

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HOPKINTON**



**2025 ANNUAL TOWN MEETING
WARRANT ARTICLES AND MOTIONS**

**Monday, May 5, 2025
7:00 PM**

**Hopkinton Middle School Auditorium
88 Hayden Rowe**

(Voter Registration Deadline: April 25, 2025)

The Middle School is accessible. If accessibility accommodations/modifications are needed, please contact the Town Manager's office at 508-497-9701 or [complete this form](#) by April 29, 2025.

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REPORTS

ARTICLE: 1 Acceptance of Town Reports

Sponsor: Select Board

To hear the Reports of Town Officers, Boards, and Committees.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.

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

Vote Needed: Simple Majority.

FINANCIAL - FISCAL YEAR 2025

ARTICLE: 2 FY 2025 Supplemental Appropriations and Transfers

Sponsor: Select Board

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 on June 30, 2025.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends No Action.
Appropriation Committee recommends No Action.

Motion (Appropriation Committee): *We move that the Town take no action on this article.*

Vote Needed: Simple Majority

ARTICLE: 3 Unpaid Bills from Prior Fiscal Years

Sponsor: Town Manager

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 General Laws Chapter 44, § 64.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$22,133.08 (TWENTY-TWO THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS AND EIGHT CENTS) and from Sewer Enterprise Retained Earnings the sum of \$169,491.34 (ONE HUNDRED SIXTY-NINE THOUSAND FOUR HUNDRED NINETY-ONE DOLLARS AND THIRTY-FOUR CENTS) 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:*

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Police	Quench USA, Inc.	\$452.28
Facilities/Engineering	Able Septic Services	\$785.00
Facilities/Engineering	Scott's Landscaping, Inc.	\$455.00
Public Works	Susanne Odell Consulting	\$448.80
Town Clerk	Kofile Technologies, Inc.	\$19,992.00
Sewer	Bartlett & Brillon, LLC	\$1,978.57
Sewer	Town of Westborough, MA	\$167,512.77

Vote Needed: Four-Fifths Majority.

FINANCIAL - FISCAL YEAR 2026

ARTICLE: 4 Set the Salary of Elected Officials Sponsor: Select Board

To see if the Town will vote to fix the salary or compensation of all the elected officials of the Town in accordance with General Laws Chapter 41, § 108.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to fix the salary of the elected Town Clerk for the Fiscal Year beginning July 1, 2025, at \$88,887.00 (EIGHTY-EIGHT THOUSAND EIGHT HUNDRED EIGHTY-SEVEN DOLLARS).*

Vote Needed: Simple Majority

To hear and act on reports and recommendations of the Appropriation Committee and 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 operation and maintenance of Town Departments for the fiscal year beginning on July 1, 2025, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards, and Committees.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

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

- \$126,479,272 *to the General Fund; and*
- \$373,071 *to the Community Preservation Fund; and*
- \$2,551,252 *to the Sewer Enterprise Fund; and*
- \$2,634,420 *to the Water Enterprise Fund*

for a total of \$132,038,015 (ONE HUNDRED THIRTY TWO MILLION THIRTY EIGHT THOUSAND FIFTEEN DOLLARS) for the purposes itemized and described in the Fiscal Year 2026 Operating Budget of the Town, in the amounts set forth in the Appropriation Committee Report with Recommendations Approved April 16, 2025 the column titled "Appropriation Committee Recommendation" for the Fiscal Year beginning July 1, 2025, in the column titled "Appropriation Committee Recommendation", 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:

<i>Ambulance Receipts Reserved</i>	\$	550,000
<i>Title V</i>	\$	64,458
<i>Bond Premiums</i>	\$	28,955

<i>Transfers from available funds</i>	\$	643,413
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Local Receipts, Intergovernmental

<i>Revenue and Tax Levy</i>	\$	125,835,859
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GENERAL FUND	\$	126,479,272
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COMMUNITY PRESERVATION FUND

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

CPC Undesignated Fund Balance \$ 373,071

COMMUNITY PRESERVATION FUND \$ 373,071

SEWER ENTERPRISE FUND

FY2026 Sewer Enterprise Fund Revenue

SEWER ENTERPRISE SOURCES OF FUNDS \$ 2,181,905

Indirect Costs to be raised from the FY2026 Sewer Enterprise Fund revenues, appropriated in the General Fund \$ 369,347

SEWER ENTERPRISE BUDGET \$ 2,551,252

WATER ENTERPRISE FUND

FY2026 Water Enterprise Revenue

WATER ENTERPRISE SOURCES OF FUNDS \$ 2,158,890

Indirect costs to be raised from the FY2026 Water Enterprise Fund revenues, appropriated in the General Fund \$ 475,530

WATER ENTERPRISE BUDGET \$ 2,634,420

Vote Needed: Simple Majority

ARTICLE: 6	FY 2026 Revolving Funds Spending Limits	<i>Sponsor: Town Manager</i>
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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 the General Bylaws, Chapter 13, Article VI, pursuant to General Laws Chapter 44, § 53E½, for the fiscal year beginning on July 1, 2025.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board 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 pursuant to Section 53E½ of Chapter 44*

of the Massachusetts General Laws for the Fiscal Year beginning July 1, 2025, as follows:

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2026</u>
Building Department	\$900,000
Part-Time Wire Inspector	\$200,000
Part-Time Plumbing Inspector	\$200,000
Hazardous Materials	\$20,000
Conservation Commission	\$200,000
Library	\$10,000
Public Safety	\$5,000
Planning Board	\$100,000
Open Space Preservation Commission	\$10,000
Youth and Family Services Department	\$4,000
Zoning Board of Appeals	\$50,000
Department of Public Works (Expenses of operation of the Highway Division.)	\$8,000
Department of Public Works (Expenses of operation of Recycling Center)	\$15,000
Department of Public Works (To purchase Overflow Trash bags and to meet expenses of Waste Collection and Disposal)	\$15,000
Cemetery Commission	\$3,500
Cemetery Lot Fund	\$10,000
School Department 1:1 Laptop Initiative	\$475,000
Fingerprinting Fund	\$500
Senior Center Programs Fund	\$75,000
Police Department	\$15,500

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2026</u>
Parks and Recreation	\$170,000
Shared Housing Services Office	\$125,000
Health Department	\$200,000

Vote Needed: Simple Majority

ARTICLE: 7	PEG Access and Cable Related Funding	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to appropriate, transfer from available funds, or otherwise provide, a sum or sums of money from the PEG Access and Cable Related Fund Revolving Account, established pursuant to General Laws Chapter 44, §53F¾, and any other sources, to support public, educational, or governmental access cable television services.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer \$355,438 (THREE HUNDRED FIFTY-FIVE THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS) from the PEG Access and Cable Related Fund Revolving Account for the purposes specified in Article 7 of the Warrant.*

Vote Needed: Simple Majority

ARTICLE: 8	Chapter 90 Highway Funds	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to appropriate a sum or sums of money from the proceeds due to the Town pursuant to General Laws Chapter 90 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, all 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.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Capital Improvement Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$637,542.64 (SIX HUNDRED THIRTY SEVEN THOUSAND FIVE HUNDRED FORTY TWO DOLLARS AND SIXTY FOUR CENTS) 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.*

Vote Needed: Simple Majority

ARTICLE: 9	Transfer to Other Post-Employment Benefits Liability Trust Fund
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Sponsor: Town Manager

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 Trust Fund.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$875,012 (EIGHT HUNDRED SEVENTY-FIVE THOUSAND TWELVE DOLLARS) from Certified Free Cash to be credited to the Other Post-Employment Benefits Liability Trust Fund.*

Vote Needed: Simple Majority

ARTICLE: 10	Transfer to the General Stabilization Fund
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Sponsor: Town Manager

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.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$700,000 (SEVEN HUNDRED THOUSAND DOLLARS) for the purpose of increasing the General Stabilization Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Vote Needed: Simple Majority

ARTICLE: 11	Transfer to the Capital Expense Stabilization Fund
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Sponsor: Town Manager

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 Capital Expense Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$5,000,000 (FIVE MILLION DOLLARS) for the purpose of increasing the Capital Expense Stabilization Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Vote Needed: Simple Majority

ARTICLE: 12	Transfer to the School Special Education Reserve Fund
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Sponsor: Town Manager

