



Town of Charlton, Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING
Tuesday, October 13, 2020**

To either of the Constables of the Town of Charlton:

In the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Charlton qualified to vote in elections to meet in the Shepherd Hill Regional High School, 68 Dudley-Oxford Road Dudley, MA, on **Tuesday, October 13, 2020** at **seven o'clock** in the evening, for the purpose of taking action on the following articles:

Meeting is called to order with the Pledge of Allegiance at 7:01 PM. Moderator Noreen P. Smith presided. 72 Voters present. All votes tallied using handheld voting device.

ARTICLE 1. APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR

To see if the Town will vote to raise by taxation, transfer or borrow and appropriate a sum or sums to accounts to be specified at the town meeting for payment of one or more prior fiscal year's bills not paid due to an insufficiency of appropriation or for other reasons, or take any action relative thereto or thereon.

SPONSOR: VARIOUS TOWN DEPARTMENTS AND OFFICIALS

MOTION: I move to pass over indefinitely.

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED. (UNLIKE MOTION ABOVE, IF AFFIRMATIVE MOTION WERE MADE WOULD REQUIRE 9/10ths to extent not paid due to insufficiency of appropriation; otherwise majority. [G.L.c.44, sec.64])

MOTION TO POSTPONE INDEFINITELY PASSES BY MAJORITY VOTE 60 – YES, 7 - NO

ARTICLE 2. INTER/INTRA DEPARTMENTAL TRANSFERS AND/OR APPROPRIATIONS FOR FY2021 BUDGET

To see if the Town will vote to raise by taxation, borrow or transfer, and appropriate from available funds, including so called "free cash" and /or funds previously appropriated to other uses, a sum or sums of money to accounts and for purposes to be specified at the Special Town Meeting, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN, TOWN ADMINISTRATOR AND VARIOUS TOWN DEPARTMENTS

MOTION: I move that the following sums be raised by taxation or transferred, whichever is indicated below, and appropriated to the following accounts for any purpose for which funds

may be expended from the latter accounts, and to authorize the board of selectmen or town administrator (or his/her designated chief procurement officer) to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote, each item being considered a separate appropriation:

To the following accounts	Amount	From the following accounts	Purpose
FY21 Board of Appeals Wages 0100-176-5113-0000	3,000.00	Free Cash	FY21 Operating Wages and Expenses
FY21 Cable Operating Budget 0100-194-5111-0000	63,000.00	Free Cash	FY21 Operating Wages and Expenses
FY 21 OPEB Trust 0100-910-5750-0000	250,000.00	Free Cash	Fund OPEB Trust per Funding Plan
FY21 HR Contract Obligations 0100-152-5190-0000	51,600.00	Free Cash	Vacation/Sick Payout Police Chief
FY21 BOS Contract Obligation 0100-122-5790-0000	15,000.00	Free Cash	Assessment Center
FY21 BOS Environmental 0100-122-5795-0000	30,000.00	Free Cash	Hazardous Municipal Cleanup
FY21 BOH Expenses 0100-512-5780-0000	70,000.00	Free Cash	Landfill Monitoring
FY21 Water Enterprise Capital 6100-450-5800-0000	63,400.00	Water Enterprise Retained Earnings (Fund 6100)	Water Line Repairs
FY21 Sewer Enterprise Capital 6200-440-5800-0000	200,000.00	Sewer Enterprise Retained Earnings (Fund 6200)	Supervisory Control And Data Acquisition(SCADA)

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 59 – YES, 8- NO

ARTICLE 3. AMENDMENT TO THE FY2021 BUDGET

To see if the Town will vote to amend the funding sources for the Fiscal 2021 budgeted voted at the June 2020 Annual Town Meeting as follows: by reducing the amount to be transferred from Prindle Dam RRFA by \$7,600 and increasing the amount to be raised and appropriated by \$7,600, or take any action relative thereto or thereon.

SPONSOR: FINANCE COMMITTEE

MOTION: I move that the Town approve Article 3 as written.

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 59 – YES, 7- NO

ARTICLE 4. MISC. CAPITAL ITEMS AND RELATED CONTRACTS

To see if the Town will vote to raise by taxation, borrow or transfer from available funds, including so called “free cash” and funds previously appropriated to other uses, and appropriate a sum or sums to purchase capital items and/or for service, repair, improvement, architectural, construction, renovation, improvement and/or other contracts relating to town buildings, facilities or property or to municipal services, and to authorize the Board of Selectmen, Chief Procurement Officer, or other appropriate town official, board, commission or committee to enter into such contracts or leases, and to take such other action, as may be necessary or advisable to effectuate the purposes of such votes, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN/VARIOUS DEPARTMENTS

MODERATOR: I WILL ENTERTAIN SEPARATE MOTIONS AS TO DIFFERENT PORTIONS OF THE SUBJECT MATTER COVERED BY THIS ARTICLE.

