

TOWN OF HOLLISTON  
ANNUAL TOWN MEETING  
May 15, 2023  
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|------------|--------|---|
| ARTICLE 1  | PASSED | To hear and act on the report of the Select Board                                       |
| ARTICLE 2  | PASSED | To hear and act on the report of the Finance Committee                                  |
| ARTICLE 3  | PASSED | Authorize Treas/Collector to sell foreclosed tax title property                         |
| ARTICLE 4  | PASSED | Accept c.59, s.5K & 5N, Tax Workoff Program   |
| ARTICLE 5  | PASSED | Auth. Select Board to Sell Surplus Equipment  |
| ARTICLE 6  | PASSED | Amend Interest Rate Per Annum, MGL c. 59, s.5, cl.41a                                   |
| ARTICLE 7  | PASSED | Amend Income Requirements, MGL c.59, s.5, cl.41c  |
| ARTICLE 8  | PASSED | Veteran's Tax Exemption, MGL c.59, s.5, cl.22g & 22h                                    |
| ARTICLE 9  | PASSED | Personal Property Exemption, MGL c.59, s.5, cl.54                                       |
| ARTICLE 10 | PASSED | Revolving Fund Spending Limits  |
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| ARTICLE 21 | PASSED | Design, Engineering, Construction for Public Works Facility                             |
| ARTICLE 22 | PASSED | Water & Transportation Infrastructure Improvements, Norfolk, Central & Goulding Streets |
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|            |                |  |
|------------|----------------|--|
| ARTICLE 24 | PASSED         | Community Preservation Committee Report                  |
| ARTICLE 25 | PASSED         | Goodwill Park Project – Community Preservation Committee |
| ARTICLE 26 | PASSED         | Interim Report of Envisioning Future Holliston           |
| ARTICLE 27 | PASSED         | Special Legislation Firefighter Mark Dellicker           |
| ARTICLE 28 | PASSED         | Road Acceptances - Indian Ridge South                    |
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| ARTICLE 30 | PASSED         | No Knock Registry / Peddling & Hawking                   |
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TOWN OF HOLLISTON  
ANNUAL TOWN MEETING  
May 15, 2023

The Holliston Annual Town Meeting of May 15, 2023, held at the High School Auditorium was brought to order by Moderator, William Mayer at 7:09PM, with a quorum of 120 and grew to 189.

The Moderator read the warrant and went over the preliminary rules for Town Meeting then read the following Motion as required by the Town By-Laws.

**PRIOR TO ARTICLE 1**

**MOTION:** Moved that the following non-residents and non-voting Town officials and consultants to committees be allowed to speak during the course of this Annual Town Meeting:

|                |   |
|----------------|---|
| Scott Moles    | Health Director / Agent                           |
| Deric Wilson   | Library Director                                  |
| Kevin Rudden   | Principal Assessor                                |
| Susan Kustka   | Superintendent of Holliston Public Schools        |
| Dan MacLeod    | Director of Technology, Holliston Public Schools  |
| Sean Reese     | DPW Director                                      |
| Robert Walker  | Deputy DPW Director                               |
| Karen Sherman  | Town Planner                                      |
| Mark Kaferlein | Building Commissioner                             |
| Matt Stone     | Police Chief                                      |
| Chris Meo      | Technology Director                               |
| Ryan Clapp     | Conservation Agent                                |
| Jon Evans      | Superintendent, Keefe Regional Technical School   |
| Dolores Sharek | Finance Director, Keefe Regional Technical School |
| Travis Ahern   | Town Administrator                                |
| Chris Heymanns | Treasurer/Collector                               |
| Adam Costa     | Town Counsel                                      |
| Dan Brown      | Special Labor Counsel                             |
| Jaclyn Winer   | Youth & Family Services Director                  |
| Lisa Borchetta | Senior Center Director                            |
| Dona Walsh     | Animal Control Officer                            |
| Mark Frank     | Director of Parks & Recreation                    |
| Matt Zettek    | Sustainability Coordinator                        |

**SECONDED**

**DISCUSSION:** Our By-laws require that the Town Meeting vote to allow non-residents and non-voters to address the Town Meeting

**VOTE:** Passed by unanimous voice vote.

## **CONSENT AGENDA**

**SUGGESTED EXPLANATION:** In order to expedite the consideration of routine items, Articles 3, 4, 5, 6, 7, 8, 9 and 10 will be considered for approval in a single vote, without debate. I will read each article's number and title and if seven members of the Meeting rise to say "hold", the item will be removed so that it may be debated in the normal course. The remaining articles will be considered individually as printed in the Warrant.

- ARTICLE 3: AUTHORIZE TREASURER/COLLECTOR TO SELL FORECLOSED TAX TITLE PROPERTIES
- ARTICLE 4: TAX WORKOFF PROGRAM – CH. 59, SEC. 5K & 5N
- ARTICLE 5: AUTHORIZE SELECT BOARD TO SELL SURPLUS EQUIPMENT
- ARTICLE 6: AMEND INTEREST RATE PER ANNUM
- ARTICLE 7: AMEND INCOME REQUIRMENTS
- ARTICLE 8: VETERANS' TAX EXEMPTIONS
- ARTICLE 9: PERSONAL PROPERTY TAX LIMIT OF \$5,000
- ARTICLE 10: REVOLVING FUND SPENDING LIMITS

**MOTION:** Move to approve the articles in the Consent Agenda, as those articles are printed in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept the Consent Agenda as stated in the motion

**ARTICLE 1. HEAR REPORT OF THE SELECT BOARD**

**SPONSORED BY: Select Board**

To hear and act on the report of the Select Board.

**MOTION:** Moved that the Annual Report for the Town for the 12 month period ending June 30, 2022, be accepted.

**SECONDED**

**DISCUSSION:** Ben Sparrell, 9 Forest Park Dr., gave an update on the state of the Town.

**VOTE:** Unanimously passed by voice call vote to accept Article 1 as stated in the motion.

**ARTICLE 2. HEAR REPORT OF THE FINANCE COMMITTEE**  
**SPONSORED BY: Finance Committee**

To hear and act on the report of the Finance Committee.

**MOTION:** Moved that the Annual Report of the Finance Committee be received.

**SECONDED**

**DISCUSSION:** Ken Szajda, 676 Fiske St. and Chairperson of the Finance Committee, gave a presentation updating Town Meeting on the finances of the town.

**VOTE:** Unanimously passed by voice call vote to accept Article 2 as stated in the motion.

**ARTICLE 3. AUTHORIZE TREASURER/COLLECTOR TO SELL FORECLOSED TAX TITLE PROPERTIES**  
**SPONSORED BY: Select Board**

To see if the Town will vote to authorize the Town Treasurer/Collector, subject to the approval of the Select Board, to sell property acquired through foreclosure of tax titles by the Town and other real estate, after first giving notice of the time and place of the sale by posting such notice of sale in some convenient place in the Town, by publishing such notice of such sale in a newspaper having general circulation in the Town and by posting such notice on a Holliston Cable Access Television (HCAT) bulletin board and on the Town's website at least fourteen (14) days before the sale. The Treasurer/Collector shall also give notice of such sale to the Executive Director of the Holliston Housing Authority, the Chair of the Holliston Housing Trust and the Chair of the Holliston Housing Committee or its subsequent equivalent by first class letter at least forty-five (45) days before the sale. The Treasurer/Collector may hold a public auction and may reject any bid which she/he deems inadequate, and any such advertisement, notice or indication that real property is to be offered for sale by the Town of Holliston, or any department, commission, or other subdivision of the Town shall include the following statement: "Buyers should be aware that the Town of Holliston does not guarantee this property to be in conformity with existing zoning bylaws."

