



Town of West Newbury, Massachusetts

Fall Town Meeting

October 24, 2022, 7:00 p.m.

Town Annex, 379 Main Street



October 24, 2022

Dear Fellow Residents of West Newbury:

The Open Town Meeting form of government that West Newbury uses gives every registered voter the opportunity to participate in the decision-making process of how our town operates and utilizes its resources. It is a brilliantly simple, but sometimes complex process, which allows for all registered voters to express an opinion and vote on the issues at hand. Prior to each Town Meeting, the Select Board decides which issues will be brought forth on the warrant for consideration, and they make a recommendation based on their discussions and deliberations. Then the Finance Committee, comprised of six registered voters appointed by the Select Board, holds hearings, and discusses each of the warrant articles for consideration. We also vote our recommendations and present them to the voters with our rationale for consideration in this booklet. At the Annual Town Meeting (in the spring) and at the fall Special Town Meeting it is up to the citizens of West Newbury to consider the articles and recommendations of the Select Board and the Finance Committee, and as a community to decide how our finances will be allocated as well as to vote on numerous other warrant articles.

This fall is somewhat different for the Finance Committee as we are a significantly new committee with five of our six members recently appointed. The previous Finance Committee members, working with our Town Manager and Finance personnel, did a remarkable job of guiding the Town over the past and have left us in a very strong financial position. I highly respect their commitment and wisdom over the years. As a committee, we will strive to serve the Town with the same level of commitment and dedication, and we will continue to welcome citizens' input at any time.

Generally, articles on the fall Special Town Meeting warrant are issues of a more urgent nature, that are better addressed now, rather than waiting until the spring. This typically provides for a smaller number of articles for consideration, but each merits our thoughtful consideration and attention. This warrant presents the voters with fifteen (15) articles for consideration. One article is for a transfer of funds into the Affordable Housing Trust from the Inclusionary Housing Account. There are two articles which are proposed to be funded with Community Preservation Act funds. There are eight (8) articles which are proposed to be funded from Free Cash for a total of \$378,100, including a proposal to draw \$250,000 from Free Cash in order to reduce the current fiscal year tax rate. The Town's certified Free Cash balance (as of June 30, 2022) is \$2,128,806. Deducting the entire \$378,100 would leave a balance in the free cash account of \$1,750,706. The Massachusetts Department of

Revenue recommends that the balance in this account should be 5% of our annual operating budget of \$18,119,877 which would be approximately \$905,994, so as noted we are in a very strong financial position currently. Additionally, the town is fortunate to have \$1,955,368 in the Capital Stabilization account.

One more bit of good news: over the summer, conducting its first credit review in 4 years, Standard & Poor’s initiated a ratings call with town management. Representing the town were the Town Manager, Town Accountant/Business Manager, Treasurer/Collector, and Chief Assessor, and also the town’s financial advisor Hilltop Securities. Following its review, S&P upgraded the Town of West Newbury’s credit rating from AA+ to AAA — its highest grade — as formal recognition of West Newbury’s sound financial management and credit-worthiness. Factors cited in its review, in addition to increasing fund balances and values, included the Select Board’s adoption of best practices financial policies and management’s adherence to policies; the strength of the town’s capital planning; and the town’s forward-looking resiliency planning. As a result of this AAA bond rating, the Town can expect to enjoy lower interest rates on debt, which will optimize the Town’s ability to finance its capital needs in future years. This upgrade represents a major achievement building on years of hard work.

“Alone, we can do so little; together, we can do so much.”

- Helen Keller

Chris Wile, Chair

The West Newbury Finance Committee

Chris Wile, chair

Jim Sperelakis, secretary

Walter Burmeister

Rob Phillips

Daniel Innes

Ross Capolupo

Angus Jennings, ex officio

Reading Votes for Town Meeting Warrant Articles.

Votes for town meeting warrant articles follow the format of **(Yay-Nay-Abstention)** for the given article. For example:

Select Board Recommendation: **Approve: 2-1-0**

This states that two Select Board members **approved** the article, one **disapproved**, no **abstentions**.

