

TOWN OF ORANGE
Commonwealth of Massachusetts

Special Town Meeting
January 7, 2021

FRANKLIN SS:

To the Constables of the Town of Orange, in the County of Franklin:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote on Town affairs, to meet at Orange Town Hall, Ruth B. Smith Auditorium, 6 Prospect Street, in said Orange, on Thursday, January 7, 2021 at 7:00 PM, then and there to act on the following articles:

On December 30, 2020, Moderator Christopher Woodcock recessed and continued the meeting scheduled on January 7, 2021 to January 23, 2021 at 9:30 a.m. This Declaration was pursuant to MGL Chapter 39, section 10A and Chapter 53 of the Acts of 2020.

A quorum being present, the Moderator called the meeting to order at 9:30 a.m.

ARTICLE 1: CEMETERY SALE OF LOTS

To see if the Town will vote to authorize payment of \$425.00 from the Cemetery Sale of Lots account to Troy Duguay, 10 Glenwood Ave, Orange, MA 01364 to buy back his lot, Lot 19, Block 19, Space 3 in South Cemetery; or take any other action relative to.

Finance Committee Recommends

Motion that the Town vote to authorize payment of \$425.00 from the Cemetery Sale of Lots account to Troy Duguay, 10 Glenwood Ave, Orange, MA 01364 to buy back his lot, Lot 19, Block 19, Space 3 in South Cemetery.

Motion passed.

Due to a few people not being able to hear the transmission via FM transmitter, some changes were made and the Moderator asked if all could hear the proceedings. All in attendance responded that they could hear.

ARTICLE 2: COMMUNITY STABILIZATION FUND

To see if the Town will vote to accept the fourth paragraph of G.L. c. 40, Sec. 5B and, consistent with the authority set forth therein, to establish a special purpose stabilization fund to be known as the Community Stabilization Fund, the purpose of which is to fund community and economic development activities as recommended by the department of community development and further, to dedicate all of the adult use marijuana local excise tax imposed by the Town pursuant to G.L. c.64N, §3 to the Community Stabilization Fund, for a minimum of three years, effective for fiscal year 2022 beginning on July 1, 2021; or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to accept the fourth paragraph of G.L. c. 40, Sec. 5B and, consistent with the authority set forth therein, to establish a special purpose stabilization fund to be known as the Community Stabilization Fund, the purpose of which is to fund community and economic development activities as recommended by the department of community development and further, to dedicate all of the adult use marijuana local excise tax imposed by the Town pursuant to G.L. c.64N, §3 to the Community Stabilization Fund, for a minimum of three years, effective for fiscal year 2022 beginning on July 1, 2021.

Motion passed.

Motion to dissolve this meeting until it can be held so all can participate.

Motion failed by a significant majority.

ARTICLE 3: PAYMENT OF FIRE STATION ROOF REPAIR

To see if the Town will vote to appropriate and transfer from free cash the sum of \$29,560.00 for the first payment on the Fire Station Roof; or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to appropriate and transfer from free cash the sum of \$29,560.00 for the first payment on the Fire Station Roof.

Motion passed.

ARTICLE 4: TRANSFER FROM AMBULANCE RECEIPTS RESERVED FOR APPROPRIATION

To see if the Town will vote to transfer and appropriate from the Ambulance Receipts reserved for Appropriation account the sum of \$50,000.00 for the 1st payment of the Fire Department Ambulance; or take any action relative thereto.

Finance Committee Recommends

Motion that the Town vote to transfer and appropriate from the Ambulance Receipts reserved for Appropriation account the sum of \$50,000.00 for the 1st payment of the Fire Department Ambulance.

Motion passed.

ARTICLE 5: WORDING CHANGES IN THE WATER DEPARTMENTS RULES & REGULATIONS

To see if the Town will vote to approve changes in the wording of Section 6, Titled *CHARGES*, of the “Rules & Regulations of Orange Water Department”, within Section 6.4, Titled *CLAIMS FOR ADJUSTMENT ON BILLS*,

FROM:

“To be considered, all claims for adjustments of water bills must be made within thirty (30) days of the billing date.”

To:

“To be considered, all claims for adjustments of water bills must be made within thirty (30) days of the billing date. Requests for fee exclusions are to be submitted in writing to be reviewed by the Board of Water Commissioners (BOWC) during a scheduled commissioner’s meeting. Fee exclusions that may apply at the discretion of the BOWC are for special situations (ie: Military Deployment, Community Benefit, Formation of an Estate, etc.).

Finance Committee has no opinion

Motion that the Town vote to approve changes in the wording of Section 6, Titled *CHARGES*, of the “Rules & Regulations of Orange Water Department”, within Section 6.4, Titled *CLAIMS FOR ADJUSTMENT ON BILLS*,

FROM:

“To be considered, all claims for adjustments of water bills must be made within thirty (30) days of the billing date.”

To:

“To be considered, all claims for adjustments of water bills must be made within thirty (30) days of the billing date. Requests for fee exclusions are to be submitted in writing to be reviewed by the Board of Water Commissioners (BOWC) during a scheduled commissioner’s meeting. Fee exclusions that may apply at the discretion of the BOWC are for special situations (ie: Military Deployment, Community Benefit, Formation of an Estate, etc.).

Motion passed.

ARTICLE 6: WATER DEPARTMENT TRANSFER

To see if the Town will vote to transfer and appropriate the sum of \$62,000.00 from the Water Department Retained Earnings for the repair of the damaged well pump at Well #2 at 451 West River Street and to rehabilitate the well while the pump is removed for repair in accordance with its Capital Improvement Plan, or take any action relative thereto or thereon.

