

**TOWN OF STURBRIDGE
SPECIAL TOWN MEETING WARRANT**



**TANTASQUA REGIONAL HIGH SCHOOL
MONDAY, JANUARY 7, 2013 @ 7:00 P.M.**

**ARTICLE 32
ACCEPTANCE OF REGEF LANE**

To see if the Town will vote to accept as a public way the roadway known as "Regef Lane," as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "As-Built Road Layout, The Spaho Corporation (Owner), Regef Lane, Sturbridge, Massachusetts," bearing a latest revision date of February 17, 2012, prepared by Jalbert Engineering, Inc., on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to or easements in said roadway and any drainage, utility and other easements and/or parcels related thereto, or take any action in relation thereto.

Sponsor: Planning Board

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4 – 0 – 1.

RECOMMENDATION OF THE PLANNING BOARD:

That the Town vote to approve the article as written. Voted 6 – 0 – 1.

<p><i>Summary: Approval of this article would accept Regef Lane as a public way in the Town of Sturbridge.</i></p>
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VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 33
PROPOSED MORATORIUM – NON-MUNICIPAL SOLAR PV FACILITIES
(2/3 Vote Required)**

To see if the Town will vote to amend the Town's Zoning Bylaw by inserting a new Chapter 28 – Temporary Moratorium on the Construction of Large Scale Wind Energy Systems and Large Scale Solar Photovoltaic Systems, to provide as follows:

Section 28.1 – Purpose

The Town of Sturbridge recently has been the target of interest for the construction of large scale solar photovoltaic energy systems which could potentially affect the Town as a whole. Though none are proposed, the Town as a whole would potentially be similarly impacted by large scale wind energy projects. With the exception of the immediate corridors along state highways, the Town of Sturbridge is predominantly a rural and undeveloped community. Currently there are no large scale wind, or ground-mounted solar photovoltaic, energy systems in Town although a

municipal solar photovoltaic installation is being purposely planned for industrial-zoned, publicly-owned property along a state highway corridor.

There is an immediate identified community need to establish long-term zoning regulations to ensure that such uses and development will be consistent with the Town's long-term planning interests. It is crucial that the Town act now to establish a temporary moratorium on the use of land and the construction of structures related to such large scale wind and solar photovoltaic energy systems and the issuance of building permits in connection with same.

Section 28.2 – Temporary Moratorium

Notwithstanding any other provision in the Town of Sturbridge Zoning Bylaw to the contrary, no building permit may be issued for the construction of any large scale wind energy system or large scale ground-mounted solar photovoltaic installation, until February 1, 2014, unless such facility is to be developed with the direct involvement of the Town of Sturbridge in the actual development of same, either as the property owner or as the consumer of the power to be generated. The purpose of this moratorium is to allow sufficient time to engage in a planning process to address the effects of such structures and uses in the town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

or take any action related thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

To amend the article as follows:

in Section 28.1 – Purpose, first paragraph, amend the sentence “Currently there are no large scale wind, or ground-mounted solar photovoltaic, energy systems in Town although a municipal solar photovoltaic installation is being purposely planned for industrial-zoned, publicly-owned property along a state highway corridor.” to read, “Currently there are no large scale wind energy systems or large scale ground-mounted solar photovoltaic installations in Town although a municipal solar photovoltaic installation is being purposely planned for industrial-zoned, publicly-owned property along a state highway corridor.”;

in Section 28.2 – Temporary Moratorium, remove the following language, “unless such facility is to be developed with the direct involvement of the Town of Sturbridge in the actual development of same, either as the property owner or as the consumer of the power to be generated”;

add section 28.3 – Definitions that reads:

28.3 - Definitions

Large Scale Solar Photovoltaic System or Installation: A large scale solar photovoltaic system or installation is defined as a ground-mounted solar facility that has a total rated nameplate capacity equal to or greater than 100kw/0.1MW. It includes the equipment, machinery and structures utilized in connection with the conversion of solar energy into electrical power not to include those accessory to single or two family residential use as a means to provide energy for that dwelling.

