

The Commonwealth of Massachusetts

Worcester, SS.

To either of the Constables of the Town of Rutland in the County of Worcester:
In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the **GLENWOOD ELEMENTARY SCHOOL AUDITORIUM at 65 Glenwood Road in said Rutland on Saturday, the Seventh day of May 2022, at 4:00 o'clock in the evening**, there and then to vote on the following articles:

ARTICLE 1.

To hear the Annual Reports of the Town Officers and Committees.

Majority Vote

DESCRIPTION: This report is informational in nature and explains the activities of Town boards, commissions, and Town departments. This information is available on the Town website.

ARTICLE 2.

To see if the Town will vote to fix the salaries or compensation of elected Town Officers for the fiscal year beginning July 1, 2022, in accordance with Section 108, Chapter 41, of the General Laws as amended; or take any action in relation thereto.

Majority Vote

DESCRIPTION: This article deals only with compensation of elected officials. Included is the Moderator, Board of Selectmen, Town Clerk, Board of Assessors, Board of Health, and Planning Board.

ARTICLE 3.

To see if the Town will vote to raise such sums of money or utilize Free Cash as may be necessary to defray the expenses of **Municipal Departments** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote

DESCRIPTION: This Article is to adopt the FY23 Town budget for municipal departments.

ARTICLE 4.

To see if the Town will vote to raise and appropriate a sum of money to defray the expenses of the **Southern Worcester County Regional Vocational School Assessment** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote

DESCRIPTION: This is the annual Assessment for our regional technical school system. Five new students will be going to Bay Path this year.

ARTICLE 5.

To see if the Town will vote to raise and appropriate a sum of money to defray the expenses of the Wachusett Regional School District **Minimum Local Contribution** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote—MGL c.40, s. 5; MGL c.71, s.16B

DESCRIPTION: This article funds our regional school district. The Minimum Local Contribution is the minimum amount required by the Commonwealth of Massachusetts. The regional school district is made up of the towns of Holden, Paxton, Princeton, Rutland, and Sterling.

ARTICLE 6.

To see if the Town will vote to raise and appropriate a sum of money to defray the expenses of the Wachusett Regional School District **Debt Service Assessment** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote—MGL c.40, s. 5; MGL c.71, s.16B

DESCRIPTION: Debt Service covers bond principal and interest payments. Overall District enrollment is used to calculate the Jefferson Oil Remediation bond, and high school enrollment is used for the high school construction bonds.

ARTICLE 7.

To see if the Town will vote to raise and appropriate a sum of money to defray the expenses of the Wachusett Regional School District **Transportation Assessment** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote—MGL c.40, s. 5; MGL c.71, s.16B

DESCRIPTION: The Transportation assessment is based on total transportation costs minus state transportation aid.

ARTICLE 8.

To see if the Town will vote to raise and appropriate a sum of money, to defray the expenses of the Wachusett Regional School District **Operations Assessment** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote—MGL c.40, s. 5; MGL c.71, s.16B

DESCRIPTION: The Operational Assessment is the amount the School Committee believes is needed to fund the school system. This is the amount needed to balance the district's expenditure budget after considering all other available revenue sources.

ARTICLE 9.

To see if the Town will vote to accept the Wachusett Regional School District Regional Agreement as amended on March 7, 2022, by the WRDS School Committee, also on file with the Town Clerk, or take any action in relation thereto.

Majority Vote

DESCRIPTION: The Wachusett Regional School District School committee voted these changes to the Regional Agreement: (1) amended WRSD Regional District Agreement – weighted vote/attrition model (2) amended Section 1 pursuant to the Weighted Vote/Attrition model (3) amended Section 11 (4) amended Section 16 (and a renumber of subsequent sections).

ARTICLE 10.

To see if the Town will vote to raise and appropriate a sum of money as may be necessary to defray the expenses of **Debt Service** for the fiscal year beginning July 1, 2022 and to determine whether the Town will appropriate money therefore, to be provided by taxation or by appropriation from available funds; or take any action in relation thereto.

Majority Vote

DESCRIPTION: This article is for the purpose of funding for long-term municipal debt. Often it is utilized for major renovations or repairs to buildings. This has in the past included library renovations, school construction, and improvements to our public safety building.

ARTICLE 11.

To see if the Town will vote to raise and appropriate a sum of money to operate the **Water/Sewer Department** for the fiscal year beginning July 1, 2022; or take any action in relation thereto.

Majority Vote

DESCRIPTION: This is the funding to pay for the operation of the water/sewer system. It is called an Enterprise Fund and is funding by a separate water/sewer assessment.

