

**TOWN OF OXFORD
SPECIAL TOWN MEETING
OCTOBER 6, 2021**

At the Special Town Meeting duly called and held in the Oxford High School, 100 Carbuncle Drive, Oxford, MA on Wednesday, October 6, 2021, at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (100 Voters = quorum); 129 voters were present.

Checkers:

Martha A. Cady
Robert W. Krasinskas
Rose M. Wing

The Town Moderator, Russell C. Rheault, called the meeting to order at 7:07pm.

The Town Moderator noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

Both the National Anthem and the Pledge of Allegiance. A moment of silence was observed for the departed townspeople.

The Moderator introduced Town Officials and Board Members.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The audience was advised of the fire evacuation routes.

MOTION MADE: To waive the reading of the Warrant in its entirety.

MOTION PASSED UNANIMOUSLY.

ARTICLE 1. To hear the reports of any Town Officers or Committees.

No reports were made.

ARTICLE 2. To see if the Town will vote to transfer from available funds and appropriate a sum of money to pay invoices from a prior fiscal year; or act thereon.

Sponsored by the Town Manager

MOTION MADE: That Article 2 is Passed Over.

MOTION PASSED.

ARTICLE 3. To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Capital Stabilization Fund; or act thereon.

Sponsored by the Town Manager

Finance Committee Recommends

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MOTION MADE: That the sum of One Hundred Thousand Dollars (\$100,000.00) be transferred from Free Cash and be appropriated to Capital Stabilization Fund for Fiscal Year 2022.

MOTION PASSED UNANIMOUSLY.

ARTICLE 4. To see if the Town will vote to transfer the care, custody, management and control of the Free Public Library, located at 339 Main Street, Oxford, identified as Assessors' Map 34C, Parcel B04 from the Board of Selectmen to the Board of Library Trustees; or act thereon.

Sponsored by the Board of Library Trustees

Planning Board Recommends

MOTION MADE: That the Town transfer the care, custody, management and control of the Free Public Library, located at 339 Main Street, Oxford, identified as Assessors' Map 34C, Parcel B04, from the Board of Selectmen to the Board of Library Trustees at such time as a perpetual historic preservation restriction on said land and building to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission is on record at the Worcester County Registry of Deeds.

Requires a 2/3 vote.

MOTION PASSED. A 2/3 vote was declared by the Moderator.

ARTICLE 5. To see if the Town will vote to transfer from available funds and appropriate a sum of money for elevator repairs and HVAC repairs at the Free Public Library, located at 339 Main Street, Oxford, including any costs incidental or related thereto; or act thereon.

Sponsored by the Town Manager and DPW Director

Finance Committee Recommends

Planning Board Recommends

MOTION MADE: That the sum of Eighty-Seven Thousand Dollars (\$87,000.00) be transferred from Free Cash and be appropriated for elevator repairs and HVAC repairs at the Free Public Library, located at 339 Main Street, Oxford, including any costs incidental or related thereto.

MOTION PASSED.

ARTICLE 6. To see if the Town will vote to transfer from available funds and appropriate a sum of money for hazardous materials abatement to facilitate the demolition of the Joslin Annex Building, located at 8 Maple Road, Oxford, including any costs incidental or related thereto; or act thereon.

Sponsored by the Town Manager and DPW Director

Finance Committee Recommends

Planning Board Recommends

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MOTION MADE: That the sum of Two Hundred Thousand Dollars (\$200,000.00) be transferred from Free Cash and be appropriated for hazardous materials abatement to facilitate the demolition of the Joslin Annex Building, located at 8 Maple Road, Oxford, including any costs incidental or related thereto.

MOTION PASSED UNANIMOUSLY.

ARTICLE 7. To see if the Town will vote to transfer from available funds and appropriate a sum of money for emergency repair of failed roadway culverts located at Industrial Park West Road and Prospect Street, including any costs incidental or related thereto; or act thereon.

Sponsored by the Town Manager and DPW Director

Finance Committee Recommends
Planning Board Recommends

MOTION MADE: That the sum of Eighty Thousand Dollars (\$80,000.00) be transferred from Free Cash and be appropriated for emergency repair of failed roadway culverts located at Industrial Park West Road and Prospect Street, including any costs incidental or related thereto.

MOTION PASSED.

ARTICLE 8. To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase and/or eminent domain, for general municipal purposes and on such terms and conditions as the Board of Selectmen deems appropriate, all or a portion or portion of the parcel of land located at 335 Main Street and identified on Assessors' Map 34C as Parcel C04, and to transfer from available funds and appropriate a sum of money as funding for such acquisition and costs incidental or related thereto; and, further, to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary or convenient to effectuate the purpose of this article; or act thereon.

Sponsored by the Town Manager, DPW Director, and Facilities

Finance Committee Recommends
Planning Board Recommends

MOTION MADE: That Article 8 is Passed Over.

MOTION PASSED.

