



**TOWN OF WINCHENDON
SPECIAL TOWN MEETING WARRANT
NOVEMBER 13, 2017**

Special Town Meeting Warrant - November 13, 2017

SPECIAL TOWN MEETING SUMMARY SHEET

[illegible]

FINANCE COMMITTEE PUBLIC HEARING
Tuesday, October 17, 2017 at 7:00 PM
Town Hall, 2nd Floor Auditorium, 109 Front Street

TOWN OF WINCHENDON
SPECIAL TOWN MEETING
November 13, 2017

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, 2017
AT 7:00 P.M.

Met at Murdock Middle High School. Meeting called to order at 7:00 p.m. by Moderator Richard L. Morin Sr. with a quorum present. Attorney Brian Riley was present representing Town Counsel Kopelman and Paige.

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 reports of the Finance Committee, and any other Board or Committee, or act in relation thereto. (usual and customary article)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTE: Approved (unanimously) to hear the Finance Committee Report.

FINANCIAL ARTICLES
(simple majority required)

ARTICLE 2

To see if the Town will vote to transfer from Free Cash the sum of \$301,995 for the following capital items:
(Submitted by the Town Manager)

<u>Project</u>	<u>Department</u>	<u>Amount</u>
Repave Fire Station	Fire	25,000
Replace Dump Truck and Sander	School	63,000
Replace Venrac Tractor	School	60,100
Upgrade MHS/MMS Phones	School	52,900
Security Cameras	School	30,000
Cruiser Replacement	Police	38,995
Replace/Acquire Patrol Rifles	Police	7,000
Replace Duty Weapons	Police	25,000
		\$ 301,995

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 6-1 Recommend

VOTE: APPROVED (Majority) to transfer \$286,995 from free cash in the operating budget to increase the FY2017-18 Capital Improvement appropriation.

ARTICLE 3

To see if the Town will vote to transfer from available funds the sum of \$28,000 into the Finance Committee Snow and Ice Reserve Account.
(Submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 6-1 Recommend

VOTED: APPROVED (Majority) to transfer \$28,000 from free cash into the FY2017-18 Finance Committee's Snow and Ice Reserve Account.

ARTICLE 4

To see if the Town will vote to transfer from available funds the sum of \$50,000 for the reconstruction of sidewalks on Central and Grove Streets.
(submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTED: APPROVED (Majority) to transfer \$50,000 from free cash into the FY17-2018 Capital Improvement Account for the Town's portion of sidewalk construction on Central and Grove Streets.

ARTICLE 5

To see if the Town will vote to transfer from available funds the sum of \$20,000 to establish an advance for the Special Duty Police Detail Agency Fund.
(Submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 5-2 Recommend

VOTED: APPROVED (majority) to transfer from free cash the sum of \$20,000 to establish an advance for the Special Duty Police Detail Agency Fund.

ARTICLE 6

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$17,742 for amendments to the operating budget of the Town for the fiscal year beginning July 1, 2017 as follows, or act in relation thereto.

(submitted by the Town Manager)

<u>Department</u>	<u>Purpose</u>	<u>Amount</u>
Town Garage-Electricity	Increase by	42
Town Hall-Electricity	Increase by	5,788
Fire-Electricity	Increase by	1,489
Senior Center-Electricity	Increase by	874
Senior Center-Gasoline	Increase by	7,000
Senior Center-Vehicle Repair	Increase by	1,000
Library-Electricity	Increase by	585
Street Lights-Electricity	Increase by	5,058
Police-Electricity	Increase by	5,906
Health Insurance-Employer	Decrease by	(10,000)
Total		\$ 17,742

BOARD OF SELECTMEN: 5-0 Recommend

FINANCE COMMITTEE: 7-0 Recommend

VOTED: APPROVED (majority) to appropriate from free cash the sum of \$17,742 for amendments to the Town operating FY2017-18 budget as outlined in this article.

ARTICLE 7

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$52,535 for the operating budget of the School for the fiscal year beginning July 1, 2017, or act in relation thereto. (usual and customary article)

(submitted by the Town Manager)

<u>Department</u>	<u>Purpose</u>	<u>Amount</u>
Murdock Middle/High School-Electricity	Increase by	27,095
Memorial School-Electricity	Increase by	17,294
Toy Town Elementary-Electricity	Increase by	8,146
		\$ 52,535

BOARD OF SELECTMEN: 5-0 Recommend

FINANCE COMMITTEE: 7-0 Recommend

VOTED: APPROVED (majority) to appropriate from free cash the sum of \$52,535 for amendments to the School operating FY2017-18 budget as outlined in this article.

