

**ANNUAL TOWN MEETING**  
**June 12, 2021**



COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

To either of the constables of the Town of Pepperell, in said county,

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the inhabitants of said Town qualified according to law to vote in state, county, district and town affairs to assemble at the NISSITISSIT MIDDLE SCHOOL, in said Town, on Saturday, the 12th of June, 2021 at 9:00 AM to act on the following articles:

*The full text of the Annual Town Meeting Warrant and appendices can be viewed at the Town Clerk's office at 1 Main Street, Pepperell during business hours or online at <https://town.pepperell.ma.us/271/Town-Meeting-Warrants-Results>.*

**PRELIMINARY MOTION**

**Simple Majority required for passage**

**Motion Made:** Margaret Scarsdale, Select Board Chair

I move the Moderator allow non-voters or non-residents to speak on issues related to Town Meeting warrant articles where appropriate.

**ARTICLE 1 – 2019 ANNUAL TOWN REPORT**

To see if the Town will vote to accept the reports of the Town Officers and Committees for 2019 as printed, or take any other action relative thereto.

**Explanation:** *This article is to accept the reports of the Town Offices and Committees for the 2019 Annual Town Report as printed.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Clerk

I move to accept the reports of the Town Officers and Committees for 2019 as printed.

**ARTICLE 2 – CREATION OF A REVOLVING FUND – PETER FITZPATRICK SCHOOL PROPERTY**

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 40, Section 3, to establish a revolving fund for the purpose of collecting payments from leases and rentals under the contracted services

management agreement with The Fitzpatrick Collaborative for the Peter Fitzpatrick School property, and authorize expenditure of the funds collected, upon authorization of the Town Administrator, for upkeep and maintenance, including capital improvements and repairs, of the Peter Fitzpatrick School property; to accept the proviso in the second paragraph of said section 3 so that any balance in the revolving fund at the end of the fiscal year shall remain in the revolving fund and not revert to the general fund; and to direct that a report of receipts and expenditures from the revolving fund be maintained and included in the Annual Town Report, or take any other action relative thereto.

**Explanation:** *This article is intended to provide a means to collect and expend funds received from leases and rentals under the agreement established in 2020 for managing the Peter Fitzpatrick School property to maintain the property.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Mark Mathews, Select Board Member

I move to establish a revolving fund for the purpose of collecting payments from leases and rentals under the contracted services management agreement with The Fitzpatrick Collaborative for the Peter Fitzpatrick School property.

**ARTICLE 3 – REVOLVING FUNDS - MGL CHAPTER 44, SECTION 53E1/2**

To see if the Town will vote, according to Massachusetts General Laws Chapter 44, Section 53E1/2 and the Town’s Revolving Funds Bylaw adopted by vote under Article 12 of the May 1, 2017 Annual Town Meeting, to set expenditure limits for the Fiscal Year July 1, 2021 through June 30, 2022 for the Town’s revolving funds, or take any other action relative thereto.

**Explanation:** *This article is required by Massachusetts General Laws Chapter 44, Section 53E1/2 which states that the town shall, on or before July 1 of each year, vote on the limit on the total amount that may be expended from each revolving fund.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Margaret Scarsdale, Select Board Chair

I move that the Town vote according to Massachusetts General Law Chapter 44 Section 53E and one half to set expenditure limits for the Fiscal Year July 1, 2021 to June 30, 2022 for the Town’s revolving funds established under the by-law adopted under Article 12 of the May 1, 2017 Town Meeting as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	Spending Limit
L.R.T.A. Van Transportation	Council on Aging Director	L.R.T.A. Van Transportation Revenue	Part-time wages & Operational Exp.	\$ 35,000.00
Senior Center Meals	Council on Aging Director	Donations for Meals	Part-time wages & Operational Exp.	\$ 25,000.00

Recreation	Recreation Director	Revenue from Recreation Dept. Activities	Part-time wages & Operational Exp.	\$ 80,000.00
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**ARTICLE 4 – REGIONAL SCHOOL STABILIZATION FUND**

To see if the Town of Pepperell will approve the establishment of a stabilization fund by the North Middlesex Regional School District commencing July 1, 2021, pursuant to Massachusetts General Laws Chapter 71, Section 16G1/2, or take any other action with respect thereto.