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 School Special Education Reserve Fund, to be used, without further appropriation, for unanticipated or unbudgeted costs of special education and recovery high school programs, out-of-district tuition, or transportation.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate the sum of \$1,046,276 (ONE MILLION FORTY-SIX THOUSAND TWO HUNDRED SEVENTY-SIX DOLLARS) from Certified Free Cash for the purpose of increasing the*

School Special Education Reserve Fund, said sums to be used, upon further appropriation, for any lawful purpose

Vote Needed: Simple Majority

ARTICLE: 13 Home Rule Petition - Economic Development Special Revenue Account

Sponsor: Select Board

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, authorizing the establishment of a special revenue account for economic development into which local meals tax receipts will be deposited; provided, however, that the General Court may reasonably vary the form and substance of this requested legislation within the scope of the general public objectives of this petition:

AN ACT ESTABLISHING AN ECONOMIC DEVELOPMENT SPECIAL REVENUE ACCOUNT
FOR THE TOWN OF HOPKINTON

SECTION 1. (a) Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Hopkinton shall establish in the town treasury a special revenue account to be known as the Economic Development Special Revenue Fund, into which shall be deposited certain receipts comprised of the total local meals tax received annually by the town under subsections (b) and (c) of section 2 of chapter 64L of the General Laws. The funds shall be used to support economic development projects, activities, operations and administration in the town of Hopkinton, including those that stimulate economic growth, attract and retain businesses, and improve infrastructure.

(b) Notwithstanding any general or special law to the contrary, the amount of the local meals tax collected under said section 2 of said chapter 64L by the town for the fiscal year beginning July 1, 2026 and each fiscal year thereafter shall be credited to the Economic Development Special Revenue Fund and shall be subject to further appropriation by a majority vote of the town meeting.

(c) Notwithstanding any general or special law to the contrary, any interest accruing on any amount on deposit in the Economic Development Special Revenue Fund shall be credited to the general fund of the town of Hopkinton.

(d) Nothing in this act shall affect amounts distributed in any fiscal year to the town from the Local Aid Fund.

(e) If, by a majority vote of the town meeting pursuant to section 4B of chapter 4 of the General Laws, the town revokes its acceptance of the local meals tax collected under said section 2 of said chapter 64L, the town shall decide by a 2/3 vote of the town meeting whether the Economic Development Special Revenue Fund shall cease to have effect. If 2/3 of the town meeting votes

that the Economic Development Special Revenue Fund shall cease to have effect, all unexpended and uncommitted amounts on deposit in the Economic Development Special Revenue Fund as of the date of the vote to revoke the local meals tax shall be credited to the general fund of the town on the first day of the calendar quarter following 30 days after the date of the revocatory vote; provided, however, that if 2/3 of the town meeting does not vote that the Economic Development Special Revenue Fund shall cease to have effect, the Economic Development Special Revenue Fund shall continue to have effect and all unexpended and uncommitted amounts on deposit in the Economic Development Special Revenue Fund as of the date of the vote to revoke the local meals tax collected under said section 2 of said chapter 64L shall be subject to further appropriation by a majority vote of the town meeting.

(f) The town may vote to close the Economic Development Special Revenue Fund by a 2/3 vote of the town meeting. The vote to close the Economic Development Special Revenue Fund shall designate: (i) that the Economic Development Special Revenue Fund shall cease to have effect; (ii) that all unexpended and uncommitted amounts on deposit in the Economic Development Special Revenue Fund as of the date of the vote shall immediately be credited to the general fund of the town; and (iii) that the local meals tax that is received annually by the town under said section 2 of said chapter 64L and credited to the Economic Development Special Revenue Fund as set forth in subsections (b) and (c) shall be credited to the general fund of the town.

SECTION 2. The treasurer of the town of Hopkinton shall, until such time as the Economic Development Special Revenue Fund ceases to exist, provide an annual financial report to the town, which shall be publicly posted on or before October 1 of each year. The annual financial report shall specifically include: (i) fund revenues; (ii) fund receipts; (iii) the amount of grants made from the fund; (iv) the specific amounts of loans made by the fund and to whom such loans were made; and (v) the balance of money in the fund at the end of each fiscal year.

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

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for special legislation substantially as provided in Article 13 of the Annual Town Meeting Warrant; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.*

Vote Needed: Simple Majority

ARTICLE DESCRIPTION FROM THE SPONSOR: At the November 18, 2024 Special Town Meeting, Hopkinton adopted a local meals tax. At that time, it was noted that there would be an article on the Annual Town Meeting warrant to divert the meals tax revenue into a special account so that it could be used for economic development activities, programs, etc. This is that article. It requests approval from the Massachusetts Legislature to establish the new special revenue account. Once established, town meeting approval will be needed to appropriate the funds each year as part of the annual budget process.

CAPITAL EXPENSES AND PROJECTS

ARTICLE: 14 Pay-As-You-Go Capital Expenses

Sponsor: Town Manager

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

<u>Item</u>	<u>Purchase or Product</u>	<u>To be spent under the direction of</u>
1	Senior Center Kitchen Equipment	Town Manager
2	Multifunctional Printer	Town Manager
3	Police Department Vehicle Replacement – Three Cruisers	Town Manager
4	Public Safety Radio System Upgrade	Town Manager
5	Campus - Sewer Cover	School Superintendent
6	Store Front (Entry Doors, Middle School)	School Superintendent
7	Police Station Condensing Unit	Town Manager
8	Fire Station Bathrooms & Flooring Upgrade	Town Manager
9	Replace Dump Truck	Town Manager
10	Replace Trackless Tractor	Town Manager
11	Superduty Dump Truck (S-24) INT 7600 Replacement	Town Manager

<u>Item</u>	<u>Purchase or Product</u>	<u>To be spent under the direction of</u>
12	Textbook Licenses	School Superintendent
13	Sandy Beach Parking Lot, Camera & Emergency Call Box Relocation	Town Manager
14	Drainage Improvement - Claflin Place	Town Manager
15	Systemwide Technology Upgrades	School Superintendent
16	End User Computer Hardware Renewal	Town Manager
17	HVAC, Large Air Handling Units	School Superintendent
18	Mechanical Ventilators	Town Manager

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash \$6,218,224.81 (SIX MILLION TWO HUNDRED EIGHTEEN THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS AND EIGHTY ONE CENTS), from Ambulance Receipts Reserved \$38,925 (THIRTY EIGHT THOUSAND NINE HUNDRED TWENTY FIVE DOLLARS), and appropriate from previously approved but unexpended capital projects \$438,471.19 (FOUR HUNDRED THIRTY EIGHT THOUSAND FOUR HUNDRED SEVENTY ONE DOLLARS AND NINETEEN CENTS) as specified in the table below titled Re-Appropriation of Surplus Capital to supplement costs for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Amount</u>
1	Senior Center Kitchen Equipment	Senior Services	Town Manager	\$22,500

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Amount</u>
2	Multifunctional Printer	Information Technology	Town Manager	\$8,000
3	Police Department Vehicle Replacement – Three Cruisers	Police	Town Manager	\$230,338
4	Public Safety Radio System Upgrade	Communications	Town Manager	\$3,200,000
5	Campus - Sewer Cover	School	School Superintendent	\$60,000
6	Store Front (Entry Doors, Middle School)	School	School Superintendent	\$200,000
7	Police Station Condensing Unit	Facilities	Town Manager	\$200,000
8	Fire Station Bathrooms & Flooring Upgrade	Facilities	Town Manager	\$115,000
9	Replace Dump Truck	Public Works	Town Manager	\$411,000
10	Replace Trackless Tractor	Public Works	Town Manager	\$245,800
11	Superduty Dump Truck (S-24) INT 7600 Replacement	Public Works	Town Manager	\$125,000
12	Textbook Licenses	School	School Superintendent	\$200,000
13	Sandy Beach Parking Lot	Parks and Recreation	Town Manager	\$472,108
14	Drainage Improvement - Claflin Place	Public Works	Town Manager	\$275,000
15	Systemwide Technology Upgrades	School	School Superintendent	\$100,000

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Amount</u>
16	End User Computer Hardware Renewal	Information Technology	Town Manager	\$56,950
17	HVAC, Large Air Handling Units	School	School Superintendent	\$735,000
18	Mechanical Ventilators	Fire	Town Manager	\$38,925

