



ANNUAL TOWN MEETING MINUTES

May 9, 2022

A TRUE COPY

ATTEST:

Brynn C. Durno

Brynn C. Durno, Town Clerk

RETURN OF THE WARRANT

Pursuant to a warrant signed on April 21, 2022 by Select Board Members Margaret Scarsdale, Anthony Beattie and Mark Mathews and posted on April 25, 2022 by Constable Frank Quattrochi in four public places – Pepperell Police Station, Pepperell Post Office, Mel's Barber Shop and Pepperell Family Pharmacy as well as attested copies online the inhabitants of the Town of Pepperell whom are qualified to vote in Elections and Town affairs convened at Nissitissit Middle School on the 9th day of May, A.D. 2022 and acted on the following 23 articles.

There were – 312 – *three hundred and twelve registered voters* and -19- *nineteen visitors* in attendance.

The following Board of Registrars checked in voters for the Annual Town Meeting:
Sharon Tetreault, 43 Lawrence Street Jane Eshleman, 125 South Road
Kathy Pries, 3 Blue Herons Way

Moderator Blackburn opened the Annual Town Meeting at 7:00PM. The assembly recited the Pledge of Allegiance.

MEETING MINUTES

PRELIMINARY MOTION

Simple Majority required for passage

Motion Made: Mark Mathews, 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.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

PRELIMINARY MOTION

Simple Majority required for passage

Motion Made: Mark Mathews, Select Board Chair

I move that we dispense with the reading of the Warrant.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 1 – 2021 ANNUAL TOWN REPORT

To see if the Town will vote to accept the reports of the Town Officers and Committees for 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 2021 as printed.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Tony Beattie, Select Board Clerk

I move that the Town vote to accept the reports of the Town Offices and Committees for 2021 as printed.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 2 – REVOLVING FUNDS - GL CHAPTER 44, SECTION 53E and a 1/2

To see if the Town will vote, according to Massachusetts General Laws Chapter 44, Section 53E and a 1/2 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 53E and a 1/2 which states that the town shall, on or before July 1 of each year, vote 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 3 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 Vasapolli, Finance Committee Member

I move that the Town vote according to Massachusetts General Laws Chapter 44 Section 53E and a half to set expenditure limits for the Fiscal Year July 1, 2022 to June 30, 2023 for the Town’s revolving funds established under the bylaw 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 Rec. Dept. Activities	Part-time wages & Operational Exp.	\$ 80,000.00

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 3 – 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 compensation table to reflect a 2.5% cost of living increase, effective July 1, 2022, as is shown in the Appendix A to this 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. From FY2018 to FY2021, the table has been increased by 1.8% in its entirety. The Select Board voted a 2.5% cost of living increase into the table for FY2023 budgetary planning purposes.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 2 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 Chair

I move that the Town vote to amend its Non-Union Compensation Plan as shown in Appendix A to the warrant for this Town Meeting.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 4 – RE-ACCEPT GL CHAPTER 32B, SECTION 20,

OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST

To see if the Town will vote to accept the provisions of G.L. c.32B, §20 to create an Other Post -Employment Benefits Liability Trust 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 Liability Trust (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.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Chuck Walkovich, Select Board Member

I move that the Town vote to accept the provisions of G.L. c.32B, §20 to create an Other Post-Employment Benefits Liability Trust 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 the Tax Collector/Treasurer as trustee, and further, to direct that such trustee adopt and file a declaration of trust and take all other actions as required by said section.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 5 – RIGHT TO FARM BY-LAW REVISION

To see if the Town will vote to amend the Right to Farm By-law by deleting the current text and replacing it with the Right to Farm By-law shown in Appendix B to this warrant, 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, being replaced with an Agricultural Commission approved at Spring Town Meeting, 2021.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Tony Beattie, Select Board Member

I move that the Town vote to amend the Right to Farm By-law with the version shown in Appendix B.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 6 – CITIZEN PETITION – DECLARING A CLIMATE EMERGENCY

Whereas, in a world facing extreme challenges, including rapid climate change, Pepperell residents understand the importance of protecting the Earth and its inhabitants, can envision a better, sustainable future, and can create and execute bold plans for a prosperous economy and a thriving community;

Whereas, progress toward this future is underway in Massachusetts, which is among national leaders on climate initiatives (for example, there are 117,000 jobs in the state’s clean energy sector; Massachusetts has been named the most energy efficient state for the past nine years; and as a founding member of the Regional Greenhouse Gas Initiative, the Commonwealth has steadily increased the proportion of renewables in our electricity supply);