FinCom Recommendation: **Disapprove: 2-3-1**

This states that two FinCom members **approved** the article, three **disapproved**, one **abstention**.

NOTE: For articles seeking appropriations in excess of \$20,000, the quorum requirement for a Special Town Meeting is at least 90 registered voters.

WHAT TO EXPECT AT TOWN MEETING DUE TO COVID-19

This section is intended to share some information about the preliminary plans for the Monday, October 24, 2022 Special Town Meeting.

Please know that the primary concern of all town officials is to conduct the meeting in a way that protects the health and safety of everyone, while at the same time upholding our town meeting traditions and standards of participatory democracy. Following is a summary of some of the measures to help conduct town meeting safely and efficiently.

Face Coverings: Attendees may choose to wear face coverings over both their nose and mouth. The Town will provide face coverings on request, for those who do not have them. Anyone who requests separate seating for medical reasons will be assigned to sit in a designated location in which only those with face coverings will be permitted. Attendees in this designated location will be afforded full access to the proceedings.

Main Motion: A designated speaker will read the main motions under the articles. Then we will move to debate.

Meeting Efficiency: A number of steps will be taken to help facilitate a quick, efficient, and orderly meeting.

Weather Date: The decision on whether to postpone would likely need to be made the day of the meeting. In the unlikely event that a postponement is needed due to weather, we will post notice on the Town of West Newbury website (www.wnewbury.org) and via reverse 911, email, social media, and the press.

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT – SPECIAL TOWN MEETING
MONDAY, OCTOBER 24, 2022 @ 7:00pm**

Essex, ss.

To any of the Constables of the Town of West Newbury:

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs to meet indoors at the **Town Annex 379 Main Street**, at 7:00 p.m. on Monday, **October 24, 2022**, to act upon or take any other action relative to all of the following articles.

GENERAL GOVERNMENT MATTERS

ARTICLE 1. To hear and act upon the reports of Town officers and committees, or take any other action relative thereto. *By request of the Select Board.*

APPROPRIATIONS

ARTICLE 2. To see if the Town will vote to transfer from available funds the sum of \$250,000.00 to reduce the current year tax rate, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 4-1-0
Select Board Recommendation: Approve: 2-0-1

Rationale for Approval: *If \$250,000 from free cash is used to reduce the tax rate, this year's increase in our tax bills will be lower than otherwise. The amount being proposed is in line with recent years. Taking into account turnbacks from the prior year FY22 budget year, the proposed amount would maintain an amount of funds available in Free Cash that remains about where it has been recently.*

Funding source: *Free Cash*

Sunset Date: *N/A*

ARTICLE 3. To see if the Town will vote to transfer from the Inclusionary Housing Account the sum of \$193,908.55 to the Affordable Housing Trust, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 5-0-0
Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee unanimously supports this article. The Zoning Bylaw requires that 10% of new developments (3 or more units) are affordable. Where this 10% results in a fractional unit, the*

Planning Board has been requiring funds from developers where it is not possible to build fractional affordable housing units. The proposed amount for transfer represents the total amount of available funds that have been provided in lieu of these units. As the Town has now formally established an Affordable Housing Trust, and the Trust is now legally approved by the Attorney General, these funds should be transferred into this account as has been envisioned since the adoption of the inclusionary zoning bylaw. Once funds are transferred into the Trust, they can be expended for lawful purposes (as defined in the Trust Bylaw), and do not require further appropriation by Town Meeting.

Funding source: *Inclusionary Housing Account*

Sunset Date: *N/A*

ARTICLE 4. To see if the Town will vote to transfer from available funds the sum of \$50,000.00 to provide matching funds upon award of a Municipal Vulnerability Preparedness grant in the FY23 grant round, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee supports this article as a necessary first step in assessing the risks and potential solutions to flooding and shoreline erosion along the banks of the Merrimack River near River Road.*

On February 29, 2020, the Town held a West Newbury Municipal Vulnerability Preparedness (MVP) workshop. The workshop was facilitated by MVP certified staff from the Horsley Witten Group and considered extensive input from town officials as well as local citizens and stakeholders. The Summary of Findings dated May 2020 identified River Road flooding and erosion as a Group 1 top priority.