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
05-06-2014	18	Fire Station Roof Repair	Free Cash	\$5,004.43	14
05-01-2023	14 Item F	Pickup W-Plow Replacement Vehicle	Free Cash	\$114.64	14
05-01-2023	14 Item L	Loader Replacement	Free Cash	\$3,796.56	14
05-01-2023	14 Item M	Backhoe Replacement	Free Cash	\$3,120.20	14
05-01-2017	19 Item B	Lake Maspenock Dam Repair	Free Cash	\$421.66	14
05-06-2019	29	Center School Feasibility Study	Free Cash	\$5.00	14
05-06-2019	17 Item A	Security Cameras	Free Cash	\$467.52	14
05-08-2021	16 Item L	Super Duty Truck Replacement	Free Cash	\$605.70	14
05-08-2021	16 Item M	Excavator and Trailer	Free Cash	\$700.00	14
05-06-2019	17 Item C	Public Safety/Fire Feasibility Study	Free Cash	\$53,900.00	14
05-08-2021	16 Item N	Center School Study	Free Cash	\$34,980.00	14

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
05-02-2022	19 Item F	TPG Video Conferencing	Free Cash	\$50.16	14
05-02-2022	19 Item G	Electronic Doc Management System	Free Cash	\$16.56	14
05-06-2002	25	DPW Building Architect & Engineering	Free Cash	\$5,256.88	14
05-02-2016	15	Sidewalk Master Plan	Free Cash	\$85,693.00	14
05-08-2012	26	ADAOC Phase VI	Free Cash	\$5,725.40	14
05-08-2021	16	District Planning Study	Free Cash	\$43,625.00	14
05-06-2019	17 Item N	School Boiler Replacement	Free Cash	\$0.34	14
05-07-2018	14 Item N	External Defibrillator	Free Cash	\$0.06	14
05-06-2019	17 Item I	Roof Engineering	Free Cash	\$5,085.60	14
05-08-2021	16 Item C	School Data Center & Firewall	Free Cash	\$826.47	14
05-06-2019	17 Item J	Kitchen Equipment	Free Cash	\$1,054.07	14
05-07-2018	14 Item K	Walk In Refrigerator	Free Cash	\$944.67	14
05-08-2021	16 Item B	Security Camera Update	Free Cash	\$5,368.81	14
05-06-2019	17 Item L	School Capacity Study	Free Cash	\$11,037.64	14
05-02-2016	24	Middle School Auditorium	Debt	\$208.68	7
10-26-2015	1	School Building Project	Debt	\$36,821.06	7
05-07-2018	22	Turf Field	Debt	\$19,922.42	7

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
12-09-2019	3	High School Expansion	Debt	\$583.52	7
05-08-2021	19	Hopkins & Middle School Roof	Debt	\$523.06	7
05-06-2014	15	Library Construction	Debt	\$19.87	7
05-05-2015	15	DPW Facility	Debt	\$12,851.06	7
05-06-2013	25	ADA Town/School	Debt	\$50,164.03	7
05-08-2021	20	Police Station Roof Replacement	Debt	\$1,710.59	7
05-06-2019	25	Ladder Truck	Debt	\$13,290.93	3
05-06-2019	51 Item A	Town Hall Parking	Debt	\$8,822.98	13
05-06-2019	51 Item B	Municipal Parking	Debt	\$25,752.62	13

Vote Needed: Simple Majority

ARTICLE DESCRIPTION FROM THE SPONSOR: The Town has surplus capital on our books that is "left over" from previous years. In an effort to clean up our accounts, close out old, completed projects and make use of the surplus, we would like to use the previously approved debt and appropriations for current projects. This reallocation of debt means the Town does not have to borrow for the capital projects or use as much free cash.

ARTICLE: 15 Rescind Authorized but Voided Capital Projects

Sponsor: Director of Public Works and Chief Financial Officer

To see if the Town will vote to rescind the following authorized capital projects voted at the May 6, 2024 Annual Town Meeting; said projects were not able to be undertaken due to insufficient funding:

<u>Article Number</u>	<u>Project</u>	<u>Funding Source</u>	<u>Amount</u>
23	Town-wide Water Main Flushing Program	Water Enterprise	\$100,000
25	Grove Street Tank Design	Water Enterprise	\$250,000
27	Water Department Vehicle Replacement (W1)	Water Enterprise	\$70,000
29	Water Department Vehicle Replacement (W3)	Water Enterprise	\$95,000

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to rescind the following authorized capital projects voted at the May 6, 2024 Annual Town Meeting; said projects were not able to be undertaken due to insufficient funding:*

<u>Article Number</u>	<u>Project</u>	<u>Funding Source</u>	<u>Amount</u>
23	<i>Town-wide Water Main Flushing Program</i>	<i>Water Enterprise Retained Earnings</i>	<i>\$100,000</i>
25	<i>Grove Street Tank Design</i>	<i>Water Enterprise Retained Earnings</i>	<i>\$250,000</i>
27	<i>Water Department Vehicle Replacement (W1)</i>	<i>Water Enterprise Retained Earnings</i>	<i>\$70,000</i>
29	<i>Water Department Vehicle Replacement (W3)</i>	<i>Water Enterprise Retained Earnings</i>	<i>\$95,000</i>

Vote Needed: Simple Majority

ARTICLE DESCRIPTION FROM THE SPONSOR: The Water Enterprise did not have enough Retained Earnings to fund the four capital projects approved at May 2024 Annual Town Meeting. Since there was not enough money to complete all four, all four requests became null and void. For transparency, we want to rescind the authorized

projects from Annual Town Meeting 2024 and present them again for Annual Town Meeting 2025 in articles 16, 17, 18, and 19.

ARTICLE: 16	Water Department Vehicle Replacement (W3)
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<i>Sponsor: Director of Public Works</i>

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the replacement of one utility pickup truck, accessories and including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): We move that the Town vote to appropriate \$95,000 (NINETY FIVE THOUSAND DOLLARS) from the Water Enterprise Fund Retained Earnings for the replacement of one utility pickup truck; said sum to be spent under the direction of the Town Manager, and, further, that the Town Manager shall, as she or he deems in the Town's best interests and in her or his discretion, endeavor to dispose of the vehicle to be replaced in a manner that offsets the replacement cost, in accordance with applicable law and policy.

Vote Needed: Simple Majority

ARTICLE: 17	Water Department Vehicle Replacement (W1)
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<i>Sponsor: Director of Public Works</i>

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the replacement of one utility pickup truck, accessories and including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$61,296.87 (SIXTY ONE THOUSAND TWO HUNDRED NINETY SIX DOLLARS AND EIGHTY SEVEN CENTS) from the Water Enterprise Fund Retained Earnings and*

\$8,703.13 (EIGHT THOUSAND SEVEN HUNDRED THREE DOLLARS AND THIRTEEN CENTS) from previously approved but unexpended capital funds from the following projects for the replacement of one utility pickup truck; said sum to be spent under the direction of the Town Manager, and, further, that the Town Manager shall, as she or he deems in the Town's best interests and in her or his discretion, endeavor to dispose of the vehicle to be replaced in a manner that offsets the replacement cost, in accordance with applicable law and policy:

Town Meeting Vote	Article #	Project	Funding Source	Surplus
May 6, 2019	18	Valve Maintenance Trailer System	Water Retained Earnings	\$20.54
May 7, 2018	19	Backhoe	Water Retained Earnings	\$4,802.00
May 5, 2015	18	Utility Vehicle	Water Retained Earnings	\$1,892.99
May 6, 2014	20	Vactor Truck	Water Retained Earnings	\$217.60
May 2, 2011	23	Service Truck	Water Retained Earnings	\$1,385.00
May 5, 2008	16	Dump Truck	Water Retained Earnings	\$385.00

Vote Needed: Simple Majority

ARTICLE: 18 Townwide Water Main Flushing Program

Sponsor: Director of Public Works

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for a townwide water main flushing program, including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$18,679.11 (EIGHTEEN THOUSAND SIX HUNDRED SEVENTY NINE DOLLARS AND ELEVEN CENTS) from the Water Enterprise Fund Retained Earnings and \$81,320.89 (EIGHTY ONE THOUSAND THREE HUNDRED TWENTY DOLLARS AND EIGHTY NINE CENTS) from previously approved but unexpended capital funds from the following projects for a townwide water main flushing program, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager:*

