

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF STOUGHTON
SPECIAL TOWN MEETING WARRANT**

RECEIVED
STOUGHTON, MASS.
2024 OCT -1 P 3:21
OFFICE OF
TOWN CLERK

NORFOLK, SS

To any constable in the Town of Stoughton:

Greetings: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Stoughton, qualified to vote on Town affairs, to meet at:

**STOUGHTON HIGH SCHOOL AUDITORIUM
232 PEARL STREET, STOUGHTON**

ON MONDAY THE EIGHTEENTH DAY of NOVEMBER, 2024

at seven o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by the Town Meeting Members in accordance with the provisions of the Town of Stoughton Charter.

Article 1 - Sunset By-law Amendment

To see if the Town will vote to delete and annul the Sunset Bylaw adopted as Article 70 at the 2023 Annual Town Meeting and to replace it with the below Sunset Bylaw, or take any other action relative thereto;

Chapter 43 Sunset of Appropriations and Borrowing

§ 43-1. Purpose and Intent

It is the purpose and intent of this bylaw, the "Sunset Bylaw," to provide for certain special purpose appropriations be administratively closed out unless specifically extended by town meeting, extended by the Select Board, or exempted.

§ 43-2. Effective Date, Applicability and Prior Inconsistent Bylaws

This bylaw shall only apply to appropriations and borrowing approved after May 1, 2025. This bylaw shall replace and supersede any prior and/or inconsistent bylaw and, to the extent a prior or inconsistent bylaw impacted any appropriation and/or borrowing prior to the effective date of this bylaw, such prior or inconsistent bylaw shall be null and void as applied to such appropriation and/or borrowing and this bylaw shall control.

§ 43-3. Appropriations and Borrowing \$250,000 or Less

Any Article approved that has \$250,000 (Two Hundred and Fifty Thousand Dollars) funding or LESS will have a “sunset” of approval of three years starting on the first day of the fiscal year following the date the article was approved unless stipulated as part of the article. Approved fund spending must be initiated prior to the end of the third fiscal year of approval. Spending must be completed prior to the ending of the fourth fiscal year. A one-year extension may be granted by the Select Board to complete an approved article. Otherwise, the article funding will be rescinded, then must be resubmitted to Town Meeting for reconsideration or continued approval. Unspent and unencumbered appropriations from any restricted funding source may only revert to that same restricted funding source, or as required by statute.

§ 43-4. Appropriations and Borrowing More Than \$250,000

All Articles approved for MORE than \$250,000 (Two Hundred and Fifty Thousand Dollars) will have a “sunset” of approval of four years starting on the first day of the fiscal year following the date the article was approved unless stipulated as part of the article. Approved spending funds must be initiated prior to the end of the fourth year of approval and spending must be completed prior to the ending of the sixth year. An extension as needed may be granted by the Select Board. Otherwise, the article funding will be rescinded, then must be resubmitted to Town Meeting for reconsideration or continued approval. Unspent and unencumbered appropriations from any restricted funding source may only revert to that same restricted funding source, or as required by statute.

§ 43-5. Exceptions

All funding for articles not spent past “sunset” that have not been extended will no longer be available unless resubmitted for Town Meeting approval.

Any State and/or Federal Grants will be exempt from this “sunset” requirement.

Any labor negotiation agreement will be excluded from this provision.

Community Preservation Act funding will be excluded from this provision.

§ 43-6. Regulations

The Select Board shall promulgate rules and regulations to effectuate the purposes of this chapter. Failure by the Select Board to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate this chapter.

§ 43-7. Consistency with Federal and State Law

The provisions of this bylaw are intended to be interpreted, and should be construed, to harmonize to the fullest extent possible with Federal and State law to effectuate the purpose and

intent of this bylaw as set forth herein, however, to the extent this bylaw conflicts with any requirement of Federal or State law, such Federal or State law shall control.

Nothing herein shall alter the Town's authority under G.L c. 44, § 20 to apply any balance not in excess of \$50,000 for the payment of indebtedness and/or to apply any premium and accrued interest received on account of an issue of bonds, less the cost of preparing, issuing and marketing the bonds, not in excess of \$50,000 for the payment of indebtedness.

§ 43-8. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision.

