

COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON



ANNUAL TOWN MEETING June 4, 2013 • 7:30 p.m. CENTER SCHOOL

STABILIZATION: \$253,400.78

FREE CASH: \$336,517.00

Worcester, ss. To either of the Constables of the Town of Hubbardston in the County of Worcester:
In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hubbardston qualified to vote in elections and Town affairs to meet at the Center School in said Hubbardston on Tuesday, June 4, 2013 at 7:30 o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. To choose all necessary officers.

ARTICLE 2. To hear the reports of the Town Officers and Committees and act thereon.

ARTICLE 3. To see if the Town will vote to authorize the Board of Selectmen to enter into agreements with the Commonwealth of Massachusetts Department of Transportation for the construction and maintenance of public highways for the twelve month period beginning July 1, 2013 or take any other action relative thereto.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 4. To see if the Town will vote to accept educational grants and aid for Fiscal Year 2014, to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District, or take any other action relative thereto.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 5. To see if the Town will vote to authorize the continuation of the following Holden Hospital Accounts for Fiscal Year 2014, or take any other action relative thereto:

a. Vehicle Replacement Assistance Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. This fund would be used to assist in funding the replacement of a RESCUE VEHICLE for the Town of Hubbardston. Fund would accumulate, and would supplement any town funds utilized for the purchase. Any purchases to be presented for payment from this Account, shall be preauthorized by the Board of Selectmen with voucher authorized by the Board of Selectmen.

b. Education and Training Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. This fund would be used to reimburse Hubbardston residents for successfully completing BMT training only after one full year of active service with the Hubbardston EMS Division of the Fire Department. Fund would also be used to reimburse EMTs for successfully completing advanced training in the same manner. Any purchases to be presented for payment from this Account, shall be preauthorized by the Board of Selectmen with voucher authorized by the Board of Selectmen.

c. Health Related Account

Funded by monies received from establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden

Hospital. This fund would be utilized for other Health related programs within the Town of Hubbardston, under the direction of the Board of Health, or other health related agencies. Funds to be withdrawn by voucher submitted by the Board of Health or other Town Health related agencies, co-signed by the Board of Selectmen.

d. Excess Investment Surplus Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. Any return on investment above 8% will be placed in this account which will accumulate and can be used for any special project or acquisition associated with any of the above three categories of distribution, or any other health related projects deemed compatible with the fund's design, with the approval of the Board of Selectmen. Funds may be withdrawn by voucher submitted by the Board of Selectmen.
 (Submitted by Board of Selectmen) (Fin Com Recommends)

ARTICLE 6. To see if the Town will vote to authorize the following Revolving Accounts for Fiscal 2014 under MGL Ch. 44 §53B ½, as shown on the following chart, or take any other action relative thereto:
 (Submitted by Board of Selectmen) (Fin Com Recommends)

Recommended change from prior year use is noted in bold within chart.

Fund	Authorization By	Revenue Source	Use of Fund	Limit
Wiring Fund	Wiring Inspector	Electrical Permit Fees and Applications	Pay inspector for inspection services and clerical wages	\$ 20,000
Gas Fund	Gas Inspector	Gas Permit Fees and Applications	Pay inspector for inspection services	\$ 3,000
Plumbing Fund	Plumbing Inspector	Plumbing Permit Fees and Applications	Pay inspector for inspection services	\$ 6,000
Recycling Fund	Board of Health	Fees collected for use of center and drop-off of recyclables	Costs associated with programs and facilities needed to recycle materials, including employee wages	\$ 5,000
Grave Fund	Cemetery Commissioners	Payments for grave openings	Payment to party hired to open grave	\$ 5,000
Haz Mat Fund	Fire Chief	Service charges for clean-up and disposal of hazardous materials	Expenditures related to clean-up and disposal of hazardous materials	\$ 3,000
Septic Fund	Board of Health	Fees for septic system plan review, agent inspections, and perc tests	Payments to septic system plan review engineers and to agents witnessing perc tests or performing inspections	\$ 20,000
Vaccine Administration Account	Board of Health	Fees, health insurance reimbursements and receipts for vaccine related services	Payments for vaccine, supplies, and services deemed necessary by the Board of Health	\$ 5,000
Con Com Fund	Conservation Commission	Receipts from fees for site inspections and plan review	Payment to member performing site inspection and expenses relating to such inspections or plan review	\$ 3,000