Separately, the Finance Committee observed that addressing erosion becomes exponentially more costly in later stages and can reach a point where stabilization/restoration may not be economically viable. A local example of this would be River Road in Merrimac, where a portion of the right of way was permanently abandoned several years ago due to acute erosion: the public must now detour up Skunk Road, to Middle Road, and back onto River Road.

The MVP Grant will be sought to hire a qualified environmental engineering consultant to assess the conditions of the Merrimack River shoreline along River Road, assess culverts, conduct a flood risk analysis, provide conceptual plans for shoreline stabilization and infrastructure adaptation related to flood risk, and engage the community in this assessment process.

Lastly, the subject MVP Action Grant only requires a 25% local match, representing a substantial opportunity for the Town to perform this necessary assessment for what amounts to a 75% discount.

Funding source: *Free Cash*

Sunset Date: *6/30/25*

ARTICLE 5. To see if the Town will vote to transfer from available funds the sum of \$30,000.00 for the purpose of purchasing and installing new assessing software, including all incidental and related expenses, or take any other action relative thereto. *By request of the Board of Assessors.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The current Assessing Department software was released in 2004 and was last updated in 2014. Security patches and additional features have been added since then, but the core software remains largely unchanged. The proposed software would provide a higher degree of accuracy of assessments; is a better fit for*

customizations; and is more reliable. The Town will own the software and its expected lifetime is more than 5 years. Current budgeted Assessing Department operating expenses will cover anticipated operating expenses for this upgraded software.

Funding source: Free Cash

Sunset Date: 6/30/24

ARTICLE 6. To see if the Town will vote to transfer from available funds the sum of \$15,000.00 for the purpose of upkeep and maintenance of town baseball/softball diamonds, including all incidental and related expenses, or take any other action relative thereto. *By request of the Parks and Recreation Commission.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *Every year in the fall, the baseball diamonds at Cammett Park and softball fields at Page School should be prepared ahead of the next spring. The expense budget set for this FY2023 did not carry the full cost of that annual maintenance to be done. In addition, the Parks & Rec Commission overstated the projected revenue from field fees, which is used to offset a portion of Parks & Rec expenses, in its FY23 budget. The Revolving Account balance, where the field fees go into ahead of disbursements for some expenses, has been diminished somewhat over the past few years. By approving this article, the annual maintenance as needed can be completed this fall and Parks & Recreation will be assured adequate funds to take care of its other budgeted obligations. Next year's Budget (FY2024) will more clearly define revenue expected and all expenses to be incurred.*

Funding source: Free Cash

Sunset Date: 6/30/23

ARTICLE 7. To see if the Town will vote to transfer from available funds the sum of \$8,000.00 for all costs and expenses pertaining to identifying, mapping and remediating invasive species on public lands in the Town of West Newbury, including all incidental and related expenses, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee unanimously supports this article because invasive species of plants are a point of concern for many of the residents of West Newbury, and this article will advance our attempts to try and deal with the impact of invasive plant species. This is a continuation of a similar project completed this past summer. The \$8,000 funding is intended for the wages and expenses of two student interns, performing invasive species mapping and control work on Town land. The interns will be supervised by the Town's Conservation Agent, in consultation with other personnel, residents and Committees engaged with this work. Their work is expected to support future efforts for invasives eradication and replacement with native pollinator gardens on public land. This article will also allow for community outreach to educate residents on both identifying and eradicating invasive species on their own property.*

Funding source: Free Cash

Sunset Date: 6/30/24

ARTICLE 8. To see if the Town will vote to transfer from available funds the sum of \$6,500.00 for the purpose of supporting the preparation of a FY23 Safe Routes to Schools grant application, including all incidental and related expenses, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 5-0-0
Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *These funds will be used to pay for additional consulting services by the firm which was retained by the Town last winter to conduct a Safety Audit of the intersection of Main Street (Route 113), Pipestave, and the Page School driveways. The proposed additional consultant support will assist the Town in making application for a Safe Routes to School infrastructure grant. The Safety Audit documented several deficiencies which were known to exist and resulted in several proposed recommended safety improvements. The Town’s objective in seeking a Safe Routes to Schools grant, which could fund up to \$1,500,000 in design and construction, will be to implement the recommended safety improvements, which will be proposed to include construction of new sidewalk along a stretch of Route 113. The additional consulting services under this article will strengthen the Town’s grant application.*

