

**TOWN OF DUDLEY**  
**ANNUAL SPRING 2021 TOWN MEETING**  
**COMMONWEALTH OF MASSACHUSETTS**

As instructed in the preceding warrant, legal voters of the Town of Dudley assembled in the Connie Vanco-Galli Auditorium at Shepherd Hill Regional High School, in said Dudley on Monday, May 24, 2021. The meeting was brought to order at 7:08 p.m. as the quorum was met with 64 voters checked in at this point. The Moderator made announcements regarding proper decorum at a town meeting and then led the Pledge of Allegiance to the Flag. Selectmen Sullivan asked for a moment of silence to remember all who have served the town in various capacities over the years, particularly Josephine Botteri who recently passed away. Selectmen Marsi thanked public safety and all first responders for their service throughout the COVID-19 and a moment of silence for all lost lives to the impact of COVID-19. The Moderator announced COVID-19 precautions and provided a brief instruction on how to use the clickers to vote on the articles prior to addressing the articles on the Annual Town Meeting.

Moderator Christopher Starczewski asked for unanimous consent that for clarification on budget items or other articles that employees or any other agent acting on behalf of the town who are not community members be permitted to speak. Hearing no objection through unanimous consent we will be allowing employees and other agents who are not residents of Dudley are allowed to speak once being recognized. He stated that as a point of information we have Michelle Randazzo of KP Law who may be consulted at times for clarification on the laws. The Moderator asked for unanimous consent to limit debate to 5 minutes per speaker. Hearing no objection, we will be limiting debate to 5 minutes per speaker. No articles will be taken up after 10:15 pm unless it would eliminate the need for a second night session. A reminder was made that tomorrow night is Candidate's Night at 6:00 pm at the Dudley Town Hall for all candidates on the June 14, 2021 Annual Town Election ballot. The Moderator then recognized the Town Clerk to read the service of the warrant.

**ARTICLE 1 – Passed by a Majority** to receive the reports of the several Town Officers and all Committees, or take any other action relative thereto.

**ARTICLE 2: Unanimously Accepted** to hear and act on the recommendations of the Board of Selectmen and the Finance & Appropriation and Advisory Committee or take any other action relative thereto.

**ARTICLE 3: Passed by a Majority** to see if the Town will vote to determine the sums of money the Town will raise and appropriate, borrow or transfer from any available funds to defray the supplemental charges and expenses of the Town and including debt and interest for Fiscal Year 2021, or take any other action relative thereto.

FAA Chairman Michael Mayotte made a motion to approve Article 4 as printed in the warrant including sources and uses of funds, including the stabilization fund(s) and totaling \$22,882,743.00 to defray the charges and expenses of the Town and to provide a reserve fund(s), determine the compensation for elected office for the ensuing year beginning on July 1, 2021, and including payment of debt and interest. The motion was seconded and unanimously approved.

Marcia Wagner, 27 Hickory Drive asked if the solar revenues are included in these funds. Town Administrator Jon Ruda said that they were. Ms. Wagner stated that she would like to see the solar revenues broken out. Mr. Ruda said that it is difficult to break them out this close to the end of the fiscal year but can be provided in the future.

Terry Canty, 37 Center Road asked if the salaries listed for Town Clerk and Treasurer/Collector are current salaries or if it represents an increase. Mr. Ruda stated that it is their current salaries.

**ARTICLE 4: Passed by a Majority greater than 2/3rds** to determine the sums of money the Town will raise and appropriate, borrow, or transfer from available funds to defray the charges and expenses of the Town and provide for a reserve fund(s), determining the compensation for elected offices and including debt and interest for the ensuing fiscal year beginning on July 1, 2021.

GENERAL FUND	BUDGET FY 2022
ACCOUNTANT	70,040
ADMINISTRATION	342,483
ASSESSORS	125,631
BUILDING INSPECTOR	29,879
CEMETERY COMMISSION	1
CLERK (TOWN) – <i>Includes Town Clerk Salary of \$65,353</i>	125,960
CONSERVATION	1
COUNCIL ON AGING	101
F.A.A.	10
FIRE DEPARTMENT	1,257,896
HEALTH	28,501
HIGHWAY	950,791
INFORMATION Tech.	77,558
LIBRARY	353,974
MODERATOR	1
MUNICIPAL EXPENSES	94,201
PERSONNEL BOARD	3
PLANNING BOARD	44,417
POLICE	1,595,022

