TOWN OF HOPKINTON
OFFICE OF THE TOWN CLERK
CONNOR B. DEGAN, TOWN CLERK
18 MAIN STREET, HOPKINTON, MA 01748
ANNUAL TOWN MEETING
MONDAY, MAY 6th, 2019
RETURN OF THE WARRANT

The Annual Town Meeting convened at 7:00 P.M. on Monday, May 6th, 2019, at the Middle School Auditorium. The meeting was called to order by the Town Moderator, Mr. Thomas Garabedian at 7:06 P.M. at such time that a quorum was determined to be present. Mr. Garabedian led the hall Pledge of Allegiance. He then requested a moment of silence to remember those volunteers and employees of the Town that had passed away since the last time Town Meeting had been convened. Mr. Garabedian gave the directives of the meeting and the bounds of the Hall. Connor B. Degan, Town Clerk, read the call and return of the warrant.

Mr. Thomas Garabedian, Town Moderator, appointed Ellen Rutter, of Forest Lane, as Deputy Moderator. He then requested a vote of affirmation by Town Meeting.

Passed by: Voice Vote, Unanimous (05-06-2019)

Ms. Claire Wright, Chair of the Board of Selectmen, made the **motion**: to adjourn the Annual Town Meeting after the consideration of the article under discussion at 11:00 P.M.

Passed by: Voice Vote, Unanimous (05-06-2019)

Ms. Wright, Chair of the Board of Selectmen, made the **motion**: to consider Article 53 immediately following Article 22, as the articles are related and should be considered together.

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 1: Acceptance of Town Reports: To hear the Reports of Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.

Motion (Board of Selectmen): *We move that the Town accept the Reports of Town Officers, Boards and Committees*.

At this time the Moderator recognized speakers wishing to give verbal reports to Town Meeting.

Elizabeth Whittemore (Hayward Street), Chair of the Board of Health, rose to give a presentation on the accomplishments of the Board of Health over the last year.

Robert Levenson (Smith Road), of the Volunteer Recognition Group, came forward to explain the mission of the group and how residents can ensure true volunteers are recognized for the work they put forward for the Town.

Jean Bertschman (Cider Mill Road), representing Top of the Hill Committee came forward to explain the mission of the group and how residents can nominate Hopkinton Alumni for the Top of the Hill Award.

Joseph Markey (Ash Street), Chair of the Elementary School Building Committee, came forward to give an update Town Meeting on the progress of the Marathon Elementary School project and to thank Town Meeting members for their support of the project.

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 2: FY 2019 Supplemental Appropriations and Transfers: To see if the Town will vote to transfer from available funds or otherwise provide a sum or sums of money to supplement operating budgets and various accounts for the fiscal year ending June 30, 2019.

Pass any vote or take any act relative thereto.

Required Recommendations: Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer the sum of $*525,000 *(FIVE HUNDRED TWENTY FIVE THOUSAND DOLLARS) from Certified Free Cash to supplement the FY 2019* Snow and Ice Control operating budgets*, and to revise the funding sources for the FY 2019 Enterprise Fund operating* budgets, to reduce estimated revenue and replace from Certified Retained Earnings, *as follows:*

Sewer Enterprise Fund *$70,000*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 3: Unpaid Bills from Previous Fiscal Years: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to pay unpaid bills from prior fiscal years, in accordance with the provisions of Chapter 44, Section 64, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee):
We move that the Town vote to transfer from Parks and Recreation Enterprise Retained Earnings the sum of $2,206 (TWO THOUSAND TWO HUNDRED AND SIX DOLLARS) and $146.32 (ONE HUNDRED FORTY SIX DOLLARS AND THIRTY TWO CENTS) from Free Cash for the following bills incurred in a previous year, in accordance with the provisions of Chapter 44, Section 64 of the Massachusetts General Laws, as follows:

Department #	**Vendor**	**Amount**
Parks and Recreation	H20 Irrigation Specialist	$2,206.00
Information Technology	Verizon	$146.32
	TOTAL	$2,352.32

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 4: Property Tax Exemption Increase: To see if the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, to provide an additional real estate tax exemption for all fiscal years beginning July 1, 2019, for those qualifying for an exemption under Chapter 59, Section 5, Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, 41C, 42 or 43 of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of Chapter 59, Section 5C1/2 of the Massachusetts General Laws*

(formerly Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts 1988) to provide for an additional real estate tax exemption of seventy five percent for all fiscal years beginning July 1, 2019, for those qualifying for an exemption under Chapter 59, Section 5, clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, 41C, 42, or 43 of the Massachusetts General Laws.

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 5: BRAVE Act - Increase in abatement by amount not to exceed the cost of living: To see if the Town will vote to accept Clause Seventeenth F of *M.G.L.* c.59, §5, which provides that, notwithstanding any provision of general or special law to the contrary, an abatement granted pursuant to clause Seventeenth, Seventeenth C, Seventeenth C ½ or Seventeenth D of *M.G.L.* c.59, §5, may be increased annually at the discretion of the Town by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of Chapter 59, Section 5, Clause Seventeenth F of the Massachusetts General Laws and to establish the annual increase at the cost of living increase as determined by the Consumer Price Index for each subsequent fiscal year.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 6: BRAVE Act - Real estate tax exemption for veterans and other qualified persons where home is owned by a trust, conservator or other fiduciary for the person's benefit: To see if the Town will vote to accept Clause Twenty-second G of *M.G.L.* c.59, §5 to exempt from taxation certain 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 Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F of *M.G.L.* c.59, §5 if the person were the owner of the real estate.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of Chapter 59, Section 5, Clause Twenty-second G of the Massachusetts General Laws.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 7: BRAVE Act - Real estate tax exemption for surviving parents or guardians of certain soldiers, sailors, members of the National Guard and veterans: To see if the Town will vote to accept Clause Twenty-second H of M.G.L. c. 59, § 5 to exempt from taxation certain real property of and occupied by parents or guardians of military personnel who were killed in action or injured in action that subsequently caused their death, or military personnel missing in action and presumed dead, subject to residency requirements.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of Chapter 59, Section 5, Clause Twenty-second H of the Massachusetts General Laws.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 8: BRAVE Act - Reduction of property tax obligation of veteran in exchange for volunteer services: To see if the Town will vote to accept *M.G.L.* c.59, §5N, regarding a Program for Reduction in Property Tax Obligations to allow veterans, or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, in exchange for volunteer services, up to $1,500 in tax reduction.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of Chapter 59, Section 5N of the Massachusetts General Laws.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 9: Set Salary of Elected Officials: To see if the Town will vote to fix the salary or compensation of all of the elected officials of the Town in accordance with Chapter 41, Section 108, of the *Massachusetts General Laws.*

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

<u>Motion</u> (Board of Selectmen): *I move that the Town vote to fix the salary of the elected Town Clerk for the Fiscal Year commencing July 1, 2019 at $*69,297.20 *(SIXTY-NINE THOUSAND, TWO HUNDRED NINETY-SEVEN DOLLARS AND TWENTY CENTS).*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 10: Fiscal 2020 Operating Budget: To hear and act on reports and recommendations of the Appropriation Committee and to see if the Town will vote to (1) raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the operation and maintenance of Town Departments for the fiscal year beginning July 1, 2019, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees; and (2) support, as a nonbinding resolution, an affirmative vote on the upcoming ballot question to reduce the amount of real estate and personal property taxes to be assessed for the upcoming fiscal year (the "underride").

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to appropriate*

- $87,148,752.27 to the General Fund;
- $289,605.75 to the Community Preservation Fund;
- $2,569,775.55 to the Sewer Enterprise Fund;
- $2,172,513.31 to the Water Enterprise Fund; and
- $632,576.00 to the Parks & Recreation Enterprise Fund.

for a total of $92,698,222.88 (NINETY TWO MILLION SIX HUNDRED NINETY EIGHT THOUSAND TWO HUNDRED TWENTY TWO DOLLARS AND EIGHTY EIGHT CENTS) for the purposes itemized and described in the FY 2020 Operating Budget of the Town, in the amounts set forth in the FY2020 Appropriations Committee Report for the fiscal year beginning July 2, 2019, in the column titled "Appropriations Committee Recommendations," said sums to be spent under the direction of the respective Town Officers, Boards, and Committees, and that amounts appropriated be raised as follows

GENERAL FUND
Transfers from available funds:

Ambulance Receipts Reserved	$525,000.00
Title V	74,063.00
Bond Premiums	67,996.00

Library Foundation	436,606.00
Free Cash	257,995.00
Transfers from available funds	$1,361,660.00
Local Receipts, Intergovernmental Revenue, and Tax Levy	85,787,092.27
GENERAL FUND	**$87,148,752.27**

COMMUNITY PRESERVATION FUND

Transfers from available funds, as recommended by the Community Preservation Committee*:*

CPC Undesignated Fund Balance	$289,605.75

COMMUNITY PRESERVATION FUND
$289,605.75

SEWER ENTERPRISE FUND

FY2020 Sewer Enterprise Revenue	$2,339,775.55
Transfer from Retained Earnings	230,000.00

SEWER ENTERPRISE SOURCES OF FUNDS
$2,569,775.55

Indirect Costs to be raised from the FY2020 Sewer Enterprise Fund revenues, appropriated in the General Fund	281,177.52

SEWER ENTERPRISE FUND BUDGET
$**2,850,953.07**

WATER ENTERPRISE FUND

FY2020 Water Enterprise Revenue	$2,057,513.31
Transfer from Retained Earnings	115,000.00

WATER ENTERPRISE SOURCES OF FUNDS
$2,172,513.31

Indirect Costs to be raised from the FY2020 Water Enterprise Fund revenues, appropriated in the General Fund	$369,547.36

WATER ENTERPRISE FUND BUDGET
$**2,542,060.67**

PARKS & RECREATION ENTERPRISE FUND

FY2020 Parks & Recreation Enterprise Revenue
$483,595.00

Tax Levy	148,981.00

PARKS & RECREATION ENTERPRISE SOURCES OF FUNDS

$632,576.00

Indirect Costs to be raised from the FY2020 Parks & Recreation Enterprise Fund revenues, appropriated in the General Fund $38,863.76

PARKS & RECREATION ENTERPRISE FUND BUDGET
$671,439.76

And as a nonbinding resolution, to support an affirmative vote on the upcoming ballot question to reduce the amount of real estate and personal property taxes to be assessed for the upcoming fiscal year (the "underride").

Motion (Mary Jo Ondrechen, College Street): *I move that the non-binding resolution be voted separately from the main motion.*

The motion was seconded.

Jonathan Graziano (Kimball Road), recommended removing the nonbinding resolution in its entirety.

Motion withdrawn *by Mary Jo Ondrechen (College Street).*

Motion to Amend (Mary Jo Ondrechen, College Street): *I move that we strike the nonbinding resolution regarding "the underride" from the main motion, by striking the following language from the motion:*

"And as a nonbinding resolution, to support an affirmative vote on the upcoming ballot question to reduce the amount of real estate and personal property taxes to be assessed for the upcoming fiscal year (the "underride")."

The motion was seconded.

