



Town of Ashland

MASSACHUSETTS

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**WARRANT ARTICLES WITH MOTIONS WITH
FINANCE COMMITTEE RECOMMENDATIONS AND
INFORMATION
FOR THE
NOVEMBER 29, 2023
SPECIAL TOWN MEETING
ASHLAND HIGH SCHOOL**

ADA ADVISORY

Anyone in need of special accommodations for the Town Meeting, please contact the Office of the Select Board at (508) 881-0100 (Option 5) by 4:00 pm on November 21, 2023 in order that reasonable accommodations may be made.

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Moderator's Motions

1. That this meeting dispenses with the reading of the warrant and of the Constable's return of service of that warrant and that the Moderator not be required to read warrant articles verbatim, but may refer to them by number and subject matter.
2. That the moderator may extend the floor to Town management and staff and other non-voters provided that they must first be recognized by the Moderator.
3. That the Moderator, pursuant to G.L. c. 39 § 15 be allowed to declare a two-thirds vote rather than taking a standing count.
4. That once final action has been taken on an article and the next order of business has been taken up, or the session of the meeting has been adjourned, the matter may not again be taken under consideration at that town meeting unless, in the best judgment of the Moderator, a significant error or omission occurred in the language or the process of the original action on the article, or a significant change of circumstances has occurred, such that there is a clear likelihood that the outcome could change upon reconsideration or that reconsideration would be in the Town's best interest.

**SPECIAL TOWN MEETING WARRANT
NOVEMBER 29, 2023
7:00 PM
ASHLAND HIGH SCHOOL**

**Article 1: Free Cash Transfer
Sponsor: Town Manager/Finance Director**

To see if the Town will vote to transfer from Free Cash, an amount of funds , to be placed in the Stabilization Fund, OPEB Trust Fund, Special Education Special Purpose Stabilization Account, Capital Account, and/or General Fund or pass any vote or take any action relative thereto.

Account	Amount	Account Number
General Stabilization Fund	\$ 25,000.00	84980-49710
OPEB Trust Fund	\$ 515,594.40	88100-49710
SPED Stabilization Fund	\$ 200,000.00	84980-49715
Opioid Settlement Funds	\$ 71,364.00	01544-52450
Capital	\$ 931,689.60	01930-58000
Total	\$ 1,743,648.00	

MOTION: The Town transfers \$1,743,680 from Free Cash to the following accounts: the sum of \$25,000 to the General Stabilization Fund; the sum of \$515,594.40 to the OPEB Trust Fund; the sum of \$200,000 to the SPED Stabilization Fund; the sum of \$71,364.40 to Account 01544-52450 (for the purposes of supporting activities outlined within the Opioid Settlement program); and the sum of \$931,689.60 to the Capital Account; as shown in the table above.

Finance Committee Recommends: The Finance Committee recommends that the Town transfers \$1,743,680 from Free Cash to the following accounts: the sum of \$25,000 to the General Stabilization Fund; the sum of \$515,594.40 to the OPEB Trust Fund; the sum of \$200,000 to the SPED Stabilization Fund; the sum of \$71,364.40 to Account 01544-52450 (for the purposes of supporting activities outlined within the Opioid Settlement program); and the

sum of \$931,689.60 to the Capital Account; as shown in the table above.

Article 2: Property Tax Exemptions

Sponsor: Board of Assessors/Select Board/Town Manager

To see if the Town will vote to adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½, to be effective for exemptions granted for any fiscal year beginning July 1, 2023, or pass any vote or take any action relative thereto.

MOTION: That the Town adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½ to 12% to be effective for exemptions granted for any fiscal year beginning July 1, 2023

Finance Committee Recommendations: The Finance Committee recommends the Town adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½ to 12% to be effective for exemptions granted for any fiscal year beginning July 1, 2023

Article 3: Senior Tax Work Off Program

Sponsor: Town Manager/Senior Center Director

To see if the Town will affirm its acceptance of G.L. c. 59 sec. 5(K) to allow for the Select Board to establish a senior tax work off program and further that the Town adjust the exemption and; (1) allow an approved representative, for persons physically unable, to provide such services to the town; and (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

MOTION: That the Town affirms its acceptance of G.L. c.59 sec. 5(K) for the Select Board to establish a senior tax work off program and further that the Town adjust the exemption and; (1) allow an approved representative, for persons physically unable, to provide such services to the town; and (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Finance Committee Recommendation: The Finance Committee recommends that the Town affirm its acceptance of G.L. c 59 sec 5(k) and allow an approved representative, for persons physically unable, to provide such services to the town; and (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Article 4: Accept Donation of Land – 0 Fountain Street
Sponsor: Town Manager

To see if the Town will vote to accept as a gift, take, or otherwise acquire a parcel of land identified on the Assessor’s Map 010 and Lot 0045 including +/-10,890 square feet, more or less with an address of 0 Fountain Street Rear, and to authorize the Select Board to take any other action or execute any documents necessary to effectuate the conveyance of same to the Town, or take any other action related thereto.

