



Town of Ashland
M A S S A C H U S E T T S

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**WARRANT ARTICLES, INFORMATION AND
RECOMMENDATIONS
OF THE
FINANCE COMMITTEE
FOR THE
January 23, 2021
SPECIAL TOWN MEETING
ASHLAND HIGH SCHOOL**

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Warrant Article Index

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1	Authorize funding to construct Public Safety Building	Board of Selectmen	2/3
2	Authorize funding to complete the design and construct the Mindess School	Board of Selectmen/School Committee	2/3

Moderator's Motions

1. That this meeting dispense 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.
5. The Articles at this Special Town Meeting shall be considered, debated and voted upon as follows:
 - a. There shall be no motions made or accepted once debate has closed and until the vote tally is announced except to bring the articles to a vote.
 - b. There will be no motions for reconsideration at any time.
 - c. Article 1 (public safety building) will be introduced, followed by presentation of the Article, a motion on the Article and discussion
 - d. Upon conclusion of discussion, the Moderator will entertain a motion to table Article 1 for the sole purpose of bringing the article back from the table later in the meeting for a vote
 - e. Article 2 (Mindess school) will be introduced, followed by presentation of the Article, a motion on the Article and discussion
 - f. Upon conclusion of discussion, the Moderator will entertain a motion to table Article 2 for the sole purpose of bringing the article back from the table later in the meeting for a vote
 - g. The Moderator will entertain a motion to re-open Articles 1 and 2 solely for the purpose of voting and both articles will be open for voting at the same time
 - h. The Moderator will call for a vote on Article 1 by public display of colored index cards. Yes vote cards will be collected by volunteers and deposited into the Article 1-Yes box. No vote cards will be collected by volunteers and deposited into the Article 1-No box.
 - i. The Moderator will call for a vote on Article 2 by public display of colored index cards. Yes vote cards will be collected by volunteers and deposited into the Article 2-Yes box. No vote cards will be collected by volunteers and deposited into the Article 2-No box.

- j. The Moderator will announce that following a 15-minute recess during which those present may leave the gym, voting will remain open for approximately 2½ hours (exact time to be determined by the Moderator prior to calling for the recess) during which time registered voters who have yet to vote may come to the high school, check in and vote by public declaration.
- k. At the appointed time, the Moderator will announce the close of voting, then tally and announce the results.
- l. The Moderator will entertain a motion to dissolve the meeting.

SPECIAL TOWN MEETING WARRANT
JANUARY 23, 2021
10:00 AM
Ashland High School

Article 1: Authorize Funding to Construct Public Safety Building
Sponsor: Board of Selectmen

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the Selectboard for the purpose of paying costs of the project management, site preparation, construction, equipping and furnishing a new Public Safety building located at 12-16 Union Street, including the payment of all incidental and related costs and authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum under M.G.L. Chapter 44, or any other enabling authority, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount and further provided that said appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2½), or take any other action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends that the Town vote to appropriate, borrow or transfer from available funds, \$27,400,000 to be expended under the direction of the Board of Selectmen for the purpose of paying costs described in the motion for a new Public Safety Building. The Finance Committee also recommends the Town exempt amounts required for the payment of interest and principal on borrowings related to the new Public Safety Building from the limitation on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½).

MOTION: That the Town will vote to appropriate, borrow or transfer from available funds, \$27,400,000 to be expended under the direction of the Board of Selectmen for the purpose of paying costs of the project management, site preparation, construction, equipping and furnishing a new Public Safety building located at 12-16 Union Street, including the payment of all incidental and related costs and authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum under M.G.L. Chapter 44, or any other enabling authority, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount and further provided that said appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2½), or take any other action relative thereto.

**Article 2: Authorize Funding to Complete Design and Construct New Mindess School Building
Sponsor: Board of Selectmen/School Committee**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Mindess School Building Committee for the purpose of paying costs of the design, construction, equipping, and furnishing of a new replacement facility for the existing David Mindess Elementary School located at 90 Concord Street, including the payment of all incidental and related costs, including but not limited to building demolition and site preparation, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) Fifty-five and fifty-seven one hundredths percent (55.57%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Further to authorize use of the construction management at risk delivery method pursuant to the provisions of G.L. c.149A, §§1-13, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount and further provided that said appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2½), or take any other action relative thereto, or take any other action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends that the Town vote to appropriate \$83,387,000 to be expended under the direction of the Mindess School Building Committee for the purpose of paying costs described in the motion for a new replacement facility for the existing David Mindess Elementary School with the understanding that the appropriation will be net of the total maximum grant amount determined by the MSBA. The Finance Committee also recommends the Town exempt amounts required for the payment of interest and principal on borrowings related to the new replacement facility for the existing David Mindess Elementary School from the limitation on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½).

MOTION: That the Town of Ashland appropriate the amount of Eighty-Three Million, Three Hundred Eighty-Seven Thousand (\$83,387,000) Dollars for the purpose of paying costs of the design, construction, equipping, and furnishing of a new replacement facility for the existing David Mindess Elementary School located at 90 Concord Street, including the payment of all incidental and related costs, including but not limited to building demolition and site preparation, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town of Ashland may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mindess School Building Committee. To meet this appropriation the Town Treasurer with approval of the Selectboard, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to

any other enabling authority. The Town of Ashland acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Ashland incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Ashland; provided further that any grant that the Town of Ashland may receive from the MSBA for the Project shall not exceed the lesser of (1) Fifty-five and fifty-seven one hundredths percent (55.57%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Ashland and the MSBA and further to authorize use of the construction management at risk delivery method pursuant to the provisions of G.L. c.149A, §§1-13 and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount.

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 Fund	A special revenue fund established to receive all monies collected to support the 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.

**Town of Ashland
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.