Amendment Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

Amended Motion (Appropriation Committee): *We move that the Town vote to appropriate*

- $87,148,752.27 to the General Fund;
- $289,605.75 to the Community Preservation Fund;
- $2,569,775.55 to the Sewer Enterprise Fund;
- $2,172,513.31 to the Water Enterprise Fund; and
- $632,576.00 to the Parks & Recreation Enterprise Fund.

for a total of $92,698,222.88 (NINETY TWO MILLION SIX HUNDRED NINETY EIGHT THOUSAND TWO HUNDRED TWENTY TWO DOLLARS AND EIGHTY

EIGHT CENTS) for the purposes itemized and described in the FY 2020 Operating Budget of the Town, in the amounts set forth in the FY2020 Appropriations Committee Report for the fiscal year beginning July 2, 2019, in the column titled "Appropriations Committee Recommendations," said sums to be spent under the direction of the respective Town Officers, Boards, and Committees, and that amounts appropriated be raised as follows

GENERAL FUND

Transfers from available funds:

Ambulance Receipts Reserved	$525,000.00
Title V	74,063.00
Bond Premiums	67,996.00
Library Foundation	436,606.00
Free Cash	257,995.00
Transfers from available funds	$1,361,660.00
Local Receipts, Intergovernmental Revenue, and Tax Levy	85,787,092.27
GENERAL FUND	**$87,148,752.27**

COMMUNITY PRESERVATION FUND

Transfers from available funds, as recommended by the Community Preservation Committee*:*

CPC Undesignated Fund Balance	$289,605.75
COMMUNITY PRESERVATION FUND	
$289,605.75	

SEWER ENTERPRISE FUND

FY2020 Sewer Enterprise Revenue	$2,339,775.55
Transfer from Retained Earnings	230,000.00
SEWER ENTERPRISE SOURCES OF FUNDS	
$2,569,775.55	
Indirect Costs to be raised from the FY2020 Sewer Enterprise Fund revenues, appropriated in the General Fund	281,177.52
SEWER ENTERPRISE FUND BUDGET	
$**2,850,953.07**	

WATER ENTERPRISE FUND

FY2020 Water Enterprise Revenue	$2,057,513.31

Transfer from Retained Earnings 115,000.00

WATER ENTERPRISE SOURCES OF FUNDS $2,172,513.31

Indirect Costs to be raised from the FY2020 Water Enterprise Fund revenues, appropriated in the General Fund $369,547.36

WATER ENTERPRISE FUND BUDGET $2,542,060.67

PARKS & RECREATION ENTERPRISE FUND

FY2020 Parks & Recreation Enterprise Revenue $483,595.00

Tax Levy 148,981.00

PARKS & RECREATION ENTERPRISE SOURCES OF FUNDS $632,576.00

Indirect Costs to be raised from the FY2020 Parks & Recreation Enterprise Fund revenues, appropriated in the General Fund $38,863.76

PARKS & RECREATION ENTERPRISE FUND BUDGET $671,439.76

Motion (Kenneth Weismantel, Ash Street): *I move that we end debate on Article 10.*

Motion was seconded

Motion Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

Amended Main Motion Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

ARTICLE 11: FY 2020 Revolving Funds Spending Limits: To see if the Town will vote to establish the limit on the total amount that may be expended from each revolving fund established by Article VI of Chapter 13 of the General Bylaws pursuant to Section 53E½ of Chapter 44 of the *Massachusetts General Laws* for the fiscal year beginning July 1, 2019.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to establish the limit on the total amount that may be expended from each revolving fund established by Article VI of Chapter 13 of the General Bylaws of the Town of Hopkinton pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws for the fiscal year beginning July 1, 2019, as follows:*

Revolving Fund	Spending Limit for FY 20
Building Department	$270,000
Part-Time Wire Inspector	$100,000
Part-Time Plumbing Inspector	$100,000
Hazardous Materials	$5,000
Conservation Commission	$115,000
Library	$10,000
Public Safety	$5,000
Planning Board	$30,000
Open Space Preservation Commission	$10,000
Youth and Family Services Department	$4,000
Zoning Board of Appeals	$50,000
Revolving Fund	**Spending Limit for FY 20**
Department of Public Works	$8,000
Department of Public Works	$15,000
Department of Public Works	$8,000
Cemetery Commission	$3,500
Cemetery Lot Fund	$10,000
School Department 1:1 Laptop Initiative	$470,000
Fingerprinting Fund	$500
Senior Center Programs Fund	$75,000
Police Department	$10,000

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 12: PEG Access Enterprise Fund: To see if the Town will vote to accept Chapter 44, Section 53F½ of the *Massachusetts General Laws*; and to establish a PEG Access enterprise fund for cable television public access for the fiscal year beginning July 1, 2019.

Pass any vote or take any act relative thereto.

Appropriation Committee recommends approval. Board of Selectmen recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to accept Chapter 44, Section 53F½ of the Massachusetts General Laws; and to establish a PEG Access enterprise fund into which payments received from cable television licensees for cable television public access shall be deposited, effective the fiscal year beginning July 1, 2019, and to appropriate the sum of $50,000 (FIFTY THOUSAND DOLLARS) from this PEG Access Enterprise Fund's Estimated Revenues to the Hopkinton Cable Access & Media (HCAM) Committee for expenses directly related to providing local public cable television access, said sum to be spent under the direction of the Town Manager.*

PEG ACCESS ENTERPRISE FUND
FY2020 PEG ACCESS Enterprise Revenue
$50,000.00
PEG ACCESS ENTERPRISE SOURCES OF FUNDS
$50,000.00

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 13: Chapter 90 Highway Funds: To see if the Town will vote to appropriate a sum or sums of money from the proceeds due to the Town pursuant to Chapter 90 of the *Massachusetts General Laws*, for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval. Board of Selectmen recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to appropriate $*643,095 *(SIX HUNDRED FORTY-THREE THOUSAND, NINETY-FIVE DOLLARS) from the proceeds due to the Town pursuant to Chapter 90 of the Massachusetts General Laws for the fiscal year beginning July 1, 2019, for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 14: Transfer to General Stabilization Fund: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the General Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from General Fund Free Cash the sum of $208,000 (TWO HUNDRED EIGHT THOUSAND DOLLARS) for the purpose of increasing the General Stabilization Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 15: Establishment of School Department Stabilization Fund; Acceptance of fourth paragraph of M.G.L. c.40, §5B: To see if the Town will vote to:

1. Raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to establish a School Department Stabilization Fund, in accordance with Chapter 40, Section 5B of the *Massachusetts General Laws*, to be used, upon further appropriation and at the direction of the School Committee, for the purpose of paying School Department costs related, in whole or in significant part, as reasonably determined by the School Committee, to impacts on the Hopkinton Public Schools resulting from enrollment by residents of Legacy Farms;

2. Accept the fourth paragraph of Chapter 40, Section 5B, of the *Massachusetts General Laws*, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Chapter 40, Section 5B of the *Massachusetts General Laws*, to be effective for all fiscal years beginning on or after July 1, 2019;

3. Dedicate a percentage, not less than 25%, of all receipts from any private source, including any receipts accepted pursuant to the Legacy Farms Host Community Agreement that are based on increases in enrollment in the Hopkinton Public Schools by residents of Legacy Farms, to the School Department Stabilization Fund established under this article for all fiscal years beginning on or after July 1, 2019; and

4. Raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to be used to pay School Department costs related, in whole or in significant part, as reasonably determined by the School Committee, to impacts on the Hopkinton Public Schools resulting from enrollment by residents of Legacy Farms, said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
School Committee will make its recommends approval.
Appropriation Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to take the following actions:*

1. *Appropriate $500,000 (FIVE HUNDRED THOUSAND DOLLARS) from the Town's Receipts Reserved for Appropriation Account to establish a School Department Stabilization Fund, in accordance with Chapter 40, Section 5B of the Massachusetts General Laws, to be used, upon further appropriation and at the direction of the Hopkinton School Committee, for the purpose of paying School Department costs related, in whole or in significant part, as reasonably determined by the School Committee, to impacts on the Hopkinton Public Schools resulting from enrollment by residents of Legacy Farms;*

2. *Accept the fourth paragraph of Chapter 40, Section 5B, of the Massachusetts General Laws;*

3. *Dedicate 100 percent of all receipts from any private source, including any receipts accepted pursuant to the Legacy Farms Host Community Agreement that are based on increases in enrollment in the Hopkinton Public Schools by residents of Legacy Farms, to the School Department Stabilization Fund established under this article for all fiscal years beginning on or after July 1, 2019; and*

4. *Transfer $200,000 (TWO HUNDRED THOUSAND DOLLARS) from the School Department Stabilization Fund established under this article to be used to pay School Department costs related, in whole or in significant part, as reasonably determined by the School Committee, to impacts on the Hopkinton Public Schools resulting from enrollment by residents of Legacy Farms, said sum to be spent under the direction of the School Committee.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 16: Transfer to Other Post-Employment Benefits Liability Trust Fund: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the Other Post-Employment Benefits Liability Fund, to be used, upon further appropriation, for any lawful purpose

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to transfer from General Fund Free Cash the sum of $400,000 (FOUR HUNDRED THOUSAND DOLLARS) to be credited to the Other Post-Employment Benefits Liability Trust Fund.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 17: Pay-As-You-Go Capital Expenses: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to fund the following Pay-As-You-Go capital purchases and projects:

Item	Purchase or Product	To be spent under the direction of
A	Security Cameras - Library & Police Department	Town Manager
B	End User Hardware Replacement	Town Manager
C	Public Safety Facility/Fire Station Feasibility Study	Fire Chief, Police Chief, Town Manager
D	Replace Fire Chief Car	Fire Chief
E	Police Jail Cells Floor Repair	Town Manager
F	Town Hall Elevator Controls	Town Manager
G	Replace DPW Trucks	Town Manager
H	Wetlands Order of Conditions	School Superintendent
I	Roof Engineering	School Superintendent
J	Kitchen Equipment	School Superintendent
K	Data Center Replacement	School Superintendent
L	School Capacity Study	School Superintendent
M	District Wide Facility Improvements	School Superintendent
N	Boiler Replacement	School Superintendent
O	Special Education Van	School Superintendent
P	Replace Police Cruisers	Police Chief

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *Move that the Town transfer*

(1) $1,358,121.56 (ONE MILLION THREE HUNDRED FIFTY EIGHT THOUSAND ONE HUNDRED TWENTY ONE DOLLARS AND FIFTY SIX CENTS) from General Fund Free Cash;

(2) $6,312.44 (SIX THOUSAND THREE HUNDRED TWELVE DOLLARS AND FORTY FOUR CENTS) from the following unspent capital appropriations, which will thereby exhaust all of the available funds from the original appropriations:

Article	Town Meeting	Project	Amount
14	5/7/2018	F550 Dump Truck S30	$1,062.44
14	5/7/2018	F550 Dump Truck S13	$834.42
14	5/7/2018	Deputy Fire Chief Inspector Vehicle	$670.27
14	5/7/2018	Election Precinct Tabulator	$2,750.00
19	5/1/2017	Hopkins HVAC Assessment & Upgrades	$843.41
19	5/1/2017	Systemwide Security Upgrades	$134.15
13	5/2/2016	Fire Apparatus/Vehicles	$17.75

(3) $25,000 (TWENTY FIVE THOUSAND DOLLARS) from the unspent capital appropriation of Article 7, Upgrade to Roadway Light System to Energy Efficient LED Lighting, of the October 26, 2015 Special Town
Meeting, which will thereby leave a remaining balance of $20,598.29 (TWENTY THOUSAND FIVE HUNDRED NINTY EIGHT DOLLARS AND TWENTY NINE CENTS) unspent from the amount originally appropriated,

for a total of $1,389,434 (ONE MILLION THREE HUNDRED EIGHTY NINE THOUSAND FOUR HUNDRED THIRTY FOUR DOLLARS) for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth as follows:

Item	Purchase or Product	Department	Amount	To be spent under the direction of
A	Security Cameras - Library & Police	Technology Department	$43,830	Town Manager
B	End User Hardware Replacement	Technology Department	$43,750	Town Manager
C	Public Safety Facility/Fire Station Feasibility Study	Fire Department/Police Department	$75,000	Fire Chief, Police Chief, Town Manager
D	Replace Fire Chief Car	Fire Department	$53,050	Fire Chief
E	Police Jail Cells Floor Repair	Facilities Department	$45,970	Town Manager
F	Town Hall Elevator Controls	Facilities Department	$75,000	Town Manager
G	Replace DPW Trucks	Public Works Department	$142,000	Town Manager
H	Wetlands Order of Conditions	School Department	$40,000	School Superintendent
I	Roof Engineering	School Department	$100,000	School Superintendent
J	Kitchen Equipment	School Department	$24,200	School Superintendent
K	Data Center Replacement	School Department/Technology Department	$205,000	School Superintendent
L	School Capacity Study	School Department	$50,000	School Superintendent
M	District Wide Facility Improvements	School Department	$170,000	School Superintendent
N	Boiler Replacement	School Department	$160,000	School Superintendent
O	Special Education Van	School Department	$26,000	School Superintendent
P	Replace Police Cruisers	Police Department	$135,634	Police Chief

Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

ARTICLE 18: Purchase of Valve Maintenance Trailer System: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purchase of a Valve Maintenance Trailer System, accessories, and any other related costs; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $65,000 (SIXTY FIVE THOUSAND DOLLARS) from the Water Enterprise Retained Earnings for the purchase of a valve maintenance trailer system, including accessories and any other related costs, for the Department of Public Works; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 19: Purchase of Water Department Truck: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purchase of a Water Department truck, accessories and any other related costs; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $50,000 (FIFTY THOUSAND DOLLARS) from the Water Enterprise Retained Earnings for the purchase of a truck, including accessories and any other related costs, for the Department of Public Works; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

ARTICLE 20: Purchase of Bucket Truck: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purchase of a Bucket Truck, accessories, and any other related costs; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $100,000 (ONE HUNDRED THOUSAND DOLLARS) to be used for the purchase of a bucket truck, accessories and any other related costs for the Department of Public Works, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 21: Purchase of Multi-Purpose Municipal Tractor: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purchase of a DPW multi-purpose municipal tractor, accessories and any other related costs; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $177,000 (ONE HUNDRED SEVENTY SEVEN THOUSAND DOLLARS) to be used for the purchase of a multi-purpose municipal tractor, accessories and any other related costs for the Department of Public Works, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes,*

may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.