MOTION ONE: I move that the Town vote to transfer and appropriate the following amounts to the following departments’ respective accounts, for the FY 2021 Capital Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Conservation	Fence at South Charlton Dam 0100-171-5871-0201	21,000.00	Free Cash
Cemetery	Replace 1993 18’ Flat Deck Equipment Trailer 0100-491-5871-0201	7,500.00	Free Cash
Library	2-Honeywell Spyder Controlllers 0100-610-5871-0201	8,840.00	Free Cash
Library	Paint Exterior Windows on Original Building 0100-610-5871-0202	6,192.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 59 – YES, 11- NO

MOTION TWO: I move that the Town vote to transfer and appropriate the following amount to the following department’s account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote

Department	Project/Item Requested	Amount	From the following accounts
Planning Board	Master Plan Update 0100-175-5871-0201	50,000.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 52 – YES, 17- NO

MOTION THREE: I move that the Town vote to transfer and appropriate the following amount to the following department’s account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote

Department	Project/Item Requested	Amount	From the following accounts
Information Technology	Technology Replacements/Improvements 0100-193-5871-0201	75,000.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 53 – YES, 17- NO

MOTION FOUR: I move that the Town vote to transfer and appropriate the following amount to the following department’s account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Police	Cruiser Replacements (2) 0100-210-5871-0201	118,561.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 54 – YES, 17- NO

MOTION FIVE: I move that the Town vote to transfer and appropriate the following amount to the following department's account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Fire/EMS	Replace Ambulance 2 0100-220-5871-0202	310,000.00	Ambulance RRFA (Fund 1506)

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 57 – YES, 14- NO

MOTION SIX: I move that the Town vote to transfer and appropriate the following amount to the following department's account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Fire/EMS	Squad 1 0100-220-5871-0201	60,000.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 50 – YES, 19- NO

MOTION SEVEN: I move that the Town vote to transfer and appropriate the following amount to the following department's account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Town Administrator	Town Wide Radio Project 0100-122-5871-0201	250,000.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 53 – YES, 17- NO

MOTION EIGHT: I move that the Town vote to transfer and appropriate the following amount to the following department's account, for the FY 2021 Capital Budget, to be expended for the following purpose, such being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purpose of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Highway	John Deere Loader 0100-422-5871-0201	203,500.00	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 47 – YES, 22- NO

MOTION NINE: I move that the Town vote to transfer and appropriate the following amounts to the following department's account, for the FY 2021 Capital Budget, to be expended for the following purposes, such being considered a separate appropriation, and to authorize the Charlton Water and Sewer Commission after review and approval of the Chief Procurement Officer, or the Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Department	Project/Item Requested	Amount	From the following accounts
Water/Sewer Enterprise	New Pickup Truck 3614-450-5800-0000 (50% of Cost) 3622-440-5800-0000 (50% of Cost)	41,000.00	Water Retained Earnings (Fund 6100) (20,500.00) ----- Sewer Retained Earnings (Fund 6200) (20,500.00)

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED.

MOTION PASSES BY MAJORITY VOTE 58 – YES, 12- NO

ARTICLE 5. TRANSFER TO/FROM STABILIZATION FUNDS

To see if the Town will vote to transfer and appropriate a sum or sums to or from the Stabilization Funds, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

MOTION: I move that the Town vote to transfer and appropriate the following sums to and from the following accounts and funds:

To the following accounts	Amount	From the following accounts	Purpose
*Stabilization Fund (Fund 9009)	175,000.00	Free Cash	Fund Stabilization according to Reserve Policy
Water Stabilization Fund (Fund 9016)	61,900.00	Public Water Supply (Gale Road) Capital Project (Fund 3613)	Transfer State Reimbursement to Water Stabilization Fund
Sewer Stabilization Fund (Fund 9017)	418,000.00	Sewer Retained Earnings (Fund 6200)	Future Capital Projects

*Stabilization Fund Present Balance \$1,376,828.83

RECOMMENDATION OF THE FINANCE COMMITTEE: Fin Com supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MAJORITY VOTE NEEDED. [G.L.c.40, sec.5B]

MOTION PASSES BY MAJORITY VOTE 60 – YES, 8- NO

No vote shall be taken on any motion relating to Article 6, 7, 8 & 9 below until the Planning Board has submitted a report with recommendations thereon to the Town Meeting, if 21 days have not elapsed since the public hearing before the Planning Board was held on the proposed amendment to the Zoning By-law set forth in said Article. (Gen. Laws Chapter 40A, Section 5, paragraph 4).

ARTICLE 6. ZONING MAP AMENDMENT

To see if the town will vote to amend the Zoning Map, Section 200.3.1.B, by making the following changes: Change Assessor’s Parcel 32-A-6 consisting of 40.6 +/- acres, currently zoned R-40 Low Density Residential (R-40), to Business Enterprise Park (BEP) District. The Zoning Change is shown on the attached map. Or take any action relative thereto or thereon.