Town Meeting Vote	Article #	Project	Funding Source	Surplus
May 2, 2022	20	Water Tank Cleaning	Water Retained Earnings	\$17,707.40
May 8, 2021	23	Alprilla Farm Well Cleaning	Water Retained Earnings	\$27,756.00
May 8, 2021	24	Woody Island Water Main Replacement	Water Retained Earnings	\$31,823.77
May 5, 2015	21	Grove St Water Facility	Water Retained Earnings	\$2,833.03
May 3, 1993	37	Water Supply Analysis	Water Retained Earnings	\$1,089.75
May 3, 1993	39	W Main Tank Painting	Water Retained Earnings	\$110.94

Vote Needed: Simple Majority

ARTICLE: 19	Grove Street Water Tank Design	<i>Sponsor: Director of Public Works</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for design, engineering, environmental assessment and abatement, and permitting support of the Grove Street Water Tank, including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$250,000.00 (TWO HUNDRED FIFTY THOUSAND DOLLARS) from previously approved but unexpended capital funds from the following projects for design, engineering, environmental assessment and abatement, and permitting support of the Grove Street Water Tank, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager:*

Town Meeting Vote	Article #	Project	Funding Source	Surplus
May 7, 2018	17	Cedar St Water Main	Debt	\$87,642.11
May 1, 2017	23	Fruit St Blending Facility	Debt	\$159,405.24
May 6, 2013	32	Grove St Tank Inspection	Debt	\$2,952.65

Vote Needed: Simple Majority

**ARTICLE: 20 Water Department Vehicle Replacement
(W9)**

*Sponsor: Director of Public
Works*

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the replacement of one utility pickup truck, accessories, and including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$160,412.30 (ONE HUNDRED SIXTY THOUSAND FOUR HUNDRED TWELVE DOLLARS AND THIRTY CENTS) from Certified Free Cash which is to be repaid by the Water Enterprise Fund to the General Fund within a period of two fiscal years and \$29,587.70 (TWENTY NINE THOUSAND FIVE HUNDRED EIGHTY SEVEN DOLLARS AND SEVENTY CENTS) from previously approved but unexpended capital funds from the following project for the replacement of one utility pickup truck, accessories, and including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager:*

<i>Town Meeting Vote</i>	<i>Article #</i>	<i>Project</i>	<i>Funding Source</i>	<i>Surplus</i>
<i>May 2, 2016</i>	<i>23</i>	<i>Biological Filtration</i>	<i>Debt</i>	<i>\$19,111.97</i>
<i>May 7, 2018</i>	<i>17</i>	<i>Cedar St Water Main</i>	<i>Debt</i>	<i>\$10,475.73</i>

Vote Needed: Simple Majority

**ARTICLE: 21 Supplemental Appropriation for MWRA
Connection Design Work**

*Sponsor: Director of Public
Works*

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for a design study, engineering, permitting, and construction, and all other associated costs and expenses related thereto regarding the Town's connection to the MWRA water supply; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Capital Improvements Committee recommends
Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$375,000.00 (THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS) from Certified Free Cash which is to be repaid by the Water Enterprise Fund to General Fund within a period of two fiscal years for design, engineering, environmental assessment and abatement, and permitting support of the MWRA connection, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Simple Majority

ARTICLE: 22	Fruit Street Wastewater Treatment Facility (WWTF) - Screen System Replacement	<i>Sponsor: Director of Public Works</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the replacement of the wastewater treatment facility screen system and including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$465,000 (FOUR HUNDRED SIXTY FIVE THOUSAND DOLLARS) from the Sewer Enterprise Fund Retained Earnings for the replacement of the wastewater treatment facility screen system and including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager*

Vote Needed: Simple Majority

ARTICLE: 23	Sewer Main Replacement Design	<i>Sponsor: Director of Public Works</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for design, engineering, permitting support, and easements for sewer main replacement in the

vicinity of Wood Street, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$350,000 (THREE HUNDRED FIFTY THOUSAND DOLLARS) from the Sewer Enterprise Fund Retained Earnings for design, engineering, permitting support, easements for sewer main replacement in the vicinity of Wood Street and including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Simple Majority

ARTICLE: 24	Adaptive Playground at the Marathon Elementary School
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Sponsor: School Committee

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the design, engineering, and construction of an Adaptive Playground at the Marathon Elementary School, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Disapproval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$943,000 (NINE HUNDRED FORTY THREE THOUSAND DOLLARS) from Certified Free Cash for the design, engineering, and construction of an Adaptive Playground at the Marathon Elementary School, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the School Committee.*

Vote Needed: Simple Majority

COMMUNITY PRESERVATION FUNDS

ARTICLE: 25 Community Preservation Funds

*Sponsor: Community
Preservation Committee*

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 and not to exceed 5% of the estimated annual revenues for Fiscal Year 2026, for committee administrative expenses and other expenses in the fiscal year beginning on July 1, 2025, with each item to be considered a separate appropriation.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Community Preservation Committee recommends Approval.

Motion (Community Preservation 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 the Fiscal Year 2026, with each item to be considered a separate reservation:*

*From the Fiscal Year 2026 estimated revenues for the Recreation Reserve
\$193,580 (ONE HUNDRED NINETY THREE THOUSAND FIVE HUNDRED
EIGHTY DOLLARS)*

*From the Fiscal Year 2026 estimated revenues for the Historic Resources Reserve
\$193,580 (ONE HUNDRED NINETY THREE THOUSAND FIVE HUNDRED
EIGHTY DOLLARS)*

*From the Fiscal Year 2026 estimated revenues for the Community Housing Reserve
\$193,580 (ONE HUNDRED NINETY THREE THOUSAND FIVE HUNDRED
EIGHTY DOLLARS)*

*From the Fiscal Year 2026 estimated revenues for the Open Space Reserve
\$193,580 (ONE HUNDRED NINETY THREE THOUSAND FIVE HUNDRED
EIGHTY DOLLARS)*

From the Fiscal Year 2026 estimated revenues for the Budgeted Reserve

\$1,064,690 (ONE MILLION SIXTY-FOUR THOUSAND SIX HUNDRED NINETY DOLLARS)

Vote Needed: Simple Majority

ARTICLE: 26 Community Preservation Recommendations

<i>Sponsor: Community Preservation Committee</i>

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 2026; and further, to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, community housing, recreation and budgeted reserve purposes; and, further to appropriate from the Community Preservation Fund, a sum or sums of money or borrow pursuant to Chapter 44B, Section 11 of the Massachusetts General Laws, or any other enabling authority, for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee, and to authorize the School Committee, Parks and Recreation Commission, Permanent Building Committee, Department of Public Works, Historical Society, Hopkinton Public Library, Hopkinton Area Land Trust, Town Manager's Office to enter into all agreements and execute any and all instruments necessary to acquire, convey or accept, as the case may be, appropriate historic preservation for historic resources and conservation restrictions for open space, in accordance with General Laws chapter 184, to comply with the requirements of General Laws chapter 44B, §12 for the same:

- A. A sum or sums of money from funds reserved for Recreation Reserve for the construction of an adaptive playground located at 129 Hayden Rowe, Marathon Elementary School, with the following conditions: 1. The School Committee receives approval for funding the remaining cost of the project from the FY26 Annual Town Meeting and any debt exclusion ballot if required. 2. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 3. That the Playground will be available to the community except for the hours that school is in session. 4. Grant to be spent under the direction of the School Committee and the Community Preservation Committee. 5. That a grant agreement is accepted by the applicant (School Committee) and a project budget is submitted to the Community Preservation Committee prior to expenditure of awarded funds. 6. The scope shall not include any artificial turf procurement or installation.
- B. A sum or sums of money from funds reserved for Recreation Reserve for the installation of three water refill stations located at: 0 Town Common (Town Common), 4 Lakeshore Drive (Sandy Beach), and 29 Pratt Way (Fruit Street Dog Park) with the following conditions. 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Parks and Recreation) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.

- C. A sum or sums of money from funds reserved for Recreation Reserve for a feasibility study for a splash pad, the location for which will be analyzed as part of said study, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Parks and Recreation) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- D. A sum or sums of money from funds reserved for Historical Preservation Reserve for the restoration of the Mount Auburn Cemetery circa 1899 building, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by Community Preservation Committee. 2. A Historical Preservation Restriction be placed on the property following preservation. 3. The grant to be spent under the direction of the Department of Public Works and the Community Preservation Commission. 4. That a grant agreement is accepted by the applicant (Department of Public Works) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- E. A sum or sums of money from funds reserved for Historical Preservation Reserve for phase two of the restoration of the Historical Society Building, located at 168 Hayden Rowe, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Historical Society and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Historical Society) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds. 4. That a Historic Preservation Restriction be placed on the building.
- F. A sum or sums of money from funds reserved for Historical Preservation Reserve for the restoration of the floor in the Library's Ellsworth Conference Room, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of Hopkinton Public Library and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Hopkinton Public Library) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- G. A sum or sums of money from funds reserved for Open Space Reserve for a conservation restriction, stewardship and baseline documents for the Colella Farm Property (0 Hayden Rowe, Assessors Map U24-4-0) with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of Hopkinton Area Land Trust and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Hopkinton Area Land Trust) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds. 4. The Select Board is authorized to sign the Conservation Restriction.