Large Scale Wind Energy System or Installation: A large scale wind energy system or installation is defined as a wind system or installation that has the capacity equal to or greater than 30kw/.03MW.;

and otherwise approve the article as written. Voted 4 – 2.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

RECOMMENDATION OF THE PLANNING BOARD:

To amend the article as follows:

Add section 28.3 – Definitions that reads:

28.3 - Definitions

Large Scale Solar Photovoltaic System or Installation: A large scale solar photovoltaic system or installation is defined as a solar facility that has a total rated nameplate capacity equal to or greater than 100kw/0.1MW. It includes the equipment, machinery and structures utilized in connection with the conversion of solar energy into electrical power not to include those accessory to single or two family residential use as a means to provide energy for that dwelling.

Large Scale Wind Energy System or Installation: A large scale wind energy system or installation is defined as a wind system or installation that has the capacity equal to or greater than 30kw/.03MW."

and otherwise approve the article as written. Voted 7 – 0.

Summary: This article would establish a moratorium on siting non-municipal solar photovoltaic facilities in the Town through January 31, 2014 until proposed zoning amendments and environmental controls can be developed.

VOTE OF THE TOWN MEETING: There was a substitute motion endorsed by the Board of Selectmen which stated: We move that the Town vote to amend the Town's Zoning Bylaw by inserting a new Chapter 28 – Temporary Moratorium on the Construction of Large Scale Wind Energy Systems and Large Scale Solar Photovoltaic Systems, to provide as follows:

Section 28.1 – Purpose

The Town of Sturbridge recently has been the target of interest for the construction of large scale solar photovoltaic energy systems which could potentially affect the Town as a whole. Though none are proposed, the Town as a whole would potentially be similarly impacted by large scale wind energy projects. With the exception of the immediate corridors along state highways, the Town of Sturbridge is predominantly a rural and undeveloped community. Currently there are no large scale wind, or ground-mounted solar photovoltaic, energy systems in Town although a municipal solar photovoltaic installation is being purposely planned for industrial-zoned, publicly-owned property along a state highway corridor.

There is an immediate identified community need to establish long-term zoning regulations to ensure that such uses and development will be consistent with the Town's long-term planning interests. It is crucial that the Town act now to establish a temporary moratorium on the use of land and the construction of structures related to such large scale wind and solar photovoltaic energy systems and the issuance of building permits in connection with same.

For the purpose of this bylaw, the following definitions shall apply:

Large Scale Wind System – shall be defined as one that produces 30kW or more wind power.

Large Scale Solar Photovoltaic Energy System – shall be defined as a solar facility that has a total rated nameplate capacity of 100kW/0.1 MW or greater. It includes the equipment, machinery and structures utilized in connection with the conversion of solar energy into electrical power not to include those accessory to single or two family residential use as a means to provide energy for that dwelling.

Section 28.2 – Temporary Moratorium

Notwithstanding any other provision in the Town of Sturbridge Zoning Bylaw to the contrary, no building permit may be issued for the construction of any large scale wind energy system or large scale ground-mounted solar photovoltaic installation, until February 1, 2014, unless such

facility is to be developed with the direct involvement of the Town of Sturbridge in the actual development of same, either as the property owner or as the consumer of the power to be generated. The purpose of this moratorium is to allow sufficient time to engage in a planning process to address the effects of such structures and uses in the town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

VOTE OF THE TOWN MEETING: The substitute motion was seconded and the vote of the Town Meeting was to approve this motion by a 2/3rds majority as declared by the Moderator. (There were two typographical errors that were corrected on the Town Meeting floor; first word of the substitute motion, I, should have been "We"; and 110kW/0.1MW should have been "100kW/0.1MW"; both are underlined for clarification.