Whenever the proceeds of the sale or other disposal of real estate, other than that acquired through tax title foreclosure, by the Town of Holliston exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding will be applied to the Town's Capital Expenditure Fund as established by Chapter 46 of the Acts of 1993. The proceeds of a sale in excess of five hundred

dollars of any park land by the Town shall be used only by the Town for acquisition of land for park purposes or for capital improvements to park land; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town Treasurer/Collector, subject to the approval of the Board, be authorized to sell property acquired through foreclosure of tax titles by the Town and other real estate, pursuant to the process and subject to the provisions specified in Article 3 of the Warrant.

#### **CONSENT AGENDA**

**ARTICLE 4. TAX WORKOFF PROGRAM – CH. 59, SEC. 5K & 5N**  
**SPONSORED BY: Select Board**

To see if the Town will vote to amend prior acceptance of Chapter 59, Sections 5K and 5N, by allowing the maximum reduction of the real property tax bill, up to 125 volunteer service hours in a given tax year; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town amend its prior acceptance of Chapter 59, Sections 5K and 5N, of the Massachusetts General Laws, by allowing the maximum reduction of the real property tax bill, up to 125 volunteer service hours in a given tax year.

#### **CONSENT AGENDA**

**ARTICLE 5. AUTHORIZE THE SELECT BOARD TO SELL**  
**SURPLUS EQUIPMENT**

**SPONSORED BY: Select Board**

To see if the Town will vote to authorize the Select Board to hold a public auction for the purpose of disposing of surplus departmental equipment; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town authorize the Select Board to hold a public auction for the purpose of disposing of surplus departmental equipment.

#### **CONSENT AGENDA**

**ARTICLE 6. AMEND INTEREST RATE PER ANNUM**  
**SPONSORED BY: Board of Assessors**

To see if the Town will vote to amend the interest rate per annum from 8% to 6% under the provisions of Massachusetts General Laws Chapter 59, Section 5, clause 41A, which regulates tax deferral for homeowners 65 years or older, pursuant to the authority contained in Chapter 136 of the Acts of 2005, thereby amending said clause 41A; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town amend the interest rate per annum from 8% to 6% under the provisions of Massachusetts General Laws Chapter 59, Section 5, clause 41A,

which regulates tax deferral for homeowners 65 years or older, pursuant to the authority contained in Chapter 136 of the Acts of 2005, thereby amending said clause 41A.

## **CONSENT AGENDA**

### **ARTICLE 7. AMEND INCOME REQUIREMENTS**

**SPONSORED BY: Board of Assessors**

To see if the Town will vote to accept the provisions of Section 51 of Chapter 184 of the Acts of 2002, amending the income requirements under Massachusetts General Laws Chapter 59, Section 5, clause 41C; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town accept the provisions of Section 51 of Chapter 184 of the Acts of 2002, amending the income requirements under Massachusetts General Laws Chapter 59, Section 5, clause 41C.

## **CONSENT AGENDA**

### **ARTICLE 8. VETERANS' TAX EXEMPTIONS**

**SPONSORED BY: Board of Assessors**

To see if the Town will vote to accept the following statutory provisions affording tax exemptions:

M.G.L. Chapter 59 Section 5 Clause 22G (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for any real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause 22, 22A, 22B, 22C, 22D, 22E, or 22F if the person were the owner of the real estate;

M.G.L. Chapter 59 Section 5, Clause 22H (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and Veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further that the surviving parents or guardians shall have been domiciled in the commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months before entering service. Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became

missing in action with a presumptive finding of death; provided however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation; and that Veterans must have (1) been domiciled in Massachusetts for at least 6 consecutive months before entering military service, or (2) lived in Massachusetts for at least 1 consecutive year before the tax year begins; Or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 22G, and Massachusetts General Laws Chapter 59, Section 5, Clause 22H, and that the residency definition for Veterans be altered, all as presented in Article 8 in the Warrant.

**CONSENT AGENDA**

**ARTICLE 9. PERSONAL PROPERTY EXEMPTION**

**SPONSORED BY: Board of Assessors**

To see if the Town will vote to accept clause 54 of Section 5 of Chapter 59 of the Massachusetts General Laws, and authorize the Town to establish a minimum fair cash value required for a personal property account to be taxed, and further establish such minimum fair cash value at \$5,000, to be effective for the fiscal year beginning July 1, 2023 and ending June 30, 2024; or take any action relative thereto.

**MOTION (IF NEEDED):** Moved that the Town accept clause 54 of Section 5 of Chapter 59 of the Massachusetts General Laws, and authorize the Town to establish a minimum fair cash value required for a personal property account to be taxed, and further establish such minimum fair cash value at \$5,000, to be effective for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**CONSENT AGENDA**

**ARTICLE 10. REVOLVING FUND SPENDING LIMITS**

**SPONSORED BY: Select Board**

To see if the Town will vote to authorize the spending limits of the following revolving funds established under the Town Bylaw and General Laws Chapter 44, Section 53E ½:

| <b>Revolving Fund</b>      | <b>Spending Limit</b> |
|----------------------------|-----------------------|
| Wetlands Filing Fee        | \$40,000              |
| Council on Aging           | \$5,000               |
| Composting Kit             | \$3,000               |
| Recycling & Sustainability | \$60,000              |
| EV Charging Stations       | \$100,000             |
| Response and Recovery      | \$25,000              |
| Abutters List              | \$5,000               |

|                                 |           |
|---------------------------------|-----------|
| Building Inspection             | \$150,000 |
| Town Hall Rental                | \$25,000  |
| Senior Center Van               | \$10,000  |
| Agricultural Commission         | \$10,000  |
| Sealer of Weights and Measures  | \$10,000  |
| Fluorescent Bulb Recycling      | \$3,000   |
| Banner                          | \$5,000   |
| Accident Fee                    | \$5,000   |
| Inoculation                     | \$20,000  |
| Cost of Prosecution             | \$30,000  |
| Nutrition                       | \$10,000  |
| Pinecrest Golf Course           | \$200,000 |
| Technology Repair and Replenish | \$75,000  |

**MOTION (IF NEEDED):** Moved that the Town authorize spending limits of certain revolving funds established under the Town Bylaw and Massachusetts General Laws Chapter 44, Section 53E½, in the amounts presented in Article 10 in the Warrant.

**CONSENT AGENDA**

**ARTICLE 11. COMPENSATION FOR ELECTED OFFICIALS**

**SPONSORED BY: Select Board**

To see if the Town will vote to raise and appropriate or transfer from available funds for the purposes of fixing the salaries and compensation of all elected officers of the Town effective July 1, 2023, which salaries and compensation are printed below.

| <b>COMPENSATION SCHEDULE – ELECTED OFFICIALS</b>                                 | <b>FY2023</b> | <b>FY2024</b> |
|--|---------------|---------------|
| Board of Assessors   | \$5,000       | \$2,500       |
| Select Board   | \$125         | \$50          |
| Town Clerk (Salary, incl. certification)<br>or take any action relative thereto. | \$81,860      | \$90,000      |

**MOTION:** Moved that the Town fix the salaries and compensation of all elected officers of the Town for Fiscal year 2024 at \$92,550, as presented in Article 11 in the Warrant

**SECONDED**

**DISCUSSION:** Kevin Daigle, 35 Dalton Rd., made a motion to amend the Town Clerk’s salary to \$121,128

**MOTION TO AMEND:** Increase the Town Clerk salary to \$121,128.

**DISCUSSION:** Ken Szajda, 676 Fiske St., commented that the current proposed salary was agreed upon prior to Town Meeting.