**Explanation:** *This article will create a stabilization fund for the regional school district. The district may contribute up to five percent of its annual budget into said fund. A two-thirds majority of the school committee is required to expend funds from the amount available. Earned interest is retained in the fund.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 3 to 1.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Clerk

I move that the Town vote to approve the establishment of a stabilization fund by the North Middlesex Regional School District.

**ARTICLE 5 –FREE CASH APPROPRIATION (FY2021 Budget Deficits)**

To see if the Town will vote to appropriate \$167,428.00 from Free Cash certified as of July 1, 2020, to supplement the appropriations in certain line items of the Fiscal Year 2021 Town budget, or take any other action relative thereto.

**Explanation:** *The following appropriation from free cash is needed to cover costs associated with Snow and Ice Removal and Town Hall Emergency Sewer Lateral Repair.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Mark Mathews, Select Board Member

I move that the Town vote to appropriate \$167,428.00 from Free Cash as further described in the warrant for this meeting.

AMOUNT	TO	REASON
\$82,428.00	FY2021 FUND 42300 Snow & Ice Budget	Snow and Ice Deficit Spending
\$85,000.00	FY2021 FUND 93000 Capital Budget	Emergency Sewer Lateral Repair

**ARTICLE 6 – FREE CASH APPROPRIATION (New request)**

To see if the Town will vote to appropriate \$50,000.00 from Free Cash certified as of July 1, 2020, to be deposited into the Other Post-Employment Benefits (OPEB) Trust, or take any other action relative thereto.

**Explanation:** *Other Post-Employment Benefits (OPEB) are health insurance costs for Town retirees. We are required by law to provide certain eligible former employees, a portion of their health insurance in retirement.*

*Due to rising costs in the past three decades, the OPEB expense is now a significant portion of the Town budget. Funding the Trust, reserves current surplus funds for future obligations.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Margaret Scarsdale, Select Board Chair

I move that the Town vote to appropriate \$50,000.00 from Free Cash to be deposited into the Other Post-Employment Benefits (OPEB) Trust.

AMOUNT	REASON
\$50,000.00	Reduces future funding obligations.

**ARTICLE 7 – FREE CASH APPROPRIATION (New request)**

To see if the Town will vote to appropriate \$180,000.00 from Free Cash certified as of July 1, 2020, to pay for the cost of an Owner’s Project Manager and related design planning costs for the Public Safety Facility project, or take any other action relative thereto.

**Explanation:** In 2020, the Town formed a Building Committee which determined that significant renovation or replacement of existing Public Safety buildings is required to meet the current and future operational needs of Pepperell public safety. This request will provide funding for the next phase of the project to include programming, site selection, and conceptual and schematic design.

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 3 to 1.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Clerk

I move that the Town vote to appropriate \$180,000.00 from Free Cash to be used for the Owner’s Project Manager and related design planning costs for the Public Safety Facility project.

Presentation of the Building Committee

AMOUNT	REASON
\$180,000.00	Funds needed to move the proposed project forward into design phase.

**ARTICLE 8 – FREE CASH APPROPRIATION (New request)**

To see if the Town will vote to appropriate \$125,000.00 from Free Cash certified as of July 1, 2020, to be deposited into the General Stabilization Fund, or take any other action relative thereto.

**Explanation:** *In 2019, the Town Meeting appropriated \$125,000.00 for the emergency repair of the failed hot water (heating) distribution system for the Peter Fitzpatrick School. This transfer of available funds restores the money taken from General Stabilization, reserving it for future needs.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Mark Mathews, Select Board Member

I move that the Town vote to appropriate \$125,000.00 from Free Cash to be deposited in the General Stabilization Fund.

AMOUNT	REASON
\$125,000.00	Restores General Stabilization account to 2019 level.

**ARTICLE 9 – FREE CASH APPROPRIATION (New request)**

To see if the Town will vote to appropriate \$50,000.00 from Free Cash certified as of July 1, 2020, to be deposited into the Conservation Trust, or take any other action relative thereto.