ARTICLE 9. To see if the Town will vote to transfer from available funds and appropriate a sum of money for professional engineering services for the 25% design effort under the State Transportation Improvement Program (STIP) for the Main Street Corridor Improvements project; or act thereon.

Sponsored by the Town Manager and DPW Director

Finance Committee Recommends
Planning Board Recommends

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MOTION MADE: That the sum of Two Hundred Thousand Dollars (\$200,000.00) be transferred from Free Cash and be appropriated for professional engineering services for the 25% design effort under the State Transportation Improvement Program (STIP) for the Main Street Corridor Improvements project.

MOTION PASSED.

ARTICLE 10. To see if the Town will vote to raise, transfer from available funds, or borrow pursuant to the provisions of General Laws Chapter 44 or any other enabling legislation, and appropriate a sum of money to pay costs of engineering, designing, constructing and reconstructing roadways throughout the Town, including the payment of all costs incidental and related thereto, provided, however, that if this appropriation is to be raised by borrowing, any borrowing authorization shall be contingent upon passage of a Proposition 2 ½ debt exclusion referendum under General Laws Chapter 59, § 21 C(k); or act thereon.

Sponsored by the Town Manager and DPW Director

Finance Committee Recommends
Planning Board Recommends

MOTION MADE: That the Town vote to appropriate the sum of Five Million Dollars (\$5,000,000.00) to pay costs of engineering, designing, constructing and reconstructing roadways throughout the Town, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor. No amounts shall be borrowed or expended hereunder unless the Town shall have voted to exclude the amounts required to repay any such borrowing from the limitation on total property taxes set forth in M.G.L. c. 59, §21C (also known as Proposition 2½). Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Requires a 2/3 vote.

MOTION PASSED. A 2/3 vote was declared by the Moderator.

ARTICLE 11. To see if the Town will vote to amend the Zoning By-laws, Chapter XXIII: Marijuana Overlay District, Section 1.0, by deleting the struck-through text and inserting the bold underlined text as set forth below, for the purpose of expanding the boundaries of the Marijuana Overlay District, and to amend the Official Zoning Map of the Town of Oxford accordingly; or act thereon.

1.0 ESTABLISHMENT

The Marijuana Overlay District (“MOD”) is established as an overlay district. The MOD shall extend along Route 20 a/k/a Southbridge Road, from the western line of the Route 56 a/k/a Leicester Street layout westerly to the western most property line of property depicted as Parcel A14 on Assessor’s Map 09 a depth of ~~500~~ 550 feet north of the northern line of the Route 20 layout, and from the western line of the Route 56 a/k/a Leicester Street layout westerly to the

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western most property lines of property depicted as Parcels B19 and B25 on Assessor's Map 10A a depth of 500 feet south of the southern line of the Route 20 layout, and to include parcels along Route 20 a/k/a Southbridge Road identified as Parcel B09 on Assessor's Map 06A and Parcel B85.02 on Assessor's Map 08A, a portion of Parcel A03 on Assessor's Map 03 at a depth of 250 feet north of the northern line of the Route 20 layout, and a portion of Parcel B01 and Parcel B02 on Assessor's Map 08A, at a depth of 40 feet south of the southern line of the Route 20 layout. The MOD shall further include that parcel of property known as 425 Main Street and depicted as Parcel E14 on Assessors' Map 29A. The MOD is further shown on the Town zoning map on file with the Town Clerk.

Sponsored by the Town Manager and Planning Board.

Planning Board Recommends

MOTION MADE: That the amendment to the Zoning Bylaws be adopted as written in the warrant with the following correction: the depth of the existing MOD along Route 20 is amended to be 550 feet south of the southern line of the Route 20 layout, and the depth of the MOD north of the northern line of Route 20 shall remain 500 feet.

Requires a 2/3 vote.

MOTION FAILS. 76 Voting Yes, 45 voting No

ARTICLE 12. To see if the Town will vote to amend the General By-laws, Chapter Nineteen: Sealer of Weights and Measures, Section 3, by deleting the struck-through text and inserting the bold underlined text as set forth below, for the purpose of addressing fees therein accordingly; or act thereon.

Section 3. The fees of the Sealer of Weights and Measures for sealing the following weighing or measuring devices shall be as follows:

