

ANNUAL TOWN MEETING

May 9, 2022

COMMONWEALTH OF MASSACHUSETTS



ARTICLE X – 2021 ANNUAL TOWN REPORT

To see if the Town will vote to accept the reports of the Town Officers and Committees for the 2021 as printed, or take any other action relative thereto.

Explanation: *This article is to accept the reports of the Town Officers and Committees for the 2021 as printed.*

ARTICLE X – 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, 2022 through June 30, 2023 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.*

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

ARTICLE X - FISCAL YEAR 2023 TOWN GENERAL FUND BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds \$xxx to defray the regular expenses of the Town for the Fiscal Year July 1, 2022 through June 30, 2023 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.

Add a reference to each article with an appendix.

Explanation: *The Town Administrator shall submit to the Select Board 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.

ARTICLE X – FREE CASH APPROPRIATION SNOW & ICE

To see if the Town will vote to appropriate \$xxxxxxx from Free Cash certified as of July 1, 2021, to reduce the Fiscal Year 2022 snow and ice budget deficit, or take any other action relative thereto.

Explanation: *The following appropriation from free cash is needed to cover cost exceeding those appropriated in the FY2022 budget for Snow and Ice Removal for the FY2022 season.*

ARTICLE X – FREE CASH APPROPRIATION CONSERVATION LAND

To see if the Town will vote to appropriate \$50,000.00 from Free Cash certified as of July 1, 2021 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.*

ARTICLE X – FREE CASH APPROPRIATION MASTER PLAN IMPLEMENTATION

To see if the Town will vote to appropriate \$25,000.00 from Free Cash certified as of July 1, 2021, 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.*

ARTICLE X – FREE CASH APPROPRIATION OTHER POST EMPLOYMENT BENEFITS (OPEB)

To see if the Town will vote to appropriate \$50,000.00 from Free Cash certified as of July 1, 2021, 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.*

ARTICLE X – FREE CASH APPROPRIATION (CAPITAL)

To see if the Town will vote to appropriate \$300,000.00 from Free Cash certified as of July 1, 2021, for these capital , or take any other action relative thereto.

Explanation: *The following appropriation from free cash is needed to cover costs associated with Capital Grant match for federal AFG for Pumper truck, Kevlar vests, may be more to be determined in late March 2022 by Capital Program Committee.*

ARTICLE X – FREE CASH APPROPRIATION AFFORDABLE HOUSING TRUST

To see if the Town will vote to appropriate \$50,000.00 from Free Cash certified as of July 1, 2021, and to deposit it into the Pepperell Affordable Housing Trust, or take any other action relative thereto.

Explanation: *The following appropriation from free cash is requested to begin funding the Affordable Housing Trust.*

ARTICLE X – FREE CASH APPROPRIATION LIBRARY MONDAY HOURS PILOT PROGRAM

To see if the Town will vote to authorize funding a pilot program to increase library hours to XX per week, including Monday's, for a cost of \$39,000.00, to be used over 12 months, or take any other action relative thereto.

Explanation: This request was original planned for the Annual Town Meeting in 2020 but was removed due to the pandemic. During the pandemic, the library changed its hours, in part, because night meetings were no longer being held in person. As we return to in-person meetings, the library will need to return to its former schedule. The popularity of Monday hours will need to be tested in the post-pandemic environment. We will measure the success of this pilot against a baseline of library use data from before and during the pandemic.

ARTICLE X – FREE CASH APPROPRIATION GENERAL STABILIZATION

To see if the Town will vote to appropriate \$100,000.00 from Free Cash certified as of July 1, 2021, and deposit it into the General Stabilization Fund, or take any other action relative thereto.

Explanation: *It is a best practice to maintain stabilization accounts. The Town is targeting having 10% of the Town portion of the General Fund budget available as a stabilization balance. Currently there is \$700,000.00 (about 5%). This will bring us closer to the \$1.4M target..*

ARTICLE X - FISCAL YEAR 2023 SEWER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds \$2,839,451.00 to defray the regular expenses of the Sewer Enterprise Fund, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2022 through June 30, 2023 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.*

ARTICLE X - FISCAL YEAR 2023 WATER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds \$2,449,957.00 to defray the regular expenses of the Water Enterprise Fund, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2022 through June 30, 2023, 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.*

ARTICLE X – FISCAL YEAR 2023 TRANSFER STATION ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds \$413,180.00 to defray the regular expenses of the Transfer Station Enterprise Fund, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2022 through June 30, 2023, 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.*

ARTICLE X - FISCAL YEAR 2023 STORM WATER ENTERPRISE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds \$251,537.00 to defray the regular expenses of the Storm Water Enterprise Fund, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 for the Fiscal Year July 1, 2022 through June 30, 2023, 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.*

ARTICLE X - OUTDOOR LIGHTING BYLAW

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

Explanation: *Needs to be written.*

ARTICLE X – ADAPTIVE RE-USE BYLAW

To see if the Town of Pepperell will vote to amend the Zoning Bylaw by adding in its entirety Section 8900, Adaptive Reuse of Significant Structures.