**Explanation:** *In recent years, the town has expressed interest in conserving land but has not had the financial means to do so. These funds may be used for direct purchase or as matching funds for the purchase of and maintenance of conservation lands within the Town of Pepperell.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 3 to 1.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Margaret Scarsdale, Select Board Chair

I move that the Town vote to appropriate \$50,000.00 from Free Cash to be deposited into the Conservation Trust Fund.

AMOUNT	REASON
\$50,000.00	Provides funds for future purchase and/or management of conservation land.

**ARTICLE 10 – FREE CASH APPROPRIATION (New request)**

To see if the Town will vote to appropriate \$25,000.00 from Free Cash certified as of July 1, 2020, for the Master Plan implementation, or take any other action relative thereto.

**Explanation:** *In 2020, the town adopted a new Master Plan. Some of its more than 120 recommendations have associated real costs to implement. This funding, from available surplus, will leverage the current efforts of the Master Plan Implementation Team, the priorities of the Select Board, and the intentions of the Planning Board in creating and adopting this Master Plan for Pepperell.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 3 to 1.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Clerk

I move that the Town vote to appropriate \$25,000.00 from Free Cash to be used for costs associated with Master Plan implementation.

Presentation of the Master Plan Implementation Team.

AMOUNT	REASON
\$25,000.00	To provide funding for some of the 2020 Master Plan recommendations.

**ARTICLE 11 – FISCAL YEAR 2022 STORM WATER ENTERPRISE FUND RETAINED EARNINGS APPROPRIATIONS**

To see if the Town will vote to authorize the use of a sum of money from retained earnings of the Storm Water Enterprise Fund to fund a grant match, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2, or to take any other action relative thereto.

**Explanation:** *The Department of Public Works has received a \$150,000.00 grant from the MassDEP Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP). This grant will defray the cost of a project that will be necessary for the Town to achieve compliance with the EPA’s NPDES / MS4 (stormwater) permit. Accepting this grant requires a \$45k cash match from the Town, which is proposed to be funded from the Stormwater Enterprise Fund’s retained earnings. The state requires that the matching funds be appropriated by June 30, 2021.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Pat Harrington, Board of Public Works Member

I move that the Town vote to authorize the use of up to \$45,000.00 from retained earnings of the Storm Water Enterprise Fund to fund a grant match, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and one half.

**ARTICLE 12 –NON-UNION COMPENSATION PLAN**

To see if the Town will vote to amend its Non-Union Compensation Plan, a copy of which is shown in Appendix A to this warrant, established pursuant to Massachusetts General Laws Chapter 41, Section 108A and pursuant to Chapter 31 of the Code of the Town of Pepperell, by increasing the rates in the current compensation table to reflect a 1.3 % cost of living adjustment, effective July 1, 2021.

**Explanation:** *The non-union compensation plan is a grade and step table used to determine compensation for employees not in a collective bargaining union. This table was last revised by the town in 2018. This Cost of Living Adjustment will ensure that all employees continue to be compensated fairly for their efforts on behalf of the town.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 3 to 0 with 1 abstention.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Mark Mathews, Select Board Member

I move that the Town vote to amend its Non-Union Compensation Plan a copy of which is shown in Appendix D to this warrant.

**ARTICLE 13 - FISCAL YEAR 2022 TOWN GENERAL FUND BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds \$31,128,882.12 to defray the regular expenses of the Town for the Fiscal Year July 1, 2021 through June 30, 2022 for General Government, Public Safety, Nashoba Valley Technical High School, North Middlesex Regional School District, Public Works, Human Services, Culture & Recreation, Debt Service & State Assessments, Employee Benefits & Insurance, and Capital Outlay, or take any other action relative thereto.