Passed by: Voice Vote, Clear 2/3 Declared by Moderator (05-06-2019)

ARTICLE 22: Sewer Comprehensive Wastewater Management Plan Update: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for planning and engineering designs and associated costs related to the Town's Comprehensive Wastewater Management Plan Update; said sums to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $170,000 (ONE HUNDRED SEVENTY THOUSAND DOLLARS) to be used for planning and engineering designs and associated costs related to the Town's Comprehensive Wastewater Management Plan Update, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) and Section 7(7) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that, while any bonds or notes issued in connection with such borrowing shall be general obligations of the Town, it is the intent of the Town that principal and interest payments on such bonds or notes be made from the Sewer Enterprise Fund; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 53: Colella Farm Road Sewer: To see if the Town will vote to install, including design, engineering and construction, a Public Sewer Line to connect Colella Farm Road to the existing town sewer system. The Sewer Enterprise Fund will issue a note and will be reimbursed through the betterments assessed to the residents who the town deems bettered by the project.

Pass any vote or take any action relative thereto.

Appropriation Committee made no recommendation.
Capital Improvements Committee recommends no action.

Motion (Maureen Belger, Colella Farm Road): *We move that the Town vote to take no action on Article 53.*

The motion was seconded.

Passed by: Voice Vote, Unanimous (05-06-2019)

ARTICLE 23: Sidewalk Master Plan Phase II: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the design, repair, maintenance, renovation, improvement, rehabilitation, construction and reconstruction of sidewalks along West Main Street, Wild Road, Hayden Rowe and Wood Street; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee)*: We move that the Town vote to appropriate $1,060,000 (ONE MILLION SIXTY THOUSAND DOLLARS) to be used for the design, repair, maintenance, renovation, improvement, rehabilitation, construction and reconstruction of sidewalks along West Main Street and Wood Street, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) and Section (7) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.*

Motion (Thomas Terry, Maple Street): *I move that we remove the proposed construction and appropriation for a sidewalk along West Main Street from the motion, so that the new motion will read as follows:*

"We move that the Town vote to appropriate $100,000 (ONE HUNDRED THOUSAND DOLLARS) to be used for the design, repair, maintenance, renovation, improvement, rehabilitation, construction and reconstruction of sidewalks along Wood Street, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) and Section (7) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.

Motion was seconded.

Motion (Samantha Dings, Whirty Circle): *I move that we end debate on this amendment to Article 23.*

Motion was seconded.

Passed by: Voice Vote, Unanimous (05-06-2019)

Amendment Failed by: Voice Vote, Clear Majority Declared (05-06-2019)

Mr. Terry requested that a standing count be conducted on the motion to amend.

Mr. Garebedian entertained the request and a standing vote was conducted on the amendment.

Amendment Fails By: Simple Majority, Yes: 104 – No: 127 (05-06-2019)

Motion (Michelle Murdock, School Street): *I move that we end debate on Article 23.*

Motion was seconded.

Main Motion Failed By: Not in Excess of 2/3, Yes: 124 – No: 103 (05-06-2019)

ARTICLE 24: School Bus Parking Lot: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise to provide a sum or sums of money to supplement a prior appropriation authorized under Article 21 of the 2018 Annual Town Meeting, for the construction of a school bus parking lot on Town-owned property at 90 Hayden Rowe (Assessors Map parcel U21 3 0); said sum to be spent under the direction of the School Committee.

Pass any vote or take an act relative thereto.

Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to appropriate $300,000 (THREE HUNDRED THOUSAND DOLLARS) to supplement a prior appropriation authorized under Article 21 of the 2018 Annual Town Meeting for the construction of a parking lot on Town-owned property at 90 Hayden Rowe (Assessors Map parcel U21 3 0) as set forth in Phase 1 of the Campus Master Plan Study, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7 (1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the School Committee.*

<u>Motion</u> (Darlene Hayes, Third Road): *I move that we end debate on Article 24.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority Declared (05-06-2019)

Main Motion Passed By: 2/3 Majority, Yes: 146 – No: 60 (05-06-2019)

11:11 P.M. Annual Town Meeting was adjourned to reconvene at 7:00 PM, Tuesday, May 7th, 2019 at the Middle School Auditorium.

7:05 P.M. Annual Town Meeting reconvened on Tuesday, May 7th, 2019 at the Middle School Auditorium. A quorum was determined to be present.

ARTICLE 25: Purchase of Ladder Truck: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a Ladder Truck, accessories and any other related costs; said sum to be spent under the direction of the Fire Chief.

Pass any vote or take an act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to appropriate $1,200,000 (ONE MILLION TWO HUNDRED THOUSAND DOLLARS) to be used for the purchase of a ladder truck, accessories and any other related costs for the Fire Department, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Fire Chief; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote.*

Passed By: 2/3 Majority, Yes: 256 – No: 11 (05-07-2019)

ARTICLE 26: Public Safety Software Upgrade: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for a public safety software upgrade; said sum to be spent under the direction of the Town Manager.

Pass any vote or take an act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to appropriate $375,000 (THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS) to be used for the replacement of the existing public safety incident and records management system and all associated conversion costs ; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(9) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.*

Passed by: Voice Vote, Unanimous (05-07-2019)

ARTICLE 27: Town Hall Basement Upgrade: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the design, repair, renovation, improvement and construction of the Town Hall Basement; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $200,000 (TWO HUNDRED THOUSAND DOLLARS) to be used for the design, repair, renovation, improvement and construction of the Town Hall Basement; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager.*

Failed by: Not in Excess of 2/3, Yes: 175 – No: 112 (05-07-2019)

ARTICLE 28: Security Cameras – School: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the design and installation of Security Cameras at the Schools; said sum to be spent under the direction of the School Superintendent.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate $200,000 (TWO HUNDRED THOUSAND DOLLARS) to be used for the installation and replacement of security cameras system and related equipment at*

the Schools; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(9) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the School Superintendent.

Passed by: Voice Vote, Unanimous (05-07-2019)

ARTICLE 29: Center School Renovation and Reuse Feasibility Study: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money to conduct a feasibility study on the reuse and renovation of the Center School, located at 11 Ash Street, Hopkinton, shown as Assessors Map parcel U17 42 0, and to perform necessary repairs on the Center School building; said sum to be spent under the direction of the Permanent Building Committee.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

Motion (Appropriation Committee): *We move that the Town vote to raise and appropriate $58,000 (FIFTY EIGHT THOUSAND DOLLARS) to conduct a feasibility study on the reuse and renovation of the Center School, located at 11 Ash Street, Hopkinton, shown as Assessors Map parcel U17 42 0, and to perform necessary repairs on the Center School building; said sum to be spent under the direction of the Permanent Building Committee.*

Passed by: Voice Vote, Clear Majority Declared (05-07-2019)

ARTICLE 30: Community Preservation Funds: To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues a sum or sums of money, in the amounts recommended by the Community Preservation Committee, for committee administrative expenses and other expenses in the fiscal year beginning July 1, 2019, with each item to be considered a separate appropriation.

Pass any vote or take an act relative thereto.

Board of Selectmen recommends approval.

Appropriation Committee recommends approval.

<u>Motion</u> (Appropriation Committee): *We move that the Town vote to reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for Committee sponsored projects and expenses in fiscal year 2020, with each item to be considered a separate reservation:*

From FY 2020 estimated revenues for Active/Passive Recreation	$115,799.00
From FY 2020 estimated revenues for Historic Resources Reserve	$115,799.00
From FY 2020 estimated revenues for Community Housing Reserve	$115,799.00
From FY 2020 estimated revenues for Open Space Reserve	$115,799.00
From FY 2020 estimated revenues for Budgeted Reserve	$694,794.00

Passed by: Voice Vote, Unanimous (05-07-2019)

ARTICLE 31: Community Preservation Recommendations: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Community Preservation budget for Fiscal Year 2020, and to appropriate from the Community Preservation Fund a sum of money, not to exceed 5% of the estimated annual revenues for Fiscal Year 2020, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2020; and, further, to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, and community housing purposes; and, further, to appropriate from the Community Preservation Fund, a sum or sums of money for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee:

A. $20,000 (TWENTY THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation of land records in the Town Hall basement, with the funds being expended based on the age of record, extent of damage, and importance of contents; said sum to be spent under the direction of the Hopkinton Town Clerk and the Community Preservation Committee.

B. $3,750 (THREE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS) from funds reserved for Historical Preservation for the preservation of historical photographs by digitizing the photograph and uploading them onto a publicly accessible website; said sum to be spent under the direction of the Hopkinton Historical Society and the Community Preservation Committee.

C. $10,000 (TEN THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation and rehabilitation of the most at-risk headstones at Mt. Auburn, East Hopkinton, Hayden Rowe, Bear Hill, and Evergreen cemeteries, as well as the Main Street cemetery and Valentine Tombs if funds allow; said sums to be spent under the direction of the Cemetery Commission and the Community Preservation Committee.

D. $20,000 (TWENTY THOUSAND DOLLARS) from Undesignated Funds for the design and engineering of a dog park at 66B Fruit Street, shown as Assessors Map parcel R6 8 0, and $115,799 (ONE HUNDRED FIFTEEN THOUSAND SEVEN HUNDRED NINTY NINE DOLLARS) from funds reserved for Passive/Active Recreation and $14,201 (FOURTEEN THOUSAND TWO HUNDRED ONE DOLLARS) from Undesignated Funds, for a total of $130,000 (ONE HUNDRED THIRTY THOUSAND DOLLARS), for the construction of the dog park, provided, however, that said $130,000 (ONE HUNDRED THIRTY THOUSAND DOLLARS) shall be contingent on the receipt of a $250,000 (TWO HUNDRED FIFTY THOUSAND DOLLARS) grant from the Stanton Foundation to the Parks and Recreation Department; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

E. $25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for the design and installation of a lacrosse wall at the Fruit Street fields located at 66B Fruit Street, shown as Assessors Map parcel R6 8 0; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

F. $25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for the engineering, materials, and installation of an irrigation system at the Pyne Field located at 66 Fruit Street, shown as Assessors Map parcel U3 13 0; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

G. $50,000 (FIFTY THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation to design a wetland crossing at 0 Wilson Street, shown as Assessors Map parcel R13 8 3, the purpose of which will allow the public to access other recreational lands; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

H. $260,000 (TWO HUNDRED SIXTY THOUSAND DOLLARS) from Undesignated Funds to replace all the existing equipment at the EMC Playground located at 113 Hayden Rowe, shown as Assessors Map parcel U22 19 A; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

Pass any vote or take any act relative thereto.

Appropriation Committee recommends approval.

Capital Improvements Committee recommends approval of items D, E, F, G and H.

<u>Motion</u> (Community Preservation Committee): *We move that the Town vote, pursuant to Chapter 44B of the Massachusetts General Laws, to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2018 Community Preservation budget, and to appropriate $543,750 (FIVE HUNDRED FORTY THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS) from Community Preservation Fund available funds for the following projects:*

A. $20,000 (TWENTY THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation of land records in the Town Hall basement, with the funds being expended based on the age of record, extent of damage, and importance of contents; said sum to be spent under the direction of the Hopkinton Town Clerk and the Community Preservation Committee.

B. $3,750 (THREE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS) from funds reserved for Historical Preservation for the preservation of historical photographs by digitizing the photograph and uploading them onto a publicly accessible website; said sum to be spent under the direction of the Hopkinton Historical Society and the Community Preservation Committee.

C. $10,000 (TEN THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation and rehabilitation of the most at-risk headstones at Mt. Auburn, East Hopkinton, Hayden Rowe, Bear Hill, and Evergreen cemeteries, as well as the Main Street cemetery and Valentine Tombs if funds allow; said sums to be spent under the direction of the Cemetery Commission and the Community Preservation Committee.

D. $20,000 (TWENTY THOUSAND DOLLARS) from Undesignated Funds for the design and engineering of a dog park at 66B Fruit Street, shown as Assessors Map parcel R6 8 0, and $115,799 (ONE HUNDRED FIFTEEN THOUSAND SEVEN HUNDRED NINTY NINE DOLLARS) from funds reserved for Passive/Active Recreation and $14,201 (FOURTEEN THOUSAND TWO HUNDRED ONE DOLLARS) from Undesignated Funds, for a total of $130,000 (ONE HUNDRED THIRTY THOUSAND DOLLARS), for the construction of the dog park, provided, however, that said $130,000 (ONE HUNDRED THIRTY THOUSAND DOLLARS) shall be contingent on the receipt of a $250,000 (TWO HUNDRED FIFTY THOUSAND DOLLARS) grant from the Stanton Foundation to the Parks and Recreation Department; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

E. $25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for

Passive/Active Recreation for the design and installation of a lacrosse wall at the Fruit Street fields located at 66B Fruit Street, shown as Assessors Map parcel R6 8 0; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

F. $25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for the engineering, materials, and installation of an irrigation system at the Pyne Field located at 66 Fruit Street, shown as Assessors Map parcel U3 13 0; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

G. $50,000 (FIFTY THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation to design a wetland crossing at 0 Wilson Street, shown as Assessors Map parcel R13 8 3, the purpose of which will allow the public to access other recreational lands; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

H. $260,000 (TWO HUNDRED SIXTY THOUSAND DOLLARS) from Undesignated Funds to replace all the existing equipment at the EMC Playground located at 113 Hayden Rowe, shown as Assessors Map parcel U22 19 A; said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

Motion (James Monaghan, West Main Street): *I move that we vote Item D under separate consideration.*

Motion was seconded.

