

Annual Town Meeting Warrant



Town Hall Fallon Auditorium
June 2, 2014
7:15 P.M.

TOWN OF CLINTON
COMMONWEALTH OF MASSACHUSETTS
WARRANT FOR ANNUAL TOWN MEETING

WORCESTER, SS.

To the Constable of the Town of Clinton in the County of Worcester.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town, qualified to vote in the elections and town affairs, to meet at the Town Hall in said Clinton on Monday, the second day of June 2014 at 7:15 P.M., then and there to act on the following articles:

ARTICLE 1

To receive the reports of the town officers and to act thereon.

ARTICLE 2

To see if the Town will vote to fix the salaries and compensation of all elective officials of the Town, as provided by Chapter 41, Section 108, of the Massachusetts General Laws, said salaries and compensation to be effective from July 1, 2014 to June 30, 2015, and to raise and appropriate a sum of money therefore, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 3

To see if the Town will vote to raise and appropriate from the current tax levy or transfer from available funds such sums of money as may be deemed necessary to defray town charges from July 1, 2014 to June 30, 2015, as those charges appear in the Finance Committee Report of Recommendations, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 4

To see if the Town will vote to authorize the Town Treasurer and Town Collector to enter into a compensating balance agreement with a banking institution for Fiscal Year 2015 pursuant to Chapter 44, Section 53F, of the Massachusetts General Laws, or act in any manner relating thereto.

ARTICLE 5

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,800.00, or any other sum, said sum to be expended for social services in accordance with programs as approved by the Board of Selectmen, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 6

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000.00, or any other sum, said sum to be expended as the Town of Clinton's share to the Wachusett Health Education Action Team (WHEAT, Inc.), which committee is a delegate agency of the United Way of Tri-County, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 7

To see if the Town will vote to reauthorize the use of revolving funds containing receipts from the fees charged to users of the services provided by various boards, committees, departments or offices of the Town, in accordance with the provisions of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 8

To see if the Town will vote to establish a revolving fund, in accordance with the provisions of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, for the deposit of fees from the use of the Clinton Senior Center, said funds to be used for the maintenance and other related expenses of the center, or act in any manner relating thereto.

(Council on Aging)

(Finance Committee - Approved)

ARTICLE 9

To see if the Town will vote to appropriate from the Assessors Overlay Reserve Account the sum of \$15,000.00, or any other sum, said sum to be used to continue the Senior Tax Rebate Program for Fiscal Year 2015, or act in any manner relating thereto.

(Council on Aging)

(Finance Committee - Approved)

ARTICLE 10

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$35,000.00, or any other sum, said sum to be

expended by the Town Treasurer to defray a prior year deficit in the Payroll Withholdings Account, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 11

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150,000.00, or any other sum, to the Health Insurance Trust Fund, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 12

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$42,400.00, or any other sum, said sum to be expended by the Board of Assessors to defray the cost of performing the state mandated property revaluation for Fiscal Year 2016, or act in any manner relating thereto.

(Board of Assessors)

(Finance Committee - Approved)

ARTICLE 13

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$50,000.00, or any other sum, said sum to be expended by the Board of Selectmen for the purchase of streetlights on High Street, Water Street, Union Street and Mechanic Street owned by National Grid and for an engineering study and purchase of replacement decorative streetlight poles and fixtures in the downtown area, or act in any manner relating thereto.

(Finance Committee - Approved)

ARTICLE 14

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$100,000.00, or any other sum, said sum to be expended by the Senior Center Building Committee for the construction, renovation and furnishings for The Clinton Home for use as a senior center, or act in any manner relating thereto.

(Senior Center Building Committee)

(Finance Committee - Approved)

ARTICLE 15

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$40,800.00, or any other sum, said sum to be

expended by the Town Clerk for the purchase of new voting machines, election booths and related costs, or act in any manner relating thereto.

(Town Clerk)

(Finance Committee - Approved)

ARTICLE 16

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$500,000.00, or any other sum, said sum to be used by the Fire Department for the purchase of a new fire engine, and to fund this appropriation by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said amount and to issue bonds and notes therefore in accordance with Chapter 44 of the Massachusetts General Laws, or any other enabling authority, such appropriation to be contingent upon the passage of a debt exclusion override of Proposition 2 ½ so-called by the voters of the Town of Clinton, or act in any manner relating thereto.