Funding source: Free Cash

Sunset Date: 6/30/23

ARTICLE 9. To see if the Town will vote to transfer from available funds the sum of \$2,100.00 for the purpose of providing additional funding for early voting, mail-in, and election day staff, including all incidental and related expenses, or take any other action relative thereto. *By request of the Town Clerk.*

FinCom Recommendation: Approve: 4-0-1
Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee supports this article. This fall, the Town Clerk/Board of Registrars offered additional hours for early voting (including evening and weekend hours) above and beyond what is required. More recently, the State adopted additional requirements for early voting. This has raised costs above what was anticipated when the current FY23 budget was approved.*

Funding source: Free Cash

Sunset Date: 6/30/23

ARTICLE 10. To see if the Town will vote to transfer from available funds the sum of \$16,500.00 to provide matching funds upon award of a Green Communities grant in the FY23 grant round, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: Approve: 6-0-0
Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The purpose of this grant application is to take advantage of state funding matches from the Green Communities program, to make a necessary and inevitable upgrade to the HVAC control system for the Council on Aging and Town Offices buildings. In simple terms, these controls dictate when and where the heating and cooling systems turn on and off, and for how long they run. The existing controls are a legacy mechanical system that still function but are costly to repair and nearing obsolescence. The new controls would be a modern, digital system that integrates into the existing building automation system. This technology yields improved energy efficiency through advanced scheduling akin to a smart thermostat in your home.*

The total project cost for this upgrade is \$57,000. This article requests \$16,500.00 in new funding, which will be combined with \$8,500 that was previously appropriated in a similar, unsuccessful grant application. If awarded, the Town would contribute the sum of these figures or \$25,000 which equates to 44% of the total cost. The Grant would provide the remaining \$32,000 or 56%, representing a significant economic opportunity for the Town. The estimated annual savings from the upgrades suggest that the Town would fully recoup its out-of-pocket costs in 5 to 8 years, with plenty of service life remaining.

Funding source: Free Cash

Sunset Date: 6/30/24

ARTICLE 11. To see if the Town will vote to transfer from Community Preservation Act funds, Historical Preservation Reserve, the sum of \$27,500.00 for the purpose of conducting an historic sites survey, including all incidental and related expenses, or take any other action related thereto. *By request of the Community Preservation Committee.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee unanimously supports this article for the third phase of the Historical Commission's effort to identify and inventory historical structures in West Newbury. The first phase of this project was completed in October 2018. Then, the second phase was approved in April 2019 (Special Town Meeting Article 2). Both phases were well received by owners of the properties that were identified. Upon completion of this project, the Town will be eligible for reimbursement of the funds appropriated in this article through a 50% matching grant from the Massachusetts Historical Commission. This is the final phase of the Historical Commissions historical site survey.*

Funding source: CPC Historical Preservation Reserve

Sunset Date: 6/30/24

ARTICLE 12. To see if the Town will vote to transfer from Community Preservation Act funds, Historical Preservation Reserve, the sum of \$3,000.00 for the purpose of historical and site research regarding the Almshouse Cemetery, including all incidental and related expenses, or take any other action related thereto. *By request of the Community Preservation Committee.*

FinCom Recommendation: Approve: 5-0-0

Select Board Recommendation: Approve: 3-0-0

Rationale for Approval: *The Finance Committee recommends the transfer of funds to perform this survey of the Almshouse Cemetery. There are a number of unmarked graves so it's important to note and map the location of each. There is a need to perform this survey before further degradation of the site takes place.*

Funding source: CPC Historical Preservation Reserve

Sunset Date: 6/30/24

BYLAWS - OTHERS

ARTICLE 13. To see if the Town will vote to amend the West Newbury Town Bylaws Section XXXVI Community Preservation Committee Bylaw, a copy of which revisions are on file and available for viewing in the Town Clerk’s Office, and further, to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting, so as to ensure consistency with the rest of the Town Bylaws, as necessary, or take any other action relative thereto. *By request of the Select Board.*

FinCom Recommendation: No Vote
Select Board Recommendation: **Approve:** 2-0-1

Note: The specific language proposed for amendment, is included in Appendix A.