Whereas, Pepperell has an engaged Town government, and has undertaken a number of important steps on climate and the environment, the Town is well placed to implement the critical transition away from fossil fuels, and to advance a robust, carbon-free, equitable economy, and the improved health and quality of life that will result;

Whereas, the use of fossil fuels — such as oil, coal, and natural gas — is causing unprecedented increases in greenhouse gasses in our atmosphere and ensuing climate change impacts;

Whereas, Development of the Fifth National Climate Assessment (NCA5) is currently underway, with anticipated delivery in 2023 the Fourth National Climate Assessment, released in 2018 by the federal government, calls out the cascading risks of climate change, including disruptions to food, water supply, transportation, public health, and national security, as well as major risks to economies and ecosystems;

Whereas, in October 2018 the United Nations released a special report that: projected that limiting warming to 1.5°C (2.7°F) above pre-industrial levels will require deep emissions reductions and rapid, unprecedented transitions in all aspects of society; found that there are clear benefits to keeping warming to 1.5°C rather than 2°C (3.6°F) or higher; and asserted that “Every bit of warming matters.

Whereas, restoring a safe and stable climate requires a Climate Mobilization — an emergency initiative on a scale not seen since World War II, with resolute leadership and coordination necessary at all levels of government and in all sectors of society — in order to: (1) reach net zero carbon emissions across all sectors of the economy; (2) rapidly and safely remove excess carbon from the atmosphere, at emergency speed, to levels that restore safe, pre-industrial climate conditions and (3) implement measures to protect all people and species, and ecosystem integrity, from the consequences of climate breakdown;

Whereas, many localities, organizations, and countries have adopted a goal of net zero carbon emissions by 2030, there is now worldwide momentum behind developing and deploying the technical, economic, and political means to achieve this goal;

Be It Therefore Resolved, that the residents of the Town of Pepperell hereby declare that a Climate Emergency threatens our town, state, and nation, as well as humanity broadly, and that a mobilization to meet this challenge is both an imperative and an unprecedented opportunity to stabilize the climate, remedy environmental harms, create clean-energy jobs, and improve human lives.

Be It Further Resolved, that the members of Pepperell Town Meeting call on Town government and staff, and all Pepperell civic groups, businesses, and residents to commit to a climate mobilization effort, with appropriate support from the state and federal governments, to bring net Town-wide carbon emissions to zero as quickly as possible, with a target date of 2050.

Be It Further Resolved, that the Town of Pepperell's climate mobilization should also: (1) accelerate adaptation and resilience strategies in preparation for intensifying local and global climate impacts; (2) protect trees, forests, and other open spaces because of their ability to draw carbon out of the atmosphere and store it; and (3) ensure that the costs of such mobilization efforts do not unfairly burden those who are economically or socially disadvantaged, and that the benefits of a realized, sustainable future accrue to all.

Be it Further Resolved, that the Town of Pepperell calls on state and federal elected officials to initiate a Climate Emergency mobilization, and provide appropriate legislative, regulatory, and financial support to municipalities to implement local Climate Emergency initiatives.

Explanation: *Two local citizens have put forth a Citizen's Petition to declare a Climate Emergency in Pepperell.*

Recommendation: The Finance Committee takes no action.

Recommendation: The Select Board takes no action.

Simple Majority required for passage.

Motion Made: Amanda Huntington, Citizen of Pepperell

I move that the Town vote to adopt the resolution on declaration of a climate emergency as set forth in Article 6 of the warrant for this Town Meeting.

A LENGTHY DISCUSSION ENSUED, A MOTION WAS THEN MADE TO MOVE THE QUESTION

MOTION SECONDED AND PASSED TO MOVE THE QUESTION AS DECLARED BY THE MODERATOR

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR WITH A STANDING COUNT OF 153 IN FAVOR AND 130 AGAINST

ARTICLE 7 – PUBLIC SAFETY INFRASTRUCTURE IMPROVEMENTS

To see if the Town will vote to endorse Phase 2 of the Public Safety Building Project, using funding from the American Rescue Plan Act (ARPA), 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 conducted and the Building Committee is recommending creating detailed designs and public bidding for construction of a new facility for Police, Fire and Communications.*

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

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

Simple Majority required for passage.

Motion Made: Joe LoBuono, Building Committee Member

I move that the Town vote to endorse Phase 2 of the Public Safety Building Project.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 8 - FISCAL YEAR 2023 TOWN GENERAL FUND BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds \$32,343,236.57 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, as shown in Appendix C, or take any other action relative thereto.