ARTICLE 12.

To see if the Town will vote to appropriate the sum of \$106,632.00 from Water and Sewer Retained earnings (Free Cash), for the purpose of paying the Fiscal Year 2022 debt service obligation resulting from the permanent borrowing of water and sewer infrastructure improvements or take any action in relation thereto.

Majority Vote

DESCRIPTION: The water and sewer improvements were voted and approved at a previous Town Meeting dated 11/14/2019. The total sum of \$3,000,000.00 was bonded for twenty years in November of 2021. As this financing was completed in the middle of the current fiscal year to take advantage of very favorable market conditions, the debt service payment due in year one (1) was unable to be appropriated at a prior Town Meeting. Many of the improvements have been completed at great benefit to the Town, and approximately 65 percent of this work has already been completed.

ARTICLE 13. Board of Selectmen/Cable Advisory Committee

To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Related Fund to fund **PEG Access and Cable Related operations** for the fiscal year beginning July 1, 2022, and further that at the close of the fiscal year, to provide that all unspent funds shall be closed back to the PEG Access and Cable Related Fund; or take any action in relation thereto.

Majority Vote

DESCRIPTION: These funds pay for the Town's public access television station. It is not paid for from taxes, but instead by our cable television provider who has a long-term contract with the Town of Rutland. It is utilized to make sure that citizens have access to important government information like the broadcasting of town meetings and the distribution of important information in case of an emergency.

ARTICLE 14. Capital Budget (Capital Improvement Planning Committee)

To see if the Town will vote to appropriate a sum of money, for the fiscal year beginning July 1, 2022, for the capital equipment, buildings, facilities, and other projects, and authorize the Board of Selectmen to take by eminent domain, purchase or otherwise acquire any fee, easement, or interest in land necessary therefore; determine whether the funding shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; and further to authorize the Board of Selectmen to apply for, accept, and expend any federal or state grant funds or private donations that may be available for such capital improvements and to take such other action as may be necessary to effectuate the vote taken hereunder; or take any action in relation thereto.

Majority Vote and/or 2/3 Vote (for Stabilization Fund use or for borrowing)

DESCRIPTION: These funds are utilized to make one-time capital purchases, this would include such items as vehicles, for town departments, repairs to town buildings, or other one-time large purchases. These items must be approved by the Town's Capital Improvement Committee and then by Town Meeting before they can be purchased.

ARTICLE 15.

To see if the Town will vote to authorize the Board of Selectmen to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals, or institutions; or take any action in relation thereto.

Majority Vote

DESCRIPTION: The Town routinely gets grants from the Commonwealth of Massachusetts and the federal government. This article simply lets the Town accept these grants.

ARTICLE 16.

To see if the Town will vote to authorize the Board of Selectmen to enter into contracts for goods and services with duration in excess of three (3) years under the provisions of G.L. c.30B, §12(b); or take any action in relation thereto.

Majority Vote

DESCRIPTION: On occasion the town must negotiate contracts that are longer in nature than three years. Long-term contracts normally save the town money and have benefits to both the town and the vendor by allowing both parties to understand their long-term costs and obligations.

ARTICLE 17.

To see if the Town will vote to appropriate all funds which become available in the fiscal year 2023 from the Commonwealth of Massachusetts Department of Highways, Chapter 90 Bond Issue proceeds, to be used by the DPW for the repair and maintenance of Town roads in conformance with Massachusetts General Laws and further that the Town vote to raise said appropriation by borrowing and authorize the Town Treasurer, with approval of the Board of Selectmen, to issue bonds or notes of the Town therefore, in anticipation of the receipt of said State Aid; or take any action in relation thereto.

Majority Vote

DESCRIPTION: These funds are part of a state grant program called Chapter 90. This money is given to all municipalities to help them revitalize local roads. While this funding is helpful it does not provide enough money to keep our roads in good condition. The Town does its best to prioritize roads in most need of repair.

ARTICLE 18.

To see if the Town will vote to amend the Town’s Zoning By-law by amending text references in ARTICLE III, Use Regulations Section 8A(9), and Section 11A, and Article IX, Administration and Enforcement Section 64B(3), as set forth in the handout titled, “May 7, 2022 Annual Town Meeting – Zoning By-law Technical Corrections, Article 19,” also on file with the Town Clerk, or take any action in relation thereto.