Inserted by:	Select Board
Date:	September 30, 2024
Estimated Cost:	None

Article 2 - FY25 Supplemental Budget

To see if the Town will vote the supplemental budget for FY2025 as shown in Detail "A" below;
or take any other action thereto;

DETAIL "A"

				GENERAL FUND TOWN	FY2025	FY2025	FY2025
ORG	OBJECT	PAGE	DEPT	ACCOUNT DESCRIPTION	SUBJECT BOARD	FINANCE COMMITTEE	STIM RULE 2024
				TOTAL SHARED EXPENSES: (TOWN AND SCHOOL)	\$ 8,055,360	\$ 8,055,360	\$ 379,402
		53	911	RETIREMENT	\$ 32,978,329	\$ 32,978,329	\$ 379,402
				SUBTOTAL SHARED EXPENSES	\$ 130,081,486	\$ 130,081,496	\$ 379,402
				GRAND TOTAL GENERAL FUND			
				TOTAL GENERAL FUND LESS SCHOOL-BALANCES TO MUNIS			
				TOWN/MANAGER SALARIES			
0112501	511187		7	INTERNAL AUDITOR	\$ 104,500	\$ 104,500	\$ (88,484)
0112301	519002		1	OTHER - COMMUNICATIONS COORDINATOR	\$ 65,000	\$ 65,000	\$ (18,936)
				SUBTOTAL	\$ 574,674	\$ 574,674	\$ (107,420)
				TOWN/MANAGER EXPENSES			
				SUBTOTAL	\$ 91,994	\$ 91,994	\$ -
				TOWN/MANAGER-TOTALS	\$ 667,168	\$ 667,168	\$ (107,420)
				NOTES:			
				TOWN ACCOUNTANT-DEPT 135			
				TOWN ACCOUNTANT SALARIES			
0113501	511052		1	ASSISTANT TOWN ACCOUNTANT	\$ 87,455	\$ 87,455	\$ 17,795
113501	511165			STAFF ACCOUNTANT			\$ 85,000
				SUBTOTAL	\$ 316,265	\$ 326,265	\$ 102,795
				TOWN ACCOUNTANT EXPENSES			
0113502	530022			ANNUAL AUDIT FEE	\$ 32,375	\$ 32,375	\$ 4,625
				SUBTOTAL	\$ 51,577	\$ 51,577	\$ 4,625
					\$ -	\$ -	
				TOWN ACCOUNTANT-TOTAL	\$ 377,842	\$ 377,842	\$ 107,420
				RETIREMENT CONTRIBUTION-DEPT 911			
				TOWN WIDE RETIREMENT & CONTRIB			
0191101	517004			CONTRIBUTORY PENSION SYST	\$ 8,055,360	\$ 8,055,360	\$ 379,402
				TOWN WIDE RETIREMENT & CONTRIB	\$ 8,055,360	\$ 8,055,360	\$ 379,402
				NOTES:			

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: \$379,402

Article 3 – Unpaid Bills

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury, if any, a sufficient sum of money to pay any unpaid bills from prior fiscal years in excess of departmental appropriations; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Costs: \$756.86

Article 4 - Combine Water and Sewer Enterprise Accounts

To see if the Town will vote revoke the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws, ceasing Water Department fund as an enterprise fund effective fiscal year 2026 and ceasing the Sewer Department fund as an enterprise fund effective fiscal year 2026; and vote to accept the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws establishing the Water and Sewer Fund as a single Water and Sewer Enterprise Fund effective fiscal year 2026 and to establish such accounts that may be necessary for the receipt and expenditure of such funds; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: None

Article 5 - Page Street Discontinuance Easements

To see if the Town will vote to authorize the Select Board to accept easements as described below from of IV3 Stoughton Logistics Park, LLC, and Stephen O'Duggan, Trustee of the 126 Olde Page Street Realty Trust, which are or were portions of the county layout of Page Street as discontinued by the Norfolk County Commissioners, by vote as of September 18, 2024, 2024; all as shown on a plan on file and available at the Town Clerk's office, entitled "Plan Showing the Reservation of Access/Egress and Utility Easement and Apportionment of a Discontinued Portion of the October 22, 1872 Layout of Page Street in Stoughton, MA" prepared by Langan Engineering and Environmental Services, Inc.