**VOTE ON MOTION TO AMEND:** Failed by voice vote.

**VOTE:** Unanimously passed by voice vote to accept Article 11, as originally stated in the motion.

**ARTICLE 12. PAY UNPAID BILLS**

**SPONSORED BY:** Select Board

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for unpaid bills from prior years; or take any action relative thereto.

| <u>Vendor</u>         | <u>Fiscal Year</u> | <u>Amount</u> | <u>Board</u> |
|-----------------------|--------------------|---------------|--------------|
| Town of Ashland (ACO) | 2022               | \$250         | Select Board |
| MMA Job Posting (YFS) | 2022               | \$225         | YFS/HR       |

**MOTION:** Moved that the Town appropriate the sum of \$475 from the Reserve Fund for the purpose of paying unpaid bills from prior Fiscal Years as specified in Article 12 in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice vote to accept Article 12, as stated in the motion.

**ARTICLE 13. CURRENT FISCAL YEAR TRANSFERS**

**SPONSORED BY:** Select Board

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of supplementing various accounts of the Town's Fiscal Year 2023 annual operating budget, previously voted by the Town under Article 27 of the Warrant for the May 9, 2022 Annual Town Meeting; or take any action relative thereto.

| <u>Department</u>                       | <u>Amount</u> | <u>Source</u>                        |
|---|---------------|--------------------------------------|
| Snow & Ice (01423-54000)                | \$11,750      | Reserve Fund (01132-57810)           |
| DPW Water Operating (61450-55809)       | \$60,000      | Water Retained Earnings              |
| Liability Insurance (01945-57400)       | \$24,938      | Benefits/Insurance (01914-51751)     |
| Accountant Operating (01135-53000)      | \$10,000      | Accountant Salaries (01135-51100)    |
| Police Operating (01210-53000)          | \$40,000      | Police Salaries (01210-51101)        |
| Select Board Salaries (01122-51110)     | \$3,400       | Building Ins. Salaries (01241-51116) |
| DPW Hwy Salaries (01420-51113)          | \$7,000       | Building Ins. Salaries (01241-51116) |
| Treas./Collector Salaries (01145-51110) | \$1,950       | Unemployment (01913-51780)           |
| Parks & Recr. Salaries (01650-51110)    | \$1,150       | Unemployment (01913-51780)           |
| Yth & Family Salaries (01542-51110)     | \$300         | Unemployment (01913-51780)           |

**MOTION:** Moved that the Town approve the current fiscal year transfers as presented in Article 13 in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice vote to accept Article 13, as stated in the motion.

**ARTICLE 14. AMEND CONSOLIDATED PERSONNEL BY-LAW  
SECTION 29, JOB AND WAGE CLASSIFICATION PLAN**

**SPONSORED BY: Town Administrator**

To see if the Town will vote to amend the Consolidated Personnel By-law Section 29, Job and Wage Classification Plan, by reflecting those revisions, deletions and/or additions to be effective as of July 1, 2023; or take any action relative thereto.

**MOTION:** Moved that Article 14 be approved as presented in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice vote to accept Article 14, as stated in the motion.

**ARTICLE 15. FISCAL YEAR 2024 BUDGET**

**SPONSORED BY: Omnibus Budget**

To see what money the Town will vote to raise and appropriate or transfer from available funds to meet expenses and outlays to Town departments, salaries of Town Officers, sundry and miscellaneous but regular expenditures, for a Reserve Fund, and to appoint trustees or caretakers or authorize the Select Board to appoint caretakers of the cemeteries of the Town not otherwise provided for, the ensuing year; or take any action relative thereto.

**MOTION:** Move that the Town raise and appropriate the sum of \$68,337,994 and appropriate the sum of \$4,235 from receipts reserved for appropriation related to previous bond premium and that it further appropriate the sum of \$3,399,681 from the Water Enterprise Fund (specifically \$2,999,681 from water rate revenue and \$400,000 from Water Retained Earnings) to meet the expenses and outlays for Town departments, salaries of Town Officers, sundry and miscellaneous but regular expenditures, for a Reserve Fund, and all other expenses of the Town not otherwise provided for, with all departments expenses reflected in the "Level 4" column of the Omnibus Budget as presented in the Warrant Document on pages 52 through 55, with \$1.5 million of the Benefits budget allocated to the OPEB Trust Fund.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice vote to accept Article 15, as stated in the motion.

| FY2024 Omnibus Budget - May 2023 ATM |                            |                | Level 4                      |
|--------------------------------------|----------------------------|----------------|------------------------------|
|                                      |                            |                | FY2024<br>Finance Comm. Rec. |
| <b>01122</b>                         | <b>Select Board</b>        | Personnel      | 324,226                      |
|                                      |                            | Operating      | 102,500                      |
|                                      |                            | <b>Total</b>   | <b>426,726</b>               |
| <b>01131</b>                         | <b>Finance Committee</b>   | Personnel      | 4,000                        |
|                                      |                            | Operating      | 210                          |
|                                      |                            | <b>Total</b>   | <b>4,210</b>                 |
| <b>01132</b>                         | <b>Reserve Fund</b>        | <b>Total</b>   | <b>325,000</b>               |
| <b>01135</b>                         | <b>Town Accountant</b>     | Personnel      | 163,161                      |
|                                      |                            | Operating      | 37,500                       |
|                                      |                            | <b>Total</b>   | <b>200,661</b>               |
| <b>01141</b>                         | <b>Board of Assessors</b>  | Personnel      | 207,923                      |
|                                      |                            | Operating      | 87,218                       |
|                                      |                            | <b>Total</b>   | <b>295,141</b>               |
| <b>01145</b>                         | <b>Treasurer/Collector</b> | Personnel      | 326,194                      |
|                                      |                            | Operating      | 60,620                       |
|                                      |                            | <b>Total</b>   | <b>386,814</b>               |
| <b>01152</b>                         | <b>Human Resources</b>     | Personnel      | 126,926                      |
|                                      |                            | Operating      | 24,260                       |
|                                      |                            | <b>Total</b>   | <b>151,186</b>               |
| <b>01155</b>                         | <b>Technology</b>          | Personnel      | 119,656                      |
|                                      |                            | Operating      | 157,701                      |
|                                      |                            | Capital Outlay | 45,976                       |
|                                      |                            | <b>Total</b>   | <b>323,333</b>               |

|              |                           |              |                |
|--------------|---------------------------|--------------|----------------|
|              |                           |              |                |
| <b>01161</b> | <b>Town Clerk</b>         | Personnel    | 168,709        |
|              |                           | Operating    | 11,344         |
|              |                           | <b>Total</b> | <b>180,053</b> |
|              |                           |              |                |
| <b>01162</b> | <b>Elections</b>          | Personnel    | 25,694         |
|              |                           | Operating    | 16,095         |
|              |                           | <b>Total</b> | <b>41,789</b>  |
|              |                           |              |                |
| <b>01171</b> | <b>Conservation Comm.</b> | Personnel    | 62,096         |
|              |                           | Operating    | 4,150          |
|              |                           | <b>Total</b> | <b>66,246</b>  |