Passed By: Simple Majority, Yes: 228 – No: 72 (05-07-2019)

Motion (Kenneth Parker, Clinton Street): *I move that we vote Item H under separate consideration.*

Motion was seconded.

Failed by: Simple Majority, Yes: 109 – No: 178 (05-07-2019)

Motion (Kenneth Weismantel, Ash Street): *I move that we end debate on Items A-C & E-H on Article 31.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority Declared (05-07-2019)

Items A-C & E-H Passed by: Voice Vote, Clear Majority Declared (05-07-2019)

Motion (John Coutinho, David Joseph Road): *I move that we end debate on Item D on Article 31.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority Declared (05-07-2019)

Item D Passed By: Simple Majority, Yes: 191 – No: 158 (05-07-2019)

ARTICLE 32: Car Wash Use: To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By deleting, from Article VIA, Downtown Business District, §210-20.3.A(4), in its entirety, and renumbering subsequent subsections of §210-20.3.A accordingly.

and

2. By amending Article VIII, Industrial A District, §210-35, Uses allowed by special permit, by inserting, after §210-35.A(7), in appropriate numerical order, the following

   ( ) Car wash facilities that, to the extent feasible, employ technologies that conserve water and electricity.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 32 of the Annual Town Meeting Warrant.*

Failed by: Not in Excess of 2/3, Yes: 226 – No: 117 (05-07-2019)

ARTICLE 33: Indoor Recreation Uses: To see if the Town will vote to amend Article VIII, Industrial A District, §210-35, Uses allowed by special permit, of the Zoning Bylaws by inserting, after §210-35.A(7), in appropriate numerical order, the following:

( ) Indoor recreation uses.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

<u>Motion</u> (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 33 of the Annual Town Meeting Warrant.*

Passed by: Voice Vote, Unanimous (05-07-2019)

ARTICLE 34: Self-Storage Facilities: To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By amending Article VIII, Industrial A District, §210-34, Uses permitted by right, of the Zoning Bylaws by inserting, after §210-34.A(12), in appropriate numerical order, the following:

   ( ) Self-storage facilities for residential and commercial customers.

2. By amending Article XVIII, Supplementary Regulations, Section 210-124, Off-street parking, by inserting, in appropriate alphabetical order, a new line in the table set forth in §210-124.B(1), as follows:

Type of Use	Number of Spaces
Self-Storage Facility	2 spaces per 10,000 square feet of gross floor area

Pass any vote or take any action thereto.

Planning Board recommends disapproval.

<u>Motion</u> (Paul Mastroianni, South Barn Road): *I move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 34 of the Annual Town Meeting Warrant.*

The motion was seconded.

<u>Motion to Amend</u> (Mark Hyman, Hidden Brick Road): *I move that we amend the motion to add this use under §210-35(A), "Uses allowed by special permit."*

The motion was seconded.

Amendment Failed by: Simple Majority, Yes: 145 – No: 190 (05-07-2019)

Main Motion Failed by: Voice Vote, Not in Excess of 2/3 Majority (05-07-2019)

ARTICLE 35: Associated Retail to Manufacturing Use: To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By amending Article VIII, Industrial A District, §210-35, Uses allowed by special permit, by inserting, after §210-35.A(7), in appropriate numerical order, the following:

   ( ) Retail stores associated with a manufacturing, assembly or processing plant located within the Industrial A District and that principally sell items manufactured, assembled, processed, or produced in the district. The area of such retail use shall not exceed 5,000 square feet.

2. By amending Article VIIIA, Industrial B District, §210-37.9, Uses allowed by special permit, by inserting, after §210-37.9.J, the following:

   K. Retail stores associated with a manufacturing, assembly or processing plant located within the Industrial B District and that principally sell items manufactured, assembled, processed, or produced in the district. The area of such retail use shall not exceed 5,000 square feet.

Pass any vote or take any action relative thereto.

Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 35 of the Annual Town Meeting Warrant.*

Passed by: 2/3 Majority, Yes: 305 – No: 8 (05-07-2019)

ARTICLE 36: OSMUD District – Residents of Age-Restricted Housing: To see if the Town will vote to amend the Zoning Bylaw as follows:

1. By deleting the first paragraph of Article XXVI, Section 210-166.A and inserting, in place thereof, a new first paragraph,

   Dwelling Uses within the OSMUD District shall be limited to 940 new Dwelling Units constructed after May 5, 2008, plus 180 Dwelling Units in Senior Housing Developments constructed after May 4, 2015, provided, however, that the owner or owners of any such additional Dwelling Unit in Senior Housing Developments shall require, through deed restrictions, condominium documents, leases, rental agreements or other appropriate instruments, the form and adequacy of which has been approved by the Planning Board, that at least one resident of every Dwelling Unit be 55 years of age or older. No more than 50 of the 1120 new Dwelling Units so constructed may be single-family dwellings, and the remainder shall be multi-family dwellings, including attached dwellings, garden apartments, units in mixed-use buildings and Senior Housing Developments.

   and

2. By inserting in Article XXVI, Section 210-175.C, after the words "2015 Annual Town Meeting," a semi-colon and the words "provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting", so that Section 210-175.C will read as follows (insertions bolded and underlined):

> All land within the OSMUD District shall be subject to the provisions of this Chapter as in effect on the effective date of the amendments added to this Chapter by the 2015 Annual Town Meeting**; provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting**.

Pass any vote or take any action relative thereto.

Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 36 of the Annual Town Meeting Warrant.*

Motion (Russell Shade, Summer Street): *I move that we end debate on Article 36.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority (05-07-2019)

Main Motion Failed by: Voice Vote, Not in Excess of 2/3 Majority (05-07-2019)

ARTICLE 37: OSMUD District – Affordable Housing: To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By deleting the last sentence of Article XXVI, Section 210-167.C, Affordable Housing, and inserting, in place thereof, the following:

> The additional Dwelling Units of Affordable Housing required under this section may be provided anywhere within the Town of Hopkinton. The location of Dwelling Units of Affordable Housing located outside the OSMUD District shall be approved by the Planning Board.
>
> An applicant may contribute funds to the Town of Hopkinton Affordable Housing Trust Fund to be used for the development or creation of Affordable Housing in lieu of constructing and offering some or all of the Dwelling Units required by Section 210-167.C. For each Affordable Unit not constructed or provided, the fee

shall be an amount equal to the purchase price of a three-bedroom home that is affordable to a qualified affordable housing unit purchaser, as contained in the Department of Housing and Community Development Local Initiative Program (LIP) guidelines regardless of what type of dwelling units are proposed, approved or constructed in the Development Project. Payments shall be made according to a schedule agreed upon by the Planning Board and the applicant.

2. By inserting in Section 210-175.C, after the words "2015 Annual Town Meeting," a semi-colon and the words "provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting", so that Section 210-175.C will read as follows (insertions bolded and underlined):

   All land within the OSMUD District shall be subject to the provisions of this Chapter as in effect on the effective date of the amendments added to this Chapter by the 2015 Annual Town Meeting**; provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting**.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 37 of the Annual Town Meeting Warrant.*

Passed by: Voice Vote, Unanimous (05-07-2019)

ARTICLE 38: OSMUD District – Restricted Land Definition: To see if the Town will vote to Amend Article XXVI of the Zoning Bylaws as follows:

1. By inserting in the definition of RESTRICTED LAND in Section 210-164, after the words "(5) land improved for other municipal", the words "or cultural" so that the definition will read as follows (insertions bolded and underlined):

   Land devoted to uses permitted by § 210-170A, which may include (1) open space land left substantially in its natural state; (2) open space land that is restored or landscaped, including irrigation, detention and/or retention ponds or stormwater catchment areas and subsurface utilities; (3) open space land used for agricultural purposes; (4) open space land improved for active and passive recreational uses, including pedestrian, bicycle and equestrian trails; (5) land improved for other municipal **or cultural** uses; (6) food preparation and sales areas, restrooms, parking and access areas, and similar uses, structures or portions thereof, operated in association with other Restricted Land uses; and (7) A total of no more than 30

acres of land, which may be restricted for the benefit of landowners within a particular area of the OSMUD District. Restricted Land shall not include land set aside for road and/or parking uses that are not accessory to other Restricted Land Uses.

2. By inserting in Section 210-170.A, after the words "underground utilities," the words "cultural uses," so that Section 210-170.A will read as follows (insertions bolded and underlined):

   Restricted Land may be used for active and passive recreation, conservation, forestry, agriculture, natural buffers, underground utilities, **cultural uses,** municipal purposes and other similar purposes necessary for the convenience and enjoyment of the OSMUD District or the Town, as well as other purposes customarily associated with a use authorized by this Subsection.

3. By inserting in Section 210-170.F, after the words "recreational facilities," the words "or cultural uses", so that Section 210-170.F will read as follows (insertions bolded and underlined):

   Restricted Land may be (i) owned by a Landowners' Association, (ii) owned by a non-profit entity, a principal purpose of which is land conservation or the provision of recreational facilities **or cultural uses**, (iii) conveyed to the Town, or (iv) owned by, made subject to easement rights benefiting, or leased to third parties. In all such cases the uses permitted by such deeds, easements or leases of required Restricted Land shall be consistent with the provisions of this §210-170, the Master Plan Special Permit and the applicable Restricted Land Covenant. A Landowners' Association or other party responsible for Restricted Land may adopt reasonable rules and regulations to govern the use of the Restricted Land under its control and to prevent encroachment thereon.

And

4. By inserting in Section 210-175.C, after the words "2015 Annual Town Meeting," a semi-colon and the words "provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting," so that Section 210-175.C will read as follows (insertions bolded and underlined):

   All land within the OSMUD District shall be subject to the provisions of this Chapter as in effect on the effective date of the amendments added to this Chapter by the 2015 Annual Town Meeting**; provided, however, that such land shall be subject to the provisions of this Article as in effect on the effective date of the amendments added to this Article by the 2019 Annual Town Meeting**.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

<u>Motion</u> (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 38 of the Annual Town Meeting Warrant.*

Passed by: 2/3 Majority, Yes: 222 – No: 2 (05-07-2019)

<u>Motion</u> (Connor Degan, Pleasant Street): *I move that the Town Meeting adjourn and reconvene at 88 Hayden Rowe at 7:00 PM on May 8, 2019.*

Motion was seconded.

Passed by: Voice Vote, Unanimous (05-07-2019)

11:01 P.M. Annual Town Meeting was adjourned to reconvene at 7:00 PM, Tuesday, May 8th, 2019 at the Middle School Auditorium.

7:06 P.M. Annual Town Meeting reconvened on Tuesday, May 8th, 2019 at the Middle School Auditorium. A quorum was determined to be present.

ARTICLE 39: Temporary Banners: To see if the Town will vote to amend Article XXVII, Signs, of the Zoning Bylaws, §210-179, Temporary signs, by deleting §210-179.C in in its entirety, and inserting, in place thereof, a new §210-179.C as follows:

> Temporary banners may be displayed over Route 85, Route 135 and West Main Street if authorized by the Board of Selectmen and subject to such limitations on time, placement and manner of display as it shall require. Such banners shall not be displayed for more than 14 days and may not exceed 180 square feet in area.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

<u>Motion</u> (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 39 of the Annual Town Meeting Warrant.*

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 40: Commercial Solar Photovoltaic Installation: To see if the Town will vote to amend Article XXXI, Commercial Solar Photovoltaic Installations, of the Zoning Bylaws, by

deleting the third and fourth sentences of in §210-202.E, Use Regulations, and inserting, in place thereof, new third and fourth sentences as follows:

> Whenever reasonable, structures shall be shielded from view by vegetation forming an effective year-round screen and/or joined and clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features, earthen berms and fencing may be utilized.

Pass any vote or take any act relative thereto.

Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 40 of the Annual Town Meeting Warrant.*
Motion to Amend (Mark Hyman, Hidden Brick Road): *I move that we amend the motion to read as follows:*

Whenever reasonable, structures shall be shielded from view from abutting properties and public ways by vegetation forming an effective year-round screen and/or joined and clustered to avoid adverse visual impacts on abutting properties and public ways. Methods such as the use of landscaping, natural features, earthen berms and fencing may be utilized.

Motion was seconded.