- H. A sum or sums of money from funds reimbursed from state grant account #2601222-579900-ELMFM to fund the land purchase, legal fees and surveying costs of 89 Saddle Hill Road, parcel R12-10-0, Casucci Property, with the following conditions: 1. That the grant expires on July 1, 2026 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager's office and the Community Preservation Committee. 3. Grant includes all legal, administrative and survey cost for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be constructed. 5. Land will be held by the Open Space Preservation Commission.
- I. A sum or sums of money from funds reserved for Historical Preservation Reserve for engineering plans, construction bid documents, and any necessary building stabilization repairs for the Center School, located at 11 Ash Street, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Permanent Building Committee and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Permanent Building Committee) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds. 4. That a public-private partnership is established by the end of this phase that brings non-town taxpayer funds for construction. 5. That the Permanent Building Committee is authorized to apply for grants and non-town taxpayer funding for the project.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends Approval.
Community Preservation Committee recommends Approval.

Motion #1 – Non-Land Purchase Articles: (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 2026 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:

- A. \$300,000 (THREE HUNDRED THOUSAND DOLLARS) from funds reserved for Recreation Reserve for the construction of an adaptive playground located at 129 Hayden Rowe, Marathon Elementary School, with the following conditions: 1. The School Committee receives approval for funding the remaining cost of the project from the FY26 Annual Town Meeting and any debt exclusion ballot if required. 2. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 3. That the Playground will be available to the community

except for the hours that school is in session. 4. Grant to be spent under the direction of the School Committee and the Community Preservation Committee. 5. That a grant agreement is accepted by the applicant (School Committee) and a project budget is submitted to the Community Preservation Committee prior to expenditure of awarded funds. 6. The scope shall not include any artificial turf procurement or installation.

- B. \$24,300 (TWENTY-FOUR THOUSAND THREE HUNDRED DOLLARS) from funds reserved for Recreation Reserve for the installation of three water refill stations located at: 0 Town Common (Town Common), 4 Lakeshore Drive (Sandy Beach) and 29 Pratt Way (Fruit Street Dog Park) with the following conditions. 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Parks and Recreation) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- C. \$10,000 (TEN THOUSAND DOLLARS) from funds reserved for Recreation Reserve for a feasibility study for a splash pad, the location for which will be analyzed as part of said study, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Parks and Recreation) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- D. \$132,960 (ONE HUNDRED THIRTY-TWO THOUSAND NINE HUNDRED SIXTY DOLLARS) from funds reserved for Historical Preservation Reserve for the restoration of the Mount Auburn Cemetery circa 1899 building, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by Community Preservation Committee. 2. A Historical Preservation Restriction be placed on the property following preservation. 3. The grant to be spent under the direction of the Department of Public Works and the Community Preservation Commission. 4. That a grant agreement is accepted by the applicant (Department of Public Works) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- E. \$100,000 (ONE HUNDRED THOUSAND DOLLARS) from funds reserved for Historical Preservation Reserve for phase two of the restoration of the Historical Society Building, located at 168 Hayden Rowe, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Historical Society and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Historical Society) and a project budget is submitted to the Community

Preservation Committee prior to the expenditure of awarded funds. 4. That a Historic Preservation Restriction be placed on the building.

- F. \$7,612 (SEVEN THOUSAND SIX HUNDRED TWELVE DOLLARS) from funds reserved for Historical Preservation Reserve for the restoration of the floor in the Library's Ellsworth Conference Room, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of Hopkinton Public Library and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Hopkinton Public Library) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.
- G. \$8,000 (EIGHT THOUSAND DOLLARS) from funds reserved for Open Space Reserve for a conservation restriction, stewardship and baseline documents for the Colella Farm Property (0 Hayden Rowe, Assessors Map U24-4-0) with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of Hopkinton Area Land Trust and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Hopkinton Area Land Trust) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds. 4. The Select Board is authorized to sign the Conservation Restriction.

Vote Needed: Simple Majority

Motion #2 – Land Purchase Articles: (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 2026 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:*

- H. \$35,500 (THIRTY-FIVE THOUSAND FIVE HUNDRED DOLLARS) from funds reimbursed from state grant account #2601222-579900-ELMFM to fund the land purchase, legal fees and surveying costs of a portion of 89 Saddle Hill Road, parcel R12-10-0, Casucci Property, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager's office and the Community Preservation Committee. 3. Grant includes all legal, administrative and survey cost for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be constructed. 5. Land will be held by the Open Space Preservation Commission.

Vote Needed: Simple Majority

Motion #3 – Preservation of Center School: (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 2026 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:

- I. \$600,000 (SIX HUNDRED THOUSAND DOLLARS) from funds reserved for Historical Preservation Reserve for engineering plans, construction bid documents and make any necessary building stabilization repairs for the Center School, located at 11 Ash Street, as the Historical Commission has deemed it to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the direction of the Permanent Building Committee and the Community Preservation Committee. 3. That a grant agreement is accepted by the applicant (Permanent Building Committee) and a project budget is submitted to the Community Preservation Committee prior to the expenditure of awarded funds. 4. That a public-private partnership is established by the end of this phase that brings non-town taxpayer funds for construction. 5. That the Permanent Building Committee is authorized to apply for grants and non-town taxpayer funding for the project

Vote Needed: Simple Majority

ZONING BYLAW AMENDMENTS

**ARTICLE: 27 Amend Zoning Bylaw Definition of
“Veterinary Clinic”**

Sponsor: Planning Board

To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article I, Section 210-4, definition of “Veterinary Clinic” as follows:

VETERINARY CLINIC -- An establishment to provide medical care to animals of all types housed in a facility separate and apart from all other uses on that site. There shall be no outdoor facilities to house or exercise animals. **A veterinary clinic may provide for on-site cremation or aquamation services for the disposal of animal remains, provided that the crematorium and/or aquamation processes shall emit no odors or visible emissions and that all activity relating to the deceased shall be screened from public view to the maximum extent possible, including delivery and storage of the remains.**

Pass any vote or take any act relative thereto.

Required Recommendations: 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 27 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority

ARTICLE: 28	Amend Zoning Bylaw - Housekeeping - Amend Reference	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article XVIII, Section 210-126.2.H “Documentation” as follows:

- H. Documentation. The Board of Appeals must determine that the construction and occupancy of each duplex unit shall meet the requirements of ~~§ 210-152~~ **§ 210-223** of this chapter.

Pass any vote or take any act relative thereto.

Required Recommendations: 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 28 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority

ARTICLE: 29	Amend Zoning Bylaw for “Accessory Dwelling Units”	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article XVIII, Section 210-126, “Accessory Dwelling Unit” as follows:

A. The intent and the purpose of this section is to permit accessory dwelling units (**ADUs**) in single-family residential districts subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal living quarters.

B. Definition. Accessory dwelling unit shall mean a “self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same lot as the principal dwelling.”

C. Applicability. ADUs shall be allowed as a by-right use in all single-family residential zoning districts, in conformance with the restrictions as contained within this Section and this Chapter, where applicable. The ADU may be attached to the principal dwelling

unit or contained within a separate structure on the same lot as the principal dwelling unit.

~~B. Restrictions. A special permit may be granted by the Board of Appeals for the conversion of an existing or new single-family dwelling to accommodate an additional living unit by the installation of a common wall or the partitioning of or extension of existing living space.~~

~~C. Use limitations. Such additional living unit shall at the discretion of the Board of Appeals accommodate up to a maximum of three persons, provided that the owner of record of the structure is a resident of the structure which includes the accessory dwelling unit. There shall be no other living unit on the lot upon which such accessory unit is to be located.~~

D. Setbacks and Dimensional Standards. ADUs shall conform to all size and setback requirements of the single-family residence zoning district in which the ADU is to be located.