**FY2024 Omnibus Budget - May 2023 ATM**

|              |                         |                | Level 4            |
|--------------|-------------------------|----------------|--------------------|
|              |                         |                | FY2024             |
|              |                         |                | Finance Comm. Rec. |
| 01175        | Planning Board          | Personnel      | 109,697            |
|              |                         | Operating      | 5,050              |
|              |                         | <b>Total</b>   | <b>114,747</b>     |
| 01176        | Zoning Board            | Personnel      | 7,213              |
|              |                         | Operating      | 3,875              |
|              |                         | <b>Total</b>   | <b>11,088</b>      |
| 01182        | Economic Dev.           | Personnel      | 50,000             |
|              |                         | Operating      | 1,000              |
|              |                         | <b>Total</b>   | <b>51,000</b>      |
| <b>01199</b> | <b>Sustainability</b>   | <b>Total</b>   | <b>51,500</b>      |
| 01210        | Police                  | Personnel      | 3,324,429          |
|              |                         | Operating      | 251,308            |
|              |                         | Capital Outlay | 1,435              |
|              |                         | <b>Total</b>   | <b>3,577,172</b>   |
| <b>01211</b> | <b>Auxiliary Police</b> | <b>Total</b>   | <b>16,002</b>      |
| 01220        | Fire                    | Personnel      | 843,390            |
|              |                         | Operating      | 145,145            |
|              |                         | Capital Outlay | 35,000             |
|              |                         | <b>Total</b>   | <b>1,023,535</b>   |
| 01231        | Ambulance               | Personnel      | 708,352            |
|              |                         | Operating      | 198,150            |
|              |                         | <b>Total</b>   | <b>906,502</b>     |
| 01241        | Building Inspection     | Personnel      | 213,689            |
|              |                         | Operating      | 19,200             |
|              |                         | Capital Outlay | 500                |
|              |                         | <b>Total</b>   | <b>233,389</b>     |
| 01291        | Emergency Mgmt          | Personnel      | 10,000             |
|              |                         | Operating      | 12,061             |
|              |                         | <b>Total</b>   | <b>22,061</b>      |
| <b>01292</b> | <b>Animal Control</b>   | <b>Total</b>   | <b>38,000</b>      |

FY2024 Omnibus Budget - May 2023 ATM

|       |                      |                | Level 4                      |
|-------|----------------------|----------------|------------------------------|
|       |                      |                | FY2024<br>Finance Comm. Rec. |
| 01420 | DPW (Hwy)            | Personnel      | 1,058,403                    |
|       |                      | Operating      | 357,233                      |
|       |                      | Capital Outlay | 300,000                      |
|       |                      | <b>Total</b>   | <b>1,715,636</b>             |
| 01422 | Facilities Maint.    | Personnel      | 103,540                      |
|       |                      | Operating      | 215,757                      |
|       |                      | <b>Total</b>   | <b>319,297</b>               |
| 01423 | Snow & Ice           | Personnel      | 50,000                       |
|       |                      | Operating      | 200,000                      |
|       |                      | <b>Total</b>   | <b>250,000</b>               |
| 01424 | Street Lighting      | <b>Total</b>   | <b>99,820</b>                |
| 01433 | Solid Waste          | <b>Total</b>   | <b>1,474,188</b>             |
| 01440 | Wastewater Treatment | <b>Total</b>   | <b>106,275</b>               |
| 01499 | Motor Vehicle Fuels  | <b>Total</b>   | <b>176,500</b>               |
| 01512 | Board of Health      | Personnel      | 165,091                      |
|       |                      | Operating      | 8,450                        |
|       |                      | <b>Total</b>   | <b>173,541</b>               |
| 01541 | Council on Aging     | Personnel      | 223,146                      |
|       |                      | Operating      | 61,915                       |
|       |                      | <b>Total</b>   | <b>285,061</b>               |

|              |                           |              |                |
|--------------|---------------------------|--------------|----------------|
| <b>01542</b> | <b>Youth &amp; Family</b> | Personnel    | 154,323        |
|              |                           | Operating    | 19,170         |
|              |                           | <b>Total</b> | <b>173,493</b> |
|              |                           |              |                |
| <b>01543</b> | <b>Veterans' Services</b> | Benefits     | 50,000         |
|              |                           | Operating    | 47,207         |
|              |                           | <b>Total</b> | <b>97,207</b>  |
|              |                           |              |                |
| <b>01610</b> | <b>Library</b>            | Personnel    | 436,469        |
|              |                           | Operating    | 188,300        |
|              |                           | <b>Total</b> | <b>624,769</b> |

**FY2024 Omnibus Budget - May 2023 ATM**

| <b>FY2024 Omnibus Budget - May 2023 ATM</b> |                                  |                                 | <b>Level 4</b>            |
|---|----------------------------------|---------------------------------|---------------------------|
|   |                                  |                                 | <b>FY2024</b>             |
|   |                                  |                                 | <b>Finance Comm. Rec.</b> |
|   |                                  |                                 |                           |
| <b>01650</b>                                | <b>Parks &amp; Recreation</b>    | Personnel                       | 153,948                   |
|   |                                  | Operating                       | -                         |
|   |                                  | <b>Total</b>                    | <b>153,948</b>            |
|   |                                  |                                 |                           |
| <b>01660</b>                                | <b>Rail Trail</b>                | <b>Total</b>                    | <b>5,000</b>              |
|   |                                  |                                 |                           |
| <b>01692</b>                                | <b>Celebrations</b>              | <b>Total</b>                    | <b>2,500</b>              |
|   |                                  |                                 |                           |
| <b>01911</b>                                | <b>County Retirement</b>         | <b>Total</b>                    | <b>2,611,009</b>          |
|   |                                  |                                 |                           |
| <b>01912</b>                                | <b>Workers' Comp.</b>            | <b>Total</b>                    | <b>380,969</b>            |
|   |                                  |                                 |                           |
| <b>01913</b>                                | <b>Unemployment</b>              | <b>Total</b>                    | <b>50,000</b>             |
|   |                                  |                                 |                           |
| <b>01914</b>                                | <b>Employee Benefits</b>         | <b>Total</b>                    | <b>8,364,143</b>          |
|   |                                  |                                 |                           |
| <b>01945</b>                                | <b>Liability Insurance</b>       | <b>Total</b>                    | <b>391,710</b>            |
|   |                                  |                                 |                           |
|   |                                  | <b>Subtotal - 01122 - 01945</b> | <b>25,804,014</b>         |
|   |                                  |                                 |                           |
| <b>01300</b>                                | <b>Holliston Public Schools*</b> | <b>Total</b>                    | <b>40,529,934</b>         |
|   |                                  |                                 |                           |
| <b>01371</b>                                | <b>Keefe Technical*</b>          | <b>Total</b>                    | <b>1,529,189</b>          |
|   |                                  |                                 |                           |
|   |                                  | <b>Education Subtotal</b>       | <b>42,059,123</b>         |
|   |                                  |                                 |                           |
| <b>01710</b>                                | <b>Debt Service</b>              | Operating                       | 4,000                     |
|   |                                  | Debt Service                    | 373,650                   |
|   |                                  | <b>Total</b>                    | <b>377,650</b>            |
|   |                                  |                                 |                           |
|   |                                  | <b>Total</b>                    | <b>68,337,994</b>         |

| FY2024 Omnibus Budget - May 2023 ATM |                                    |                | Level 4            |
|--------------------------------------|------------------------------------|----------------|--------------------|
|                                      |                                    |                | FY2024             |
|                                      |                                    |                | Finance Comm. Rec. |
|                                      |                                    |                |                    |
|                                      |                                    |                |                    |
| <b>61450</b>                         | <b>Water Division (Enterprise)</b> | Personnel      | 872,110            |
|                                      |                                    | Benefits       | 280,623            |
|                                      |                                    | Operating      | 1,150,115          |
|                                      |                                    | Capital Outlay | -                  |
|                                      |                                    | Debt Service   | 1,096,833          |
|                                      |                                    | <b>Total</b>   | <b>3,399,681</b>   |

**ARTICLE 16. TRANSFER FROM AVAILABLE FUNDS A SUM OF MONEY FOR THE CAPITAL EXPENDITURE FUND**  
**SPONSORED BY: Select Board Estimated Cost: \$2,350,000**  
 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Capital Expenditure Fund; or take any action relative thereto.