Amendment Passed by: Voice Vote, Clear Majority (05-08-2019)

Amended Motion Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 41: Subdivision, Garden Apartment & Village Housing Phasing – 3-year Moratorium: To see if the Town will vote to amend the Zoning Bylaws by inserting a new Article XXXVI, Subdivision, Garden Apartment & Village Housing Phasing, as follows:

ARTICLE XXXVI
Subdivision, Garden Apartment & Village Housing Phasing

§ 210-251. Intent and purpose.

The intent and purpose of this article are as follows:

A. To ensure that growth and development occur in accordance with the planning objectives of the town, in an orderly manner and at a rate that can be supported by Town services, without large year-to-year variations in rate;

B. To provide the Town with the opportunity to study the effect of growth on the infrastructure, finances, character and municipal services of the Town and to plan for such capital improvements as may become necessary;

C. To ensure that the pace of residential development is related to the town's ability to provide adequately for public safety, schools, roads, municipal infrastructure and human services at the quality which citizens expect, and which is within the town's ability to pay;

D. To preserve and enhance the existing character of the community and its property values; and

E. To allow departures from the strict application of the growth rate measures in this article when appropriate to encourage those types of residential growth which address the housing needs of specific population groups or which significantly reduce the residential density of the town.

§ 210-252. Applicability.

A. This article shall apply to dwelling units in all subdivisions, Garden Apartment developments and Village Housing developments approved by the Planning Board pursuant to the Subdivision Control Law, MGL c. 41, §§ 81K through 81GG, after the effective date of this article. It shall also apply to dwelling units on lots which obtain legal frontage on a street shown on an approved definitive subdivision plan approved after the effective date of this article. For the purposes of this article, subdivisions on adjoining properties held under common ownership at the time of the effective date of this article shall be considered a single subdivision.

B. The provisions of this article shall expire on July 1, 2022; however, Town Meeting may extend the provisions of this article for such additional term as it deems appropriate.

§ 210-253. Issuance of building permits.

A. No more than 10 building permits for the construction of new residential dwelling units which are situated within any subdivision, Garden Apartment development or Village Housing development as referred to above or which obtain their legal frontage on streets shown on any of the subdivision plans as defined above, shall be issued in any twelve-month period.

B. Lots fronting on a street shown on a subdivision plan, or dwelling units shown on a Garden Apartment development plan or dwelling units shown on Village Housing development plan approved after the effective date of this article, but not contained within the limits of the subdivision plan, or Garden Apartment development or Village Housing development, shall be included in the calculation of the total number of lots shown on the subdivision plan, or Garden Apartment development or Village Housing development, pursuant to which the street was created.

C. The Planning Board may authorize the issuance on one occasion only of up to two additional building permits for dwelling units during the last 12 months of construction of the subdivision road and infrastructure if, in the opinion of the Planning Board, the issuance of the permits would result in or facilitate the prompt completion of the subdivision.

§ 210-254. Exemptions.

The provisions of this article shall not apply to the following types of residential development and properties:

A. Applications for building permits for the enlargement, restoration, alteration or reconstruction of a dwelling.

B. Individual building lots not created by a definitive subdivision plan approved pursuant to MGL c. 41, § 81U.

C. Individual building lots created by a definitive subdivision plan approved by the Planning Board prior to the effective date of this article.

D. Dwelling units approved by the issuance of a comprehensive permit by the Board of Appeals pursuant to MGL. c. 40B.

§ 210-255. Zoning change protection.

The protection provided by MGL c. 40A, § 6, shall continue until that date which would be the earliest date that application could be made for a building permit for the final dwelling unit in the subdivision pursuant to this article.

Pass any vote or take any action thereto.

Planning Board recommends no action.

Motion (Amy Ritterbusch, Grove Street): I *move that the Town vote to take no action on Article 41.*

Motion was seconded.

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 42: One Year Growth Restriction: To see if the Town will vote to amend the Zoning Bylaws of the Town of Hopkinton by inserting a new **Article XXXVII, One-Year Growth Restriction**, as follows:

Article XXXVII One-Year Growth Restriction

210-256 Purpose
The purpose of this section is to implement a reasonable and temporary cap, until June 30, 2020, on construction of new dwelling units in the Town.

210-256.1 Background
The Town of Hopkinton is faced with sudden increased development activity and a rapid increase in school enrollment far greater than the enrollment projections provided to the Schools by the New England School Development Council last year. From 2010 to 2017 Hopkinton has grown in population by 20.8 percent. Although the building of a new elementary school was just completed in 2018, upon its opening last year all Hopkinton Public Schools buildings are now at or approaching their recommended capacity, and additional rapid growth is anticipated in the coming years due to the ongoing previously approved developments of large parcels of land, such as Legacy Farms (733 acres) and the former Terry Property (204 acres). The Town is currently in the process of undertaking a School Building Capacity Study and a Fire Station Feasibility Study. The town has identified that the Fire Department headquarters is approaching its design capacity and offers limited or no room for expansion. Requests for service from the Fire Department have been increasing, and response times have also been increasing, in the last three years as the town has grown. The purposes of this Section are: to promote orderly growth in the Town of Hopkinton; to phase growth so that it will not unduly strain the community's ability to provide basic education; public facilities and services; to provide the town, its boards and its agencies with information, time and capacity to incorporate community input into updated zoning regulations of the community; and to preserve and enhance existing community character and value of property.

210-256.2 Planning Method
To accomplish this, the town shall establish a Growth Study Committee (as had previously been done in 1995 during another period of rapid growth), comprised of community members and town officials appointed jointly by the Planning Board and Board of Selectmen [Select Board] no later than August 1, 2019. The purpose of the committee shall be to objectively research the impact of growth and identify a proactive approach to managing growth. The Committee which will gather feedback from the community in a variety of ways, including but not limited to conducting surveys, holding forums, and researching how other towns have managed rapid growth. The committee will analyze recent large developments (such as Legacy Farms and the Terry Property) and provide an analysis of whether or not there was an overall net positive financial impact. The committee will create a development schedule that will relate the timing of residential development to the Town's ability to provide services. The one-year slowing of new building permits proposed in this article will allow for effective review of municipal services impacts by development type. This Section shall remain in effect until June 30, 2020; at the 2020 Annual Town Meeting an updated growth bylaw proposal will be presented by the Growth Study Committee, which may possibly extend this Section as appropriate to allow further study, or shall allow this Section to expire. The proposal will use the data and research gathered by the committee to formulate specific text for inclusion the zoning bylaws.

210-257 Regulations 210-257.1 Scope
No building permit for a new Dwelling Unit shall be issued unless in accordance with the Regulations of Article XXXVII of this Bylaw. The provisions of this Section shall not apply to, nor limit in any way, the granting of building and occupancy permits required for enlargement, restoration, alteration or reconstruction of existing dwelling units including those dwelling units lost to natural disaster or fire.

210-257.2 Application
The Regulations of this section shall apply to all new dwelling units, including but not limited to dwelling units on lots shown on definitive subdivision plans, divisions of land not requiring subdivision approval such as approval-not-required (ANR) plans, and Special Permits which result in the creation of a new dwelling unit or units.

210-257.3 Issuance of Residential Building Permits
A. A town-wide total of not more than twelve (12) building permits for new dwelling units shall be authorized by the Town during the period that this Section is in effect.
B. General Applicants. Not more than two (2) dwelling units shall be authorized via a Building Permit(s) for any one applicant during the period that this Section is in effect.

Pass any vote or take any action relative thereto.

Planning Board recommends disapproval.

Motion (Amy Ritterbusch, Grove Street): *I move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 42 of the Annual Town Meeting Warrant.*

Motion was seconded.

Motion (Carol Devueve, Chamberlain Street): *I move that we end debate on Article 42.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority (05-08-2019)

Failed by: Voice Vote, Clear Majority (05-08-2019)

ARTICLE 43: Change "Board of Selectmen" to "Select Board" in Zoning Bylaw: To see if the Town will vote to amend the Zoning Bylaw of the Town of Hopkinton as follows:

1. By inserting in Article I of the Zoning Bylaw, §210-4, General Provisions, in appropriate alphabetical order, the following:

SELECT BOARD: The "Board of Selectmen" established by Section 3-1 of the Hopkinton Home Rule Charter.

2. By deleting the term "Board of Selectmen" from the following sections of the Zoning Bylaw and inserting, in place thereof, the term "Select Board":

    A. Article XII, Water Resources Protection Overlay District, §210-71.C(3);

    B. Article XVIII, Supplementary Regulations, §210-126.2.P(1);

    C. Article XXVI, Open Space Mixed Use Development Overlay District, §210170.D;

    D. Article XXVI, Open Space Mixed Use Development Overlay District, §210172.C(3);

    E. Article XXVII, Signs, §210-178.F; and

    F. Article XXVII, Signs, §210-179.C

3. By deleting the term "Selectmen" from the following sections of the Zoning Bylaw and inserting, in place thereof, the term "Select Board":

    A. Article I, General Provisions, §210-4 OFFICIAL ZONING MAP; and

    B. Article XXII, Board of Appeals, §210-146.C (2 occurrences)

and

4. By deleting all instances of the term "Board of Selectmen" and "Selectmen" from any amendment to the Zoning Bylaw approved at the Annual Town Meeting beginning May 6, 2019, and inserting, in place thereof, the term "Select Board".

Pass any vote or take any action relative thereto.

Planning Board recommends approval.

<u>Motion</u> (Amy Groves, College Street): *I move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 43 of the Annual Town Meeting Warrant.*

Motion was seconded.

<u>Motion</u> (Rebecca Ahern, Proctor Street): *I move that we end debate on Article 43.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority (05-08-2019)

Main Motion Passed by: 2/3 Majority, Yes: 258 – No: 53 (05-08-2019)

ARTICLE 44: Change "Board of Selectmen" to "Select Board" in General Bylaws: To see if the Town will vote to amend the General Bylaws of the Town of Hopkinton as follows:

1. By inserting new Article V, Definitions, into Chapter 1 of the General Bylaws as follows:

Article V
Definitions

<u>Select Board</u>: The term "Select Board" shall mean the "Board of Selectmen" established by Section 3-1 of the Hopkinton Home Rule Charter. The Select Board shall have all the powers and duties granted to Boards of Selectmen by the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be provided by the Charter, by these Bylaws, by the Zoning Bylaws or by Town Meeting vote.

2. By deleting the following instances of the term "Board of Selectmen" and inserting, in place thereof, the term "Select Board":

A. Chapter 1, Article II, §1-4. Penalties enumerated (6 instances);
B. Chapter 5, Article I, §5-5. Insertion of requests in Town Warrant; report by Committee;
C. Chapter 5, Article III, §5-11. Chairman;
D. Chapter 5, Article IV, §5-12. Appointment; purpose;
E. Chapter 5, Article IV, §5-13. Membership; terms; compensation;
F. Chapter 5, Article V, §5-19.A. Selection of members and term of service;
G. Chapter 5, Article V, §5-19.C. Selection of members and term of service;
H. Chapter 5, Article VI, §5-23. Establishment; membership; terms; vacancies; appointments (4 instances);
I. Chapter 5, Article VI, §5-26. Severability;
J. Chapter 5, Article VII, §5-27. Establishment; membership; terms; purpose (2 instances);
K. Chapter 5, Article VII, §5-28.A. Powers and Duties;
L. Chapter 13, Article VI, §13-12.C. Expenditure Limitations ;