2/3 Vote—G.L. c. 40A Section 5

DESCRIPTION: This article would allow minor technical corrections to the Zoning By-law to clarify operating hours for community and recreational facilities, to clarify that uses referenced in Section 8A(9) are allowable by Site Plan Review from the Zoning Board, to revise the text of Section 11A to remove unneeded language for procedures described elsewhere in the By-law, and to update the Zoning Board role to grant variances, consistent with its other listed powers and consistent with the Zoning Act.

ARTICLE 19.

To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to establish fiscal year 2023 spending limits for the revolving funds listed in Section 6 of the bylaw of the same name, all as set forth below, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 in any year, to change the same for the ensuing fiscal year; provided, however, that at the request of the entity authorized to expend such funds, the Board of Selectmen, with the approval of the Finance Committee, may increase such limit, for that fiscal year only, all as set forth below:

Revolving Fund	Fiscal Year Spending Limit
Animal Control Department	\$6,000
Board of Health	\$60,000
Planning Board	\$75,000
Recreation Department	\$210,042
Safe Place (*)	\$206,608
Tax Title	\$5,000
Zoning Board of Appeals (new)	\$5,000

() For school year programs including but not limited to the Safe Place Programs*

Or take any action in relation thereto.

Majority Vote

DESCRIPTION: These funds are called Revolving Funds because they are generally supported by revenue generated by a program, activity, and/or fees and not from taxpayers. An example of this is: The recreation department is funded by activities such as summer camp, pool fees, and other revenues generated by recreational activities.

ARTICLE 20. Road Acceptance

To see if the Town will vote to accept Teresa Drive as a Town Public Way as laid out by the Board of Selectmen and recommended by the Planning Board, all as detailed below, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Rutland.

Further Land Description Land known as “Teresa Drive” from its beginning at Station 00+00 to station 4+25 on a plan titled “Definitive Open Space Plan, Maple Hill Estates,” dated April 3, 2019, scale 1”=40’, prepared by James B. Kalloch, P.L.S., New England Environmental Design, LLC, recorded in Plan Book 949, Plan 96 (the “First Plan”). Grantor also hereby conveys to the Town the water, sewer, and drainage facilities within the Roadway Premises.

Majority Vote

DESCRIPTION: This is part of an established Road Acceptance Policy of the Town of Rutland. The Select Board held a Public Hearing on this issue on Monday April 4, 2022. By accepting these roads, the Town is now allowed to receive additional funding under the State’s Chapter 90 grant program. The road meets the Town’s standards for accepting it as public ways. This also allows the Town to plow and maintain the road.

ARTICLE 21. *Road Acceptance*

To see if the Town will vote to accept Woodside Avenue & Sedona Circle as Town Public Ways as laid out by the Board of Selectmen and recommended by the Planning Board, all as detailed below, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain land or rights in land within said ways as so laid out, for all purposes for which public ways are used in the Town of Rutland.

Further Land Description Land known as “Woodside Avenue”: from its beginning at Station 50+24.12 at the centerline of Charnock Hill Road (a public way) to station 35+50.00 on a plan titled “Amended Definitive Plan, Brice-Lemon Estates, Rutland, Massachusetts”, dated March 28, 2014, Scales 1”=200’ and 1”=40’, prepared by James B. Kalloch, P.L.S. & P.E., recorded in Plan Book 913, Plan 67 (the “First Plan”); (b) the parcel of land known as “Sedona Circle” from its beginning at Station 0+00 at the centerline of Woodside Avenue to its terminus in a cul-de-sac at station 5+74.03 on a plan titled “Amended Definitive Plan, Brice-Lemon Estates, Rutland, Massachusetts”, dated March 28, 2014, Scales 1”=200’ and 1”=40’, prepared by James B. Kalloch, P.L.S. & P.E., recorded in Plan Book 913, Plan 67 (the “First Plan”). Grantor also hereby conveys to the Town the water, sewer, and drainage facilities within the Roadway Premises.

Majority Vote

DESCRIPTION: This is part of an established Road Acceptance Policy of the Town of Rutland. The Board of Selectmen held a Public Hearing on this issue on Monday April 4, 2022. By accepting these roads, the Town is now allowed to receive additional funding under the State’s Chapter 90 grant program. The roads meet the Town’s standards for accepting them as public ways. This also allows the Town to plow and maintain the roads.

ARTICLE 22. Road Acceptance

To see if the Town will vote to accept Woodside Avenue & Oakley Circle as Town Public Ways as laid out by the Board of Selectmen and recommended by the Planning Board, all as detailed below, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said ways as so laid out, for all purposes for which public ways are used in the Town of Rutland.