RECYCLING	189,825
SELECTMEN	29,486
TREASURER/COLLECTOR- <i>Includes Treas/Cltr Salary of \$92,137.56</i>	4,214,537
VETERANS SERVICES	202,953
ZONING BOARD OF APPEALS	2
<b>TOTAL GENERAL FUND:</b>	<b>9,733,273</b>
<b><u>SCHOOLS</u></b>	
DUDLEY-CHARLTON REGIONAL	9,310,599
SO. WORCESTER COUNTY REG. VOC.	1,078,223
<b>TOTAL EDUCATION:</b>	<b>10,388,822</b>
<b>State Assessments</b>	<b>32,769</b>
<b><u>ENTERPRISE FUNDS:</u></b>	
Water Department	1,485,314
Sewer Department	1,096,126
<b>TOTAL ENTERPRISE FUNDS:</b>	<b>2,581,440</b>
<b>TOTAL TOWN BUDGET (with State Assessments):</b>	<b>22,736,303</b>
<b>TOTAL TOWN BUDGET (Less State Assessments):</b>	<b>22,703,534</b>
<b>GENERAL FUND BUDGET REVENUE SOURCES:</b>	
Taxation (Real property, personal property taxes)	12,942,242
New Growth	100,000
Debt Exclusions	1,440,019
State Aid & Reimbursements	2,168,406
Free Cash	
Stabilization Fund	163,333
Local Receipts	3,487,304
*Water and Sewer Indirect Fees: (from Water and Sewer User Fees/Charges)	175,434
*Water & Sewer (from Water & Sewer User Fees/Charges:	2,406,006
SEWER FUNDING: FROM SEWER FEES & CHARGES \$1,096,126 SEWER FUNDING: FROM SEWER RETAINED EARNINGS 0 WATER FUNDING: FROM WATER FEES & CHARGES \$1,485,314 WATER FUNDING: FROM WATER RETAINED EARNINGS 0	
*Note: W/S Budget: \$2,406,006+Indirect Fees \$175,434 = \$2,581,440	
<b>GRAND TOTAL FUNDING SOURCES:</b>	<b>22,882,743</b>
<b><u>TOTAL BUDGET EXPENSES:</u></b>	
Total Budget (including schools + Water and Sewer w/o Assessments)	22,703,534
State & County & Regional Assessments	32,769
State Assessment: Cherry Sheet Offset	26,440
Overlay – Assessors	120,000
<b>GRAND TOTAL TOWN BUDGET:</b>	<b>22,882,743</b>

**ARTICLE 5: Passed with Majority Vote** to see if the town will vote to establish Fiscal Year 2022 spending limits for the revolving funds set forth in Article 45 of the Town's General Bylaws, as follows, or take any other action relative thereto:

Arrest Warrant Services	\$10,000
Animal Care	\$15,000
Board of Health Education Programs	\$ 1,000
Cemetery Fees	\$ 5,000
COA Meals	\$ 5,000
Cruiser Use	\$50,000
Electric Vehicle Charging Stations	\$10,000
Fire Penalties/Violations	\$ 7,500
Fire Outside Details	\$25,000
Firearms Permit Services	\$20,000
Genealogy Services	\$ 3,000
Town Gift Shop	\$ 2,000
Hazardous Materials Collection	\$ 9,000
Inspector Services	\$80,000
Library Lost Books	\$ 5,000
Municipal Hearings	\$ 2,000
Planning Documents	\$ 1,000
Regulatory Compliance	\$50,000
Tax Title Fees	\$75,000
Veteran Bricks/Memorial	\$ 6,000
Website	\$ 3,000

Selectman Chair, Kerry Cyganiewicz made a motion to approve Article 6 as printed in the warrant. Motion was seconded.

**ARTICLE 6: Passed with a Majority Vote** to authorize the Board of Selectmen, acting as the Local Licensing Board, to Petition the General Court for Special Legislation to grant up to three (3) additional license(s) under the provision of Section 15 of G.L. Chapter 138 – Sale of all Alcohol Beverages to be Drunk off the Premises, or take any other action relative thereto.

SECTION 2. This act shall take effect upon its passage.

Selectman Chair, Kerry Cyganiewicz made a motion to approve Article 7 as printed in the warrant. Motion was seconded.