(1) four portions of the property subject to the October 22, 1872 county layout of Page Street as discontinued by the Norfolk County Commissioners, of which: the first constitutes approximately 11,522 square feet, bounded on the north by the 1956 town layout of Page Street, on the east by the centerline of the October 22, 1872 county layout of Page Street and, on the farther east, by that town layout, the property located at 0 Page Street (Map 094, Lot 048), and the property located at 127 Page Street (Map 094, Lot 047), on the south by a line extending from the southeast corner of the property located at 0 Page Street (Map 094, Lot 061) to the centerline of that county layout, and on the west by the property located at 162 Page Street (Map

094, Lot 050), the eastern limit of the subdivision road definitively approved by the Stoughton Planning Board on October 26, 2023 (Sub 23-002), and the property located at 0 Page Street (Map 094, Lot 061), intending to describe the parcel shown as "Parcel B" on a Plan entitled "Plan Showing the Reservation of Access/Egress and Utility Easement and Apportionment of a Discontinued Portion of the October 22, 1872 Layout of Page Street in Stoughton, MA" prepared by Langan Engineering and Environmental Services, Inc. (the "Plan"); the second constitutes approximately 4,615 square feet, bounded on the north by a line extending from the northwest corner of the property located at 0 Page Street (Map 094, Lot 048) to the centerline of the October 22, 1872 county layout of Page Street, on the east by the property located at 0 Page Street (Map 094, Lot 048), on the south by a line extending from the southwest corner of the property located at 0 Page Street (Map 094, Lot 048) to the centerline of that county layout, and on the west by the centerline of that county layout and, on the farther west, by the property located at 0 Page Street (Map 094, Lot 061), intending to describe the parcel shown as "Parcel C" on the Plan; the third constitutes approximately 5,373 square feet, bounded on the north by a line extending from the northwest corner of the property located at 127 Page Street (Map 094, Lot 047) to the centerline of the October 22, 1872 county layout of Page Street, on the east by the property located at 127 Page Street (Map 094, Lot 047), on the south by the town layout of Old Page Street, and on the west by the centerline of that county layout and, on the farther west, by the property located at 0 Page Street (Map 094, Lot 061) and the property located at 0 Page Street (Map 094, Lot 049), intending to describe the parcel shown as "Parcel D" on the Plan; and the fourth constitutes approximately 5,381 square feet, bounded on the north by a line extending from the northeast corner of the property located at 0 Page Street (Map 094, Lot 049) to the centerline of the October 22, 1872 county layout of Page Street, on the east by the centerline of that county layout and, on the farther east, by the property located at 127 Page Street (Map 094, Lot 047), on the south by the town layout of Old Page Street, and on the west by the property located at 0 Page Street (Map 094, Lot 049), intending to describe the parcel shown as "Parcel E" on the Plan; for the purpose of the Town to install, use, repair, maintain, and replace any utilities under, on, or over said four portions of the property subject to the October 22, 1872 county layout of Page Street as discontinued by the Norfolk County Commissioners;

(2) a portion of the subdivision road definitively approved by the Stoughton Planning Board on October 26, 2023 (Sub 23-002), constituting approximately 17,925 square feet, bounded on the north by the property located at 162 Page Street (Map 094, Lot 050), on the east by a portion of the property subject to the October 22, 1872 county layout of Page Street and to be dedicated after discontinuance as a town way, on the south by the property located at 0 Page Street (Map 094, Lot 061), and on the west by the town layout of Old Page Street, for the purpose of the Town to install, use, repair, maintain, and replace any utilities under, on, or over said portion of the property subject to the October 22, 1872 county layout of Page Street as discontinued by the Norfolk County Commissioners herein described;

And further to see if the Town will vote to accept the discontinuance by the Norfolk County Commissioners, by vote as of September 18, 2024, of that approximately 6,751 square foot portion of the property subject to the October 22, 1872 county layout of Page Street and to authorize and direct the Select Board to dedicate that portion as a town way, to wit:

(3) a portion of the property subject to the October 22, 1872 county layout of Page Street as discontinued by the Norfolk County Commissioners, by vote as of September 18, 2024, constituting approximately 6,751 square feet, bounded on the north and east by the 1956 town layout of Page Street, on the south by a line extending from the northwest corner of the property located at 0 Page Street (Map 094, Lot 048) to the centerline of that county layout, and on the west by the centerline of that county layout and, to the farther west, by the property located at 162 Page Street (Map 094, Lot 050), the eastern limit of the subdivision road definitively approved by the Stoughton Planning Board on October 26, 2023 (Sub 23-002), and the property located at 0 Page Street (Map 094, Lot 061) intending to describe the parcel shown as "Parcel A" on the Plan;