MOTION: That the Town accept as a gift, take, or otherwise acquire a parcel of land identified on the Assessor’s Map 010 and Lot 0045 including +/-10,890 square feet, more or less with an address of 0 Fountain Street Rear, and to authorize the Select Board to take any other action or execute any documents necessary to effectuate the conveyance of same to the Town.

Finance Committee Recommendation: The Finance Committee recommends that the Town accept as gift, take, or otherwise acquire a parcel of land identified on the Assessor’s Map 010 and Lot 0045 including +/- 10,890 square feet, more or less with an address of 0 Fountain Street Rear

Article 5: Accept Easement, 107 High Street
Sponsor: Select Board/DPW

To see if the Town will vote to accept as a gift, purchase or otherwise acquire, an Easement, as show on a plan entitled “Easement Exhibit Plan 107 High Street Ashland, MA prepared by GCG Associates, Inc and dated 9/8/23, and indicated as “15 Foot Access Easement” a copy of which is on file in the office of the Town Clerk and further that the Town shall appropriate funds sufficient to acquire same, or take any action related thereto.

MOTION: That the Town accept as a gift, purchase or otherwise acquire, an Easement, as shown on a plan entitled “Easement Exhibit Plan 107 High Street Ashland, MA prepared by GCG Associates, Inc and dated 9/8/23, and indicated as “15 Foot Access Easement” a copy of which is on file in the office of the Town Clerk, and if the easement is not provided as a gift that the Town appropriate (or transfer) \$2,000 in order to pay the cost of same.

Finance Committee Recommendation: The Finance Committee recommends that the Town accept as a gift, purchase, or otherwise acquire an Easement as described in Article 5.

**Article 6: Authorize a Home Rule Petition to Increase the Liquor License
Sponsor: Select Board**

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition to increase the number of alcohol licenses for on-premises consumption for the Town of Ashland by 16 additional licenses for alcohol, and further upon submittal the Select Board is hereby authorized to approve amendments to said petition which are within the scope of this article, or take any other action relative thereto.

MOTION: That the Town authorize the Select Board to file a Home Rule Petition to increase the number of alcohol licenses for on-premises consumption for the Town of Ashland by 16 additional licenses for alcohol, and further upon submittal the Select Board is hereby authorized to approve amendments to said petition which are within the scope of this article.

Finance Committee Recommendation: The Finance Committee recommends the Town authorize the Select Board to file a Home Rule Petition to increase the number of alcohol licenses for on-premises consumption for the Town of Ashland by 16 additional licenses for alcohol, and further upon submittal the Select Board is hereby authorized to approve amendments to said petition which are within the scope of this article

**Article 7: CPA Funding to Construct Dog Park
Sponsor: CPC**

To see if the Town will vote to appropriate up to \$215,000 to enable the creation of the Ashland Dog Park on town property along Memorial Drive that will include parking, storage facilities, fencing and off leash exercise space for dogs and that to meet this appropriation, the sum of up to \$215,000 be transferred from the Open Space Account from the Community Preservation Fund balance, and with unexpended funds as of June 30, 2027 being returned to their funding source; or pass any vote or take any other action thereon.

MOTION: That the Town appropriate up to \$215,000 to enable the creation of the Ashland Dog Park on town property along Memorial Drive that will include parking, storage facilities, fencing and off leash exercise space for dogs and that to meet this appropriation, the sum of up to \$215,000 be transferred from the Open Space Account from the Community Preservation Fund balance, and with unexpended funds as of June 30, 2027 being returned to their funding source.

Finance Committee Recommends: The Finance Committee recommends the following article, subject to the presentation of a maintenance plan acceptable to the town and a report on revenue-generating opportunities to pay for said maintenance.

Article 8: Extend CPA funds for the Riverwalk Project

Sponsor: CPC

To see if the Town will vote to extend the time by which funds need to be spent on the Riverwalk Trail Enhancement Project, which was authorized under Article 11 at the 2017 Annual Town Meeting to complete the design and construction of the Sudbury River Trail Riverwalk, until December 31, 2026, at which time any unexpended funds will be returned to their funding sources, or take any action relative thereto.

MOTION: That the Town extend the time by which funds need to be spent on the Riverwalk Trail Enhancement Project, which was authorized under Article 11 at the 2017 Annual Town Meeting to complete the design and construction of the Sudbury River Trail Riverwalk, until December 31, 2026, at which time any unexpended funds will be returned to their funding sources.

Finance Committee Recommends: The Finance Committee recommends that the Town extend the Riverwalk Trail Enhancement Project until December 31, 2026.