Open Burn Fund	Fire Chief	Receipts for fees for open burning	Payment of expenses related to fighting brush fires in town, including payment of part-time wages, forest fire fighting equipment and other costs of fighting such fires	\$11,000
Late fee Dog License Fund	Town Clerk	Fees for late licensing of dogs and kennels	Payment of costs associated with the regulation of dogs, including ACO capital expense.	\$10,000
MART Transportation Management Fund	COA Director	MART Reimbursement	Payment of costs associated with the supervision of the MART Transportation	\$10,000
Hubbardston 250 th Anniversary Fund	250 th Anniversary Committee	Donations, sale of promotional items and other sources	Payment of the costs associated with the 250 th Anniversary Celebration of Hubbardston's Founding	\$50,000

BUDGET ARTICLE

ARTICLE 7. To see if the Town will vote to raise such sums of money as may be necessary to defray Town charges and expenses for the year ensuing (July 1, 2013 through June 30, 2014) and to fix the salary and compensation for all the elected officers of the Town, as provided by MGL Ch. 41 §108, as amended, and to make appropriations therefor, or take any other action relative thereto.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

DEPARTMENTAL ARTICLES

ARTICLE 8. To see if the Town will vote to transfer a sum not to exceed \$650.00 (Six Hundred Fifty Dollars and Zero Cents), from the Library Dog Fund Account (#24-210-5200) to Library Books and Materials Account (#610-5400), or take any action relative thereto.

(Submitted by the Library Trustees)

(Fin Com Recommends)

ARTICLE 9. To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$11,500 (Eleven Thousand Five Hundred Dollars and Zero cents) to fund the Senior Citizen Work-off Tax Abatement Program for Fiscal Year 14, or take any action relative thereto:

(Submitted by the Board of Selectmen)

(Fin Com Recommends)

ARTICLE 10. To see if the Town will vote to appropriate or transfer from available funds a sum of money to pay Town debts and charges for the ensuing year, appropriate the sum of \$214,001.00 (Two Hundred, Fourteen Thousand, One Dollar and Zero cents) for the proposed budget for the AMBULANCE SERVICES ENTERPRISE FUND, and to raise said sum through fees and charges or take any action relative thereto.
 (Submitted by the Board of Selectmen) (Fin Com Recommends)

ARTICLE 11. To see if the Town will vote pursuant to MGL c.71, 16 G1/2 to authorize the Montachusett Regional Vocational Technical School District to establish a Stabilization fund, or take any action relative thereto.
 (Submitted by the Montachusett Regional School Committee) 2/3rds Vote Required (Fin Com will Report)

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen to enter into renewable energy purchase and/or net metering credit purchase agreements, including solar energy and related net metering credits, for terms of more than three years, and to take all actions necessary to implement and administer such agreements or take any action relative thereto.
 (Submitted by the Town Administrator) (Fin Com Recommends)

ARTICLE 13. To see if the Town will vote to authorize the Board of Selectmen, Board of Assessors and Town Administrator to negotiate and enter into an agreement for Payment-In-Lieu-Of-Taxes (PILOT) pursuant to the provisions of G.L. c.59, §38H(b), and any other enabling legislation, between the Town and Hubbardston Solar LLC. (developer) for the solar facility to be installed, owned and operated by Hubbardston Solar LLC (developer) on land located on 95 Williamsville Road and further identified as Assessors Map 4 Lot 3, upon such terms and conditions as the Board of Selectmen, Board of Assessors and Town Administrator deem to be in the best interests of the Town, or take any action in relation thereto.
 (Submitted by Town Administrator)