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.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Quinton Cutler, Finance Committee member

I move that the Town vote to raise and appropriate \$32,197,022.57 for the purpose of funding the Town General Fund Budget for the period July 1, 2022 to June 30, 2023 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	\$1,978,718.56	3 to 0 to approve	3 to 0 to approve
Part II	Public Safety	\$4,480,072.03	3 to 0 to approve	3 to 0 to approve
Part III	Education	\$19,688,040.00	3 to 0 to approve	3 to 0 to approve
Part IV	Public Works	\$1,526,204.17	3 to 0 to approve	3 to 0 to approve
Part V	Human Services	\$428,972.28	3 to 0 to approve	3 to 0 to approve
Part VI	Culture & Recreation	\$608,760.46	3 to 0 to approve	3 to 0 to approve
Part VII	Debt Service & Assessments	\$1,553,796.08	3 to 0 to approve	3 to 0 to approve
Part VIII	Employee Benefits & Insurance	\$1,465,369.00	3 to 0 to approve	3 to 0 to approve
Part IX	Capital Outlay	\$200,000.00	3 to 0 to approve	3 to 0 to approve

TOTAL FY2023 GENERAL FUND BUDGET \$32,197,022.57

I move that the Town vote to raise and appropriate the sum of \$1,978,718.56 for Part I of the Fiscal Year 2023 General Fund Budget, General Government, as represented in lines 3 to 174 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$4,037,453.63 for Part II of the Fiscal Year 2023 General Fund Budget, Public Safety, an additional, \$442,618.40 will be appropriated as revenue from a Commonwealth of Massachusetts E911 grant to defray the costs of the Patriot Emergency Communications Center as represented in lines 177 to 366 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$19,688,040.00 for Part III of the Fiscal Year 2023 General Fund Budget, Education, as represented in lines 368 to 381 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$1,526,204.17 for Part IV of the Fiscal Year 2023 General Fund Budget, Public Works, as represented in lines 383 to 461 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$428,972.28 for Part V of the Fiscal Year 2023 General Fund Budget, Human Services, as represented in lines 463 to 500 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$608,760.46 for Part VI of the Fiscal Year 2023 General Fund Budget, Culture & Recreation, as represented in lines 502 to 531 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$1,553,796.08 for Part VII of the Fiscal Year 2023 General Fund Budget, Debt Service and Assessments, as represented in lines 533 to 554 of the budget as shown in Appendix C.

I move that the Town vote to raise and appropriate the sum of \$1,465,369.00 for Part VIII of the Fiscal Year 2023 General Fund Budget, Employee Benefits & Insurance, as represented in lines 556 to 565 and lines 571 to 575 of the budget as shown in Appendix C.

I move that the Town vote to appropriate the sum of \$200,000.00 for Part IX of the Fiscal Year 2023 General Fund Budget, Capital Outlay, as represented in lines 567 to 569 of the budget as shown in Appendix C.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 9 - 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, as shown in Appendix D to the warrant, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F and a 1/2 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 53F and a 1/2 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 3 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 a half to operate the Sewer Enterprise Fund for the period July 1, 2022 to June 30, 2023 with \$2,729,451.00 appropriated from Enterprise Fund revenues and \$420,956.00 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 D to the warrant for this Town Meeting.

SEWER DEPT REVENUE		SEWER DEPT EXPENSES	
USER FEES, MISC REV.	\$2,418,495	DIRECT OPERATIONAL COSTS	\$2,729,451
SEWER RETAINED EARNINGS	\$420,956	INDIRECT COSTS (GEN'L FUND)	\$110,000
TOTAL REVENUE	\$2,839,451	TOTAL EXPENSES	\$2,839,451

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 10 - 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, as shown in Appendix D to the warrant, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F and a 1/2 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 53F and a 1/2 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 3 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 a half to operate the Water Enterprise Fund for the period July 1, 2022 to June 30, 2023 with \$2,354,857.00 appropriated from Enterprise Fund revenues, and \$217,857.00 from Water Enterprise Fund retained earnings and \$95,000.00 of the total appropriated into the General Fund operating budget, as shown in Appendix D to the warrant for this Town Meeting.