**Explanation:** *The Town Administrator shall submit to the Board of Selectmen and Finance Committee a comprehensive budget for all town functions for the ensuing fiscal year and an accompanying budget message. The budget shall provide a complete financial plan for all town funds and activities in such a format as the Finance Committee may suggest.*

The budget appears in Appendix B.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Margaret Scarsdale, Select Board

I move that the Town vote to raise and appropriate \$31,128,882.12 for the purpose of funding the Town General Fund Budget for the period July 1, 2021 to June 30, 2022 in accordance with the recommendation of the Town Administrator and Select Board, with each numbered Part below to be considered a separate appropriation:

			Finance Committee Recommendation	Select Board Recommendation
Part I	General Government	\$1,775,108.73	4 to 0 to approve	3 to 0 to approve
Part II	Public Safety	\$4,043,323.33	4 to 0 to approve	3 to 0 to approve
Part III	Education	\$19,478,835.00	4 to 0 to approve	3 to 0 to approve
Part IV	Public Works	\$1,483,351.37	4 to 0 to approve	3 to 0 to approve
Part V	Human Services	\$459,821.96	4 to 0 to approve	3 to 0 to approve
Part VI	Culture & Recreation	\$575,863.35	4 to 0 to approve	3 to 0 to approve
Part VII	Debt Service & Assessments	\$1,806,187.08	4 to 0 to approve	3 to 0 to approve
Part VIII	Employee Benefits & Insurance	\$1,308,087.44	4 to 0 to approve	3 to 0 to approve
Part IX	Capital Outlay	\$198,303.86	4 to 0 to approve	3 to 0 to approve

**TOTAL FY2022 GENERAL FUND BUDGET \$ 31,128,881.12**

I move that the Town vote to raise and appropriate the sum of \$1,775,108.73 for Part I of the Fiscal Year 2022 General Fund Budget, General Government, as represented in lines 3 to 167 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$4,043,323.33 for Part II of the Fiscal Year 2022 General Fund Budget, Public Safety, as represented in lines 169 to 357 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$19,478,835.00 for Part III of the Fiscal Year 2022 General Fund Budget, Education, as represented in lines 359 to 372 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$1,483,351.37 for Part IV of the Fiscal Year 2022 General Fund Budget, Public Works, as represented in lines 374 to 452 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$459,821.96 for Part V of the Fiscal Year 2022 General Fund Budget, Human Services, as represented in lines 454 to 490 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$575,863.35 for Part VI of the Fiscal Year 2022 General Fund Budget, Culture & Recreation, as represented in lines 492 to 521 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$1,806,187.08 for Part VII of the Fiscal Year 2022 General Fund Budget, Debt Service and Assessments, as represented in lines 523 to 546 of the budget as shown in Appendix B.

I move that the Town vote to raise and appropriate the sum of \$1,308,087.44 for Part VIII of the Fiscal Year 2022 General Fund Budget, Employee Benefits & Insurance, as represented in lines 551 to 560 and lines 566 to 570 of the budget as shown in Appendix B.

I move that the Town vote to appropriate the sum of \$198,303.86 for Part IX of the Fiscal Year 2022 General Fund Budget, Capital Outlay, as represented in lines 562 to 564 of the budget as shown in Appendix B.

#### **ARTICLE 14 - FISCAL YEAR 2022 SEWER ENTERPRISE FUND**

To see if the Town will vote to raise and appropriate or transfer from available funds \$2,777,890.00 to defray the regular expenses of the Sewer Enterprise Fund, as shown in Appendix C to this warrant, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2021 through June 30, 2022 or take any other action relative thereto.

**Explanation:** *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tom Nephew, Board of Public Works Chair

I move that the Town vote to appropriate the following sums of money in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and one half to operate the Sewer Enterprise Fund for the period July 1, 2021 to June 30, 2022 with \$2,400,633.00 appropriated from Enterprise Fund revenues and \$377,257.00 from Sewer Enterprise Fund retained earnings, and \$110,000.00 of that amount to be appropriated into the General Fund operating budget, as shown in Appendix C to this warrant.

SEWER DEPT REVENUE	SEWER DEPT EXPENSES
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USER \$2,400,633.00	FEES,	MISC	REV.	DIRECT OPERATIONAL COSTS	\$2,667,890.00
SEWER \$377,257.00	RETAINED		EARNINGS	INDIRECT COSTS (GENERAL FUND)	\$110,000.00
<b>TOTAL</b> <b>\$2,777,890.00</b>			<b>REVENUE</b>	<b>TOTAL EXPENSES</b>	<b>\$2,777,890.00</b>

**ARTICLE 15 - FISCAL YEAR 2022 WATER ENTERPRISE FUND**

To see if the Town will vote to raise and appropriate or transfer from available funds \$2,301,200.00 to defray the regular expenses of the Water Enterprise Fund, as shown in Appendix C to this warrant, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2021 through June 30, 2022, or take any other action relative thereto.