SPONSOR: PROPERTY OWNER

MOTION: I move that the Town approve Article 6 as written.

RECOMMENDATION OF THE PLANNING BOARD: The Planning Board recommends approval of this article as written.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

TWO THIRDS VOTE NEEDED. ((Gen. Laws Chapter 40A, Section 5, paragraph 5).

MOTION PASSES BY NECESSARY 2/3RD VOTE 46 – YES, 22- NO

ARTICLE 7. ZONING MAP AMENDMENT

To see if the town will vote to amend the Zoning Map, Section 200.3.1.B, by making the following changes: Change Assessor’s Parcel(s) 26-D-13 and 26-D-13.2 consisting of a total of 87.5 +/- acres, currently zoned Community Business (CB), to Business Enterprise Park (BEP). The zone change is on the attached map. Or take any action relative thereto or thereon.

SPONSOR: PROPERTY OWNER

MOTION: I move that the Town approve Article 7 as written.

RECOMMENDATION OF THE PLANNING BOARD: The Planning Board recommends approval of this article as written.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

TWO THIRDS VOTE NEEDED. ((Gen. Laws Chapter 40A, Section 5, paragraph 5).

MOTION PASSES BY NECESSARY 2/3RD VOTE 53 – YES, 17- NO

ARTICLE 8. BUILDING HEIGHT

To see if the town will vote to amend Charlton Zoning By-Law Section 200-3.2 Use Regulations, D. Intensity of Use Schedule, to read as set forth below, the intent being to allow an increase of building or other structure height in IG and BEP zoning districts from the present 36 feet to up to but no more than 50 feet, subject to approval of a Special Permit from the Planning Board and provided that the required, minimum setback from the building/structure approved for the Special Permit to both: (a) the nearest residential structure, including any accessory use structure; and (b) the nearest boundary of any abutting residential or agricultural zoning district boundary line shall be double the ordinarily required setback in the zone in which the building/structure so approved is located.

“D. Intensity of Use Schedule.

Zoning District	Minimum Lot Area (square feet)	Minimum Lot Width and		Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Coverage (% of lot)	Maximum Building Height (feet)
		Contiguous Street Frontage (feet)	Contiguous Street Frontage (feet)					
Industrial – General IG	40,000	155	155	40	35 ²	35 ²	40	36 ¹¹
Business Enterprise BEP	80,000	260	260	50 ⁵	50 ⁵	50 ⁵	33	36 ¹¹

¹¹Maximum Building Height may exceed 36 feet up to no more than 50 feet in the Industrial General and the Business Enterprise Zone districts subject to a Special Permit from the Planning Board so approving. Provided that the nearest portion of any building or structure so exceeding 36 feet in height must be set back twice the ordinarily required minimum required setback for that zoning district from both: (a) the nearest residential structure, including any accessory use structure; and (b) the nearest boundary line of any abutting residential or agricultural zoning district.”
, or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

MOTION: I move that the Town approve Article 8 as written.

RECOMMENDATION OF THE RECOMMENDATION OF THE PLANNING BOARD: The Planning Board recommends approval of this article as written.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

TWO THIRDS VOTE NEEDED. ((Gen. Laws Chapter 40A, Section 5, paragraph 5).

MOTION PASSES BY NECESSARY 2/3RD VOTE 56 – YES, 10- NO

ARTICLE 9. PARKING

To see if the town will vote to amend the portion of Charlton Zoning By-Law Section 200-4.2, Off-Street Parking and Loading, B. Off-Street Parking Schedule, governing warehousing, manufacturing and distribution facilities, to read as follows:

Article 9. Parking

B. Off Street Parking Schedule

Use	Unit of Measure	Parking Spaces (required/unit or fraction thereof)
Manufacturing	1000 s.f. Gross Area	1.0
Warehousing/Storage Distribution”	3000 s.f. Gross Area	1.0

, or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

MOTION: I move that the Town approve Article 9 as written.

RECOMMENDATION OF THE RECOMMENDATION OF THE PLANNING BOARD: The Planning Board recommends approval of this article as written.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

TWO THIRDS VOTE NEEDED. ((Gen. Laws Chapter 40A, Section 5, paragraph 5).

MOTION PASSES BY NECESSARY 2/3RD VOTE 60 – YES, 6- NO

ON MOTION DULY MADE AND SECONDED, MEETING ADJOURNED AT 8:14 PM.

* * * * *

And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices, one in Dexter Memorial Hall and one in the Charlton Municipal Offices (George C. McKinstry, III Building) in said Town, fourteen days at least before the time and place of holding meeting.

Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

Given under our hands this 22th day of September, in the Year of Our Lord Two Thousand and Twenty (2020).

Board of Selectmen

Karen A. Spiewak, Chairperson

Patsy Rydlak, Vice-Chairperson

Stephen G. Koronis, Clerk

David M. Singer, Member

William Borowski, Member

A true copy:

Attest:

Posted as directed:

Constable/Police Officer of Charlton, Massachusetts