ARTICLE 14. To see if the Town will vote to establish a Revolving Accounts for Fiscal Year 2014 under MGL Ch. 44 §53E ½, entitled "Hazardous Building Demolition Fund" to deposit funds collected in reimbursement from property owners for demolition of hazardous buildings and further to deposit into the Fund the sum of \$3,900.00 (Three Thousand, Nine Hundred Dollars and Zero cents) from available funds, said amount having been collected in reimbursement for the demolition of a hazardous building. Said Fund shall have a limit of \$20,000 (Twenty Thousand Dollars and Zero cents), shall be jointly administered by the Board of Health and the Building Department, each of which shall be authorized to make expenditures from such fund, for the expenses associated with the demolition of hazardous buildings and related clean-up of underlying property, or take any action relative thereto.
 (Submitted by Town Administrator) (Fin Com Recommends)

ARTICLE 15. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise permanent and temporary easements in certain parcels of land adjacent to and/or contiguous to Healdville, Ragged Hill, Grimes and Hale Roads, as depicted on plans entitled "Preliminary Easement Plan Repairs & Rehabilitation of Healdville, Ragged Hill, Grimes, and Hale Road Hubbardston, Massachusetts," dated December 14, 2012, as may be amended, consisting of nine (9) sheets, on file with the Town Clerk, and the permanent and temporary easements in parcels of land located within 200 feet of said parcels, as such additional areas may be shown on said plans, as hereinafter revised, for public way purposes, including, without limitation, permanent drainage easements and easements for the construction of improvements and structures, and other related purposes, which will enable the Town to undertake the repair and rehabilitation of the aforesaid roads; and as funding for such acquisitions and costs and expenses related thereto, to raise and appropriate, transfer from available funds, or borrow, or any combination thereof, a sum of money or take any action relative thereto.
 (Submitted by Town Administrator) 2/3 Vote Required (Fin Com Recommends)

CPA ARTICLES

ARTICLE 20. To see if the Town will vote to appropriate \$11,000.00 (Eleven Thousand and 00/100 Dollars) from the Community Preservation Budgeted Reserve to cover year five (of five) for the borrowing associated with the Steeple, Bell Tower, Roof and for masonry work and painting of the First Parish Unitarian Church of Hubbardston at the Annual Town Meeting of June 3, 2008, or take any action relative thereto.

(Submitted by Community Preservation Committee) (Fin Com Recommends)

ARTICLE 21. To see if the Town will vote to appropriate \$15,000 (Fifteen Thousand dollars and zero cents) from the Community Preservation Budgeted Reserve to cover year one (of three) for the borrowing associated with the Hubbardston Center School Playground Committee Project approved at the Special Town Meeting of April 23, 2013, or take any action relative thereto

(Submitted by Community Preservation Committee) (Fin Com Recommends)

ARTICLE 22. To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Committee Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2014, with each item to be considered a separate appropriation:

Appropriations:

From FY 2014 estimated revenues for Committee Administrative Expenses (5%) \$2960.63

Reserves:

From FY 2014 estimated revenues for Historic Resources Reserve (10%)	\$5,921.25
From FY 2014 estimated revenues for Community Housing Reserve (10%)	\$5,921.25
From FY 2014 estimated revenues for Open Space Reserve (10%)	\$5,921.25
From FY 2014 estimated revenues for Budgeted Reserve (65%)	\$38,488.12

or take any action relative thereto.

(Submitted by Community Preservation Committee) (Fin Com Recommends)

ARTICLE 23. To see if the Town will authorize the Treasurer, with approval of the Board of Selectmen, to borrow up to \$50,000.00 (Fifty Thousand and 00/100 Dollars) to fund the application of the Hubbardston Parks Commission as submitted under Article 18 of Annual Town Meeting June 4, 2013 to pay for expenditures not covered or reimbursed by any other grant being applied for by the Parks Commission in support of this application, said borrowing to be repaid over three years from future Community Preservation funds, or act or transact anything in relation thereto. (Submitted by Community Preservation Committee) 2/3rds Vote Required (Fin Com Will Report)

GENERAL BYLAW.

ARTICLE 24.: To see if the Town will vote to amend the General Bylaws by adding Chapter XXVI, Prohibited Materials Bylaw, as set forth below, or take any action relative thereto.

**CHAPTER XXVI
PROHIBITED MATERIALS BYLAW**

SECTION 1. PURPOSE:

The purpose of this bylaw is to help protect the health, safety, welfare and property values of the citizens of Hubbardston, MA, by preventing the accumulation of prohibited materials on any property in the Town by any person.

SECTION 2. DEFINITION.