ARTICLE 34
CITIZEN PETITION – ZONING BYLAW AMENDMENT – SOLAR FACILITIES
(2/3 Vote Required)

To see if the Town will vote to amend the Town's Zoning Bylaw by inserting the following:

SOLAR ZONING BYLAW

1. Purpose

The purpose of this bylaw is to promote the development of solar energy facilities by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such energy facilities, to protect public safety, to minimize impacts on scenic, natural and historic resources of Sturbridge, and to provide adequate financial assurance for the eventual decommissioning of such energy facilities.

2. Applicability

This bylaw applies to all ground-mounted solar energy facilities and to physical modifications that materially alter the type, configuration, or size of these facilities or related equipment. Ground-mounted solar energy facilities on municipal and school district properties are permitted in all districts upon site plan approval from the Planning Board. Solar facilities for one and two family dwellings are also exempt from this bylaw.

2.1 Large Scale Solar Facilities and Small Scale Solar Facilities are prohibited in the Suburban Residential District, the Rural Residential District, the Commercial District, the Commercial Tourist District, the Historical Commercial District, and the Commercial II District. Large Scale Solar Facilities and Small Scale Solar Facilities are allowed as of right in the General Industrial District, the Industrial Park District, and the Special Use District.

3. General Requirements

3.1 Site Plan Review: All solar energy facilities, except for those explicitly exempted pursuant to Section 2 shall undergo Site Plan Review by the Planning Board prior to construction, installation, or modification as provided in this section.

3.2 Required Documents: In addition to the submission requirements in the Planning Board's Site Plan Review Regulations, the applicant shall provide the following documents:

1. Plans and drawings of the solar energy facility signed and stamped by a Professional Engineer licensed to practice in Massachusetts showing the proposed layout of the system;
2. An electrical diagram detailing the solar energy facility, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices;
3. Technical specifications of the major system components, including the solar arrays, mounting system, and inverter;
4. A glare analysis and proposed mitigation, if any, to minimize the impact of glare on affected properties;
5. The name, address, and contact information of the owner, proposed installer, and operator;

6. Proof of actual or proposed control of access ways and the project site sufficient to allow for installation and use of the proposed facility;
7. An operation and maintenance plan;
8. Proof of liability insurance; and
9. Financial surety that satisfies Subsection .5.4 of this Bylaw.

3.3 Operation & Maintenance Plan: The applicant shall submit a plan for the operation and maintenance of the solar energy facility, which shall include measures for maintaining safe access, storm water controls, and general procedures for operating and maintaining the energy facility.

3.4 Utility Notification: The applicant shall submit evidence satisfactory to the Planning Board that he has informed the utility company in writing of his intent to install a solar energy facility and that the utility company has responded in writing to the interconnection notice. Off grid systems are exempt from this requirement.

3.5 Dimension and Density Requirements

a. Setbacks: Ground-mounted solar energy facilities shall have a setback from front, side and rear property lines and public ways of at least One Hundred Feet (100') in Special Use District and Industrial Districts. Twenty Percent (20%) of a parcel's total square footage may be used for a solar facility.

b. Natural Buffer for Large Solar Projects: The site plan shall provide a natural vegetative buffer of Two Hundred Feet (200') between a large solar energy facility and a property in residential use, including houses across a street.

c. Appurtenant Structures: All appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations shall be subject to reasonable regulations concerning bulk and height, setbacks, parking, building coverage, and vegetative screening to avoid adverse impacts on the neighborhood or abutting properties.

3.6 Design Standards

a. Lighting: Lighting shall be limited to that required for safety and operational purposes, and shall not be intrusive in any way on abutting properties. Lighting shall incorporate full cut-off fixtures to reduce light pollution.

b. Signage: The site may have a sign not exceeding sixteen (16) sq. ft. in area providing educational information about the facility and the benefits of renewable energy. Large scale installations shall not be used for displaying any advertising.

c. Utility Connections: The applicant shall place all wiring from the solar energy facility underground.