**MOTION:** Moved that the Town raise and appropriate the sum of \$2,350,000 for the Capital Expenditure Fund.

**SECONDED**

**DISCUSSION:** None.

**VOTE:** Unanimously passed by voice vote to accept Article 16, as stated in the motion.

**ARTICLE 17. CAPITAL EXPENDITURES**  
**SPONSORED BY: Select Board Estimated Cost: \$1,270,060**  
 To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow a sum of money for the purpose of capital expenditures, including replacement and new vehicles and equipment, for the Schools, Select Board, Facilities Maintenance, Fire, Police and Public Works Departments, and authorize the Select Board to trade or sell used equipment toward part of the purchase price; or take any action relative thereto.

| Department     | Item / Activity                            | Estimated Cost |
|----------------|--|----------------|
| Fire/Ambulance | Asst. Fire Chief, SUV (Hybrid), equipped   | \$70,000       |
| Facilities     | Town Hall ADA Ramp, Front Stairs & Landing | \$75,000       |
| Facilities     | Town Hall HVAC Systems                     | \$12,150       |
| Facilities     | Central Fire HVAC Improvements             | \$21,910       |
| Facilities     | COA (Senior Center) HVAC Systems           | \$12,500       |
| Facilities     | Police Department HVAC Systems             | \$35,000       |

|               |                                   |                    |
|---------------|-----------------------------------|--------------------|
| DPW (Hwy)     | Front End Loader with Attachments | \$220,000          |
| DPW (Hwy)     | Snow & Ice Equipment              | \$36,500           |
| DPW (Grounds) | Equipment & Attachments           | \$30,000           |
| School        | Shingled Roof(s)                  | \$757,000          |
|               |                                   | <b>\$1,270,060</b> |

**MOTION:** Moved that the Town appropriate the sum of \$1,270,060 from the Capital Expenditure Fund for the purposes listed in Article 17 in the Warrant.

**SECONDED**

**DISCUSSION:** None.

**VOTE:** Unanimously passed by voice vote to accept Article 17, as stated in the motion.

**ARTICLE 18. TRANSFER FROM AVAILABLE FUNDS A SUM OF MONEY FOR THE GENERAL STABILIZATION FUND**

**SPONSORED BY:** Select Board

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Stabilization Fund; or take any action relative thereto.

**MOTION:** Moved to indefinitely postpone Article 18 in the Warrant.

**SECONDED**

**DISCUSSION:** None.

**VOTE:** Unanimously passed by voice vote to indefinitely postpone Article 18, as stated in the motion.

**ARTICLE 19. TRANSFER FROM AVAILABLE FUNDS A SUM OF MONEY FOR THE PROGRAMMATIC STABILIZATION FUND**

**SPONSORED BY:** Select Board **Estimated Cost: \$63,599**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Programmatic Stabilization Fund; or take any action relative thereto.

**MOTION:** Moved that the Town transfer the sum of \$63,599 from Free Cash for the purpose stated in Article 19 in the Warrant.

**SECONDED**

**DISCUSSION:** None.

**VOTE:** Unanimously passed by voice vote to accept Article 19, as stated in the motion.

**ARTICLE 20. ESTABLISHMENT OF CAPITAL STABILIZATION ACCOUNT BY SOUTH MIDDLESEX REGIONAL VOCATIONAL SCHOOL**

**SPONSORED BY: Select Board**

To see if the Town will vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, or take any action thereon or relative thereto.

**MOTION:** Moved to authorize the South Middlesex Regional Vocational Technical School District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School District, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws.

**SECONDED**

**DISCUSSION:** None.

**VOTE:** Unanimously passed by voice vote to accept Article 20, as stated in the motion.

**ARTICLE 21. FACILITY FOR DEPARTMENT OF PUBLIC WORKS; DESIGN & ENGINEERING, CONSTRUCTION & ADMINISTRATION**

**SPONSORED BY: Select Board Estimated Total Cost: \$30,000,000**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of designing and constructing a new facility for the Department of Public Works, in addition to decommissioning the two existing facilities located at Arch Street and Central Street for future public or private use; or take any action relative thereto.

**MOTION:** Moved that the Town appropriate the sum of \$7 million from the Capital Expenditure Fund and authorize the borrowing of an additional \$23 million, with 75%, or \$17.25 million, to be non-excluded debt and 25%, or \$5.75 million, to be excluded debt, for the purpose stated in Article 21 in the Warrant related to property at 20 Cross Street, with BOTH the appropriation and borrowing authorization contingent upon successful passage of a corresponding ballot question at the May 23, 2023 election.

**SECONDED**

**DISCUSSION:** Town Administrator, Travis Ahern, introduced a presentation from David Steeves of Weston & Sampson. Devin Howe, 10 Dixon Cir., asked if any contamination remediation has been done. Mr Steeves, responded that they have been through the first phase of

testing. Ben Sparrell, 9 Forest Park Rd., stated that once the land has been acquired, we will move forward with phase two. Mr Ahern said that if the property isn't viable for this facility, they would be coming back to Town Meeting, and work with EPA for the best interest of the Town. Melinda Blood, 492 Washington St., asked that if the site were to be cleaned up at a cost of 30 million dollars, would we spend another 30 million dollars to build this facility. Ben Sparrell, answered that we would not, and that we would look for alternative locations to build. Barbara Ryan, 14 Irving Pl., asked what the decommissioning of the current DPW site would be, and what type of clean up would need to be done? She then asked if we have considered combining DPW and Fire into one location for future expansion and needs of the Town. Mr Ahern referred the decommissioning to Mr. Steeves of Weston & Sampson. He explained that we are currently leasing some space in Pope Industrial Park to house one of our fire engines, and the hope is to move that to the new space on Cross St. Mr. Steeves explained that the building would be removed in the proper manner, and that there would be some EPA testing done. Matt Leach, 10 Mill St., asked how we would be paying back the \$17.25 million dollars that would be borrowed? Ken Szajda, 676 Fiske St., answered that the \$2.3 million dollars that we appropriate to the Capital Expenditure Fund, will be put towards our debt service.

**\*\*The Moderator interrupted and took a vote to allow Mr. David Steeves from Weston & Sampson, to speak to Town Meeting, all voted in favor.**

**VOTE:** Passed by hand count vote to accept Article 21, as stated in the motion.

Yes: 137 No: 5

**ARTICLE 22. WATER & TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS**

**SPONSORED BY: Select Board Estimated Total Cost: \$16,200,000**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of designing and constructing improvements to water mains, roadways, sidewalks, and drainage for Norfolk Street, Central Street and Goulding Street; or take any action relative thereto.

**MOTION:** Moved that the Town appropriate the sum of \$2.6 million from the Water Infrastructure Fee Account for Norfolk Street Water Mains, including design and engineering, and further that the Town authorize the borrowing of an additional \$5.6 million in excluded debt, with ONLY the borrowing authorization contingent upon successful passage of a corresponding ballot question at the May 23, 2023 election

**SECONDED**

**DISCUSSION:** Town Administrator Travis Ahern, gave a presentation, and explained that it makes financial sense to replace the sidewalk at the same time the roads are being redone for water main replacement. The sidewalks will go to the parks on Norfolk Street and the Senior Center on Goulding Street. Ron Pipe, 47 Bittersweet Cir., asked why the Finance Committee members voted against it. Mr. Szajda, stated that sidewalks are not his priority and wanted the

town to decide because he didn't know the feeling of the residents. Mr. Alfred stated that he voted against it because he wanted to do one project at a time.