~~E. Disposal of sewage. Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of such **ADU** accessory unit in accordance with the requirements of the Board of Health. Such determination shall be made prior to the application for a special permit, and **such** evidence of same shall be included with **said** such application.~~

~~F. Ingress, egress, access. Adequate provision, as determined by the Director of Municipal Inspections, shall be provided for separate ingress and egress to the outside of each unit. To the extent possible, exterior passageways and accessways shall not detract from the single-family appearance of the dwelling. All stairways to additional stories shall be enclosed within the exterior walls of the structure.~~

~~F. Documentation. The Board of Appeals must determine that such conversion, new construction and occupancy of each unit shall meet the requirements of § 210-152 of this Chapter.~~

~~G. Area limitation. Such **ADU** accessory unit shall be limited to a maximum **size of 50% of the gross floor area of the principal dwelling unit or 900 square feet, whichever is smaller** of 800 square feet in floor area.~~

~~H. Plans. Floor plans of the accessory unit and principal residence and a certified site plan showing the dwelling unit on the lot and its relationship to other structures and premises within 200 feet of the lot shall be filed with the application for a special permit.~~

H. Parking. Not more than one off-street parking space shall be required for use of the person or persons residing in the ADU. No off-street parking space shall be required for ADUs located within 0.5 miles of a commuter rail station. Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as is consistent with the character of the neighborhood, as determined by the Board of Appeals, which shall seek advice from the Director of Municipal Inspections.

~~I. Special permit. No building permit shall be issued in accordance with the special permit issued under this section until the special permit has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the Director of Municipal~~

~~Inspections.~~ **A special permit shall be required for the use of land or structures in a single-family residential zoning district for more than one ADU on a lot.**

- a. **A special permit shall not be required for the use of land or structures for one ADU on the lot.**
- b. **No building permit shall be issued in accordance with the special permit issued under this section, if applicable, until the special permit has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the Director of Municipal Inspections. No building permit shall be issued in accordance with the special permit issued under this section, if applicable, until the special permit has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the Director of Municipal Inspections.**
- c. **Floor plans of the ADU and principal dwelling unit and a certified site plan showing the dwelling units on the lot and their relationship to other structures and premises within 200 feet of the lot shall be filed with the application for a special permit.**
- d. **Where a special permit is required, the Board of Appeals must determine that such conversion, new construction and occupancy of each unit shall meet the requirements of § 210-223 of this Chapter.**

J. Occupancy permit; control. No occupancy of the additional dwelling unit shall take place without an occupancy permit issued by the Director of Municipal Inspections. **Where an ADU is allowed by special permit,** ~~the~~ the initial occupancy permit shall remain in force for a period of two years from the date of issue, provided that ownership of the premises is not changed. Thereafter, permits may be issued by the Director of Municipal Inspections for succeeding two-year periods, provided that the structure and use continue to comply with the relevant provisions of the State Building Code, this Chapter and the special permit. Occupancy permits shall not be transferable upon change in ownership or change in occupancy. In such an event, an affidavit shall be presented to the Director of Municipal Inspections attesting to the fact that the circumstances under which an occupancy permit was granted will in the future continue to exist. The owner of record is responsible for initiating each application to the Director of Municipal Inspections. Appropriate fees, as established and recorded, may be assessed for each such renewal review, investigation and processing. All documentation presented hereunder must be in form and content satisfactory to the Director of Municipal Inspections.

~~L. Definition. Accessory dwelling unit shall mean a dwelling unit contained within or being an extension of a single family structure to accommodate a caregiver or service provider or an additional family only if a member of the additional family is related to the owner of the premises.~~

Pass any vote or take any act relative thereto.

Required Recommendations: 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 29 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE DESCRIPTION FROM SPONSOR: The Commonwealth recently enacted a law that allows ADUs by right in all residential districts across Massachusetts. This law supersedes local zoning where there are conflicts. This proposed amendment to Section 210-126 of the Zoning Bylaw reflects these recently enacted changes while maintaining existing provisions of this Section that do not conflict with the Commonwealth's law.

ARTICLE: 30	Amend Zoning Bylaw for Floodplain District
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Sponsor: Planning Board

To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article X as follows:

ARTICLE X
Floodplain District

§ 210-49. Purpose.

The purposes of the Floodplain District are to **ensure public safety by reducing the threats to life and personal injury; eliminate new hazards to emergency response officials; prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding; avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; eliminate costs associated with the response and cleanup of flooding conditions; and to reduce damage to public and private property resulting from flooding waters.** ~~protect public health, safety and general welfare; to protect human life and property from the hazards of periodic flooding; to preserve natural flood control characteristics and the flood storage capacity of the floodplain; and to preserve and maintain the groundwater table and water recharge areas within the floodplain.~~

§ 210-50. District delineation.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within Hopkinton designated as Zone A, AE, AH, AO, A99, V, or VE on the Middlesex County Flood Insurance Rate Map (FIRM) dated July 8, 2025 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The exact boundaries of the District shall

be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 8, 2025.

~~The Floodplain District is hereby established as an overlay district to all other Zoning Districts. The Floodplain District includes all special flood hazard areas within the Town of Hopkinton designated as Zone A or AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Hopkinton are panel numbers 25017C0489F, 25017C0493F, 25017C0494F, 25017C0513F, 25017C0602F, 25017C0605F, 25017C0606F, 25017C0610F, 25017C0626F, 25017C0627F, and 25017C0628F dated July 7, 2014; and 25017C0620E and 25017C0629E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and may be further defined by the July 8, 2025 Middlesex County Flood Insurance Study (FIS) report. The FIRM and FIS report are incorporated herein by reference and shall be kept on file with the Town Clerk, the Planning Board, the Conservation Commission and the Director of Municipal Inspections.~~

§ 210-51.1. Floodplain Administrator.

The Town of Hopkinton hereby designates the position of Conservation Administrator to be the official floodplain administrator for the Town.

§ 210-51. Definitions

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

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

FLOOD BOUNDARY AND FLOODWAY MAP. An official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM). An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE. Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior;
or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement.

RECREATIONAL VEHICLE. A vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30.

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180

days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. For floodplain management purposes, a structure is a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

VARIANCE. A grant of relief by a community from the terms of a flood plain management regulation.

VIOLATION. The failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 of the FEMA Code of Federal Regulations (CFR) is presumed to be in violation until such time as that documentation is provided.

§ 210-5452. Use regulations.

Where there is a conflict between provisions of this article and other Zoning Bylaws, the more restrictive regulation shall be deemed to be applicable. All development in the Floodplain District, including structural and nonstructural activities, whether permitted by right or by Special Permit, shall be in compliance with those provisions of the Massachusetts State Building Code that address construction in floodplains and floodways; as well as regulations of the Department of Environmental Protection codified at 310 CMR 13.00, Inland Wetlands Restrictions, 310 CMR 10.00, Wetlands Protection, and 310 CMR 15.00, Minimum Requirements for the Subsurface

Disposal of Sanitary Sewage (Title 5), as such provisions and regulation may be amended from time to time.

§ 210-5253. Permitted uses.

The following uses, which create a minimal risk of damage due to flooding and will not constitute obstructions to flood flow, shall be allowed by right in the Floodplain District if they are permitted in the underlying district and do not require structures, fill or storage of materials or equipment:

- A. Agricultural use.
- B. Forestry and nursery use.
- C. Outdoor recreational use, including fishing, boating, and play area.
- D. Conservation of water, plants, and wildlife.
- E. Wildlife management area, foot, bicycle, and horse paths.
- F. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- G. Buildings lawfully existing prior to the adoption of these provisions.

§ 210-5354. Special Permits.

- A. In the Floodplain District, ~~except as authorized by a Special Permit granted by the Board of Appeals,~~ **no construction or development may occur within the Floodplain District, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving, and any other development that might increase flooding or adversely impact flood risks to other properties, except as authorized by a Special Permit granted by the Board of Appeals.** ~~no building or structure shall be erected, constructed or moved; no building or structure shall be enlarged by more than 30% of its ground floor area; and no dumping, filling or earth removal or transfer shall be permitted.~~
- B. Within 10 days of receipt of an application for a Special Permit pursuant to this section, the Board of Appeals shall transmit one copy of the development plan to the Conservation Commission, the Planning Board, the Board of Health and the Director of Municipal Inspections. Final action shall not be taken until reports have been received from these officials or until 35 days after transmittal of the development plan pursuant to this section, whichever occurs first.