3.7 Emergency Services: The operator shall provide a copy of the operation and maintenance plan, electrical schematic, and site plan to the Sturbridge Fire Chief and Police Chief. The operator shall cooperate with local emergency services in developing an emergency response plan; this plan shall be reviewed annually with local emergency officials and revised as necessary. All means of shutting down the solar energy facility shall be clearly marked. The premises shall identify a qualified contact person to provide assistance during an emergency; the operator shall change the contact information immediately and so notify the Sturbridge Fire Chief and Police Chief whenever there is a change in the contact person.

4. Monitoring and Maintenance

4.1 Maintenance: The operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. The operator shall be responsible for maintaining access for emergency vehicles that is determined to be adequate by the Sturbridge Fire Chief, Police Chief, and any other local emergency services, and for maintaining adequate access for any maintenance equipment.

4.2 Modifications: After issuance of the Building Permit, any material modification to the facility requires approval of the Planning Board unless exempt under this bylaw. The operator may apply to the Planning Board for a determination as to whether a proposed modification is material.

5. Discontinuance, Decommissioning, Abandonment and Removal

5.1 Removal Requirements: Any solar energy facility that has reached the end of its useful life or has been discontinued, decommissioned, or abandoned, as defined below in Section 5.3, shall be removed. The owner or operator shall physically remove the facility within one hundred fifty (150) days after the date of discontinued or abandoned operations or decommissioning in compliance with the requirements of the Inspector of Buildings. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations or decommissioning and submit the plans for removal.

5.2 Removal: Removal shall consist of: Physical removal of all of the equipment from the site, including, but not limited to, the solar arrays, structures, equipment, security barriers, and electrical transmission lines.

a. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or below-grade foundations in order to minimize erosion and disruption of vegetation.

5.3 Abandonment: Absent notice to the Planning Board, as provided above in Section 5.1, of a proposed date of discontinuance or decommissioning or written notice requesting an extension due to extenuating circumstances, the solar facility shall be considered abandoned when it fails to operate or operations are discontinued for more than one year without the written consent of the Planning Board. If the owner or operator fails to remove the energy facility in accordance with the requirements of Section 4.5.2 within one hundred fifty (150) days of abandonment or discontinuance or the proposed date of decommissioning, the Town may, to the extent it is otherwise duly authorized by law, enter the property and physically remove the facility.

5.4 Financial Surety: Prior to commencing operation of the facility, the applicant shall provide a form of surety, either through a cash deposit, bond or otherwise, in an amount determined by the Planning Board to cover the cost of removal and site restoration. Such surety will not be required for municipal facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include an escalator for calculating increased removal costs due to inflation.

6. Definitions

Large Solar Energy Facility - A commercial solar facility whose primary purpose is electrical generation for the wholesale electricity market. It includes service and access roads, equipment, machinery and structures utilized in connection with the conversion of solar energy into electrical power with a rated nameplate capacity of greater than 100kW/0.1MW.

Rated Nameplate Capacity - The maximum rated output of electric power production equipment. The manufacturer typically specifies this output with a "nameplate" on the equipment.

Small Solar Energy Facility - A solar facility that has a total rated nameplate capacity of not more than 100kW/0.1MW. It includes the equipment, machinery and structures utilized in connection with the conversion of solar energy into electrical power.
or take any action related thereto.

Sponsor: Citizen's Petition

RECOMMENDATION OF THE FINANCE COMMITTEE:

To amend the article as follows:

in Section 3.1, remove the reference to section ".2" and replace it with "2";

in Section 3.2 subsection 9, remove the reference to subsection ".5.4" and replace it with "5.4";

in Section 3.6 subsection b, remove the last sentence and replace it with the following, "Large scale solar photovoltaic facilities shall not be used for displaying any advertising.";

in Section 5.1, remove the reference to section ".5.3" and replace it with "5.3";

in Section 5.3, remove the reference to section "4.5.2" and replace it with "5.2";

and otherwise approve the article as written. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting. Voted 5 – 0.

RECOMMENDATION OF THE PLANNING BOARD:

That the Town take no action on the article. Voted 4 – 3.