**VOTE:** Passed by hand count vote to accept Article 22, as stated in the motion.  
Yes: 110 No: 20

**ARTICLE 23. GOLF COURSE IMPROVEMENTS**

**SPONSORED BY: Select Board**

To see if the Town will vote to transfer from available funds a sum of money for the purpose of making improvements to the cart paths and drainage, and for mitigation of invasive species at Pinecrest Golf Course for holes 2 through 8; or take any action relative thereto.

**MOTION:** Moved to appropriate the sum of \$200,000 from the Pinecrest Revolving Fund for the purposes stated in Article 23 in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 23, as stated in the motion.

**ARTICLE 24. REPORT OF THE COMMUNITY PRESERVATION COMMITTEE**

**SPONSORED BY: Community Preservation Committee**

To see if the Town will vote to act on the report of the Community Preservation Committee for the fiscal year 2023 community preservation budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year:

**Reserves**

|                            |           |
|----------------------------|-----------|
| Community Housing Reserve  | \$ 72,016 |
| Open Space Reserve         | \$ 72,016 |
| Historic Resources Reserve | \$ 72,016 |

**Appropriations**

|   |          |
|---|----------|
| Administrative Functions to support the Committee | \$5,000  |
| Cemetery Preservation - Hopping Brook Cemetery    | \$25,000 |
| Community Farm Improvements (sunset extension)    | \$10,000 |

**Total: \$40,000 (see article 25 for separate request)**  
or take any action relative thereto.



**ARTICLE 27. SPECIAL LEGISLATION – AGE 65, GROUP 4**

**SPONSORED BY: Town Administrator**

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation for Mark Dellicker, a Town of Holliston call firefighter (Deputy), notwithstanding the provisions of any general or special law to the contrary, to serve in such position until the age of 70, or until the date of his retirement or non-reappointment, which occurs first; provided, however that no deductions from the regular compensation of Mark Dellicker shall be made under Chapter 32 of the General Laws subsequent to his reaching the age of 65 in connection with his service to the Town for retirement or pension purposes; provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Select Board approves amendments to the bill prior to enactment by the General Court, and to authorize the Select Board to approve such amendments which shall be within the scope of the general public objectives of the petition, or take any vote or votes in relation thereto.

**MOTION:** Moved that the Town authorize the Select Board to petition the General Court for special legislation for Mark Dellicker to serve in the capacity of On-Call Deputy Fire Chief until a maximum age of 70, as presented in Article 27 in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 27, as stated in the motion

**ARTICLE 28. ROAD ACCEPTANCES**

**SPONSORED BY: Select Board**

To see if the Town will vote to accept as public way Indian Ridge Road South (Station 0+25 to 10+51.55) in the Clearview Estates II Subdivision as shown on the plan entitled “Street Acceptance Indian Ridge South (formerly James Road) Clearview Estates II in Holliston, MA” dated March 13, 2014, prepared by Guerrier & Halnon, Inc. such way having been laid out as Town Ways by the Select Board and taken by eminent domain, or take any action relative thereto.

**MOTION:** Moved that the Town accept Indian Ridge Road South as a public way, as further described in Article 28 in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 28, as stated in the motion.

**ARTICLE 29. TREE BYLAW (ORDINANCE)**

**SPONSORED BY: Select Board**

To see if the Town will vote to amend its General Bylaws by adding a new Article XLVII, entitled “Tree Protection & Preservation Bylaw” as follows:

## **ARTICLE XLVII TREE PROTECTION & PRESERVATION**

### **Section 1. Intent and Purpose**

Trees are recognized for their abilities to improve air quality, protect from glare and heat, reduce noise, aid in the stabilization of soil, provide natural flood and drainage control, create habitats for wildlife, enhance aesthetics and property values, contribute to the distinct character of certain neighborhoods, provide natural privacy to neighbors, and reduce ambient carbon in the atmosphere.

Therefore, the Town deems that the preservation and protection of Public Shade Trees pursuant to General Law Chapter 87 and plantings on public grounds, the requirement to replant trees to replace those removed, and/or the collection of financial contributions to support the Town’s tree planting and maintenance efforts are public purposes that protect the public health, welfare, environment and aesthetics.

The provisions of this bylaw, when pertaining to private property, apply only when there is an activity subject to a Stormwater and Land Disturbance Permit per Article XLI or construction of a new street.

This article is adopted in accordance with the authority granted by Amendment Article 89 to Article II of the Massachusetts Constitution, Chapter 294 of the Acts of Massachusetts 1920, as amended, and the powers granted to cities in the Massachusetts General Laws.

### **Section 2. Definitions**

Diameter at Breast Height – A standard for the measurement of tree trunks, the diameter of the tree measured at 4.5’ above the ground. Abbreviated as DBH.

Protected Tree – Any tree on portions of private land subject to land disturbance permitting with a diameter at breast height of 6” or larger.

Public Shade Tree – Any tree within the public right-of-way except for state highways that, as determined by the Tree Warden, has any portion of the stem actively growing into the public right-of-way.

Town Tree - Any tree within a public park or open space under the jurisdiction of the Select Board, on public school grounds, or on any other Town-owned land

Tree Warden - See Article XXXIII of the General By-Laws. Additionally, the Tree Warden shall be authorized to expend funds appropriated for planting trees and enforce provisions of this by-law. The Tree Warden shall utilize the standards of ANSI A300 to the extent practicable in all aspects of tree planting, maintenance and removal.

### **Section 3. Applicability**

1. Applicability: The requirements of this Article shall apply under any of the following circumstances:
  - Proposed cutting of existing public shade trees on public ways or of Town Trees,

including those subject to review under Section 3 of Article IX on designated Scenic Roads.

- Any activity subject to a Stormwater and Land Disturbance Permit per Article XLI which may include clearing, grubbing, grading, placement of fill, excavation of soil or other site work that will result in a land disturbance exceeding 10,000 s.f. or more or more than 25% of the parcel or lot, whichever is less or any activity that will disturb over 250 s.f. of land with 10% or greater slope.
- Creation of any new subdivision street.

2. Exemptions: The requirements of this Article shall not apply to:

- Normal maintenance and improvement of land in agricultural or logging use which is consistent with MGL, c. 40A, s. 3 and 310 CMR 10.04.
- Construction of fencing and utilities other than drainage that disturbs less than 10,000 s.f. and which will not alter terrain or drainage patterns.
- Maintenance of existing dwellings, including landscaping, utility connections and driveways, provided such maintenance does not disturb 10,000 s.f. or more or alter drainage patterns.
- Those areas of property under the jurisdiction of the Wetlands Protection Act (MGL c. 131 s. 40 and 310 CMR 10.00 *et seq.*) and the Holliston Wetlands Protection Bylaw (Article XXXI), wherein the Conservation Commission regulates the retention and/or replacement of trees located on private land.
- Emergency projects necessary for public safety, health and welfare as determined by the Building Inspector, Tree Warden, or Fire Chief.

#### **Section 4. Public Shade Trees and Town Trees**

A Public Shade Tree or Town Tree shall not be cut, pruned, removed or damaged by any person or the Town until and unless the Tree Warden issues a written permit pursuant to this section.

Any person seeking to prune or remove a Public Shade Tree or Town Tree shall submit an application to the Tree Warden in accordance with any published application requirements. The Tree Warden shall hold a public hearing on applications for removal, at the expense of the applicant, in accordance with provisions outlined in MGL c. 87. Any permit issued by the Tree Warden may specify schedules, terms, and conditions as deemed appropriate by the Tree Warden, including contributions to the Tree Fund.