(Fire Chief)

(Finance Committee – Approved)

ARTICLE 17

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$45,000.00, or any other sum, said sum to be expended by the Parks and Recreation Commission for consulting services for the proposed Savage Field Renovations that are detailed in the Master Plan for the park, said services to include, but not be limited to, background investigation, facility assessment and survey, soils investigation, utilities investigation, program development, schematic design, detailed cost estimates, design development, preparation of contract documents, technical specifications and project manual, construction cost estimate, permitting assistance services, conservation permitting, local planning and/or zoning permits, bid award and construction period services, and project close-out, or act in any manner relating thereto.

(Parks & Recreation)

(Finance Committee - Disapproved)

ARTICLE 18

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$25,000.00, or any other sum, said sum to be expended by the Parks and Recreation Commission to install additional power outlets at Central Park, including but not limited to the cost to install a new power box on the police station side of the park and install at least six (6) outlets in various locations around the perimeter of the park, said outlets to provide power for various events throughout the year including summer concerts, graduation, Olde Home Day, town-wide yard sale and for additional Christmas lights each winter, or act in any manner relating thereto.

(Parks & Recreation)

(Finance Committee - Approved)

ARTICLE 19

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$11,500.00, or any other sum, said sum to be expended by the Parks and Recreation Commission to purchase an ice rink and tractor broom, said ice rink to be installed each winter at a chosen location and opened to the public when weather allows and maintained by the Parks & Recreation Department, and said tractor broom to maintain the ice and to be used throughout the year to clean sidewalks and other surfaces by attachment to the John Deere tractor purchased by the department in 2013, or act in any manner relating thereto.

(Parks & Recreation)

(Finance Committee - Disapproved)

ARTICLE 20

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$150,000.00, or any other sum, said sum to be expended by the Clinton Public Schools for the purchase of textbooks and technology; or act in any manner relating thereto.

(School Committee)

(Finance Committee - Approved)

ARTICLE 21

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$600,000.00, or any other sum, said sum to be expended by the Clinton Public Schools for removal and replacement of asbestos-containing ceiling tiles in the Clinton Middle School and to fund this appropriation by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said amount and to issue bonds and notes therefore in accordance with Chapter 44 of the Massachusetts General Laws, or any other enabling authority, such appropriation to be contingent upon the passage of a debt exclusion override of Proposition 2 ½ so-called by the voters of the Town of Clinton; or act in any manner relating thereto.

(School Committee)

(Finance Committee - Approved)

ARTICLE 22

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$150,000.00, or any other sum, said sum to be expended by the Clinton Public Schools for building infrastructure improvements in the Clinton Middle School, or act in any other manner relating thereto.

(School Committee)

(Finance Committee - Approved)

ARTICLE 23

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$300,000.00, or any other sum, said sum to be used for the renovation of the track at the Clinton Veteran's Athletic Complex, and to fund this appropriation by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said amount and to issue bonds and notes therefore in accordance with Chapter 44 of the Massachusetts General Laws, or any other enabling authority, such appropriation to be contingent upon the passage of a debt exclusion override of Proposition 2 ½ so-called by the voters of the Town of Clinton, or act in any manner relating thereto.

(School Committee)

(Finance Committee - Approved)

ARTICLE 24

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or transfer from available funds the sum of \$60,000.00, or any other sum, said sum to be expended by the Clinton Public Schools for a pickup truck with a snow plow, or act in any manner relating thereto.

(School Committee)

(Finance Committee - Approved)

ARTICLE 25

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation which would authorize the appointment of the Town Treasurer, and which legislation would provide substantially as follows:

AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON TO APPOINT THE TOWN TREASURER.

SECTION 1.

Notwithstanding the provisions of Chapter 41 of the General Laws or any other general law, special law or bylaw to the contrary, the office of town treasurer in the town of Clinton shall be appointed by the board of selectmen. The town treasurer shall be governed by the town of Clinton personnel bylaw and shall have all the powers, perform all the duties and be subject to the liabilities and penalties conferred and imposed by law on town treasurers.

SECTION 2.

Notwithstanding Section 1, the position of elected town treasurer shall be abolished upon the expiration of the term of the current elected incumbent, and provided further that such incumbent shall also then become the first appointed town treasurer, unless sooner resignation, retirement or removal.

SECTION 3.

This Act shall take effect upon its passage.

Provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition, or act in any manner relating thereto.