VOTE OF THE TOWN MEETING: There was a substitute motion made by the Finance Committee. This became the main motion. After much discussion, there was a motion made to move the article. This motion was seconded and passed unanimously. The vote of the Town Meeting was to approve the article as recommended by the Finance Committee by a 2/3rds majority as declared by the Moderator. There was an additional substitute motion made that read: Move to approve Article 34 as amended by the FinCom, but to further amend as follows: To designate as Chapter 29 of the Town of Sturbridge Zoning Bylaws and to authorize the Town Planner & Planning Board to modify section number and paragraph ONLY, in order to maintain numbering consistency with the Town of Sturbridge Zoning Bylaws, and to otherwise approve as amended by the Finance Committee. This motion was seconded and the vote of the Town Meeting was unanimous in approving this amendment as declared by the Moderator.

ARTICLE 35

**ACCEPT MGL c. 59, §5N TO AUTHORIZE ESTABLISHMENT OF
A VETERAN'S VOLUNTEER SERVICE PROGRAM**

To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by

- 1) allowing an approved representative for persons physically unable to provide such services to the Town; or
- 2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year, rather than \$1,000.00;

or take any other action relative thereto.

Sponsors: Board of Selectmen; Veterans Services Director; Principal Assessor

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 5 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: Approval of this article would authorize the Board of Selectmen to establish a volunteer service program for veterans akin to the existing Senior Municipal Service Program.

VOTE OF THE TOWN MEETING: The Board of Selectmen made a substitute motion to delete option #2 and to approve the article as amended. This motion was seconded. The vote of the Town Meeting was to approve the article as amended as declared by the Moderator.

**ARTICLE 36
RESCIND PRIOR BORROWING AUTHORITY**

To see if the Town will vote to rescind the following appropriations and borrowing authorizations:

Amount	From	Authorization
\$166,565	Elementary School Schematic Design	Art. 69 of the 2/24/2009 STM
\$143,000	Rt. 131 Water Main	Art. 75 of the 4/27/2009 STM
\$105,874	Pumper Truck / Dump Truck	Art. 43 of the 4/28/2008 ATM
\$60,000	Rt. 131 Sidewalk Design	Art. 7 of the 4/26/04 ATM
\$56,822	Rt. 131 Sewer Construction	Art. 70 of the 4/28/2008 STM
\$510	Town Hall / Center School Project	Art. 47 of the 2/24/2009 STM
\$400	Public Safety Complex Improvements	Art. 42 of the 12/6/2005 STM
\$41	Woodside Circle Sewer Project	Art. 71 of the 4/30/2007 STM

or take any other action related thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would rescind prior borrowing authorizations for completed projects.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that it passed overwhelming as declared by the Moderator.

**ARTICLE 37
TRANSFER OF FUNDS – TAX RATE RELIEF STABILIZATION FUND
(2/3 Vote Required)**

To see if the Town will vote pursuant to G.L. c.40, §5B to establish a special purpose stabilization fund to be known as the “Tax-Rate Relief Stabilization Fund”, and to transfer \$200,000 from free cash into said fund; and further, vote to rescind the vote taken under Article 19 at the June 4, 2012 Annual Town Meeting appropriating \$200,000 from free cash to reduce the FY 2013 tax rate, or take any other action related thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would transfer \$200,000 from free cash to a dedicated stabilization fund for tax rate relief purposes going forward. Due to a data-entry error, the free cash was not transferred in Fiscal Year 2013.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 38

TRANSFER OF FUNDS – LIBRARY CHILDREN’S ROOM RENOVATION

To see if the Town will vote to transfer from free cash the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) to be used for the Joshua Hyde Library Children’s Room Renovation projects and costs incidental and related thereto; provided to authorize the Board of Library Trustees or other appropriate Town official to apply for any grants that might be available for such projects, or take any action in relation thereto.