M. Chapter 28, Article I, §28-4.A. Selectmen;
N. Chapter 28, Article I, §28-4.D Selectmen (4 instances);
O. Chapter 33, §33-3.A Personnel Board;
P. Chapter 33, §33-3.D Personnel Board;
Q. Chapter 33, §33-3.E Personnel Board;
R. Chapter 33, §33-3.H Personnel Board;
S. Chapter 47, Article I, §47-1. Posting of warrant;
T. Chapter 55, Article 1, §55-4.D(4) Control and curtailment of signals emitted by alarm users;
U. Chapter 55, Article 1, §55-6.F. False alarms (2 instances);
V. Chapter 55, Article 1, §55-7.C. Violations and penalties;
W. Chapter 55, Article II, §55-11. Appeal procedure;
X. Chapter 58, §58-1.C. Possession and Use of Alcoholic Beverages, Marijuana or Tetrahydrocannabinol (2 instances);
Y. Chapter 62, Article V, §62-7.G.B(1). Denials, Suspension or Revocation of Kennel License;
Z. Chapter 62, Article V, §62-7.G.B(2). Denials, Suspension or Revocation of Kennel License (6 instances);
AA. Chapter 62, Article VIII, §62-14. Administration;
BB. Chapter 62, Article VIII, §62-16.A. Complaints; investigations;
CC. Chapter 62, Article VIII, §62-16.B Complaints; investigations (2 instances);
DD. Chapter 62, Article VIII, §62-17.A. Violations and penalties;
EE. Chapter 62, Article VIII, §62-17.B. Violations and penalties (2 instances);
FF. Chapter 119, §119-8.B. Administration;
GG. Chapter 119, §119-8.D. Administration;
HH. Chapter 123, §123-4.A. Historic District Commission;
II. Chapter 123, §123-4.B. Historic District Commission;
JJ. Chapter 123, §123-4.C. Historic District Commission;
KK. Chapter 123, §123-4.F. Historic District Commission;
LL. Chapter 142, §142.3.A. Appeal (2 instances);
MM. Chapter 142, §142.3.C. Appeal;
NN. Chapter 160, §160-5.B. Procedures for obtaining permits;
OO. Chapter 163, Article II, §163-4. Assessments (2 instances);
PP. Chapter 163, Article II, §163-11.C(6). Sewer privilege fee;
QQ. Chapter 170, Table of Contents;
RR. Chapter 170, §170-1. Authority of Board of Selectmen (4 instances);
SS. Chapter 170, §170-2. Separation of recyclables required;
TT. Chapter 170, §170-3. Definitions;
UU. Chapter 170, §170-4. Changes to list of recyclables and disposal areas; notice to residents (4 instances);
VV. Chapter 171, §171-6.F. Enforcement, Criminal Penalty;
WW. Chapter 174. Table of Contents (3 instances);
XX. Chapter 174, Article I, §174-1. Presentation to Board of Selectmen (2 instances);
YY. Chapter 174, Article II, §174-2. Submission of names to Board of Selectmen (2 instances);

ZZ. Chapter 174, Article III, §174-3. Plan required; conditions for acceptance;
AAA. Chapter 174, Article IV, §174-4. Betterments assessments (3 instances);
BBB. Chapter 174, Article VI, §174-10. Authorization to make repairs;
CCC. Chapter 174, Article VI, §174-13. Abutters (4 instances);
DDD. Chapter 174, Article VI, §174-15. Approval and method of payment (7 instances);
EEE. Chapter 174, Article VI, §174-16. Board of Selectmen action (2 instances);
FFF. Chapter 174, Article VI, §174-17. Liability of town;
GGG. Chapter 174, Article VI, §174-18. Ways to be open to public use;
HHH. Chapter 174, Article VI, §174-22. Minor repairs;
III. Chapter 188, §188-3.A. Hearing; notice; conditions;
JJJ. Chapter 195, Article I, §195-5. Glossary of terms (2 instances);
KKK. Chapter 199, Article I, §199-1. Petition requirements;
LLL. Chapter 199, Article III, §199-12. Assessments (2 instances);
MMM. Chapter 199, Article III, §199-19.C(6). Water Privilege Fee; NNN. Chapter 206, §206-7. Coordination with Other Boards; and OOO. Chapter 206, §206-13.C. Enforcement.

3. By deleting the following instances of the term "Selectmen" or "Selectmen are" and inserting, in place thereof, the term "Select Board" or "Select Board is":

   A. Chapter 5, Article IV, §5-14, Filling of vacancies;
   B. Chapter 28, Table of Contents;
   C. Chapter 28, Article I, §28-1. Deadline for submission of reports;
   D. Chapter 28, Article I, §28-4. Selectmen;
   E. Chapter 28, Article I, §28-4.A. Selectmen;
   F. Chapter 28, Article I, §28-4.B. Selectmen;
   G. Chapter 28, Article I, §28-4.C. Selectmen;
   H. Chapter 47, Article 1, §47-2. Date and time of Annual Town Meeting and elections;
   I. Chapter 62, Article VIII, §62-17. Violations and penalties;
   J. Chapter 158, §158-2. Authority of Selectmen to sell certain real estate (3 instances); and
   K. Chapter 174, Article VI, §174-15. Approval and method of payment.

4. By deleting Section 28-4.D, Selectmen, in its entirety, and inserting, in place thereof, the following:

   The Select Board shall consist of five members, each of whom shall serve for a term of three years. The members of the Select Board in office as of the date of TOWN OF HOPKINTON GENERAL BYLAW adoption of this subsection shall remain in office until the expiration of the respective term of such member or until a vacancy occurs in such position for other cause. At the Annual Town Election to be held in May 2001, there shall be three persons elected at large by ballot to the Select Board by the voters of the town, with the candidate elected with the greatest number of

votes to serve for a term of three years, the candidate with the second greatest number of votes to serve for a term of three years, and the candidate with the third greatest number of votes to serve for a term of two years. At each Annual Town Election thereafter the number of members of the Select Board whose terms have expired shall be elected by ballot for a term of three years. After the election of the Select Board, if there is a failure to elect or a vacancy occurs in the office of a Select Board Member, the remaining Members may call a special election to fill the vacancy and shall call such election upon the request, in writing, of the number of registered voters of the town required by and in accordance with the procedure set forth in MGL c. 41 § 10

and

5. By deleting all instances of the term "Board of Selectmen" and "Selectmen" from any amendment to the General Bylaws approved at the Annual Town Meeting beginning May 6, 2019, and inserting, in place thereof, the term "Select Board".

Pass any vote or take any action relative thereto.

Motion (Amy Groves, College Street): *I move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 44 of the Annual Town Meeting Warrant.*

Motion was seconded.

Passed by: Voice Vote, Clear Majority (05-08-2019)

ARTICLE 45: Kennel Licensing Bylaw: To see if the Town will vote to delete Chapter 62, Kennel Licensing, it in its entirety, and inserting, in place thereof, the following:

Article V
Kennel Licensing

§ 62-7.A. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

HUMANE – Provision of proper food and water, shelter or protection from the weather, veterinary attention needed to reduce or end suffering from disease or injury, a sanitary environment, facilities which are of sufficient size and design as to allow the animal to stand, sit, lie down, turn around, and make other normal postural adjustments without obstruction, interference, or impediment by the presence of food, water bowls, equipment, or other animals, have an appropriate

ambient temperature, and the absence of inhumane treatment. Inhumane treatment shall include willfully permitting an animal to be subjected to unnecessary torture, suffering or cruelty, to subject, cause or procure an animal to be tortured or tormented, to be cruelly killed, beaten or mutilated, ineffective measures to prevent the infestation of animals and premises by parasites, insects or vermin, and to be subjected to cruel and inhumane chaining or tethering at any time, which shall include filthy and dirty confinement conditions including, but not limited to: 1) exposure to excessive animal waste, garbage, dirty water, noxious odors, dangerous objects that could injure or kill a dog upon contact or other circumstances that could cause harm to a dog's physical or emotional health, 2) taunting, prodding, hitting, harassing, threatening or otherwise harming a tethered or confined dog, and 3) subjecting a dog to dangerous conditions, including attacks by other animals.

INSPECTION AUTHORITY – The Chief of Police, the Animal Control Officer or the agent of any of these.

KENNEL – A pack or collection of dogs on a single premise, including a Commercial Boarding or Training Kennel, Commercial Breeder Kennel, Domestic Charitable Corporation Kennel, Veterinary Kennel, or Personal Kennel, as defined in Section 136A of Chapter 140 of the Massachusetts General Laws.

KENNEL LICENSE – An annual license permitting a kennel to operate within the Town, issued to a kennel that has demonstrated compliance with the requirements of this section.

LICENSE PERIOD – The time between April 1 and the following March 31, both dates inclusive.

SANITARY – Conditions which include the interior and exterior floors and all animal contact areas which are smooth, impervious to water and are cleaned and sanitized as often as necessary to maintain sanitary conditions and free of animal wastes, provided that outdoor areas may have a floor of animalappropriate gravel which is maintained and cleaned on a regular schedule consistent with the maintenance of sanitary conditions, and facilities which are maintained in good repair and kept clean at all times so as to protect animals from disease and injury.

§ 62-7.B General Requirements.

A. License. No person or entity shall operate a Kennel within the Town without first obtaining a Kennel License from the Town Clerk in accordance with the provision of this Chapter. The license shall reflect the maximum number of dogs to be permitted in the Kennel.

B. Expiration and Fee. The Town Clerk shall determine the amount of the nonrefundable fee for a Kennel License for each License Period; provided, however, that there shall be no fee for a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse or for the relief of suffering; and provided, further, to determine the amount of a license fee, a dog under the age of six (6) months shall not be counted in the number of dogs kept in a Kennel.

C. Inspection. The Town Clerk shall not issue or renew a Kennel License of any type until the Kennel has passed inspection by the Animal Control Officer or a designee thereof in accordance with Section 62-7.E.

D. Number of Permitted Dogs. The Animal Control Officer or agent shall place a cap on the number of dogs permitted in any Kennel, not to exceed the maximum number of dogs that the Kennel can store in a humane and sanitary manner and the number of dogs permitted in the kennel pursuant to any special permit issued pursuant to the Zoning Bylaw, whichever is less.

E. Tags. Tags shall be furnished to a licensee by the Town Clerk in the exact number of dogs specified by the Animal Control Officer and reflected on the license. Such tags shall bear the name of the Town, the license number, and year of issuance.

F. Animal Control Officer. The Animal Control Officer may designate an agent to whom the Animal Control Officer may delegate any of the responsibilities contained in this Bylaw.

§ 62-7.C. Application Process.

A. Form. Any person or entity seeking a Kennel License or renewal or reinstatement thereof shall complete and submit to the Town Clerk a Kennel License application, in a form prescribed by the Town Clerk.

B. Deadline. Applications for renewal shall be submitted by February 1 in order to ensure timely renewal.

C. Inspection. Upon receipt of a completed application, the Town Clerk shall notify the Animal Control Officer, who shall cause an inspection of the Applicant's Kennel to be conducted in accordance with Section 62-7.E. For renewal applications, the Animal Control Officer shall cause the inspection to be made prior to the expiration of the existing license, provided that the Applicant submitted a timely Application as provided in Subsection (B) above.

D. Qualifications. No person or entity shall be given a Kennel License or tag during a period of five (5) years from the date of being found guilty or penalized for a violation of any provision of Section 77, Section 80½, Section 94, or Section 95 of Chapter 272 of the Massachusetts General Laws. Any such license and tag so issued

shall be void and shall be surrendered to the Town Clerk. No fee received for a license or tag made shall be refundable.

E. Issuance. The Town Clerk shall review the complete Application and the Animal Control Officer's report. A Kennel License shall be issued if the Kennel has passed the inspection in accordance with Section 62-7.E.

§ 62-7.D. Kennel Operation.

A. Kennels must be operated and maintained in a sanitary and humane manner.

B. The following types of documentation shall be maintained at the Kennel and available for inspection:

(1) The name and address of the owner of each dog kept in the Kennel, other than dogs belonging to the person maintaining the Kennel;

(2) The name and address of persons who have purchased dogs from the Kennel;

(3) Staff training records and materials;

(4) All contracts for goods or services provided in connection with the Kennel's operation;

(5) Organizational policies relating to animal care, intake, veterinary treatment, adoption and euthanasia; and

(6) All records pertaining to prior kennel licenses including, but not limited to, copies of prior years' kennel licenses, inspection reports prepared by any Inspection Authority, and documentation of any suspensions and/or revocations of kennel licenses.

C. The holder of a Kennel License shall cause each dog kept in its Kennel to wear, while in the Kennel, a collar or harness of suitable material to which a tag shall be securely attached.

D. Each Kennel shall prominently display on an interior wall of the Kennel a copy of the Kennel License.

§ 62-7.E. Inspection.

A. The Inspection Authority may inspect any Kennel or its records at any time for compliance with the provisions of this Chapter and applicable statutes and to determine if a Kennel is being maintained in a sanitary and humane manner and if

records are properly kept, in accordance with applicable law. Such inspection shall include, at a minimum, an examination of the following:

(1) The records identified in Section 62-7.D.B.

(2) Inquiry with the Hopkinton Fire Department, Inspectional Services, Board of Health, and Police Department to ensure that any applicable requirements of those departments have been met; provided, however, that, in the discretion of the Inspection Authority, such inquiry may not be required for Personal Kennels.

(3) A review of the Kennel's prior kennel license(s), if any. If any prior kennel license has been suspended or revoked, the Inspection Authority shall review that suspension or revocation determination and require the applicant to provide evidence demonstrating that the reasons for the suspension or revocation have been adequately addressed.

B. A Kennel shall pass inspection only if the Inspection Authority determines that the kennel is being maintained in a sanitary and humane manner and its records are properly kept. If a Kennel has previously had its kennel license suspended or revoked, it shall not pass inspection unless the Inspection Authority makes a determination that the reasons for the suspension or revocation have been adequately addressed and that the proposed Kennel has been brought into compliance with the requirements of this Section and applicable state statutes.

§ 62-7.F. Surrender of License or Tag

A. Every license and tag held by any person found guilty of, or penalized in any manner for, a violation of any provision of Section 77, Section 80½, Section 94, or Section 95 of Chapter 272 of the Massachusetts General Laws shall be void, and shall forthwith be surrendered to the Town Clerk.