C. The Board of Appeals may issue a Special Permit pursuant to this section in accordance with the following provisions:

- (1) The proposed use shall comply in all respects with all requirements applicable in the underlying Zoning District.
- (2) All encroachments into the floodway, including fill, new construction, substantial improvement to existing structures and other development, shall be prohibited unless the applicant provides certification by a registered professional engineer demonstrating, **through hydrologic and hydraulic analyses performed in accordance with standard engineering practice**, that the encroachment will not result in any increase in flood levels during the occurrence of the **base flood discharge**~~100-year flood~~. For watercourses that have not had a regulatory floodway designated, the Board of Appeals shall use the best available Federal, State, local or other floodway data to prohibit encroachments into floodways that would result in any increase in flood levels within the community during the occurrence of a base flood discharge.
- (3) **In areas that have land either partially or wholly located within Zone A, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.**
- (4) In granting a Special Permit pursuant to this section, the Board of Appeals may specify such requirements and conditions as it deems necessary to protect the health, safety and welfare of the public.
- (5) **The proponent must acquire all necessary permits, including all applicable local, state, and federal permits for the proposed work.**

§ 210-5455. Subdivision standards.

All subdivision proposals and other proposed new development shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If any part of a subdivision proposal or other new development is located within the Floodplain District established under this Chapter, it shall be reviewed to assure that:

- A. The proposal is designed so as to minimize the risk of damage due to flooding.

- B. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, and constructed so as to minimize or eliminate the risk of damage due to flooding.
- C. Adequate drainage systems are provided in order to reduce exposure to flood hazards.
- D. Base flood elevation data (the level of the one-hundred-year flood) is provided for all proposals for development within the Floodplain District.

§ 210-5556. ~~Health regulation~~ Additional Requirements, Regulations, and Duties.

A. Health Regulations

The Board of Health, in reviewing all proposed water and sewer facilities to be located in the Floodplain District established under this Chapter, shall require that:

- (1) New and replacement water supply systems be designed to minimize or eliminate infiltration of floodwaters into the systems; and
- (2) New and replacement sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

B. Conservation Commission Duties

The duties of the Conservation Commission shall be as follows:

- (1) Notify, in riverine situations, adjacent communities, the NFIP State Coordinator, Massachusetts Department of Conservation and Recreation, and the NFIP Program Specialist, FEMA, Region 1, prior to any alteration or relocation of a watercourse where an order of conditions has been issued, and submit copies of such notification to the Federal Insurance Administration.
- (2) Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

C. Recreational Vehicles

In A and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

D. New Technical Data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Floodplain Administrator shall, within six

months, submit notification to the NFIP State Coordinator, Massachusetts Department of Conservation and Recreation, and the NFIP Program Specialist, FEMA, Region 1, of these changes by submitting the technical or scientific data that supports the change(s).

E. Variances

(1) Building Code Floodplain Standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the Town's files.

The Town, via the Floodplain Administrator, shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

(2) Local Zoning Bylaws related to Community Compliance with the NFIP

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if the following conditions have been met:

- (a) Good and sufficient cause and exceptional non-financial hardship exist;
- (b) The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- (c) The variance is the minimum action necessary to afford relief.

F. Disclaimer of Liability

The degree of flood protection required by this article is considered reasonable but does not imply total flood protection.

G. Severability

If any section, provision or portion of this article is deemed to be unconstitutional or invalid by a court, the remainder of the article shall be effective.

~~§ 210-56. Conservation Commission duties.~~

~~The duties of the Conservation Commission shall be as follows:~~

- A. ~~Notify, in riverine situations, adjacent communities, the NFIP State Coordinator, Massachusetts Department of Conservation and Recreation, and the NFIP Program Specialist, FEMA, Region 1, prior to any alteration or relocation of a watercourse where an order of conditions has been issued, and submit copies of such notification to the Federal Insurance Administration.~~
- B. ~~Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.~~

Pass any vote or take any act relative thereto.

Required Recommendations: 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 30 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority

GENERAL BYLAW AMENDMENTS

ARTICLE: 31 Amend Council on Aging Bylaws

Sponsor: Director of Senior Services

To see if the Town will vote to amend Chapter 5, Article IV, "Council on Aging", of the General Bylaws of the Town of Hopkinton by deleting the current Article in its entirety and replacing it with the following:

ARTICLE IV Council on Aging

§ 5-12. Appointment; purpose.

The Select Board shall appoint a Council on Aging to serve as an advocate for the 60+ community, to help strengthen and grow the resources, activities, and networks for meeting said needs, and to coordinate and carry out programs designed to meet the problems of the elderly in cooperation with programs of the Executive Office of Aging and Independence, formerly called the Department of Elder Affairs.

§ 5-13. Membership; terms; compensation; quorum.

The Select Board shall appoint a Council on Aging consisting of nine members. Each member shall be a resident of Hopkinton and shall have a demonstrated interest in working to benefit the lives of seniors and ageing in Hopkinton. All members shall be appointed to three year terms, unless filling open terms. There is no limit on the number of terms that may be served by a member. The members of the Council shall serve without pay.

A quorum of the Council shall consist of a simple majority of the current number of members then serving on the Council, exclusive of the Executive Director who shall serve in an ex officio, non-voting capacity and whose presence or absence shall not count for any calculation of a quorum.

§ 5-14. Election of officers; vacancies.

The Council shall annually, at its meeting in April of each year, elect from its membership a Chairperson, Vice-Chairperson, and Secretary. Each officer shall hold office until the next annual election.

Should the office of Chairperson, Vice-Chairperson, or Secretary become vacant, the Council shall elect a successor from its membership at the next regular meeting, and such elections shall be for the unexpired term of office.

§ 5-15. Annual report.

The Council shall prepare and submit an annual report of its activities to the Town and shall send a copy thereof to the Executive Office of Aging and Independence.

§ 5-16. Records.

The names, addresses, telephone numbers, or other identifying information about elderly persons in the possession of the Council shall not be public records and use of the same shall comply with MGL c. 40, § 8B and other applicable law.

Pass any vote or take any act relative thereto.

Motion (Council on Aging): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 31 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

**ARTICLE: 32 Amend Bylaw to Establish Revolving Fund
for Finance Department**

*Sponsor: Chief Financial
Officer*

To see if the town will vote to amend Chapter 13, Finances, of the General Bylaws of the Town of Hopkinton, Article VI, Section 13-15 entitled “Authorized Revolving Funds”, for the purpose of establishing and authorizing a new revolving fund for use by certain Town departments, boards, committees or officers, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, by adding a row to the table in Section 13-15 as follows:

Revolving Fund	Department, Board, Committee or Officer Authorized to Spend from Fund	Fees, Charges, or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
Finance Department	Chief Financial Officer, Town Treasurer	Demand fees, and Municipal Lien Certificate fees	To meet expenses associated with: 1.) Budgeting Software, 2.) Billing, 3.) Collections, and 4.) Miscellaneous office supplies as needed.	The Revolving Fund will be capped \$100,000. Funds in excess of \$100,000 will be returned to the General Fund.	Fiscal Year 2026 and subsequent years.

Pass any vote or take any act relative thereto.

Motion (Appropriation Committee): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 32 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE: 33 Change Day and Time of Annual Town Meeting

Sponsor: Town Clerk

To see if the Town will vote to amend Section 47-2 “Date and time of Annual Town Meeting and elections”, of the General Bylaws of the Town of Hopkinton by striking “first Monday in May in each year, at 7:00 in the evening,” and replacing it with “first Saturday in May of each year, with the starting time to be set between 8:00 a.m. and 10:00 a.m. by the Select Board,” so that the new section 47-2 reads as follows:

The Annual Town Meeting of the Town of Hopkinton shall be held on the first Saturday in May of each year, with the starting time to be set between 8:00 a.m. and 10:00 a.m. by

the Select Board, and the annual Town elections for the purpose of election by ballot of Town officers and voting on any questions required by law to be placed upon the official ballot shall be held on the third Monday in May at an adjournment of the Annual Town Meeting at which the polls shall be open during such hours between 6:00 a.m. and 8:00 p.m. as the Select Board shall legally determine.

Pass any vote or take any act relative thereto.