AMOUNT	FROM	TO	FOR
\$62,000	Retained Earnings	Water Articles	To repair damaged well pump and rehabilitate Well #2 while pump is removed for repair

Finance Committee has no opinion

Motion that the Town vote to transfer and appropriate the sum of \$62,000.00 from the Water Department Retained Earnings for the repair of the damaged well pump at Well #2 at 451 West River Street and to rehabilitate the well while the pump is removed for repair in accordance with its Capital Improvement Plan.

Motion passed.

ARTICLE 7: RESCIND BORROWING

To see if the Town will vote to rescind the borrowing authorizations from prior town meetings:

STM 06/17/2019 – Article 3 Wastewater Aeration Blower Replacement – rescind \$200,000

ATM 06/17/2019 – Article 23 Ambulance – rescind \$20,000;

Or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to rescind the borrowing authorizations from prior town meetings:

STM 06/17/2019 – Article 3 Wastewater Aeration Blower Replacement – rescind \$200,000

ATM 06/17/2019 – Article 23 Ambulance – rescind \$20,000.

Motion passed.

ARTICLE 8: TRANSFER FROM TRANSFER STATION WINDOW STICKER

To see if the Town will vote to transfer and appropriate the sum of \$6,800.00 from the Transfer Station Window Sticker Revenue Account to the Landfill Monitoring/Maintenance Account in accordance with M.G.L. c.44 s28C (f) to pay for expenditures of the cost of monitoring and maintenance of existing inactive landfill or other solid waste facilities; or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to transfer and appropriate the sum of \$6,800.00 from the Transfer Station Window Sticker Revenue Account to the Landfill Monitoring/Maintenance Account in accordance with M.G.L. c.44 s28C (f) to pay for expenditures of the cost of monitoring and maintenance of existing inactive landfill or other solid waste facilities.

Motion to postpone action – motion passed.

ARTICLE 9: TRANSFER FROM TRANSFER STATION WINDOW STICKER

To see if the Town will vote to transfer and appropriate the sum of \$4,060.00 from the Transfer Station Window Sticker Revenue Account to the Sanitation Wages Account in accordance with

M.G.L. c.44 s28C (f) to pay for expenditures of the cost of monitoring and maintenance of existing inactive landfill or other solid waste facilities; or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to transfer and appropriate the sum of \$4,060.00 from the Transfer Station Window Sticker Revenue Account to the Sanitation Wages Account in accordance with M.G.L. c.44 s28C (f) to pay for expenditures of the cost of monitoring and maintenance of existing inactive landfill or other solid waste facilities.

Motion to postpone action – motion passed.

ARTICLE 10: ZONING DISTRICT C REZONING PROPOSAL

To see if the Town will vote to amend Chapter 205, Section II Subsection 2110 of the Town of Orange Zoning Bylaw, by amending the “Official Zoning Map, Orange, Massachusetts” dated April 1, 2017 ,which said Map is on file with the Town Clerk, by adopting the new district boundary lines shown on the map entitled “Exit 14 Zoning Locus Map 1” to further (1) include all the following parcels in the residential/commercial district zone A(c)- Map 108 -Lots 1-29, Map 108- Lot 70 , Map 234-Lot 4, Map 235- Lots 1-4, Map 235- Lots 11-16, Map 239 -Lot 1, Map- 107 Lot 181-westerly portion (total of 43 parcels); and (2) remove the language describing the boundaries of the C district; and (3) change the date of the “official zoning map, Orange, MA referenced therein to 1/7/2020; or take any other action relative thereto.

Finance Committee has no opinion

Motion that the Town vote to amend Chapter 205, Section II Subsection 2110 of the Town of Orange Zoning Bylaw, by amending the “Official Zoning Map, Orange, Massachusetts” dated April 1, 2017 ,which said Map is on file with the Town Clerk, by adopting the new district boundary lines shown on the map entitled “Exit 14 Zoning Locus Map 1” to further (1) include all the following parcels in the residential/commercial district zone A(c)- Map 108 -Lots 1-29, Map 108- Lot 70 , Map 234-Lot 4, Map 235- Lots 1-4, Map 235- Lots 11-16, Map 239 -Lot 1, Map- 107 Lot 181-westerly portion (total of 43 parcels); and (2) remove the language describing the boundaries of the C district; and (3) change the date of the “official zoning map, Orange, MA referenced therein to 1/16/2021.

The Planning Board announced they recommend this change.

Motion passed, 45 in favor and 11 opposed.

ARTICLE 11: FIRE DEPARTMENT RADIOS

To see if the Town will vote to transfer and appropriate the sum of \$39,000 from Free Cash for the purchase of radio equipment, accessories, programming, and installation to facilitate the migration of emergency radio communications to COMIRS on or about 7/1/2021; or take any other action relative thereto.

Finance Committee Recommends

Motion that the Town vote to transfer and appropriate the sum of \$39,000 from Free Cash for the purchase of radio equipment, accessories, programming, and installation to facilitate the migration of emergency radio communications to COMIRS on or about 7/1/2021.

Motion passed.

Motion to dissolve the meeting at 10:52 a.m.

Hereof fail not, and make due return of this Warrant with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 16th day of December in the year of our Lord two thousand and twenty.

BOARD OF SELECTMEN

Ryan W. Mailloux

Jane M. Peirce

Thomas J. Smith

Patricia A. Lussier

Alexandre A. Schwanz

Selectmen, Town of Orange

A true copy. ATTEST:

Randy Plante, Constable of Orange

FRANKLIN, SS.

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Orange, by posting up attested copies of the same at the Post Office in Orange and the Library in North Orange fourteen days at least before the time of holding said meeting.

Randy Plante, Constable of Orange

December 22, 2020