USUAL AND CUSTOMARY WATER ENTERPRISE ARTICLE

(majority vote required)

ARTICLE 8

To see if the Town will vote to appropriate the sum of \$26,501 from Water Retained Earnings for direct costs of the Water Department Enterprise Fund for the fiscal year beginning July 1, 2017, or act in relation thereto.
(submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTED: APPROVED (majority) to appropriate from Water Retained Earnings the sum of \$26,501 for amendments to the Water budget for FY2017-18 budget as outlined in this article.

USUAL AND CUSTOMARY WASTEWATER ENTERPRISE ARTICLE

(majority vote required)

ARTICLE 9

To see if the Town will vote to appropriate the sum of \$29,099 from Wastewater Retained Earnings for the direct costs of the Wastewater Treatment Department Enterprise Fund for the fiscal year beginning July 1, 2017, or act in relation thereto.
(submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTED: APPROVED (majority) to appropriate from Wastewater Retained Earnings the sum of \$29,099 for amendments to the Wastewater budget for FY2017-18 budget as outlined in this article.

REQUEST TO SELL/TRADE TOWN PROPERTY

(majority vote required)

ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to convey the Town-owned property located on High Street, and shown as Assessors Map 8A3 Parcel 105, for such consideration, including acquisition of other land in addition to or in lieu of a cash payment, and upon such other terms and conditions as it deems appropriate, and to authorize said Board to acquire any such land by purchase, gift, or eminent domain for general municipal purposes 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 further, to raise and appropriate, transfer or borrow a sum of money for such purposes; or act in relation thereto.
(submitted by the Town Manager)

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTE: APPROVED (majority) to pass over this article.

REQUEST TO RESCIND PRIOR YEAR LONG TERM DEBT AUTHORIZATION

(majority vote required)

ARTICLE 11

To see if the Town will vote to rescind the following bond authorizations approved by previous Town Meetings as follows, or act in relation thereto.

<u>Purpose</u>	<u>Date of Vote</u>	<u>Article Number</u>	<u>Amount Authorized</u>	<u>Amount Requested to be Recinded</u>
Diesel Tractor w/ Mowing Deck	5/20/13	16	\$9,500	\$9,500
Town Hall Boiler Replacement (submitted by the Town Manager)	5/12/14	29	\$91,245	\$91,245

BOARD OF SELECTMEN: 5-0 Recommend FINANCE COMMITTEE: 7-0 Recommend

VOTE: APPROVED (majority) to rescind the bond authorizations approved by previous Town Meetings as outlined in this article.

ZONING BYLAW ARTICLES (two-thirds vote required)

ARTICLE 12

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 6.12, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Section 6.12, "Temporary Moratorium on Recreational Marijuana Establishments:"

Section 6.12.1

Purpose

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, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) 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 no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address 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 Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Section 6.12.2

Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana- related business."

Section 6.12.3 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 a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues. Or take any action relative thereto.
(submitted by the Planning Board)

BOARD OF SELECTMEN: 4-1 Recommend FINANCE COMMITTEE: 7-0 Recommend
PLANNING BOARD: 5-0

VOTE: APPROVED (two-thirds) to amend the Town Zoning Bylaw by adding a new Section 6.12 as printed in this article.

It was moved, seconded and unanimously APPROVED to close the meeting at 7:54 p.m.

ATTEST:

Judy A. LaJoie
Town Clerk

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 16th day of October 2017.

BOARD OF SELECTMEN:

Barbara Anderson

Barbara Anderson, Chair

Audrey LaBrie

Audrey LaBrie, Vice Chair

Mike Barbaro

Michael Barbaro

Austin Cyganiewicz

Austin Cyganiewicz
Charles Husselbee

Charles Husselbee

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

Frederick A. Cloutier

PRINT CONSTABLE NAME

SIGN CONSTABLE NAME

October 23, 2017

DATE:

<p>FINANCE COMMITTEE PUBLIC HEARING Tuesday, October 17, 2017 at 7:00 PM Town Hall, 2ND Floor Auditorium, 109 Front Street</p>
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