WATER DEPT REVENUE		WATER DEPT EXPENSES	
USER FEES, MISC REV.	\$2,232,000	DIRECT OPERATIONAL COSTS	\$2,354,857
WATER RETAINED EARNINGS	\$217,857	INDIRECT COSTS (GEN'L FUND)	\$95,000
TOTAL REVENUE	\$2,449,857	TOTAL EXPENSES	\$2,449,857

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 11 – 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, as shown in Appendix D to the warrant, in accordance, with the provisions of Massachusetts General Laws Chapter 44, Section 53F and a 1/2 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 53F and a 1/2 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 3 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 a half to operate the Transfer Station Enterprise Fund for the period July 1, 2022 to June 30, 2023 with \$381,180.00 appropriated from Enterprise Fund revenues, and \$23,000.00 from Transfer Station retained earnings, and \$32,000.00 of the total appropriated into the General Fund operating budget, as shown in Appendix D to the warrant for this Town Meeting.

TRANSFER STATION REVENUE		TRANSFER STATION EXPENSES	
USER FEES, MISC REV.	\$390,180	DIRECT OPERATIONAL COSTS	\$381,180
TRANS. STA. RETAINED EARNINGS	\$23,000	INDIRECT COSTS (GEN'L FUND)	\$32,000
TOTAL REVENUE	\$413,180	TOTAL EXPENSES	\$413,180

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 12 - FISCAL YEAR 2023 STORMWATER 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 Stormwater Enterprise Fund, as shown in Appendix D to this warrant, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F and a 1/2 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 53F and a 1/2 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 3 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 a half to operate the Stormwater Enterprise Fund for the period July 1, 2022 to June 30, 2023 with \$229,037.00 appropriated from Enterprise Fund revenues, and \$11,537.00 from Stormwater retained earnings and \$22,500.00 of that amount appropriated into the General Fund operating budget, as shown in Appendix D to the warrant for this Town Meeting.

STORMWATER REVENUE		STORMWATER EXPENSES	
USER FEES, MISC REV.	\$240,000	DIRECT OPERATIONAL COSTS	\$229,037
STORMWATER RETAINED EARNINGS	\$11,537	INDIRECT COSTS (GEN'L FUND)	\$22,500
TOTAL REVENUE	\$251,537	TOTAL EXPENSES	\$251,537

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 13 – FREE CASH APPROPRIATION SNOW & ICE

To see if the Town will vote to appropriate \$181,179.00 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: *An 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.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Robin Rose-Buxton, Finance Committee member

I move that the Town vote to appropriate \$181,179.00 from Free Cash to the FY2022 Fund 42300 Snow and Ice Budget.

AMOUNT	TO	REASON
\$181,179.00	FY2022 FUND 42300 Snow & Ice Budget	Snow and Ice Deficit Spending

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 14 – 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.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Rob Rand, Conservation Commission member

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.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 15 – 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 implementation of the Town’s Master Plan, 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 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: Al Patenaude, Planning Board member

I move that the Town vote to appropriate \$25,000.00 from Free Cash to for the implementation of the Town’s Master Plan.

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

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 16 – FREE CASH APPROPRIATION FOR 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.*

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

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 17 – 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: *In September 2021 the Select Board adopted an Affordable Housing Trust. This request is to begin funding the trust so that the trustees may direct the contributions to the development of affordable housing within Pepperell. The following appropriation is from free cash to begin funding the Affordable Housing Trust.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Renee D’Argento, Affordable Housing Committee member

I move that the Town vote to appropriate \$50,000.00 from Free Cash and to deposit it into the Pepperell Affordable Housing Trust.

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

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 18 – 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 funds. The Town is targeting having 10% of the Town portion of the General Fund budget available as a stabilization balance. Currently there is \$684,658.00 in the General Stabilization fund, about half the target figure.*

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

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

Simple Majority required for passage.

Motion Made: Chuck Walkovich, Select Board Member

I move that the Town vote to appropriate \$100,000.00 from Free Cash to be deposited in the General Stabilization Fund.

AMOUNT	REASON
\$100,000.00	Moves money from Free Cash to General Stabilization

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 19 – FREE CASH APPROPRIATION (CAPITAL)

To see if the Town will vote to appropriate \$227,000.00 from Free Cash certified as of July 1, 2021, for body armor for Police Officers (\$27,000.00) and a fire pumper truck grant match (\$200,000.00), or take any other action relative thereto.

Explanation: *The following appropriation from free cash is needed to cover costs associated with a grant match for federal Aid to Firefighters Grant for a new pumper truck (replacing a 1994 pumper) and for Kevlar body armor vests for the Police Department (require replacement every five years).*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Quinton Cutler, Finance Committee member

I move that the Town vote to appropriate \$227,000.00 from Free Cash for these capital items as shown and allocated in Article 19 of the warrant for this Town Meeting.