Sponsor: Library Trustees

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) to the Library Children’s Room account (#31760-35900) to be used for the Joshua Hyde Library Children’s Room Renovation projects and costs incidental and related thereto; provided to authorize the Board of Library Trustees or other appropriate Town official to apply for any grants that might be available for such projects, or take any action in relation thereto. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: The Library Trustees plan an \$89,000 renovation project to the Children’s Room. This article would contribute up to \$50,000 in matching funds from the Town.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 39

TRANSFER OF FUNDS – OCTOBER 2011 SNOWSTORM

To see if the Town will vote to transfer from free cash the sum of TWENTY-NINE THOUSAND ONE HUNDRED THIRTY-NINE AND 90/100 DOLLARS (\$29,139.90) to be used to fund unreimbursed costs incurred by the Town to date related to the October 2011 snowstorm, or take any action in relation thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of TWENTY-NINE THOUSAND ONE HUNDRED THIRTY-NINE AND 90/100 DOLLARS (\$29,139.90) to the Snowstorm account (#19172-52143) to be used to fund unreimbursed costs incurred by the Town to date related to the October 2011 snowstorm, or take any action in relation thereto. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would fund costs not otherwise reimbursed associated with the October 2011 snowstorm disaster.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 40

TRANSFER OF FUNDS – REPLACE CEDAR LAKE BASKETBALL GOALS

To see if the Town will vote to transfer from free cash the sum of THREE THOUSAND TWO HUNDRED SEVEN AND 95/100 DOLLARS (\$3,207.95) for the purchase and installation of new basketball goals at Cedar Lake Recreation Area, including all costs incidental and related thereto, which new goals will replace the existing goals, or take any action in relation thereto.

Sponsor: Recreation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of THREE THOUSAND TWO HUNDRED SEVEN AND 95/100 DOLLARS (\$3,207.95) to the Recreation Supplies account (#16302-54000) for the purchase and installation of new basketball goals at Cedar Lake Recreation Area, including all costs incidental and related thereto, which new goals will replace the existing goals, or take any action in relation thereto. Voted 6 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would fund replacement of the basketball goals at Cedar Lake. The posts have been repaired on numerous occasions by the Dept. of Public Works and are nearing failure.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 41

TRANSFER OF FUNDS – 8 BROOKFIELD ROAD

To see if the Town will vote to transfer from free cash the sum of TEN THOUSAND AND 00/100 DOLLARS (\$10,000.00) to be used for asbestos abatement at 8 Brookfield Road, or take any action in relation thereto.

Sponsor: Board of Selectmen; Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of TEN THOUSAND AND 00/100 DOLLARS (\$10,000.00) to the 8 Brookfield Road Purchase of Services account (#11985-52000) to be used for asbestos abatement at 8 Brookfield Road, or take any action in relation thereto. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: The Town is currently undertaking actions to verify there are no asbestos issues at 8 Brookfield Road. If it is determined that asbestos removal is necessary, this article would fund abatement of asbestos containing material at 8 Brookfield Road. If the funds are not needed, they will revert to the General Fund at the end of the Fiscal Year.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 42
TRANSFER OF FUNDS – TOWN HALL DROP BOX

To see if the Town will vote to transfer from free cash the sum of ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) to purchase and install a walk-up outdoor bill payment drop box at Town Hall for convenience of residents, or take any action in relation thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) to the Finance Director Supplies account (#11452-54000) to purchase and install a walk-up outdoor bill payment drop box at Town Hall for convenience of residents, or take any action in relation thereto. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would fund installation of a payment drop box outside of Town Hall to facilitate 24-hour service to residents.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 43
TRANSFER OF FUNDS – TOWN COUNSEL

To see if the Town will vote to transfer from free cash the sum of TEN THOUSAND AND 00/100 DOLLARS (\$10,000) to Town Counsel Account #11512-52000 for FY13 legal services, or take any action in relation thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This article would increase funding for legal services for FY13, including an opinion from special counsel, further to additional services requested for solar zoning reviews and recommendations for town meeting.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

ARTICLE 44
TRANSFER OF FUNDS - UNPAID FY12 BILLS
(9/10 Vote Required)