ARTICLE 14. To see if the Town will vote to grant the Select Board authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, and take any other action relative thereto. *By request of the Energy and Sustainability Committee.*

FinCom Recommendation: **Approve:** 5-0-0
Select Board Recommendation: **Approve:** 3-0-0

Rationale for Approval: *Electricity aggregation enables the Town to provide new electricity supply options for our residents and businesses. This has the potential to reduce electric bills below normal market rates and also increase the amount of electricity from renewable resources. If a municipal aggregation is implemented in our Town, individual residents and businesses would retain the right to opt-out of the aggregation with no penalty and to choose any other competitive supplier or stay with the default utility. The warrant article allows the Town to explore aggregation but does not obligate it to pursue aggregation if conditions are not favorable.*

Funding source: N/A

Sunset Date: N/A

ARTICLE 15. To see if the Town will vote to amend the West Newbury Zoning Bylaw to amend Section 5.A. Residence A, B and C Districts, to add a new sub-section 5.A.5. “Uses Permitted in Residence C District with a Special Permit,” a copy of which revisions are on file and available for viewing in the Town Clerk’s Office, and further, to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting, so as to ensure consistency with the rest of the Zoning Bylaws, as necessary, or take any other action relative thereto. *By request of the Select Board.*

Note: Requires a two-thirds vote to pass.

FinCom Recommendation: **Disapprove** 0-5-0
Select Board Recommendation: **Approve:** 3-0-0

Rationale for Disapproval: *The intent of this article is to allow an economically feasible use for a third party to secure (via sale or long-term lease) rights to the Soldiers & Sailors Memorial Building, and to restore the building to a productive use as an office building. The article as written would apply across the Residence C Zoning District which might lead to unintended consequences in the future, allowing any residence in the district to go through the proposed process to establish offices as a primary use in the Residence C District. The Finance Committee is supportive of the objective of transferring the Soldiers & Sailors Memorial Building to a third party for reuse, as authorized by voters at the May 2022 Town Meeting, but is concerned that the scope of the proposed amendments is overbroad. The Finance Committee would favor a proposal to apply the language in the article solely to the site of the Soldiers and Sailors Memorial building, accomplishing its intent with no additional exposure to the rest of the district. There is also currently existing under our zoning by-laws a third avenue available to an interested purchaser involving applications to the Zoning Board of Appeals and to the Planning Board. This third way, however, does involve some permitting risk which might discourage prospective buyers.*

Note: The specific proposed language proposed for amendment, is included in Appendix B.

**APPENDIX A – 2022 Special Town Meeting
STM Article #13
TOWN BYLAWS**

ARTICLE 13. Proposed amendments to the Town Bylaws, Community Preservation Committee Bylaw.

Editing Notes:

- Text with no underline, strike through, or italics: Current language that is not being changed or deleted.
- ~~Text with Strikethrough~~: Language proposed for deletion.
- Double-Underlined Text: Proposed new language.

XXXVI Community Preservation Committee Bylaw

[Adopted at the April 30, 2007 Annual Town Meeting, Approved by the Attorney General on June 11, 2007, Posted According to Law on June 25, 2007. Amended at the April 28, 2008 Annual Town Meeting, approve by the Attorney General on June 12, 2008, Posted According to Law on June 17, 2008 Amended by Article 11 of the Special Town Meeting held on October 24, 2016 approved by the Attorney General on September 17, 2017 and posted according to law on September 19, 2017 References to the Finance Director were replaced with reference to the Town Manager by Article 19 of the Annual Town Meeting held on April 30, 2018 approved by the Attorney General on August 29, 2018 and posted according to law on October 5, 2018]