AMOUNT	REASON
\$27,000.00	Personal body armor needs to be replaced every five years.
\$200,000.00	Federal funding for this vehicle requires a 25% local match.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 20 – FREE CASH APPROPRIATION FOR EXPANSION OF LIBRARY HOURS – PILOT PROGRAM

To see if the Town will vote to appropriate \$39,000 from Free Cash certified as of July 1, 2021, to fund a 12-month pilot program to increase library hours to 51 per week, including Mondays, or take any other action relative thereto.

Explanation: *This request was originally 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.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Carol Case, Library Trustee

I move that the Town will vote to appropriate \$39,000 from Free Cash certified as of July 1, 2021, to fund a 12-month pilot program to increase library hours to 51 per week, including Mondays.

AMOUNT	REASON
\$39,000.00	Increases library hours to 51 and includes Monday evening hours

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

ARTICLE 21 – ADAPTIVE RE-USE ZONING BY-LAW AMENDMENT

To see if the Town of Pepperell will vote to amend the Zoning By-law by adding a new Section 8900, Adaptive Reuse of Significant Structures, as shown in Appendix E to this warrant, or take any other action relative thereto.

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.*

Provide Report of the Planning Board

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

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

Two-thirds required for passage.

Motion Made: Joyce Morrow, Planning Board member

I move that the Town vote to amend the Zoning Bylaw by adding an entirely new Section 8900, Adaptive Reuse of Significant Structures, as shown in Appendix E to the warrant for this Town Meeting.

A LENGTHY DISCUSSION ENSUED. THERE WAS AN AMENDMENT MADE BY: Ron Karr

I move that the article be amended as follows, in section 8910.3 insert the word “historic” after the words “use in such” so as to read: “Provide regulatory flexibility and intensification of use in such *historic* buildings so as to incentivize adaptive reuse and prevent disinvestment or deterioration of buildings that have become obsolete for their original purposes.”

AMENDMENT SECONDED. AMENDMENT PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR BY STANDING VOTE OF 157 IN FAVOR AND 111 AGAINST

MOTION WAS MADE TO MOVE THE QUESTION, MOTION SECONDED AND PASSED TO MOVE THE QUESTION AS DECLARED BY THE MODERATOR

MOTION TO ADOPT THE ADAPTIVE RE-USE ZONING BY-LAW PASSED BY TWO-THIRDS AS DECLARED BY THE MODERATOR BY STANDING VOTE OF 157 IN FAVOR AND 74 AGAINST

ARTICLE 22 - OUTDOOR LIGHTING BY-LAW

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

Explanation: *The Town of Pepperell Light, Air, and Noise (LAN) Committee drafted this by-law. The LAN Committee finds and determines 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 By-law, is a nuisance to the residents of Pepperell as it negatively impacts human health and contributes to the loss of our night-sky heritage. The LAN Committee recommends adoption of this By-law because 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 recommends the passage of this article by a vote of 3 to 0.

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 Clerk

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

A LENGTHY DISCUSSION ENSUED, A MOTION WAS THEN MADE TO MOVE THE QUESTION

MOTION SECONDED AND PASSED TO MOVE THE QUESTION AS DECLARED BY THE MODERATOR

MOTION TO ADOPT THE OUTDOOR LIGHTING BY-LAW DID NOT PASS AS DECLARED BY THE MODERATOR BY STANDING VOTE OF 88 IN FAVOR AND 120 AGAINST

ARTICLE 23 – MUNICIPAL ELECTRICAL AGGREGATION

To see if the Town will vote to initiate the process to aggregate electrical load pursuant to G.L. c. 164, §134 and, further, to authorize the Select Board, 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 and business electricity demand and negotiating with suppliers, MEA can result in savings for residents and businesses while reducing emissions.*

Recommendation: The Finance Committee recommends the passage of this article by a vote of 3 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: Renee D'Argento, Climate Change Committee member

I move that the Town vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, §134 and, further, to authorize the Select Board, 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.

MOTION PASSED BY SIMPLE MAJORITY AS DECLARED BY THE MODERATOR

All Business on the Warrant having been acted upon, a motion was made and seconded to dissolve said Town Meeting at 11:46PM.

(A full videotaped transcript of the 2021 Annual Town Meeting and all discussion details is available through Pepperell Community Media)