**Explanation:** *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.

**Recommendation:** The Board of Selectmen recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tom Nephew, Board of Public Works Chair

I move that the Town vote to appropriate the following sums of money in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and one half to operate the Water Enterprise Fund for the period July 1, 2021 to June 30, 2022 with \$2,301,200.00 appropriated from Enterprise Fund revenues, and \$94,000.00 of the total appropriated into the General Fund operating budget, as shown in Appendix C to this warrant.

WATER DEPT REVENUE				WATER DEPT EXPENSES	
USER \$2,301,200.00	FEES,	MISC	REV.	DIRECT OPERATIONAL COSTS	\$2,207,200.00
WATER \$0.00	RETAINED		EARNINGS	INDIRECT COSTS (GENERAL FUND)	\$94,000.00
<b>TOTAL</b> <b>\$2,301,200.00</b>			<b>REVENUE</b>	<b>TOTAL EXPENSES</b>	<b>\$2,301,200.00</b>

**ARTICLE 16 – FISCAL YEAR 2022 TRANSFER STATION ENTERPRISE FUND**

To see if the Town will vote to raise and appropriate or transfer from available funds \$370,097.00 to defray the regular expenses of the Transfer Station Enterprise Fund, as shown in Appendix C to this warrant, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2021 through June 30, 2022, or take any other action relative thereto.

**Explanation:** *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.  
**Recommendation:** The Board of Selectmen recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tom Nephew, Board of Public Works Chair

I move that the Town vote to appropriate the following sums of money in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and one half to operate the Transfer Station Enterprise Fund for the period July 1, 2021 to June 30, 2022 with \$345,097.00 appropriated from Enterprise Fund revenues, and \$25,000.00 from Transfer Station retained earnings, and \$31,000.00 of the total appropriated into the General Fund operating budget, as shown in Appendix C to this warrant.

TRANSFER STATION REVENUE				TRANSFER STATION EXPENSES	
USER FEES, MISC REV.			\$345,097.00	DIRECT OPERATIONAL COSTS	\$339,097.00
TRANS. STA. RETAINED EARNINGS	\$25,000.00			INDIRECT COSTS (GENERAL FUND)	\$31,000.00
<b>TOTAL REVENUE</b>			<b>\$370,097.00</b>	<b>TOTAL EXPENSES</b>	<b>\$370,097.00</b>

**ARTICLE 17 - FISCAL YEAR 2022 STORM WATER ENTERPRISE FUND**

To see if the Town will vote to raise and appropriate or transfer from available funds \$259,272.00 to defray the regular expenses of the Storm Water Enterprise Fund, as shown in Appendix C to this warrant, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2021 through June 30, 2022, or take any other action relative thereto.

**Explanation:** *This article is to comply with Massachusetts General Laws Chapter 44, Section 53 F1/2 Enterprise Funds which requires submission of an estimated income and expenditure budget to town meeting, to be voted on in the same manner as all other budgets, prior to the beginning of each fiscal year.*

**Recommendation:** The Finance Committee recommends the passage of this article by a vote of 4 to 0.  
**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tom Nephew, Board of Public Works Chair

I move that the Town vote to appropriate the following sums of money in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and one half to operate the Stormwater Enterprise Fund for the period July 1, 2021 to June 30, 2022 with \$239,272.00 appropriated from Enterprise Fund revenues, and \$20,000.00 from Stormwater retained earnings and \$21,000.00 of that amount appropriated into the General Fund operating budget, as shown in Appendix C to this warrant.