**ARTICLE 7: Passes with a Majority Vote** to amend Chapter 85, Section 3 of the Town's General Bylaws due to a scrivener error, by deleting the stricken through text and adding the bolded text as follows: "The Commission shall be charged with the recreation programs designed by the Commission and approved by the Board of Selectmen. The ~~Committee~~ **Commission** shall operate within the Commonwealth's guidelines and the Town of Dudley's requirements for a Town committee... or take any other action relative thereto.

Selectman Chair, Kerry Cyganiewicz made a motion to amend Article 8 to read Chapter 254, Section 2, Definition D under Pollutant as printed in the warrant. Motion was seconded. Town Clerk questioned whether the motion can be amended to include a spelling correction. Town Moderator stated that it cannot be amended but Mr. Cyganiewicz can rescind his motion.

Selectmen Cyganiewicz rescinded his motion and made a motion to amend Article 8 to read Chapter 254, Section 2, Definition D under Pollutant as printed in the warrant and it should read ordnance and not ordinance. Motion was seconded.

**ARTICLE 8: Unanimously Accepted**— to amend Chapter 245, Section 2 Definition D under “Pollutant” of the Town’s General Bylaws due to a scrivener error, by deleting the stricken through text and adding the bolded text as follows: “Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ~~bylaws~~ **ordnance**, and accumulations,..., or take any other action relative thereto.

Selectman Chair, Kerry Cyganiewicz made a motion to approve Article 9 as printed in the warrant. Motion was seconded.

**ARTICLE 9: Passed Unanimously**- to amend Chapter 245, Section 7G of the Town’s General Bylaws due to a scrivener error, by deleting the stricken through text and adding the bolded text as follows: “Uncontaminated water originating from residential pumping, including air-conditioning condensation and water from exterior ~~fountain~~ **foundation** or footing drains (not including active groundwater dewatering systems..., or take any other action relative thereto.

The FAA recommended that Article 10 be Passed Over. The motion was seconded and approved by a majority.

**ARTICLE 10: Passed Over by Majority** to raise and appropriate, borrow, or transfer from available funds the sum of One Hundred Ten Thousand Dollars and Zero Cents (\$110,000.00) or other such sum, for the purchase of a chemical road treatment system with associated equipment, as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

The FAA recommended that Article 11 be Passed Over. The motion was seconded and unanimously approved.

**ARTICLE 11: Passed Over by Unanimous Vote** to raise and appropriate, borrow or transfer from available funds the total sum of Ninety Thousand Dollars and Zero Cents (\$90,000.00), or some such sum for the replacement of the Highway Department Foreman’s truck and the Building, Grounds, Cemeteries and Parks truck, and associated warning and communications equipment as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

The FAA recommended that Article 12 be Passed Over. The motion was seconded and unanimously approved.

**ARTICLE 12: Passed Over by Unanimous Vote** to raise and appropriate, borrow, or transfer from available funds the sum of Fifty-eight Thousand Dollars and Zero Cents (\$58,000.00), or some such sum for the purchase of a police cruiser with associated equipment, as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

FAA Chairman Michael Mayotte made a motion to appropriate the sum of \$350,000 for the purpose set forth in Article 13 of the warrant, and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to G.L. c 44 §§ 7 or 8, or any other enabling authority to issue bonds and notes of the Town therefor. 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 the costs approved by this vote, in accordance with G.L. c 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, 2/3<sup>rd</sup> majority vote required. Motion was seconded and unanimously accepted.

During the discussion, a question was asked about the funding. Mr. Mayotte responded that the funding for this he believes is reimbursable by Chapter 90 funds.

**ARTICLE 13: Unanimously Accepted** – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), or some such sum for the purchase of two (2) large dump truck chassis, as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

FAA Chairman Michael Mayotte deferred to the Planning Board. Dan Edmiston, Planning Board Chair, made a motion to amend its zoning bylaw and zoning map as stated in Article 14 of the warrant. Motion was seconded.

Mr. Edmiston stated Robert & Lynne Doherty approached the Planning Board with a request to be able to grow marijuana outdoors on their farm on Corbin Road. Currently marijuana cultivation is only allowed in IND-130 districts by special permit of the Planning Board. The Board considered the request and decided that such cultivation could be allowed on large lots without negatively impacting neighboring properties. The Board decided to set a 15-acre minimum lot size for this purpose. The Board believes that the Doherty farm is an appropriate location to include in the overlay district. It contains over 50 acres and outdoor marijuana cultivation can take place on parts of the farm that will not negatively impact any neighbors. There was no opposition from any neighbors during our discussions. At it's May 5, 2021 and May 12, 2021 Planning Board meetings, the Board held the required public hearing on the proposed amendment. Upon closing the hearing, the Board voted unanimously to recommend approval of the amendment to Town Meeting.