To see if the Town will vote to transfer from free cash the sum of TWO THOUSAND ONE HUNDRED TWENTY-FOUR AND 63/100 DOLLARS (\$2,124.63) for the purpose of paying the following outstanding Fiscal Year 2012 invoices:

<u>Department</u>	<u>Purpose</u>	<u>Vendor Name</u>	<u>Amount</u>
Various	Electricity	Hampshire Power	\$1,724.63
Central Purch.	Cleaning Services	All Pro Cleaning Systems	\$400.00

and, to transfer from the Sewer Fund Balance Account #28440-35800 the sum of FIVE HUNDRED EIGHT AND 63/100 DOLLARS (\$508.63) for the purpose of paying the following outstanding Fiscal Year 2012 invoice:

<u>Department</u>	<u>Purpose</u>	<u>Vendor Name</u>	<u>Amount</u>
Sewer	Electricity	National Grid	\$508.63

or take any action in relation thereto.

Sponsor: Town Accountant; Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary – These invoices were not submitted timely for payment in FY12. The services and/or supplies were received by the Town and payment is due.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 45

FUND BUILDING DEPARTMENT OPERATIONS

To see if the Town will vote to transfer from available funds such sum or sums of money as may be necessary to fund an interim staffing plan for the Building Inspector department, or take any other action in relation thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

Recommendation to be provided at Town Meeting. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting. Voted 5 – 0.

Summary: The Town Administrator is in negotiations with the Town of Charlton to secure a shared Building Commissioner. The negotiations, and the accompanying details, are hoped to be finalized by the Special Town Meeting.

VOTE OF THE TOWN MEETING: There was a substitute motion made that read: “That the Town transfer the following sums of money to fund the Building Inspector department as follows:

Amount	From	Acct. No.	To	Acct. No.
\$22,877.05	Bldg.- Dept. Head	12411-51120	Bldg.-Purch of Svcs.	12412-52000
\$ 6,674.63	Cons. – Dept. Head	11711-51120	Bldg-Purch of Svcs.	12412-52000
\$ 2,112.00	Cons. – Dept. Head	11711-51120	Bldg.-Sal/Wages	12411-51130

The motion was seconded. The vote of the Town Meeting was to approve the substitute motion as approved by the Moderator.

ARTICLE 46
FUND PLANNING DEPARTMENT OPERATIONS

To see if the Town will vote to transfer from available funds an amount not-to-exceed THREE THOUSAND FIVE HUNDRED AND 00/100 (\$3,500.00) to the Town Planner Salaries and Wages Account #11751-51130, or take any other action in relation thereto.

Sponsor: Town Administrator; Government Services Study Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from the Conservation Commission Department Head Salary account (#11711-51120) the sum of THREE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$3,500.00) to the Town Planner Salaries and Wages Account #11751-51130, or take any other action in relation thereto. Voted 5 – 2.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0.

Summary: This transfer would increase the administrative assistant from 23 to 28 hours per week for the balance of FY13.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee as declared by the Moderator.

ARTICLE 47
TRANSFER OF FUNDS – TOWN PLANNER LAPTOP COMPUTER

To see if the Town will vote to transfer from free cash the sum of ONE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$1,800.00) to fund the purchase of a laptop computer and related software for the Town Planner, or take any action in relation thereto.

Sponsor: Town Administrator; Government Services Study Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of ONE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$1,800.00) to the Town Planner Supplies/Expenses account (#11752-54000) in order to fund the purchase of a laptop computer and related software for the Town Planner, or take any action in relation thereto. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 3 – 0 – 2.

Summary: This would fund the purchase of a portable laptop computer, and required software, for use by the Town Planner. Currently, the Planner must utilize her personal computer for any remote work or presentations.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee as declared by the Moderator.

A TRUE COPY
ATTEST: *Herraine Murawski*
STURBRIDGE TOWN CLERK



Handwritten text, possibly a signature or initials, located at the bottom left of the page.