STORM WATER REVENUE				STORM WATER EXPENSES	
USER FEES, MISC REV.			\$239,272.00	DIRECT OPERATIONAL COSTS	\$238,272.00
STORM WATER. RETAINED EARNINGS	\$20,000.00			INDIRECT COSTS (GENERAL FUND)	\$21,000.00

TOTAL REVENUE	\$259,272.00	TOTAL EXPENSES	\$259,272.00
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**ARTICLE 18 – AMEND RIGHT TO FARM BYLAW AND ESTABLISH AN AGRICULTURAL COMMISSION**

To see if the Town will vote to amend the Right to Farm Bylaw, by deleting Section IV; and vote to accept the provisions of Massachusetts General Laws Part 1, Title VII, Chapter 40, Section 8L and establish a Municipal Agricultural Commission, or take any other action relative thereto.

**Explanation:** *In 2016, the Commonwealth authorized establishing Agricultural Commissions so that farming communities could more readily support, protect, and enhance farming and farm communities.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Clerk

I move that the Town vote to amend the Right to Farm Bylaw, by deleting Section IV; and vote to accept the provisions of Massachusetts General Laws Part 1, Title VII, Chapter 40, Section 8L and establish a Municipal Agricultural Commission.

**ARTICLE 19 – AUTHORIZATION TO CREATE AN AFFORDABLE HOUSING TRUST**

To see if the Town will vote to accept Massachusetts General Laws Chapter 44, Section 55C and to authorize the Select Board to establish a Trust, to be known as the Pepperell Affordable Housing Trust Fund, for the purpose of creating and preserving affordable housing in Pepperell for the benefit of low- and moderate-income households, and for the funding of community housing, or take any other action relative thereto.

**Explanation:** *Authorization of an Affordable Housing Trust is a recommendation in both the Pepperell’s Master Plan and the Town’s Certified Housing Production Plan. This authorization will allow the Select Board to formally adopt a Trust document, a draft of which is being created for consideration by the Affordable Housing Committee.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Mark Mathews, Select Board Member

I move that the Town vote to accept Massachusetts General Law Chapter 44, Section 55C and to authorize the Select Board to establish a Trust, to be known as the Pepperell Affordable Housing Trust Fund, for the purpose of creating and preserving affordable housing in Pepperell for the benefit of low- and moderate-income households, and for the funding of community housing.

**ARTICLE 20 – STORM WATER BYLAW**

To see if the Town will vote to adopt a Storm Water Bylaw, a copy of which is shown in Appendix D to this warrant, under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the

Massachusetts home rule statute, and the regulations under the Federal Clean Water Act including 40 CFR 122.34, or take any other action relative thereto.

**Explanation:** *This bylaw will protect public health, safety, general welfare, and the environment by regulating illicit connections and discharges to the municipal storm drain system, as well as to control the adverse effects of construction site stormwater runoff and post-construction stormwater runoff.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 3 to 0.

**Simple Majority required for passage.**

**Motion Made:** Pat Harrington, Board of Public Works Member

I move that the Town vote to accept a Storm Water By-Law, as shown in Appendix D to this warrant, under authority granted by the Home Rule Amendment of the Massachusetts Constitution and the regulations under the Federal Clean Water Act including 40 CFR 122.34

## **ARTICLE 21 – OUTDOOR LIGHTING BYLAW**

To see if the Town will vote to adopt an Outdoor Lighting Bylaw, a copy of which is shown in the Appendix E to this warrant, or take any other action relative thereto.

**Explanation:** *The Town of Pepperell Light, Air, and Noise By-Law Committee (LAN) drafted this bylaw. The LAN commits that the welfare and enjoyment of Pepperell is associated with its rural character, including its nighttime ambience. It is recognized that light pollution, as defined in this bylaw, is a nuisance to the residents of Pepperell as it negatively impacts human health and contributes to the loss of our night-sky heritage. Preserving and protecting the night sky enhances the general well-being of residents, as well as the use and enjoyment of property, through the use of appropriate lighting practices.*

**Recommendation:** The Finance Committee took no position on this article.

**Recommendation:** The Select Board recommends the passage of this article by a vote of 2 to 1.

**Simple Majority required for passage.**

**Motion Made:** Tony Beattie, Select Board Member

I move that the Town vote to adopt the Outdoor Lighting Bylaw as shown in Appendix E to this warrant.