Further Land Description Land known as “Woodside Avenue” from its beginning at Station 35+50.00 to station 27+00 on a plan titled “Amended Definitive Plan, Brice-Lemon Estates, Rutland, Massachusetts”, dated March 28, 2014, Scales 1”=200’ and 1”=40’, prepared by James B. Kalloch, P.L.S. & P.E., recorded in Plan Book 913, Plan 67 (the “First Plan”); (b) the parcel shown as “Mill Brook Circle” (now known as Oakley Circle) from its beginning at Station 0+00 at the centerline of Woodside Avenue to its terminus in a cul-de-sac at station 2+60.00 on a plan titled “Amended Definitive Plan, Brice-Lemon Estates, Rutland, Massachusetts”, dated March 28, 2014, Scales 1”=200’ and 1”=40’, prepared by James B. Kalloch, P.L.S. & P.E., recorded in Plan Book 913, Plan 67 (the “First Plan”). Grantor also hereby conveys to the Town the water, sewer, and drainage facilities within the Roadway Premises.

Majority Vote

DESCRIPTION: This is part of an established Road Acceptance Policy of the Town of Rutland. The Board of Selectmen held a Public Hearing on this issue on Monday April 4, 2022. By accepting these roads, the Town is now allowed to receive additional funding under the State’s Chapter 90 grant program. The roads meet the Town’s standards for accepting them as public ways. This also allows the Town to plow and maintain the roads.

ARTICLE 23.

To see if the Town will vote to accept MGL chapter 59 Section 5 Clause 22G: In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator, or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, or Twenty-second F if the person were the owner of the real estate.

Majority Vote

DESCRIPTION: This article removes the trustee stipulation from the veteran's exemption.

ARTICLE 24. *Town Clerk*

To see if the Town will vote to accept the provisions of M.G.L. Chapter 53, § 9A, to provide that the final date for obtaining blank nomination papers for nominations to town office shall be forty-eight -week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification or take any action in relation thereto.

Majority Vote

ARTICLE 25.

To see if the Town will vote to fund with a sum of money from Water and Sewer Retained earnings a project that recovers the current residuals management system at the Water Filtration Plant and updates operations going forward to comply with State and Federal Requirements.

Majority Vote

DESCRIPTION: The existing system is no longer functioning as intended and the design does not meet current state requirements.

ARTICLE 26. *Citizen Petition*

To see if the Town will vote to Amend the Rutland Zoning Bylaws by deleting section 8(B) in its entirety and replacing it with new section 8(B), attached hereto and incorporated herewith; or take any action in relation thereto.

Section 8(B) Special Permits for Major Home Occupations.

Special permit for major home occupation. In order to allow proprietors of businesses flexibility to operate businesses out of their homes to a greater extent than is otherwise permitted by this bylaw as a customary home occupation, while preserving and protecting the rural or residential nature of the neighborhood, the Planning Board (“Board”) may grant a special permit to allow a major home occupation.

- (1) Major home occupations shall comply with the following standards:
 - (a) On properties smaller than three acres, no more than three employees not residing on the premises shall be allowed to report to the business site. On properties three acres or larger, no more than ten employees not residing on the premises shall be allowed to report to the business site. For properties larger than ten acres in areas, the Board may allow for more than ten employees and may limit the number accordingly.
 - (b) The home occupation shall be clearly subordinate to the primary residential nature of the property. The principal of the business must be the owner of the property and maintain his permanent residence in the dwelling at the premises.
 - (c) Utility areas (such as dumpsters, fuel storage facilities, etc.) and outdoor storage of equipment, vehicles, or supplies associated with the home occupation shall be adequately screened to minimize the visual intrusion on adjacent properties and with views from public ways. The Board may require a coniferous vegetative screen with plantings of not less than three feet in width and not less than six feet in height at commencement of the use. At the discretion of the Board, fences or walls may be used, which shall not exceed four feet in height in front yards or six feet in side and