Motion (Town Clerk) *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 33 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE: 34 Prohibition on Use of Engine Compression Brakes <i>Sponsor: Citizen Petition</i>

To see if the Town will vote to amend Chapter 190, "Vehicles and Traffic", of the General Bylaws of the Town of Hopkinton, by;

1. Inserting a new "Article IV" as follows:

ARTICLE IV
Prohibition on Use of Engine Compression Brakes

§ 190-11 Restrictions

Except in case of an emergency, and where required by G.L. c.90, §7 or any other applicable law, it shall be unlawful for the driver of any motor vehicle operation on a public right of way within the Town to use or operate, or cause to be used or operated, any compression brake, engine brake, or mechanical exhaust device designed to assist in the deceleration or braking of any motor vehicle.

§ 190-12 Enforcement and Penalty

This Bylaw may be enforced by any Police Officer of the Town. The penalty for violation of this Bylaw shall be \$100.00 for the first offense and \$300 for the second and any subsequent offenses, which may be enforced by non-criminal disposition pursuant to G.L. c.40, §21D and section Article II of the General Bylaws. For the purposes of this Bylaw, a second or subsequent offense is one that occurs within 12 months of the date of any previously noticed offense.

2. By amending section 1-4, Penalties enumerated, by adding the following in alphabetical order:

Prohibition on Use of Engine Compression Brakes (Ch. 190)	Police Department	First violation: \$100 Second and subsequent Violations: \$300
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Pass any vote or take any act relative thereto.

Motion (Petitioner) *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 34 of the 2025 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

LAND ACQUISITION AND DISPOSITION

ARTICLE: 35	Accept Gift of Land - 0 John Matthew Road	<i>Sponsor: Open Space Preservation Commission</i>
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To see if the Town will vote to authorize the Select Board to acquire by purchase or gift, a fee interest in an approximately 0.65 acre parcel of land located at 0 John Matthew Road, Hopkinton Assessors Map R21 Block 87 Lot 0; parcel shown as Parcel "M" on a plan entitled "Plan of Land in Hopkinton, MA", prepared by J.D. Marquedant & Associates, Inc., dated October 30, 1989, a copy of which is available for inspection at the Office of the Town Clerk; and said land to be used for open space purposes.

Pass any vote or take any other act related thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Open Space Preservation Commission): *We move that the Town vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land consisting of an approximately 0.65 acre parcel of land located at 0 John Matthew Road, Hopkinton Assessors Map R21 Block 87 Lot 0; parcel shown as Parcel "M" on a plan entitled "Plan of Land in Hopkinton, MA", prepared by J.D. Marquedant & Associates, Inc., dated October 30, 1989, a copy of which is available for inspection at the Office of the Town Clerk; and said land to be used for open space purposes.*

Vote Needed: Simple Majority

ARTICLE: 36 Accept Gift of Land - 69 Frankland Road*Sponsor: Open Space
Preservation Commission*

To see if the Town will vote to authorize the Select Board to acquire by purchase or gift, a fee interest in an approximately 39.51 acre parcel of land located at 69 Frankland Road, Hopkinton Assessors Map U7 Block 7 Lot 0; parcel shown as Lot 1B on a plan entitled "Approval Not Required Subdivision Plan, 69 Frankland Road, Hopkinton", prepared by Level Design Group, L.L.C., dated July 16, 2024, a copy of which is available for inspection at the Office of the Town Clerk; and said land to be used for open space purposes.

Pass any vote or take any other act related thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Open Space Preservation Commission): *We move that the Town vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land consisting of an approximately 39.51 acre parcel of land located at 69 Frankland Road, Hopkinton Assessors Map U7 Block 7 Lot 0; parcel shown as Lot 1B on a plan entitled "Approval Not Required Subdivision Plan, 69 Frankland Road, Hopkinton", prepared by Level Design Group L.L.C., dated July 16, 2024; with the following conditions: 1. That an assessment, including but not limited to a breach analysis, be performed by a professional civil engineer registered in the State of Massachusetts to determine the probable hazard classification and condition rating of any impoundment structures and appurtenances associated with the pond on the property. 2. An engineer's cost estimate be prepared to determine costs necessary to bring the dam to a Satisfactory condition rating as per state and federal requirements. 3. Upon receipt of the said assessment and cost estimate, the Select Board shall determine if acceptance of the aforementioned parcel is in the best interest of the Town. 4. Land will be held by the Open Space Preservation Commission.*

Vote Needed: Simple Majority

ARTICLE: 37 Lease of Center School*Sponsor: Select Board*

To see if the Town will vote to transfer care, custody, and control of the former Center School, 11 Ash Street, Assessors Map U17 Block 42 Lot 0, to the Select Board and, further, authorize the Select Board to lease all or a portion of said building for a term not to exceed 99 years, to a non-profit arts and/or community organization based in the Town of Hopkinton, for the advancement of community and/or cultural enrichment activities, programs, and other opportunities, on such terms and conditions as the Select Board 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.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to transfer care, custody, and control of the Former Center School, 11 Ash Street, Assessors Map U17 Block 42 Lot 0, to the Select Board and, further, authorize the Select Board to lease all or a portion of said building for a term not to exceed 99 years, to a non-profit arts and/or community organization based in the Town of Hopkinton, for the advancement of community and/or cultural enrichment activities, programs, and other opportunities, on such terms and conditions as the Select Board 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.*

Vote Needed: Two-Thirds Majority

ARTICLE DESCRIPTION FROM THE SPONSOR: This article authorizes the initiation of a process that will result in the lease of a portion of Center School to a non-profit arts and/or community organization, following a competitive bid process. It is part of a renovation/reuse plan for the building, with funding for the first phase contained in Article 26 Item I. The intent is to retain the building for public use through a public-private partnership.

ARTICLE: 38	Temporary Easement at 32 Chestnut Street for Sidewalk Construction	<i>Sponsor: Director of Public Works</i>
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To see if the Town will vote to authorize the Select Board to acquire by gift or otherwise, easements located as follows:

As shown on a plan entitled "Town of Hopkinton, Chestnut Street Sidewalk, 32 Chestnut Street Temporary Easement", prepared by VHB, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcel R25 7 B. Said temporary easement to be used for construction of a sidewalk along Chestnut Street.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.

Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located at 32 Chestnut Street as shown on a plan entitled "Town of Hopkinton, Chestnut Street Sidewalk, 32 Chestnut Street Temporary Easement", prepared by VHB, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcel R25 7 B. Said temporary easement to be used for construction of a sidewalk along Chestnut Street.*

Vote Needed: Simple Majority

<u>ADMINISTRATIVE</u>

ARTICLE: 39	Amend Charter to Include Appointment Powers by the Board of Library Trustees	<i>Sponsor: Board of Library Trustees</i>
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To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.

An act amending the charter of the Town of Hopkinton to
incorporate appointment powers of the Board of Library Trustees

SECTION 1. The charter of the town of Hopkinton, which is on file in the office of the archivist of the Commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by deleting paragraph (c) ("Library Director") in its entirety and replacing it as follows:

(c) Appointments – The Board of Library Trustees may appoint a Library Director, in accordance with the Personnel Policies of the Town. The Board of Library Trustees shall annually set goals for the Library Director with input from the Town Manager.

Pass any vote or take any act relative thereto.

Motion (Board of Library Trustees): *We move that the Town vote to authorize the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided in Article 39 of the 2025 Annual Town Meeting Warrant; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is*

hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.

Vote Needed: Simple Majority

ARTICLE: 40 Authorize Fee for Written Demands

<i>Sponsor: Chief Financial Officer</i>

To see if the Town will vote, pursuant to G.L. c. 60, § 15, to authorize the Tax Collector to charge a \$20.00 fee for each written demand issued by the Tax Collector, or such greater or lesser amount as may be authorized by the General Laws in the future, said fee to be added to and collected as part of the tax and to become effective July 1, 2025.

Pass any vote or take any act relative thereto.

Motion (Appropriation Committee): *We move that the Town vote to authorize the Tax Collector to charge a \$20.00 fee for each written demand issued by the Tax Collector, or such greater or lesser amount as may be authorized by the General Laws in the future, said fee to be added to and collected as part of the tax and to become effective July 1, 2025.*

Vote Needed: Simple Majority

ARTICLE: 41 Accept “Prudent Investment Rule”

<i>Sponsor: Chief Financial Officer</i>

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called “Prudent Investment Rule”.

Pass any vote or take any act relative thereto.

Motion (Appropriation Committee): *We move that the Town vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c. 203C, the so-called “Prudent Investment Rule”.*

Vote Needed: Simple Majority