Community Preservation Committee

Bylaw Sec. 1 Establishment

- a) There is hereby established a Community Preservation Committee, consisting of seven (7) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointing authority, specific roles, and the term of office for the committee members shall be as follows:
- b) One member of the Board of Selectmen or their designee, as designated by a majority vote of the entire current membership of the Board of Selectmen for a term of one year and thereafter until a duly appointed successor is named ~~for a term of one year~~.
- c) One member of the Open Space Committee ~~community at large~~ as designated by a majority vote of the entire current membership of the Open Space Committee ~~Board of Selectmen~~ for a term of one year and thereafter until a duly appointed successor is named ~~three years~~.
- d) One member of the Conservation Commission as designated by a majority vote of the entire current membership of the Conservation Commission for a term of one year and thereafter until a duly appointed successor is named ~~three years~~.

- e) One member of the Planning Board as designated by a majority vote ~~by a majority vote~~ of the entire current membership of the Planning Board for ~~a an initial~~ term of one year ~~two years~~ and thereafter until a duly appointed successor is named ~~for a term of three years~~.
- f) One member of the Historical Commission as designated by a majority vote of the entire current membership of the Historical Commission for ~~a an initial~~ term of one year and thereafter until a duly appointed successor is named ~~for a term of three years~~.
- g) One member of the Parks and Recreation Commission as designated by a majority vote of the entire current membership of the Parks and Recreation Commission for ~~a an initial~~ term of one year and thereafter until a duly appointed successor is named ~~for a term of three years~~.
- h) One member of the West Newbury Housing Authority as designated by a majority vote of the entire current membership of the Housing Authority for ~~a an initial~~ term of one year ~~two years~~ and thereafter until a duly appointed successor is named ~~for a term of three years~~.
- i) The Town Manager or designee shall serve Ex Officio.
- j) Each member of the Committee shall serve for the term as set forth above, or until the person no longer serves in the Community Preservation Committee position or on the board or committee as set forth above, whichever is earlier. Any committee shall designate a replacement at its next meeting should a vacancy occur.
- k) Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Section be no longer in existence for whatever reason, the absent appointment authority for that Commission, Board, Council, or Committee shall be assumed by the Board of Selectmen, who may appoint a replacement member from the community at-large.
- l) Any member of the Committee may be removed for cause by their respective authority after hearing.
- m) The Committee shall elect a Chairman, Vice Chairman, and a Secretary annually from its membership.
- ~~n) No person shall hold the seat of Chairman for more than one year in three consecutive years.~~

Sec. 2. Duties

- a) The Community Preservation Committee shall hold one or more public hearings annually to provide information and solicit written proposals consistent with the Community Preservation Act, as adopted, from Town committees and boards, as well as unaffiliated

citizens or groups (ad hoc committees). Notice of the hearing, or hearings, shall be posted publicly in accordance with the Open Meeting Law, M.G.L Chapter 30A. §20 and published for each of the two weeks preceding a hearing in a newspaper of general circulation in the town as required by M.G.L. chapter 44B. §3(b) (1).

- b) Additionally the Committee shall meet any number of times in meetings posted in accordance with Open Meeting Law to consult with existing municipal boards, standing committees, or ad hoc committees including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Board of Parks and Recreation Commissioners, the Housing Authority, the Open Space Committee, the Board of Water Commissioners, and any other entity or persons acting in those capacities or performing like duties, to determine the needs, possibilities, and resources of the Town regarding community preservation possibilities and resources or to act on submitted proposals. All completed proposals, as determined by the committee, submitted to the Committee shall be voted upon and ranked for possible recommendation to the Town at Town Meeting. A written report of all votes and summary of findings shall be presented at said Town Meeting.
- c) The Community Preservation Committee shall pursuant to M.G.L. Chapter 44B §5.(2), make recommendations to the legislative body (Town Meeting) for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; of land for recreational use; for the acquisition, creation, and preservation of land for natural resources including agriculture, forestry, and conservation purposes; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
- d) The Community Preservation Committee may include in its recommendation to the legislative body (Town Meeting) a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.
- e) In every fiscal year, the Community Preservation Committee must recommend either that the Town legislative body (Town Meeting) spend, or set aside for later spending, not less than thirty (30) percent of the annual revenues in the Community Preservation Fund consistent with the provisions in M.G.L. Chapter 44B.