#### **Section 5. Protected Trees**

A. Tree Protection & Mitigation:

- 1) Demolition and/or construction activity (as identified under Section 3(1)) on a property on which a Protected Tree is located is prohibited unless required tree protection and/or mitigation measures will be taken as set forth in this subsection.
- 2) Protection: Each Protected Tree to be retained on property planned for demolition and/or construction activity shall be protected by the establishment of a Tree Save Area. The Tree Save Area shall be delineated within the submitted Tree Protection & Mitigation Plan.
- 3) Mitigation: The removal of a Protected Tree from a property in connection

with one or more of the circumstances set forth in Section 3(1) shall require mitigation by satisfying one of the following provisions (i. *Replanting of Trees* or ii. *Contribution to the Town of Holliston Tree Fund*). Mitigation measures shall be identified in the submitted Tree Protection and Mitigation Plan. The removal or proposed removal of a Protected Tree(s) that has been mitigated for in conjunction with a previous applicable permit shall not require additional mitigation under subsequent permits unless such mitigation has not been completed or otherwise assured.

- i. *Replanting of Trees*: For each Protected Tree(s) which is/are removed, **no less than** one new tree(s) shall be replanted in accordance with the following:
  - Each new tree must have a minimum caliper of three (3) inches;
  - Such replanting, either on the applicant's land or on land abutting the applicant's land with the express written approval of the owner of such abutting land, shall occur prior to Final Inspection, or be otherwise assured at such time to the satisfaction of the Planning Board in a manner consistent with the Rules and Regulations;
- ii. *Contribution to the Tree Fund*: The Planning Board shall establish a Tree Fund contribution schedule, such schedule to be based on the DBH of Protected Tree(s) to be removed, impact on Town infrastructure, and other environmental impacts associated with the removal of the Tree. The schedule may also take into account the aggregate DBH of Protected Trees to be removed. The applicant shall make such contribution to the Tree Fund for the removal of a Protected Tree, not already mitigated.

B. Maintenance of Protected and Replanted Trees:

- 1) Protected Trees: Each Protected Tree retained shall be maintained in good health for a period of no less than twenty-four (24) months from the date of Final Inspection, or issuance of a Certificate of Occupancy if applicable. Should such Tree die within this twenty-four (24) month period, the owner of the property shall be required to provide mitigation consistent with the requirements for the removal of a Protected Tree as contained herein within nine (9) months from the death of the original Tree.
- 2) Replanted Trees: All new trees replanted to mitigate the removal of Protected Tree(s) shall be maintained in good health for a period of no less than twenty-four (24) months from the date of planting. Should such Tree die within this twenty-four (24) month period, the owner of the property shall be responsible for replacing the tree with a tree equal to or greater than the size of the original replacement Tree at the time of planting; such Tree shall be planted within nine (9) months of the death of the original replacement tree.

### **Section 6. Town of Holliston Tree Fund**

Any contributions collected per this Article shall be deposited in the Tree Fund. Funds contributed for specific purposes must be clearly stated and accepted by the Holliston Select Board. Funds contributed as mitigation for removal of trees as part of public or private development shall clearly state the purpose of the mitigation and be communicated clearly to the Holliston Select Board with the deposit of funds.

### **Section 7. Rules and Regulations**

The Tree Warden and Planning Board may promulgate or amend Rules and Regulations which pertain to the administration of this Article, and shall file a copy of said rules in the office of the Town Clerk. Such rules may prescribe the size, form, contents, style, and number of copies of plans and specifications, the procedure for the submission and approval of such plans, the procedure for determining final compliance with these regulations. The adoption or amendment of Rules and Regulations shall be after a public hearing to receive comments on the proposed or amended Rules and Regulations. The public hearing shall be advertised once in a newspaper of general local circulation, at least 14 days prior to the date of the public hearing.

### **Section 8. Enforcement**

A Public Shade Tree or Town Tree shall not be cut, pruned, removed or damaged by any person or the Town until and unless the Tree Warden issues a written permit pursuant to this section, nor shall any person or the Town fail to comply with any enforcement order issued pursuant to this Bylaw.

The Planning Board, their agent(s), officer(s), and employee(s) shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw, subject to the constitutions and laws of the United States and the Commonwealth.

The Tree Warden and Planning Board shall have authority to enforce this Bylaw, its Regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under G.L. Ch. 40 s. 21D, and civil and criminal court actions.

Any person who violates provisions of this Bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Tree Warden, the Select Board and Town Counsel shall take legal action for enforcement under civil law. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Tree Warden and Planning Board in enforcement.

Any person who violates any provision of this Bylaw, Regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the Bylaw, Regulations, permits, or administrative orders violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Tree Warden or Planning Board may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in G.L. Ch. 40 s. 21D, which has been adopted by the Town in Article XXIV s. 9 of the general bylaws. The penalty shall be \$100 for the first violation, \$200 for the second violation, and \$300 for each and all successive violations.

### **Section 9. Severability**

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

**MOTION:** Moved that the Town accept and adopt the General Bylaws amendment as printed in Article 29 in the Warrant.

**SECONDED**

**DISCUSSION:** Devin Howe, 10 Dixon Cir., feels that this is a very restrictive by-law. He calculated that in a new subdivision the cost for tree mitigation would be \$65,000 per a one acre clearing. Mark Whittaker, 543 Central St., asked how this would apply to current residents. Travis Ahern, Town Administrator, responded that we have compared this to other communities and found this to be less restrictive. Mr. Whittaker made a motion to indefinitely postpone this article.

**MOTION TO INDEFINITELY POSTPONE ARTICLE 29**

**SECONDED**

**DISCUSSION:** Mary Greendale, 198 Highland St., stated that this did not come from a point of restricting what people can do on their property, rather a place of protecting legacy trees. Shaw Lively, 15 Sabina Dr., is in support of indefinitely postponing this article, and also noted that the DPW is our current Tree Warden and concerned that he will have the time and resources to oversee this new law. Travis Ahern, said that we now have a Grounds and Tree Division within the DPW who would oversee this.

**VOTE:** Passed by voice call vote to indefinitely postpone Article 29, as stated in the motion.

**ARTICLE 30. NO KNOCK REGISTRY / PEDDLING & HAWKING  
SPONSORED BY: Select Board**

To see if the Town will vote to amend its General Bylaws by adding a new Article XLVIII, entitled "Peddling, Hawking and Solicitation" as follows:

**Section 1 - Behavior Standards**

**A. Hawkers and peddlers.**

No person hawking, peddling, carrying, or displaying any article for sale shall cry his/her wares to the disturbance of the peace and comfort of the inhabitants of the Town, nor shall he/she carry or convey such articles in any manner that will tend to injure or disturb the public health or comfort, and otherwise than in vehicles and receptacles which are neat, clean, and do not leak.

**Section 2 -Door-to-Door Solicitation**

**A. Title.**

This Section shall be known as the "Door-to-Door Solicitation and No Solicitation Law" of the Town of Holliston.

**B. Findings and intent.**

This article is intended to regulate door-to-door sales by licensing sales agents; establishing a *No Solicitation Registry* and setting reasonable time and manner restrictions on door-to-door solicitation, including enforcement of the No Solicitation Registry.

**C. Definitions.**

The following words and phrases shall have the following meanings:

**DOOR-TO-DOOR SALES**

The in-person solicitation of sales of goods or services for present or future delivery by entry upon residential property, including multifamily or duplex residential property, or by soliciting persons located on residential property from a street, sidewalk or other adjacent property, without the prior invitation of the person to be solicited.