Inserted by: Select Board
Date: September 30, 2024
Estimated Costs: None

Article 6 - National Grid Easement located on Town Owned Parcel - Map 61, Lot 59

To see if the Town will vote to authorize the Select Board to grant an easement from National Grid, its successors and assigns, to allow for the construction and maintenance of utilities, and for continued access to carry out said purposes, to a portion of the property known as 1 Atkinson Ave. Ext., as shown on the preliminary easement sketch prepared by National Grid a copy of which is on file in the office of the Town Clerk; and, further, to authorize the Select Board and other applicable Town of Stoughton boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article, or take any other action related thereto;

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: None

Article 7 - Roadway Paving

To see if the Town will vote to raise, appropriate, transfer from available funds in the Treasury, if any, or borrow a sufficient sum of money to fund Roadway Resurfacing; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: \$2,066,036

Article 8 - Adopt MGL Chapter 44, S. 28C (f) - Tax and Excise Collections

To see if the Town will vote to adopt the provisions of G.L. c. 40, §§ 42A-42F and G.L. c. 83, §§ 16A-16F of the Massachusetts General Laws which, in accordance with G.L. c. 44, § 28C(f), authorizes the Town to fix, revise, charge and collect such fees and other charges related to the collection or disposal of solid waste in the same manner as water and sewer services; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Costs: None

Article 9 – Adopt Provisions of Chapter 653 § 40 of the Acts of 1989 - Assessment of New Construction

To see if the Town will vote to adopt the provisions of Chapter 653 § 40 of the Acts of 1989; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Costs: None

Article 10 – Construction of Halloran Multi-Sport Arena Supplemental Funding

To see if the Town will raise and appropriate, transfer from available funds in the Treasury, borrow, or fund, pursuant to GL c. 44B, the Community Preservation Act, a sum of money to supplement the \$300,000 granted under Article 25 of the 2022 Annual Town Meeting for funding the construction of a multi-sport arena on Pierce Street on Assessors Map 066, Lot 030, or take any other action relative thereto. This article is exempt from the Sunset Bylaw, Article 70 of May 2023.

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: \$164,400

Article 11 – Recreational Conservation Restriction for Glen Echo Recreation Area

To see if the Town will raise and appropriate, transfer from available funds in the Treasury, borrow, or fund, pursuant to GL c. 44B, the Community Preservation Act, a sufficient sum of money for the establishment of a perpetual conservation restriction on a 6.7-acre portion of land, more or less, currently owned by the Town of Stoughton, which includes portions of Assessors Map Number 70, Parcels 104, 128, and 129, and portions of Assessors Map Number 82, Parcel 34; and also that the Select Board be authorized to grant said conservation restriction in said parcel of land meeting the requirements of G.L. c. 44B, § 12 and G.L. c. 184, §§ 31-33, and to enter into all agreements and execute any and all instruments as may be necessary to affect said establishment, including all incidental and related expenses; or take any other action relative thereto. This article is exempt from the Sunset Bylaw, Article 70 of May 2023.

Inserted by: Select Board
Requested by: Community Preservation Committee
Date: September 30, 2024
Estimated Cost: \$30,000.00

Article 12 - FAA Lease Agreement

To see if the Town will vote to authorize the Select Board to enter into a lease, for a term which exceeds three years, with the United States of America, Department of Transportation, Federal Aviation Administration, for an Outer Marker Facility/Off Airport Land Lease, relative to Town property located off of West Street and as described in said Lease which is on file with and available for inspection at the Town Clerk's office; or take any other action relative thereto.

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: None

Article 13 - School Capital Projects

To see if the Town will vote to transfer raise or appropriate a sum of money to fund the School Capital Project requests as noted below:

- A. Telephone System Replacements at various schools \$40,000 (forty-thousand dollars)
- B. Complete HVAC Services at the Dawe School \$125,000 (one hundred twenty-five thousand dollars)
- C. Grades K-5 Charging Carts for Chromebooks \$82,810 (eighty-two thousand eight hundred and ten dollars)
- D. Capital Needs Assessment relative to all School Buildings \$120,750 (one hundred twenty thousand seven hundred and fifty dollars)

Inserted by: Select Board
Date: September 30, 2024
Estimated Cost: \$368,560

Article 14 - Prior Appropriations: Closeouts Under Article 70 ATM 2023 (Sunset)

To see if the Town will vote to close the following articles and return funding to said accounts as listed below or take any other action thereto.

