Marnett  
PRINT CONSTABLE NAME

RS Marnett  
SIGN CONSTABLE NAME

2/27/23  
DATE:

A TRUE COPY ATTEST  
William J. K...  
Town Clerk

**FINANCE COMMITTEE PUBLIC HEARING**  
**Tuesday, February 7<sup>th</sup>, 2023 at 7:00 PM**  
**Town Hall, 2<sup>nd</sup> 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

Special Town Meeting Warrant  
MONDAY, MARCH 13, 2023