**DOOR-TO-DOOR SALES PERMIT**

A permit issued to a sales agent to engage in door-to-door sales in accordance with this article.

**NO SOLICITATION REGISTRY**

A registry of residential addresses in the Town, organized alphabetically by street name, indicating those residential properties placed on the registry at the request of the owner or occupant indicating that he or she does not want sales agents to enter his or her property.

**SALES ORGANIZATION**

Any entity engaged in the supervision, recruitment, retention or employment of a salesperson or salespersons, including any person or representative thereof.

**SALESPERSON**

Any person engaged in door-to-door sales of goods or services for present or future delivery.

**SALES SUPERVISOR**

Any person who directs or supervises a salesperson or salespersons engaged in door-to-door sales.

**D. Administration.**

The Town of Holliston door-to-door sales permit process shall be administered by the Holliston Police Department. The Town of Holliston No Solicitation Registry shall be maintained by the Holliston Police Department.

**E. Application requirements.**

1. Each salesperson must apply individually to the Holliston Police Department during posted administrative hours by submitting a completed application, which shall require:

- (a) Government-issued photographic identification.
- (b) Date of birth.
- (c) Social security number.
- (d) Permanent residential address.
- (e) Home telephone number.
- (f) Temporary local address.
- (g) Current cell phone number.
- (h) Sales organization information.
- (i) Sales supervisor identity.
- (j) Make, model, color and registration number of any vehicle(s) used to transport the sales agent, his/her supervisor, or sales materials.
- (k) Such other verifying information as may be reasonably required.

2. Failure to submit any of the information listed above may be grounds for denial of the permit.
3. An application fee to be established and adjusted from time to time by the Select Board shall accompany each Town of Holliston door-to-door sales permit application.
4. Background check. Subject to the provisions of the Massachusetts Criminal Records Offender Information Act, M.G.L. c. 6, § 167 et seq., and regulations set thereunder, the Holliston Police Department shall conduct a criminal records check of each applicant for a Town of Holliston door-to-door sales permit to determine the applicant's fitness and suitability to conduct door-to-door sales. The background check shall be initiated within seven days of receipt of the application. The Holliston Police Department may deny a permit hereunder if the background check reveals any convictions for felonies or other offenses that, in the judgment of the Department, may imperil the public health, safety or welfare.
5. A decision on the application shall be issued by the Holliston Police Department, in writing, within 30 days following receipt of the results of the background check.
6. All permits must be renewed annually, with applications for renewal including information with respect to any of the required material required in this Section

**F. No Solicitation Registry.**

1. Residents may submit their property for inclusion on the No Solicitation Registry, without charge, to the Holliston Police Department.
2. Upon approval and issuance of a Town of Holliston door-to-door sales permit, each salesperson shall be provided with a copy of the No Solicitation Registry.
3. The only exceptions to the No Solicitation Registry shall be limited to Holliston youth groups serving children 17 years of age and under, politicians campaigning and religious organizations. Such excepted organizations and entities shall not be required to obtain a permit hereunder.

**G. Door-to-door sales regulations.**

1. No salesperson shall engage in door-to-door sales without first having applied for and received a Town of Holliston door-to-door sales permit.
2. No sales organization shall allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Holliston door-to-door sales permit.
3. No sales supervisor shall direct or supervise, direct, or allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Holliston door-to-door sales permit.
4. No salesperson shall enter within the perimeter of any residential property included on the No Solicitation Registry. In addition to the fine(s) established below, inclusion of a residential property on the No Solicitation Registry except those identified in herein shall constitute notice prohibiting trespass under M.G.L. c. 266 § 120.
5. No salesperson shall solicit sales from a person situated within a residential property included on the No Solicitation Registry from street, sidewalk or other adjacent property except those identified herein.
6. Each salesperson shall carry the Town of Holliston door-to-door sales permit at all times while engaged in door-to-door sales and shall display said permit upon request by any police officer, Town official or any person present at a residential property where door-to-door sales are solicited.

7. No salesperson or supervisor shall use any vehicle to transport persons or materials for door-to-door sales unless said vehicle is identified in the Town of Holliston door-to-door sales permit application.

8. Door-to-door sales shall not be conducted except during the hours between 9:00 a.m. and 7:00 p.m.

**H. Violations and penalties.**

1. Each violation of any provision of this article shall be punished by a fine not to exceed \$100.

2. Upon the occurrence of a second violation of this article by any salesperson, the issuing authority may, by seven days' prior written notice, revoke that salesperson's Town of Holliston door-to-door sales permit.

**I. Severability.**

The invalidity of any portion of this article shall not invalidate any other provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

**MOTION:** Moved that the Town accept and adopt the General Bylaws amendment as printed in Article 30 in the Warrant, with an amendment to Section F-3 in which “17 years of age and under” is updated to “18 years of age and under.”

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 30, as stated in the motion.

**ARTICLE 31. EASEMENT FOR ACCESS & UTILITIES**

**SPONSORED BY: Select Board**

To see if the Town will vote, pursuant to G.L. c. 40, §15A, to transfer from the Select Board for general municipal purposes to the Select Board for general municipal purposes and for conveying a non-exclusive easement, and to authorize the Select Board to grant a non-exclusive easement for purposes of the improvement, construction and/or installation of access and utilities in, over or under that land shown as “30’ Wide Access, Egress, & Utility Easement”, as shown on a Plan entitled, “Easement Plan of Land Jasper Hill Road, Holliston, Mass”, dated April 21, 2023, prepared by Applewood Survey Co., LLC, on file with the Town Clerk, on such terms and conditions as the Select Board shall determine, including with any such restrictions the Select Board may deem appropriate, said conveyance to be for such consideration as the Select Board deem appropriate including nominal consideration, and to authorize the Select Board to enter into and/or execute any offers, licenses, temporary or permanent easements, agreements or instruments as may be necessary for such conveyance, and to expend funds which may be necessary for professional engineering, architectural services, design, site investigation/testing, preparation and/or demolition, installation and all other incidental and related costs, or pass any vote or take any action relative thereto.

**MOTION:** Moved that the Town approve Article 31 as written in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 31, as stated in the motion.

**ARTICLE 32. STORMWATER EASEMENT**

**SPONSORED BY: Select Board**

To see if the Town will vote, pursuant to G.L. c. 40, §15A, to transfer from the Select Board for general municipal purposes to the Select Board for general municipal purposes and for conveying a non-exclusive Storm Water Management Easement, and to authorize the Select Board to grant a non-exclusive Storm Water Management Easement for purposes of the improvement, construction and/or installation of stormwater management over or under that land shown as “Storm Water Management Easement”, as shown on a Plan entitled, “Easement Plan of Land Jasper Hill Road, Holliston, Mass”, dated April 21, 2023, by Applewood Survey Co., LLC, on file with the Town Clerk, on such terms and conditions as the Select Board shall determine, including with any such restrictions the Select Board may deem appropriate, said conveyance to be for such consideration as the Select Board deem appropriate including nominal consideration, and to authorize the Select Board to enter into and/or execute any offers, licenses, temporary or permanent easements, agreements or instruments as may be necessary for such conveyance, and to expend funds which may be necessary for professional engineering, architectural services, design, site investigation/testing, preparation and/or demolition, installation and all other incidental and related costs, or pass any vote or take any action relative thereto.

**MOTION:** Moved that the Town approve Article 32 as written in the Warrant.

**SECONDED**

**DISCUSSION:** None

**VOTE:** Unanimously passed by voice call vote to accept Article 32, as stated in the motion.

The Meeting was adjourned at 10:18 pm.

True Record, ATTEST:

Elizabeth Turner Greendale, CMC/CMMC  
Town Clerk