Explanation: This section would provide for the adaptive reuse of unused or underutilized municipal or community-type buildings such as houses of worship, convents, schools, rectories, and parish halls, for residential or commercial use (or combination thereof) that may not

otherwise be permitted under this Zoning By-Law. The Planning Board may approve a Special Permit for an Adaptive Reuse Project upon finding that the project is consistent with the character, massing, and density of the neighborhood, in addition to the standards and requirements as described in Section 8900. The purpose of the article is to promote adaptive reuse as part of a broader goal of historic preservation, economic development, housing production, and environmental sustainability and resilience.

Report of the Planning Board

ARTICLE X – RIGHT TO FARM BYLAW REVISION

To see if the Town will vote to amend the by-law with GL references the provisions of G.L. or take any other action related thereto.

Explanation: The current Right to Farm Bylaw written in 2005 omits two key sections found in the State's model right to farm bylaw: Disclosure Notification and Resolution of Disputes. Our current bylaw also established the Agricultural Advisory Board which no longer exists having been replaced with an Agricultural Commission at Annual Town Meeting, 2021.

ARTICLE X – NON-UNION COMPENSATION PLAN

To see if the Town will vote to amend its Non-Union Compensation Plan 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 2.5% cost of living increase, effective July 1, 2022, as is shown in the Appendices to the Warrant, or take any other action relative thereto.

Explanation: The Non-Union Compensation Plan provides a predictable wage for various positions within our government offices. The Select Board voted this increase into the table for FY2023 budgetary planning purposes. Since this table was adopted in FY2018, the table has only been increased by 1.8% in its entirety.

ARTICLE X – MUNICIPAL ELECTRICAL AGGREGATION

To see if the Town will vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, §134 and, further, to authorize the Board of Selectmen, or its designee, to research, develop, and participate in a contract or contracts to aggregate the electricity load of the residents and businesses in the Town, independently or in joint action with other municipalities, and to enter into agreements with consultants, experts, and attorneys in connection with the establishment and operation of an electricity aggregation plan, and to reestablish such plan if its operation is suspended, retaining the right of individual residents and businesses to opt out of the aggregation; or take any other action relative thereto.

Explanation: Municipal Electrical Aggregation (MEA) allows local governments to seek proposals for cleaner and cheaper sources of power on behalf of their residents and businesses. By consolidating residential & business electricity demand and negotiating with suppliers, MEA can result in savings for residents & businesses while reducing emissions.

ARTICLE X – OTHER POST-EMPLOYMENT BENEFITS RE-ACCEPT 32B, SECTION 20

To see if the Town will vote to accept the provisions of G.L. c.32B, §20 to create an Other Post - Employment Benefits Fund for the current and future liabilities of the Town for group health insurance benefits for retirees and their dependents, which fund may be expended by a 2/3 vote of Town Meeting and designate a trustee or trustees, and further, to direct that such trustee or trustees adopt and file a declaration of trust and take all other actions as required by said section, or take any other action related thereto.

Explanation: Other Post-Employment Benefits Fund (“OPEB”) (G.L. c.32B, §20) – The statute was revised to create a local acceptance OPEB Fund that complies with requirements established by the Governmental Accounting Standards Board and the IRS. Political subdivisions that have already accepted the statute must re-accept in order for the revised version to be applicable.

ARTICLE X – PUBLIC SAFETY INFRASTRUCTURE IMPROVEMENTS

To see if the Town will vote to endorse Phase 2, Detailed Design through Construction Bidding, of the Public Safety Building Project, or take any other action relative thereto.

Explanation: In June 2021, the Town Meeting authorized spending \$180,000.00 to pay for feasibility, and initial designs for renovating or replacing our existing public safety buildings. This work has been completed and the Building Committee is recommending creating detailed designs and public bidding for construction of a new facility for Police, Fire and Communications.

ARTICLE X – CLIMATE CHANGE CITIZENS PETITION

On Friday, March 18, 2022 we received a Citizen’s Petition. If it qualifies based on signatures required, it will be added to this warrant.