B. No fee received for a license and tag made void pursuant to this section shall be refunded to the holder.

§ 62-7.G. Denials, Suspension or Revocation of Kennel License

A. Denial. If the Town Clerk denies a Kennel License application or renewal application, the Applicant may request a reinspection of the Kennel after reasonably demonstrating to the Animal Control Officer that the proposed Kennel has been brought into compliance with the requirements of this Section and applicable state statutes. The Animal Control Officer shall then make a report to the Town Clerk, who shall, within a reasonable time, review the application in accordance with Section 627.C.

B. Suspension and Revocation.

(1) Inspection Authority. If the Inspecting Authority determines that a Kennel is not being maintained in a sanitary or humane manner or if records are not properly kept, the Board of Selectmen or Animal Control Officer may revoke or suspend the Kennel License. Depending on the severity of the offense, a license may be suspended or revoked on a first violation of applicable laws or this Bylaw.

(2) Citizen Initiation and Board of Selectmen Hearing.

a. Twenty-five (25) residents of the Town may file a petition for hearing with the Board of Selectmen stating the reasons that they believe that suspension or revocation of a Kennel's license is warranted.

b. Within seven (7) days of the filing of such petition, the Board of Selectmen shall give notice to all interested parties of a public hearing concerning the petition, to be commenced within fourteen (14) days after the date of such notice.

c. Prior to the close of the public hearing, the Board of Selectmen may cause the Inspecting Authority to inspection of the Kennel or its records by the Board's designee.

d. At the conclusion of the public hearing, the Board of Selectmen may suspend or revoke the Kennel License, or may take such other action to regulate the Kennel as it deems prudent, or may dismiss the petition. Depending on the severity of the offense, a license may be suspended or revoked regardless of whether there have been prior violations of applicable laws or this Bylaw.

e. The Board of Selectmen shall cause written notice of any order issued pursuant to this section to be provided immediately to the holder of the Kennel License and the Town Clerk.

(3) Reinstatement after Suspension. If a Kennel License is suspended, the Kennel License holder may apply for reinstatement after the close of the suspension period by requesting a reinspection of the Kennel or its records after reasonably demonstrating to the Animal Control Officer that the Kennel has been brought into compliance with this Section and all other applicable state and local requirements, and that the Kennel Licensee has satisfied the terms of the suspension order. The Animal Control Officer shall then make a report to the Town Clerk, who shall, within a reasonable time, review the application in accordance with Section 62-7.C.

(4) Reinstatement after Revocation. If the Kennel License is revoked, the owner may apply for a new Kennel License no sooner than three (3) years after the effective date of the revocation.

C. Reinspection. The Town Clerk may set fees for reinspections performed pursuant to this Section.

§ 62.7-H. Violations and penalties.

A. Any person or entity who holds a Kennel License and is determined to be in violation of this Section or any law or regulation pertaining to such license shall be subject to the following penalties:

First violation: $50
Second violation: $200
Third and subsequent violations: $300

Each day that such violation continues shall be deemed to be a separate violation and be subject to the above penalty. If the violation results from failure to comply with the limitation on the number of dogs permitted within the Kennel, the fine for such violation shall be $50 per dog beyond the permissible limit.

B. Any person or entity maintaining a Kennel after revocation or during suspension of a license shall be punished by a fine of $250.

C. In lieu of the penalties set forth in Subsection 62.7-H.A., violations of this Section may be addressed in accordance with the provisions of MGL c. 40, § 21D, and Ch. 1, Art. II, Noncriminal Disposition, of the General Bylaws of the Town of Hopkinton.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.

Motion (Board of Selectmen): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 45 of the Annual Town Meeting Warrant.*

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 46: 76 Main Street Historic District: To see if the Town will vote to amend Chapter 123, Historic District, of the General Bylaws, as follows:

1. By inserting a new §123-3.C as follows:

C. There is hereby established under the provisions of G.L. c. 40C, an Historic District to be known as the "76 Main Street Historic District", the location and boundaries of which are shown on a map entitled the "76 Main Street Historic District Map" and which is generally described as follows:

The parcel of land which is shown on Hopkinton Assessors Map U16 Block 75 Lot 0, and is which is bounded and described as follows: Southeasterly by Main Street, 139 feet; Southwesterly by land at 78 Main Street, 181.99 feet; Southeasterly by land at 78 Main Street, 12.17 feet; Southwesterly by land at 4 Summer Street and 8 Summer Street, 160 feet; Northwesterly by land at 102-104 Davis Road, 180.27 feet; and Northeasterly by land of the Town of Hopkinton on 3 courses, 65 feet, 65.88 feet, and 195.57 feet.

2. By renumbering existing §123-3.C to §123-3.D;

3. By inserting a comma after the words "Board of Selectmen" in the first sentence in §123-4.A, and thereafter the words "and whose authority shall extend over the Hopkinton Center Historic District and the 76 Main Street Historic District," so that the first sentence in §123-4.A will read as follows:

   There is hereby established under M.G.L. c.40C, with all the powers and duties of an historic district commission thereunder, the Hopkinton Historic District Commission, consisting of seven members appointed by the Board of Selectmen, and whose authority shall extend over the Hopkinton Center Historic District and the 76 Main Street Historic District.

And

4. By inserting a comma after the words "Board of Selectmen" in the first sentence in §1234.B, and thereafter the words ", and whose authority shall extend over the Woodville Historic District," so that the first sentence in §123-4.B will read as follows:

   There is hereby established under MGL c. 40C, with all the powers and duties of an Historic District Commission thereunder, the Woodville Historic District Commission, consisting of seven members appointed by the Board of Selectmen, and whose authority shall extend over the Woodville Historic District.

Pass any vote or take any action thereto.

<u>Motion</u> (Historical Commission): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 46 of the Annual Town Meeting Warrant.*

<u>Motion</u> (William Sibson, Constitution Court): *I move that we end debate on Article 46.*

Motion was seconded.

Passed by: Voice Vote, Unanimous (05-08-2019)

Main Motion Passed by: 2/3 Majority, Yes: 287 – No: 70 (05-08-2019)

ARTICLE 47: Historic Preservation Bylaw Amendment: To see if the Town will vote to amend Chapter 125, Historic Preservation, of the General Bylaws, as follows:

1. By deleting the word "six" from §125-3.A(7), and inserting, in place thereof, the numeral "18," so that §125-3.A(7) will read as follows:

   If the Commission determines the structure is worthy of classification as a preferably preserved significant structure, no further demolition permits may be applied for or issued with respect to such structure, for a period of 18 months from the date of such written determination.

2. By deleting the word "six" from §125-3.A(8), and inserting, in place thereof, the numeral "18," so that §125-3.A(8) will read as follows:

   During such 18-month period, the Commission will invite the applicant (and the owner of record, if different from the applicant) to participate in an investigation of alternatives to demolition. If acceptable alternatives are agreed upon by the Commission and the applicant, the Commission will file a copy of said agreement with the Building Inspector and Town Clerk and the applicant may apply for necessary permits to begin work. Work shall only be done in accordance with the terms of the agreement unless and until new permit applications are filed and processed hereunder.

3. By deleting the word "six" from §125-3.A(9), and inserting, in place thereof, the numeral "18," so that §125-3.A(9) will read as follows:

   If the Commission is satisfied that there is no feasible alternative to demolition, the Commission may so advise the applicant, the Building Inspector, and the Town Clerk in writing, at any time during this 18-month period, and the Building Inspector may issue a permit to demolish the structure in accordance with all applicable codes and regulations.

And

4. By inserting a new §125-6.C, as follows:

   C. Any amendment to this Chapter that extends a period of demolition delay shall apply to any demolition delay period pending at the time that the amendment takes effect pursuant to *M.G.L.* c.40, §32.

Pass any vote or take any action thereto

Motion (Historical Commission): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 47 of the Annual Town Meeting Warrant.*

Motion to Amend (Mark Hyman, Hidden Brick Road): *I move that we amend the motion on Article 47, item 4 as follows:*

4. By inserting a new §125-6.C, as follows:

> C. Any amendment to this Chapter that extends a period of demolition delay shall apply to any demolition delay period pending at the time that the amendment takes effect pursuant to M.G.L. c.40, §32, and the appeal period set forth in §125-5.D shall be deemed to have been tolled during the period prior to such effective date.

The motion was seconded.

Amendment Passed by: Voice Vote, Unanimous (05-08-2019)

Motion to Amend (Brian Brock, Wood Street): *I move that we amend the motion for Article 47 to change the proposed "18-month period" to a "12-month period."*

The motion was seconded.

Amendment Failed by: Simple Majority, Yes: 145 – No: 166 (05-08-2019)

Amended Motion Passed by: Voice Vote, Clear Majority (05-08-2019)

ARTICLE 48: Street Acceptances: To hear the report of the Board of Selectmen relative to the laying out and the widening and relocation of the following named streets under the provisions of Chapter 82 of the *Massachusetts General Laws*, and to see if the Town will vote to accept such streets as and for public ways and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any land or interest in land necessary for such laying out, and act on all manners relating thereto:

Hunters Ridge Way from South Mill Street to South Mill Street. Penny Meadow Lane from South Mill Street to Dead End.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Capital Improvements Committee recommends approval.
Planning Board recommends approval.

Motion (Planning Board): *We move that the Town vote to accept the report of the Board of Selectmen relative to the laying out and the widening and relocating of the named streets listed in Article 48 of the 2019 Annual Town Meeting Warrant and, pursuant to Chapter 82 of the Massachusetts General Laws, to accept such streets as and for public ways and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any land or interest in land necessary for the laying out of such streets as public ways.*

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 49: Fruit Street Lease: To see if the Town will amend the vote taken under Article 55 of the 2017 Annual Town Meeting warrant authorizing the Board of Selectmen to lease a portion of Parcel 8, as depicted on the Fruit Street Master Plan, dated March 24, 2015, and adopted by the Town under Article 56 of the 2015 Annual Town Meeting, for a term not to exceed 99 years, to a non-profit philanthropic organization for the benefit of Hopkinton youth and based in the Town of Hopkinton, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town, to the winner of a competitive bid selection process pursuant to Chapter 30B of the Massachusetts General Laws.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Capital Improvements Committee recommends approval.

Motion (Board of Selectmen): *We move that the Town vote to amend the vote taken under Article 55 of the 2017 Annual Town Meeting warrant authorizing the Board of Selectmen to lease a portion of Parcel 8, as depicted on the Fruit Street Master Plan, dated March 24, 2015, and adopted by the Town under Article 56 of the 2015 Annual Town Meeting, for a term not to exceed 99 years, to a non-profit philanthropic organization for the benefit of Hopkinton youth and based in the Town of Hopkinton, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town, to the winner of a competitive bid selection process pursuant to Chapter 30B of the Massachusetts General Laws*

Passed by: Voice Vote, Clear Majority (05-08-2019)

ARTICLE 50: Chamberlain Street Curve: To see if the Town will vote to authorize the Board of Selectmen to take the following actions:

1. To petition the General Court, on behalf of the Town, for passage of a special law substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF HOPKINTON TO REMOVE CERTAIN LAND
FROM A CONSERVATION RESTRICTION

SECTION 1. The town of Hopkinton may remove a portion of a certain parcel of land located off Hayden Rowe, Main Street and Chamberlain Street from the Conservation Restriction conveyed by the town to the Hopkinton Area Land Trust, Inc., effective as of January 6, 2004, and recorded at the Middlesex South District Registry of Deeds in book 41738, page 432. The portion of land to be removed from the Conservation Restriction contains approximately 1,400 square feet of land located along the south westerly sideline of Chamberlain Street and is shown as

"Proposed Right of Way Expansion Area = 1,400 SF" on a plan entitled "Definitive Subdivision Plan for Rec Hopkinton LLC", sheet title "Chamberlain Street Improvement Plan A, sheet number 45 of 52" dated June 13, 2018, prepared by Bohler Engineering.

SECTION 2. Notwithstanding the provisions of chapter 30B and chapter 40 of the General Laws as to the sale and purchase of land or any other general or special law to the contrary, the town of Hopkinton, as consideration for the conveyance authorized in section 1, shall either (a) amend the existing Conservation Restriction to include two new parcels of land, together containing approximately 5.7 acres total, more particularly described as (1) "Parcel B" on a plan entitled "Plan of Land in Hopkinton" dated May 19, 1920, prepared by R.E. Allen & Son, Engineers, filed in the Land Registration Office, a copy of a portion of which is filed in the Middlesex South Registry District of the Land Court in Registration Book 93, Page 225, with Certificate of Title 14624 (Plan No. 8367A); and (2) A parcel of land more particularly described in a deed from the New York, New Haven and Hartford Railroad Company to the Town of Hopkinton, which deed is recorded at the Middlesex South Registry of Deeds in Book 9151, Page 446, and depicted on a plan entitled "New York New Haven and Hartford Railroad Office of Engineer - Real Estate Surveys Land in Hopkinton, Mass to be Conveyed to Town of Hopkinton," dated September 1957 and recorded in the Middlesex South Registry of Deeds as Plan Number 603 of 1958, and which parcel is further depicted on a plan entitled "Sketch Plan of Land", prepared by J.D. Marquedant & Sons, Inc., dated April 23, 2019; or (b) convey a new conservation restriction to the Hopkinton Area Land Trust, Inc., for conservation and passive recreation purposes, over said parcels comprising 5.7 acres pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws.