Municipal appropriations to be closed:

FUND	DEPARTMENT	PROJECT	ACCOUNT DESCRIPTION	Town Meeting Date	ORIGINAL APPROP	Project life to date balance 8.29.24	
5035	WATER	06883	06883 A48 ATM 05/12 WATER SYST	May-12	4,480,000.00	57,376.41	return funds to water enterprise
5036	POLICE	10221	10221 A17A1 ATM 05/18 51 BULLET PROOF VESTS	May-18	63,000.00	21,542.44	return to general fund
5036	FACILITIES	10240	10240 A18C ATM 05/18 DPW GARAG	May-18	23,114.00	22,161.43	return funds to bldg stabilization
5036	FACILITIES	10241	10241 A18E ATM 05/18 FIRE STAT	May-18	132,643.00	27,066.80	return funds to bldg stabilization
5036	ECONOMIC DEVELOPMENT	10334	10334 A30 ATM 05/19 CDBG CONSU	May-19	17,000.00	8,349.68	return to general fund
5036	ENGINEERING	10399	10399 A28 ATM 06/20 CENTRAL &	June-20	150,000.00	150,000.00	return to general fund
						286,496.76	

Community Preservation Act appropriations to be closed:

FUND	DEPARTMENT	PROJECT	ACCOUNT DESCRIPTION	Project life to date balance 8.29.24	
5040	CPA	01503	01503 A55 ATM 05/11 PURCHASE GLEN ECHO	100.98	apply to borrowing balance
5040	CPA	10056	10056 A45A ATM 05/15 GLEN ECHO design &	646.59	apply to borrowing balance
5040	CPA	10057	10057 A45B ATM 05/15 CAPEN REY SECURITY	22,271.21	return to cpa historical
5040	CPA	10393	10393 A32 ATM 06/20 PRES ANCE DOCUMEI	116.00	return to cpa historical
				23,134.78	

Inserted by: Select Board
 Date: September 30, 2024
 Estimated Cost: None

PETITIONED ARTICLES

Article 15

PROPOSED MOTION FOR TOWN MEETING: To see if the Town will move to request that the Select Board schedule an election to be held as may be deemed appropriate to the Select Board, so that the Town may vote whether to exempt the amounts required for the payment of interest and principal on borrowing from the limitations on taxes imposed by M.G.L. c. 59, §21C (Proposition 2½) relative to the South Elementary School Project approved in Article 1 of the 2024 Special Town Meeting; or take any other action relative thereto.

We the undersigned also ask the Select Board to approve a re-vote on the latest set of plans for a new Stoughton Elementary School for the below reasons:

1. The town will lose \$47 million in grants from the MSBA and will be financially responsible for repairing and rehabbing both the South Elementary School and the Wilkins Elementary School.
2. The current South Elementary school is in a state of severe disrepair. If the school closes due to a catastrophic failure, the costs to the town would be enormous, including overcrowding at all elementary schools, added costs for modular units and bussing of students to other elementary school, and further disruption throughout the town.
3. Investing in a new elementary school is essential for the continued growth and prosperity of our town. A modern, safe, and well-equipped school will attract new families, increase property values, and ensure that our community flourishes for generations to come.
4. The "Vote No" campaign spread misinformation about the tax increase that would result from a debt exclusion (6.4% instead of the actual 4.8%). With the correct information in hand, voters may have been more likely to vote YES on 6/11.

Petitioner: Lori Jacques, 6 Harris Circle

Stephen M. Cayey

Stephen M. Cayey, Select Board Chair

Scott D. Carrara

Scott Carrara, Select Board Vice Chair

Debra Roberts

Debra Roberts

Joseph M. Mokris

Joseph M. Mokris

Lou Gitto

Lou Gitto

Rogeria Medeiros-Kowalczykowski

Rogeria Medeiros-Kowalczykowski, CMC
Interim Town Clerk