ARTICLE 26

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation which would authorize the appointment of the Town Collector, and which legislation would provide substantially as follows:

AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON TO APPOINT THE TOWN COLLECTOR.

SECTION 1.

Notwithstanding the provisions of Chapter 41 of the General Laws or any other general law, special law or bylaw to the contrary, the office of town collector in the town of Clinton shall be appointed by the board of selectmen. The town collector shall be governed by the town of Clinton personnel bylaw and shall have all the powers, perform all the duties and be subject to the liabilities and penalties conferred and imposed by law on town collectors.

SECTION 2.

Notwithstanding Section 1, the position of elected town collector shall be abolished upon the expiration of the term of the current elected incumbent, and provided further that such incumbent shall also then become the first appointed town collector, unless sooner resignation, retirement or removal.

SECTION 3.

This Act shall take effect upon its passage.

Provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition, or act in any manner relating thereto.

ARTICLE 27

To see if the Town will vote to amend Article X, Section 1 of the Administrative By-Laws of the Town by increasing the number of police sergeants from four to five, or act in any manner relating thereto.

ARTICLE 28

To see if the Town will vote to amend the Zoning By-Laws to update the Floodplain District for the purpose of facilitating compliance with new flood maps drafted by the Federal

Emergency Management Agency (FEMA), as follows:

Delete Section 8120 in its entirety and insert in its place the following:

8120 District Delineation. The FPPOD is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Clinton designated as Zones A and AE, on the Worcester County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRM that are wholly or partially within the Town of Clinton are panel numbers 25027C0461E, 25027C00462E, 25027C0463E dated July 4, 2011; and 25027C0464F, 25027C0466F and 25027C0468F, dated July 16, 2014. The exact boundaries of the FPPOD may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Conservation Commission, Board of Assessors, Building Commissioner and Zoning Commissioner.

8121. Adoption of the above maps and study shall render all notations or descriptions with regard to floodplain on the Zoning Map, dated June 15, 1982, null and void.

8122. Within Zone A, where the 100 year flood elevation is not provided on the FIRM, the developer/applicant shall obtain any existing flood elevation data and it shall be reviewed by the Building Commission.

or act in any manner relating thereto.

ARTICLE 29

To see if the Town will vote to accept the private way known as Lydia Lane as a public way in the Town of Clinton, according to a plan on file with the Town Clerk, or act in any manner relating thereto.

ARTICLE 30

To see if the Town will vote to accept the private way known as Wilkate Place as a public way in the Town of Clinton, according to a plan on file with the Town Clerk, or act in any manner relating thereto.

ARTICLE 31

To see if the Town will vote to raise and appropriate, borrow, transfer from the Stabilization Fund or take from available funds the sum of \$470,000.00, or any other sum, said sum to be expended by the Fire Chief for the immediate purchase of any and all UHF radio equipment needed to replace the defective emergency communication equipment at the Clinton Fire Department.

(Citizens Petition)

(Finance Committee - Disapproved)

ARTICLE 32

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds or borrow the sum of \$500,000.00, for the installation of concrete sidewalks along Water Street from High Street to the Nashua River Bridge, as opposed to bituminous (asphalt) sidewalks, as proposed for the Water Street Construction Project; and to fund this appropriation by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said amount and to issue bonds and notes therefore in accordance with M.G.L. Chapter 44, or any other enabling authority, such appropriation to be contingent upon the passage of a debt exclusion override of Proposition 2 ½ so-called by the voters of the Town of Clinton, or take any other action relative thereto.

(Citizens Petition)

(Finance Committee - Disapproved)

HEREOF FAIL NOT, and make due return of this warrant with your doing thereon, to the Town Clerk, at the time and place of the meeting, as aforesaid.

GIVE UNDER OUR HANDS, THIS fourteenth day of May in the year of our Lord, two thousand and fourteen.

BOARD OF SELECTMEN

William F. Connolly, Jr., Chairman
David J. Sargent, Vice-Chairman
Marc S. Iacobucci, Clerk
James J. LeBlanc
Michael J .Dziokonski

WORCESTER, SS.

By virtue of this Warrant, I have this day notified and warned the inhabitants of the Town of Clinton aforesaid, qualified to vote in elections and town affairs, to meet at the time and place for the purpose within named, by publishing in The Item, a newspaper published in the said Town, as hereby directed.

Kevin R. Haley
Constable for the Town of Clinton