Sec. 3 Requirement for a quorum and cost estimates

~~Recommendations to the Town Meeting shall include a fully developed time and cost plan.~~

Sec. 3 4. Amendments

This bylaw may be amended from time to time by a majority vote of the Town Meeting consistent with the provisions of M.G.L. c. 44B.

Sec. 4 5. Severability

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

Sec. 5 6. Effective Date

Following Town Meeting approval, this bylaw shall take effect immediately upon approval by the Attorney General of the Commonwealth, and after all requirements of the M.G.L. c. 40, §32 have been met. Each appointing authority shall have sixty (60) days after approval by the Attorney General to make their initial appointments.

If any appointing authority shall fail to make appointments as provided in this bylaw, the Board of Selectmen shall send notice of such failure to the appointing authority.

APPENDIX B – 2022 Special Town Meeting
STM Article #15
ZONING BYLAWS

ARTICLE 15. Proposed amendments to the Zoning Bylaws, Use Regulations.

Editing Notes:

- Text with no underline, strike through, or italics: Current language that is not being changed or deleted.
- ~~Text with Strikethrough~~: Language proposed for deletion.
- Double-Underlined Text: Proposed new language.

Proposed to add new a section 5.A.5. as follows:

SECTION 5. USE REGULATIONS

5.A. RESIDENCE A, B, AND C DISTRICTS

5.A.5. Use permitted in the Residence C District on a Special Permit granted by the Planning Board subject to appropriate conditions where such are deemed necessary to protect the neighborhood or the Town in accord with the provisions of Section 8.

- a. Business or professional office, provided that:
 - I. No noise, vibration, smoke, dust, odors, heat, glare, unsightliness or other nuisance is produced which is discernible from other properties.
 - II. There is no public display of goods or wares, and signage shall comply with Section 7.C
 - III. There is no exterior storage of material or equipment and no exterior evidence of a non-residential use of the premises.
 - IV. All parking required to service the business or professional office is provided off-street, and not within a required front yard.

TOWN MEETINGS: IMPACTS ON TOWN ACCOUNTS

| Balances Report | | Estimated | | | | | Unreserved: Available for Appropriation | | | | | |
|---|--------------|----------------------------|-----------------------|----------------------|----------------|---------------------|---|------------------|----------------|----------------|-------------|-------------|
| | | Town Capital Stabilization | Pension Stabilization | School Stabilization | Town Free Cash | Water Stabilization | Water Retained Earnings (a/k/a "Free Cash") | CPC Comm Housing | CPC Historical | CPC Open Space | CPC Undesig | CPC Reserve |
| 7/1/2022 | | 1,955,368 | 348,618 | 791,685 | 2,128,806 | 454,620 | 657,454 | 172,178 | 331,755 | 142,178 | 1,797,359 | 464,942 |
| 10/2022 STM | Art # | | | | | | | | | | | |
| Reduce FY23 tax rate | 2 | | | | (250,000) | | | | | | | |
| Matching funds, MVP Action Grant | 4 | | | | (50,000) | | | | | | | |
| Assessing Dept CAMA software | 5 | | | | (30,000) | | | | | | | |
| Parks/Rec O&M costs (field prep) | 6 | | | | (15,000) | | | | | | | |
| Invasive Species Internship program | 7 | | | | (8,000) | | | | | | | |
| Safe Routes to Schools, prep of grant application | 8 | | | | (6,500) | | | | | | | |
| Election costs | 9 | | | | (2,100) | | | | | | | |
| Matching funds, Green Communities grant | 10 | | | | (16,500) | | | | | | | |
| CPC: Historical Prop Survey (phase 3) | 11 | | | | | | | (27,500) | | | | |
| CPC: Almshouse Cemetery | 12 | | | | | | | (3,000) | | | | |
| Balances after STM | | 1,955,368 | 348,618 | 791,685 | 1,750,706 | 454,620 | 657,454 | 172,178 | 301,255 | 142,178 | 1,797,359 | 464,942 |

Source: Angus Jennings, Town Manager, 9/27/22