TOWN MEETING VOCABULARY

Abatement	A reduction or elimination of a real or personal property tax, motor vehicle excise, a fee, charge, or special assessment imposed.
Available Funds	Balances in the various fund types that represent non-recurring revenue sources. Examples include free cash, stabilization funds, overlay surplus, and enterprise retained earnings.
Bond	A means to raise money through the issuance of debt.
Bond Authorization	The action of town meeting authorizing the executive branch to raise money through the sale of bonds in a specific amount and for a specific purpose. Once authorized, issuance is by the treasurer upon signature of the selectmen.
Cherry Sheet	An annual statement from the Massachusetts Department of Revenue detailing estimated reimbursements and charges to the Town. Its name derives from the fact that it was once written on cherry colored paper. In this manner the Town receives its share of various state funds and aid accounts, and is charged its share of running state government. Although the Cherry Sheet is required to be distributed by the first of March of each year, in actuality it is sent after the Legislature has passed the budget, which may not occur until June or July.
Citizens' Petitions	10 citizens for an Annual Town Meeting or 100 citizens for a Special Town Meeting may submit a petition requesting that a specific article be included in the next Town Meeting warrant for consideration. 200 citizens may submit a petition calling the Board of Selectmen to set a Town Meeting within 45 days.
Community Preservation Act	Permits towns accepting its provisions to establish a restricted fund from which monies can be appropriated only for a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation, and restoration of historic resources; and c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the rehabilitation and restoration of open space, land for recreational use and community housing that is acquired or created using monies from the fund.
Community Preservation	A special revenue fund established to receive all monies collected to support the

Fund	community preservation program, including but not limited to, tax surcharge receipts, proceeds from borrowings, and funds received from the State.
Debt Exclusion	A community may vote at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to cover each year's principal & interest is added to the levy limit for the life of the debts.
Enterprise Fund	An enterprise fund is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. With an enterprise fund, all costs of service delivery--direct, indirect, and capital costs—are identified. This allows the community to recover total service costs through user fees if it chooses. Enterprise accounting also enables communities to reserve the "surplus" or net assets unrestricted generated by the operation of the enterprise rather than closing it out to the general fund at year-end. We have sewer, water and trash enterprise accounts.
Exemption	Established by statute, it is a discharge from the obligation to pay all or a portion of a property tax. The exemption is available to particular categories of property or persons upon the timely submission and approval of an application to the assessors. Properties exempt from taxation include hospitals, schools, houses of worship, and cultural institutions. Persons who may qualify for exemptions include disabled veterans, blind individuals, surviving spouses, and seniors.
Fiscal Year	The Fiscal Year starts July 1 st of each year and ends June 30 th the following year.
Free Cash	Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's accountant. This amount is certified annually by the Massachusetts Department of Revenue and thereafter is available for appropriation by a Town Meeting.
Levy Limit	The amount of property taxes that can be raised in accordance with Proposition 2½ formulas. The levy may be raised by 2½% plus new construction.
Local Receipts	Income derived by the Town from Motor Vehicle excise taxes, fees, licenses and permits, penalties & interest on taxes, etc.

New Construction	New growth and increases to property independent of market inflation are added to the levy limit in addition to the 2½% inflation increase allowed under Proposition 2½.
Omnibus Budget	For convenience, all recommended appropriations for operating expenses of the various Town departments and boards are gathered together in one article called the Omnibus Budget. The period covered by the Omnibus Budget is the upcoming Fiscal Year, and money not spent during this period reverts to Free Cash. No department or board can overspend its budget.
Overlay	An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve need not be funded by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.
Override	A vote by a community at an election to permanently increase the levy limit. An override question on the election ballot must state a purpose for the override and the dollar amount.
Raise and Appropriate	A type of funding for Town expenditures voted at Town Meetings. The funds are raised through taxes, local receipts, and state reimbursements. Funds raised and appropriated in warrant articles are available until a time set by the article or until voted out by a subsequent Town Meeting.
Reserve Fund	A fund, established by each Town Meeting, for extraordinary or unforeseen expenses in the upcoming fiscal year. The Finance Committee alone may transfer money from this fund, thus eliminating the need for frequent Special Town Meetings. The fund may not exceed 5% of the preceding year's tax levy.
Revolving Account	Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.
Stabilization Fund	A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. It retains its own investment income. A two-thirds vote is required on any vote relative to this Fund. This fund serves as the Town's primary "rainy day" fund.

Selected Town Meeting Procedures

Amending an Article: Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion using the following procedures:

1. Proceed to a microphone and wait to be recognized by the Moderator.
2. Announce your intent to amend the motion verbally and submit a copy of the amended motion in writing to the Moderator. The motion to amend must include your name as sponsor. Any increase in appropriation must include a funding source.
3. The Moderator will ask for a second to the motion to amend.
4. If passed, the motion to amend will be opened for discussion and then must be voted on by Town Meeting separately from the main motion.
5. A simple majority is required to pass a motion to amend.
6. More than one motion to amend can be made to a main article, but each must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion (or as amended) must be voted on.

Necessary Majorities *

Unless noted otherwise, a simple majority is required to pass a motion.

A 2/3 majority is required for all borrowing, land acquisitions or transfers and all zoning by-laws.

A 4/5 majority is required at Annual Town Meeting for unpaid bills of prior fiscal years.

A 9/10 majority is required at Special Town Meetings for unpaid bills of prior years.

Only votes cast will be counted in determining the percentage of votes in favor of a motion. If there are 170 voters present and 100 vote yes, 50 vote no and 20 do not vote, the results shall be interpreted as 100 yes votes out of 150 votes or 66.67% in favor.

* Please note that these vote majorities are for example only and there may be other types of votes which fall under each of the categories listed above.