- (1) Each scale with a weighing capacity of more than ten thousand pounds, \$150.00.
- (2) Each scale with a weighing capacity of five thousand to ten thousand pounds, \$100.00.
- (3) Each scale with a weighing capacity of one thousand to five thousand pounds, \$75.00.
- (4) Each scale with a weighing capacity of one hundred to one thousand pounds, \$50.00.
- (5) Scales and balances with a weighing capacity of more than ten pounds and less than one hundred pounds, \$30.00.
- (6) Scales and balances with a weighing capacity of ten pounds or less, ~~\$25.00~~ **\$30.00**.
- (7) Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon and measures on pumps, ~~\$17.00~~ **\$30.00**.
- (8) Each liquid measuring meter, except water meters, the diameter of the inlet pipe of which is one half inch or less, \$5.00, more than one half inch but not more than one inch, \$6.00. For each such type of liquid meter, the diameter of the inlet pipe of which is more than one inch, the following shall apply: vehicle tank pump, \$33.00; vehicle tank gravity, \$33.00; bulk storage, \$55.00.
- (9) Each taxi meter or measuring device used in vehicles to determine the cost of transportation, \$25.00.
- (10) Each machine or other mechanical device used for determining linear or area measurement (Fabric, Rope, **Wire, Carpet Meter**), ~~\$15.00~~ **\$20.00**; Yard Sticks, \$10.00.
- (11) Milk bottle or jars, \$12.00 per gross.

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- (12) Vehicle tanks used in the sale of commodities by liquid measure \$5.00 for each hundred gallons or fraction thereof.
- (13) Drug store weights, \$2.00.
- (14) All weights and other measures, \$5.00.
- ~~(15) Adjustments and reasonable repairs (if made), \$20.00~~
- ~~(16)~~**(15)** Reverse Vending Machines (Bottle & Can Return Machines), ~~\$18.00~~ **\$20.00**.
- ~~(17)~~**(16)** Cord Wood, \$20.00.
- ~~(18)~~**(17)** Each automated electronic retail checkout system with fewer than four cash registers or computer terminals, not more than \$75.00.
- ~~(19)~~**(18)** Each automated electronic retail checkout system with no less than four and no more than 11 cash registers or computer terminals, not more than \$150.00.
- ~~(20)~~**(19)** Each automated electronic retail checkout system with greater than Eleven (11) cash registers or computer terminals, not more than \$250.00.
- ~~(21)~~**(20)** Pill Counter, ~~\$15.00~~ **\$20.00**.
- ~~(22) Wire, rope, carpet meter, \$15.00~~
- (21) The sealing fees above shall apply to all adjustments and repairs made.**

Sponsored by the Sealer of Weights and Measures

Finance Committee Recommends

MOTION MADE: That Article 12 be adopted as printed in the Warrant

MOTION PASSED.

Approved by the Attorney General on January 6, 2022.

ARTICLE 13. To see if the Town will vote to amend the General By-laws, Chapter Sixteen: Board of Health, Section 3.0, by deleting Sections 3 and 4 therefrom with respect to the appointment of the Inspector of Gas Piping and Gas Appliances in Buildings and the Inspector of Plumbing, and renumber the remaining sections therein accordingly; and further, to amend the General By-laws by inserting therein new Chapter Seventy-Seven: Inspector of Gas Piping and Gas Appliances in Buildings and Inspector of Plumbing as follows; or act thereon.

Chapter Seventy-Seven: Inspector of Gas Piping and Gas Appliances in Buildings and Inspector of Plumbing

Section 1. The Town Manager shall annually, and whenever the office is vacant for any reason, appoint an Inspector of Gas Piping and Gas Appliances in Buildings ("Inspector of Gas") who shall be a licensed plumber or licensed gas fitter and who shall hold office until their successor is appointed and qualified.

Section 2. The Town Manager shall annually, and whenever the office is vacant for any reason, appoint an Inspector of Plumbing who shall be a licensed plumber and who shall hold office until their successor is appointed and qualified.

Section 3. Each of the Inspectors of Gas and Plumbing shall administer and enforce the provisions of 248 CMR 3.00 through 10.00 and shall have such powers and duties as are

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prescribed therein or conferred and imposed upon them by general law and/or this By-Law. For purposes of 248 CMR 3.00, Assistant, Alternate, or Deputy Inspectors shall also be deemed Local Inspectors.

Section 4. Violations of Other Codes. Whenever an Inspector observes an apparent or actual violation of a statute, code, regulation, standard, or bylaw not within the explicit authority of the Inspector under M.G.L. c. 142, and/or 248 CMR 3.00, the Inspector should report the findings to an official or entity having jurisdiction over that matter. The resolution of this apparent or actual violation shall not be construed as a requirement of 248 CMR 3.00 and shall be enforced by the official or entity having jurisdiction over that matter, not the Inspector.

Section 5. Each of the Inspectors of Gas and Plumbing shall work under the jurisdiction of the Land Management Department and report to the Building Commissioner or their designee.

Section 6. Each of the Inspectors of Gas and Plumbing shall file with the Town Accountant a monthly statement of all fees collected during the preceding month. All fees shall be paid to the Town Treasurer monthly for which a receipt shall be issued.

Sponsored by the Town Manager and Building Department

Finance Committee Recommends

MOTION MADE: That Article 13 be adopted as printed in the Warrant.

MOTION PASSED.

Approved by the Attorney General on January 6, 2022.

At 8:39PM, it was unanimously voted to dissolve the Special Town Meeting.

True Copy

Attest:

Michelle A. Jenkins, CMC, Town Clerk