- rear yards. The Board may limit the type of materials to be used for such fences or walls.
- (d) Parking needed for employees and visitors shall be located at the side or rear of the dwelling, or if located in front of the dwelling, shall be suitably landscaped to minimize the visual impact on adjacent properties. On-street parking shall not be permitted.
 - (e) One sign, in conformance with the Sign Bylaw, is permitted on the property to advertise the home occupation. No internal or external illumination of the sign is permitted.
 - (f) Major home occupations may include the selling of products, the major portion of which is produced on the premises. Not more than 25% of the products sold shall be purchased or obtained elsewhere.
 - (g) Lighting shall be appropriate to the building and its surroundings in terms of style, scale, hours, and intensity of illumination. Low-wattage systems are recommended, and site lighting shall be shielded, especially in developed residential areas.
- (2) The Board may grant a special permit if it determines that the activities will not (a) create an unreasonable hazard to the public or natural environment, (b) cause an unreasonable disturbance to any abutter, (c) result in an injury or detriment to the neighborhood and (d) will not create unsightliness visible from any public way or neighboring property.
 - (3) When determining whether to grant the special permit, the Board may consider the size of the lot, the proximity of the proposed use to neighboring properties, the character of the neighborhood, the historical use of the property, and the proposed activities to be conducted on the property.
 - (4) The Board may impose conditions deemed necessary to preserve neighborhood character and protect existing and future abutting land uses, including limitations on time and ownership and hours of operation.
 - (5) The special permit shall be granted to the owner and shall expire upon transfer of the property or business; any new owner shall apply for a new special permit. The special permit may at any time be subject to review and/or renewal by the Board and may be further conditioned, amended, or revoked as necessary to ensure that the intent of this section is maintained.
 - (6) Procedure for approval. The procedure for approval of the special permit for a major home occupation shall be as provided in Article VII, Special Permits. The applicant, within three days of the Board accepting the application as complete, shall submit one copy to the Zoning Board of Appeals, Board of Health, Building Inspector, Conservation Commission, Department of Public Works, and Police and Fire Chiefs with a request for their review and comment. Said boards and officials shall have 35 days to submit their comments to the Board.

2/3 Vote — MGL Chap. 40A, Sec. 5

ARTICLE 27. Citizen Petition

To see if the Town will vote to amend the Rutland Zoning Bylaws and Zoning map so as to change the zoning district from Residential R-60 to Business, for all property as shown on the attached segment of the Town of Rutland zoning map attached hereto and incorporated herewith, being all land between the northwest side of Wachusett Street from Glenwood Road to East County Road, all land between on the southwest side of East County Road between Wachusett Street and Glenwood Road, and all land between the east side of Glenwood Road and the southwest side of East County Road and the northwest side of Wachusett Street, excluding such land on the East County Road currently zoned as Light Industrial – Office (LI-O); or take any action in relation thereto.

2/3 Vote—MGL Chap. 40A, Sec. 5

ARTICLE 28. Citizen Petition

To see if the Town will vote to Amend the Rutland Zoning Bylaws by adding to Article III of the Zoning Bylaws of the use regulations. Section 10A village center (VC) district. Subsection B for uses allowed by right in the VC district. I would like a new section added to include automobile sales and repair, motorcycle repair and sales.

2/3 Vote—MGL Chap. 40A, Sec. 5

ARTICLE 29. Moderator

To choose all necessary Town Officers and Committees

Majority Vote

DESCRIPTION: This Article is for the purpose of choosing all necessary Town Officers. Moderator to appoint Finance Committee members.

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And in the name of the Commonwealth of Massachusetts you are hereby further required to notify and warn the inhabitants of the Town of Rutland, qualified to vote in elections and in Town affairs to meet at the following locations:

- Precinct 1 – NAQUAG ELEMENTARY SCHOOL, 285 Main Street
- Precinct 2 – RUTLAND PUBLIC LIBRARY-lower level, 280 Main Street
- Precinct 3 – NAQUAG ELEMENTARY SCHOOL, 285 Main Street

in said Rutland on Monday, the Ninth Day of May 2022, at 7:00 o'clock in the FORENOON, to 8:00 o'clock in the EVENING, then and there to vote on the following:

Moderator for one year

Board of Selectmen for three years

Board of Assessors for three years

Board of Health for three years

Planning Board for five years

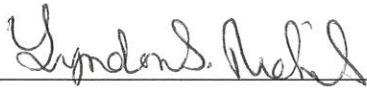
Library Board of Trustees two for three years


Wachusett Regional School District School Committee two for three years

Southern Worcester County Reg. Voc. Sch. District School Committee one for three years

And you are directed to serve this warrant, by posting up attested copies thereof at five (5) public places in said Town, fourteen (14) days at least before the time of holding said meeting and election.

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 and election, as aforesaid. Given under our hands this 21st day of April 2022.









Selectmen—Town of Rutland

A true copy. Attest:  } Constable Date: 04/22/2022

Worcester, SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Rutland by posting up attested copies of the same at five (5) public places fourteen (14) days before the date hereof, as within directed.

Posted in Five Public Places

Richard E. Hobb April 22 ,2022.
Constable of the Town of Rutland (month and day)

*Warrant must be posted by **April 22, 2022**
(at least 14 days prior to the May 7, 2022 Annual Town Meeting & May 9, 2022 Annual Town Election)*