SECTION 3. This act shall take effect upon its passage.

And

2. Provided that the special legislation is approved by the General Court and signed into law in a form consistent with the provisions of this Article, to remove the described 1,400 square feet of land from the Conservation Restriction described in Section 1 of the special law and place a Conservation Restriction over the land described in Section 2 of the special law.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Capital Improvements Committee recommends approval.

Motion (Board of Selectmen): *We move that the Town vote to authorize the Board of Selectmen to (1) petition the General Court, on behalf of the Town, for passage of a special law substantially as provided in Article 50 of the 2019 Annual Town Meeting Warrant; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; and (2) provided that the special legislation is approved by the General Court and signed into law, to remove the described 1,400 square feet of land from the Conservation Restriction described in Section 1 of the special law and place a Conservation Restriction over the land described in Section 2 of the special law.*

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 51: Municipal Parking: To see if the Town will vote to:

(1) acquire by gift, purchase, lease, eminent domain or otherwise, an interest in 6 Walcott Street (Assessors Map parcel U16 144 0) for the purpose of providing Town Hall parking on such terms as the Board of Selectmen shall deem to be in the best interests of the Town;

(2) acquire by gift, purchase, lease, eminent domain or otherwise, an interest or interests in land from the winner or winners of a competitive bid selected pursuant to *M.G.L.*
c.30B, for the purpose of providing municipal parking in the downtown area on such terms as the Board of Selectmen shall deem to be in the best interests of the Town; and

(3) raise and appropriate, borrow, transfer from available funds or otherwise provide a sum of money for the purpose of such acquisitions.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.

Appropriation Committee recommends approval.
Capital Improvements Committee recommends approval.

<u>Motion</u> (Board of Selectmen): *We move that the Town vote to:*

(1) *acquire by gift, purchase, lease, eminent domain or otherwise, a parcel of land located at 6 Walcott Street (Assessors Map parcel U16 144 0) for the purpose of providing Town Hall parking, on such terms as the Board of Selectmen shall deem to be in the best interests of the Town; and to appropriate a sum of $520,000 (FIVE HUNDRED TWENTY THOUSAND DOLLARS) to fund such acquisition, including legal, engineering, recording, and other related costs; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1)) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote;*

(2) *acquire by gift, purchase, lease, eminent domain or otherwise, a parcel of land consisting of 22,000 +/- square feet, consisting of portions of properties located at 25 Main Street (Assessors Map parcel U16 218 0), and 35 Main Street (Assessors Map parcel U16 219 0), for the purpose of providing municipal parking in the downtown area, on such terms as the Board of Selectmen shall deem to be in the best interests of the Town; and to appropriate a sum of $540,000 (FIVE HUNDRED FORTY THOUSAND DOLLARS) to fund such acquisition, including legal, engineering, recording, and other related costs; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1)) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to*

payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; and

(3) *acquire by gift, purchase, lease, eminent domain or otherwise, a parcel of land consisting of 34,518 +/- square feet, consisting of portions of properties located at 10 Walcott Street (Assessors Map parcel U16 143 0), 14 Main Street (Assessors Map parcel U16 151 0) and 0 Main Street (Assessors Map parcel U16 153 4), for the purpose of providing municipal parking in the downtown area, on such terms as the Board of Selectmen shall deem to be in the best interests of the Town; and to appropriate a sum of $1,560,000 (ONE MILLION FIVE HUNDRED SIXTY THOUSAND DOLLARS) to fund such acquisition, including legal, engineering, recording, and other related costs; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1)) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; said sum to be spent under the direction of the Town Manager; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote.*

<u>Motion</u> (George Joseph, Benson Road): *I move that items 1, 2, and 3 be voted on separately.*

The motion was seconded.

Motion Passed by: Voice Vote, Unanimous (05-08-2019)

Motion (Joseph Markey, Ash Street): *I move that we end debate on Item 1 of Article 51.*

Motion was seconded.

Motion Passed by: Voice Vote, Unanimous (05-08-2019)

Item 1 Passed by: 2/3 Majority, Yes: 206 – No: 32 (05-08-2019)

Item 2 Passed by: 2/3 Majority, Yes: 197 – No: 19 (05-08-2019)

Motion (Alton Chen, Nicholas Road): *I move that we end debate on Item 3 of Article 51.*

Motion was seconded.

Motion Passed by: Voice Vote, Clear Majority (05-08-2019)

Item 3 Failed by: No 2/3 Majority, Yes: 79 – No: 127 (05-08-2019)

ARTICLE 52: Easements – Main Street Corridor Re-Authorization: To see if the Town will vote to reauthorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in all or some of the parcels identified in Article 47 of the 2018 Annual Town Meeting for the purpose of establishing a secure permanent public right of way that will allow for construction and roadway safety improvements, including grading, foundation for a mast arm, traffic signals, driveway tie-ins, overhead wires, guy wires, fences and related facilities in connection with the Main Street Corridor Project.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.
Capital Improvements Committee recommends approval.

Motion (Board of Selectmen): *We move that the Town take no action on Article 52.*

Motion (Kenneth Weismantel, Ash Street): *I move that we end debate Article 52.*

Motion was seconded.

Motion Passed by: Voice Vote, Clear Majority (05-08-2019)

Main Motion Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 54: South Middlesex Regional Vocational School District Agreement: To see if the Town will vote to amend the agreement among the towns of Ashland, Holliston, Hopkinton, and Natick, and the City of Framingham, with respect to Establishment of a Regional Vocational School District to incorporate prior amendments to said agreement, to eliminate outdated provisions, to recognize Framingham's change from a town to a city form of government, and to bring said agreement into alignment with the District's existing practices.

Pass any vote or take any act relative thereto.

Board of Selectmen recommends approval.

Motion (Board of Selectmen): *We move that the Town vote to amend the agreement among the towns of Ashland, Holliston, Hopkinton, and Natick, and the City of Framingham, with respect to Establishment of a Regional Vocational School District to incorporate prior amendments to said agreement, to eliminate outdated provisions, to recognize Framingham's change from a town to a city form of government, and to bring said agreement into alignment with the District's existing practices.*

Passed by: Voice Vote, Unanimous (05-08-2019)

ARTICLE 55: Trustees of the School Fund in the Town of Hopkinton: To see if the Town will choose members to fill the vacancies now existing in the Board of Trustees of the School Fund in the Town of Hopkinton.

Pass any vote of take any action thereto.

Motion (Trustees of the School Fund): *We move that the following members be chosen to fill the vacancy now existing in the Board of Trustees of the School Fund.*

Julia Franks – 5 North Mill Street, Hopkinton

Carly Grant – 9 Greystone Land, Hopkinton

Kim Niemi – 18 Prestwick Drive, Hopkinton

Passed by: Voice Vote, Unanimous (05-08-2019)

Motion (Board of Selectmen): *We move that the Annual Town Meeting adjourn until the date of the Annual Town Election, May 20, 2019, held at the Hopkinton Middle School Gymnasium, and further that the Annual Town Meeting shall be dissolved upon the close of the polls on the date of the Annual Town Election.*

Passed by: Voice Vote, Unanimous (05-08-2019)

TOTAL OF ALL PRECINCTS			Bal lots		{ 2147 }				
OFFICE NAME									
SELECTMEN (2)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	82		98		88		63		331
BRENDAN T. TEDSTONE	264		348		279		207		1098
CLAIRE B. WRIGHT	245		288		232		168		933
MARY JO LaFRENIERE	272		298		236		184		990
SHAHIDUL HASAN MANNAN	279		243		219		190		931
Scattered	4		1		4		2		11
	1146		1276		1058		814		**4294**
TOWN MODERATOR (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	19		20		24		15		78
THOMAS J. GARABEDIAN	266		335		259		205		1065
ELLEN D. RUTTER	288		283		246		187		1004
Scattered	0		0		0		0		0
	573		638		529		407		**2147**
TOWN CLERK (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	87		101		81		67		336
CONNOR B. DEGAN	482		535		445		339		1801
Scattered	4		2		3		1		10
	573		638		529		407		**2147**
BOARD OF ASSESSORS (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	125		177		141		110		553

GUNAJIT MEDHI	442		457		383		296		1578
Scattered	6		4		5		1		16
	573		638		529		407		**2147**

BOARD OF HEALTH (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	122		165		134		106		527
RICHARD PETER JACOBS	451		473		391		301		1616
Scattered	0		0		4		0		4
	573		638		529		407		**2147**
BOARD OF LIBRARY TRUSTEES (2)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	312		411		303		244		1270
SUSAN E. PORTER	425		457		387		298		1567
JANICE LP BARRY	406		407		365		272		1450
Scattered	3		1		3		0		7
	1146		1276		1058		814		**4294**
CEMETERY COMMISSIONER (1)	**TOTALP1**		**TOTALP2**		**TOTALP3**		**TOTALP4**		**TOTAL BALLOT**
For Three Years									
Blanks	116		137		118		97		468
JOHN L. PALMER	457		501		408		309		1675
Scattered	0		0		3		1		4
	573		638		529		407		**2147**
COMMISSIONERS OF PARKS AND RECREATION (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	46		43		51		37		177
ROBERT EVANS DAVIS	147		162		121		90		520
PETER M. EDWARDS	138		205		129		108		580
CYNTHIA S. ESTHIMER	242		228		228		171		869
Scattered	0		0		0		1		1
	573		638		529		407		**2147**

COMMISSIONERS OF TRUST FUNDS (1)	TOTAL P1		TOTAL P2		TOTAL P3		TOTAL P4		TOTAL BALLOT
For Three Years									
Blanks	42		64		63		51		220
SUSAN M. KURYS	366		357		297		252		1272
GERALD E. TUITE	165		217		169		104		655
Scattered	0		0		0		0		0
	573		638		529		407		**2147**

CONSTABLE (1)	TOTALP1		TOTALP2		TOTALP3		TOTALP4		TOTAL BALLOT
For Three Years									
Blanks	138		185		129		112		564
MICHAEL A. HAYES	434		444		390		293		1561
Scattered	1		9		10		2		22
	573		638		529		407		**2147**
HOUSING AUTHORITY(1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Five Years									
Blanks	148		193		141		117		599
WARREN E. JOHNSON	425		444		383		289		1541
Scattered	0		1		5		1		7
	573		638		529		407		**2147**
PLANNING BOARD (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Five Years									
Blanks	140		171		126		112		549
GARY B. TRENDEL	430		464		398		295		1587
Scattered	3		3		5		0		11
	573		638		529		407		**2147**
PLANNING BOARD (1)	**TOTALP1**		**TOTALP2**		**TOTALP3**		**TOTALP4**		**TOTAL BALLOT**
For Two Years									
Blanks	126		153		122		88		489
ROBERT C. BENSON, JR.	268		261		240		207		976
MICHAEL J. McNAMARA	177		221		164		112		674
Scattered	2		3		3		0		8

	573		638		529		407		**2147**
PLANNING BOARD (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For One Year									
Blanks	139		182		135		109		565
PATRICK ATWELL	429		455		392		298		1574
Scattered	5		1		2		0		8
	573		638		529		407		**2147**

SCHOOL COMMITTEE (1)	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
For Three Years									
Blanks	120		167		133		99		519
NANCY M. RICHARDSCAVANAUGH	450		470		392		307		1619
Scattered	3		1		4		1		9
	573		638		529		407		**2147**
QUESTION # 1	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
Blanks	31		35		22		22		110
YES	368		432		357		252		1409
NO	174		171		150		133		628
	573		638		529		407		**2147**
QUESTION # 2	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
Blanks	16		20		18		18		72
YES	406		434		378		265		1483
NO	151		184		133		124		592
	573		638		529		407		**2147**
QUESTION # 3	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**
Blanks	16		16		17		16		65
YES	354		401		313		259		1327
NO	203		221		199		132		755
	573		638		529		407		**2147**
QUESTION # 4	**TOTAL P1**		**TOTAL P2**		**TOTAL P3**		**TOTAL P4**		**TOTAL BALLOT**

Blanks	16		19		21		13		69
YES	347		406		306		246		1305
NO	210		213		202		148		773
	573		638		529		407		**2147**

A True Copy Attest: _____

Connor B. Degan, Town Clerk