**ARTICLE 14: Failed to Achieve the Required 2/3<sup>rd</sup> Majority Vote** to amend the Zoning Bylaw and Zoning Map to create a new "Marijuana Cultivation Overlay District" where outdoor cultivation of marijuana would be permitted by Special Permit and Site Plan Approval of the Planning Board, in accordance with the terms of Section 3.15, Medical and Adult Use Marijuana Establishments, of the Dudley Zoning Bylaw, on parcels containing a minimum of 15 acres subject to inclusion in the overlay district by Town Meeting, all as set forth below, and further, to include a specific property on Corbin Road known as Assessors Map 210, Parcel 17 in said overlay district, or take any other action relative thereto.

Proposed Amendments:

- In Section 2.01.01 of the Zoning Bylaw, Establishment of Districts, add a new line under the heading ‘Overlay Districts’ to read:

Marijuana Cultivation Overlay District (See Footnote 20 in Section 2.03.03)

- In Section 2.03.02 of the Zoning Bylaw, Use by District Chart, add new footnote number 20 to the term ‘Marijuana Cultivator’, and add a new footnote 20 to Section 2.03.03, Footnotes, to read as follows:

20. Outdoor cultivation of marijuana is allowed by Special Permit and Site Plan Approval of the Planning Board in the Marijuana Cultivation Overlay District in accordance with the terms of Section 3.15, Medical and Adult Use Marijuana Establishments, of this Zoning Bylaw. To be eligible for inclusion in the district by Town Meeting, parcels must contain a minimum of 15 acres. All permitted uses as a matter of right in the underlying district are permitted as a matter of right in the Overlay District; all permissible uses requiring a special permit in the underlying district are permissible uses requiring a special permit in the Overlay District.

- Amend the Dudley Zoning Map by adding the Marijuana Cultivation Overlay District to the Legend.

and

- Further amend the Dudley Zoning Map by including in said District the property owned by Robert Doherty and Lynne M. Doherty on Corbin Road, as described in the deed recorded in the Worcester District Registry of Deeds at Book 58635 Page 327, and shown as Parcel 1 on a plan recorded at Plan Book 936 Plan 18, comprising 51.179± acres, also known as Assessors Map 210, Lot 17, as further shown on the map entitled “Proposed Marijuana Cultivation Overlay District, Doherty Farm, Corbin Road,” which map can be found on the Town’s website, under “Planning Board documents,” at <https://dudleyma.gov/documents/?dept=PB&page=1&type=GE>, under the heading “Proposed Amendment for a Marijuana Cultivation Overlay District,” and at the Town Clerk’s Office.

FAA Chairman Michael Mayotte deferred to the Petitioner of Article 15. Attorney Michael Jalbert, representing the petitioner, JD &D Construction, Dariusz Ochocki, spoke on his behalf to ask that the Zoning bylaw amend its Zoning Map and re-zone a 4.4 acre parcel of land known as 115 Schofield Ave from the Industrial 43 Zoning District to the Industrial 130 Zoning District as stated in Article 15 of the warrant. Dan Edmiston, Planning Board Chair, made a motion to approve Article 15 as written in the warrant. Motion was seconded.

Mr. Edmiston stated that the overall intent of the article is to provide the proper zoning to allow for an adult use marijuana retail store. This use is not allowed in IND43 but is allowed in IND 130 by special permit of the Planning Board. The Board finds that there is virtually no difference in the permitted used in IND 43 and IND 130, except for marijuana uses. Changing to IND 130 will not affect surrounding land uses which are already zoned for industry. It is consistent with

the Town Meeting's preference to keep marijuana establishments in industrial districts. The property contains the required land area and frontage for the IND 130 district. At its May 5, 2021 Planning Board meeting, the Board held the required public hearing on the proposed amendment and voted unanimously to recommend approval of the amendment to Town Meeting.