PROHIBITED MATERIALS -- junk and debris, including scrap metal; rags, plastics, scrap, rubble, building salvage, abandoned autos, any vehicle being dismantled for parts machinery, wreckage, batteries, tires, paper, trash, rubber, debris rope, , furniture, and other similar items, which are not in active use for any purpose authorized in a residential district.

VEHICLE -- Includes but not limited to a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides to transport persons or property or pull machinery and shall include, without limitation, automobile, truck, motorcycle and buggy wagons.

PERSON—any person, firm, partnership, association, corporation, company or organization of any kind.

SECTION 3. STORAGE OF PROHIBITED MATERIALS, EXCEPTIONS:

- a. No person shall store more than ten (10) cubic yards of material, determined to be prohibited materials, visible from any public way, private way, common driveways or abutting property, unless such storage or display of prohibited materials is licensed pursuant to MGL C. 140, § 58. (*class 3 license*).
- b. One unused or unregistered motor vehicle in compliance with General Bylaw, Chapter XV *Storing Unused Motor Vehicles*

SECTION 4. INVESTIGATING AUTHORITY; NOTICE; REMOVAL

The Building Commissioner shall have the power to investigate all complaints of violations and, if the Building Commissioner finds that the property owner or person in lawful possession of the property has allowed an unlawful accumulation of prohibited materials, shall give notice to the owner or person in lawful possession of the property by certified mail to remove the accumulation within 15 days.

Action under this Chapter shall not bar any separate action initiated by any other Town Board, Committee, or Department under other provisions of this By-law or by regulation.

SECTION 5. FAILURE TO REMOVE, VIOLATIONS AND PENALTIES:

Any person notified to remove prohibited materials from his/her property who refuses to do so after receipt of notice to remove the same shall pay a penalty of:

First offense	One hundred dollars (\$100.)
Second offense	Two hundred dollars (\$200.)
Third offense and subsequent	Three hundred dollars (\$300.)

In any case, each day of the violation shall constitute a separate offense.

SECTION 6. EXISTING CONDITIONS:

Conditions existing on the date of acceptance of this bylaw which meet the definition of prohibited materials must be brought into compliance within six (6) month after said acceptance of this bylaw.

SECTION 7. CONSTRUCTION SITES:

Construction sites complying with the requirements of 780 CMR and MGL C.40, § 54, are exempt from this bylaw, provided that all related construction debris is maintained in an orderly fashion so as not to create dust, noise, odor or other offensive conditions.

SECTION 8. EXISTING BUSINESSES:

A business located in the Town of Hubbardston that stores materials for stock in trade shall be exempt from this bylaw provided all such materials are incidental to and minor in significance by comparison with the primary business on the subject property and all such materials are kept in an organized fashion.

SECTION 9. SEVERABILITY:

The invalidity of any section, provision, paragraph, sentence, or clause of this bylaw shall not invalidate any section, provision, paragraph, sentence, or clause thereof.

(Submitted by Board of Selectmen)

(Fin Com Takes No Action)

PETITION ARTICLES

ARTICLE 25. Shall the Town vote to protect nesting birds and other wildlife on the fields of Town owned conservation property by designating July 21st as the earliest mowing date and by amending the existing hay management plan (part of the Mt. Jefferson Conservation Area Land Use Management Plan) in accordance with said designation.

(Submitted by Citizen Petition)

(Fin Com Takes No Action)

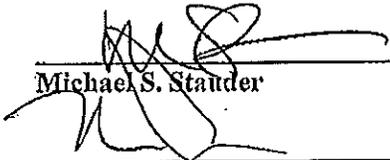




You are hereby directed to serve this warrant by posting attested copies thereof at the Place of Meeting, Hubbardston Center School, "Mr. Mike's" convenience store, the Town Office and the Post Office fourteen days, at least, before the day of said meeting. Hereof, fail not, and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforementioned.

Given under our hands this 6th day of May 2013:

BOARD OF SELECTMEN of HUBBARDSTON



Michael S. Stauder

Matthew Castriotta



Christopher B. Norcross

A true copy, Attest:



Joyce E. Green, Town Clerk

Date of Posting: _____

Method: _____

By: _____, Constable