**ARTICLE 15: – Failed to Achieve the Required 2/3<sup>rd</sup> Majority Vote** to Zoning By-law Change -115 Schofield Avenue from IND43 to IND130 – To see if the Town will vote to amend its Zoning Map and re-zone a parcel of land consisting of 4.4 acres +/- known as 115 Schofield Ave, as shown on Assessors Map 124, Parcel 12, from the Industrial 43 Zoning District to the Industrial-130 Zoning District, or take any other action relative thereto.

Michael Mayotte, FAA Chairman made a motion to transfer the sum of \$15,000 from the Firearms Permit Services Revolving Account to the Police Overtime Account, as set forth in Article 16 of the warrant. Motion was seconded.

**ARTICLE 16: Accepted by a Majority Vote to transfer** to the Police Overtime Account (Account No. 0001-210-5131-01), or some such sum the sum of Fifteen Thousand Dollars and Zero Cents (\$15,000.00) from the Firearms Permit Services Revolving Fund (Account No.0910-000-5780-00) to offset costs incurred during the fiscal year, or take any other action relative thereto.

The FAA recommended that Article 17 be Passed Over. The motion was seconded and unanimously passed over.

**ARTICLE 17: Unanimously Voted to Pass Over** to raise and appropriate, borrow, or transfer from available funds a sum of Seventeen Thousand Nine Hundred Fifty Dollars and Zero Cents (\$17,950.00), or some such sum to fund the balance of the cost of re-certification of real estate and personal property values for FY2023 as required by the Commonwealth's Department of Revenue, or take any other action relative thereto.

Michael Mayotte, FAA Chair, made a motion to approve a transfer a sum of \$44,000.00 from Water Retained Earnings for the purpose set forth in Article 18 as printed in the warrant. Motion was seconded and passed with a majority.

**ARTICLE 18: Passed with a Majority Vote to transfer** from Water Retained Earnings (Account No. 0061-000-3590-01) the sum of Forty-four Thousand Dollars and Zero Cents (\$44,000.00), or some such sum or other such sum, for the replacement of a Water Department pick-up truck, and associated warning and communications equipment, as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

Michael Mayotte, FAA Chair, made a motion to approve a transfer a sum of \$200,000.00 from Water Retained Earnings for the purpose set forth in Article 19 as printed in the warrant. Motion was seconded and passed with a majority.



**ARTICLE 19: Passed with a Majority Vote to transfer** from Water Retained Earnings (Account No. 0061- 000 -3590- 01) the sum of Two Hundred Thousand Dollars and Zero Cents (\$200,000.00), or some such sum to cover additional costs and fees associated with the PFAS Water Treatment Plan, or station renovation, or take any other action relative thereto.

Michael Mayotte, FAA Chair, made a motion to approve a transfer of \$50,000.00 from Water Retained Earnings for the purpose set forth in Article 20 as printed in the warrant. Motion was seconded.

Bob Sullivan, Water/Sewer Commissioner, 5 Sunrise Shore Road, stated that Mr. Mayotte's motion stated it was to transfer the sum from the Water Retained Earnings and it should actually be to transfer from the Sewer Retained Earnings as written in the warrant.

Mr. Mayotte amended his motion to change the word Water to Sewer, motion was seconded.

**ARTICLE 20: Unanimously Passed to transfer** from Sewer Retained Earnings (Account No.: 0060 000 3590 01) the sum of Fifty Thousand Dollars and Zero Cents (\$50,000.00), or some such sum to cover additional costs and fees associated with the Infiltration/Inflow Mitigation Construction Project or take any other action relative thereto.

FAA Chairman Michael Mayotte made a motion to appropriate the sum of \$1,000,000.00 for the purpose set forth in Article 21 of the warrant, and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to G.L. c 44 §§ 7 or 8, or any other enabling authority to issue bonds and notes of the Town therefor. 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 the costs approved by this vote, in accordance with G.L. c 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, 2/3<sup>rd</sup> majority vote required. Motion was seconded and passed with a 2/3<sup>rd</sup> majority vote.

**ARTICLE 21: Passed with a 2/3<sup>rd</sup> Majority Vote** to raise and appropriate, borrow, or transfer the sum of One Million Dollars and Zero Cents (\$1,000,000.00), or some such sum for the design, permitting, procurement, and construction of Temporary PFAS Water Treatment, or take any other action relative thereto.

FAA Chairman Michael Mayotte made a motion to appropriate the sum of \$150,000.00 for the purpose set forth in Article 22 of the warrant, and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to G.L. c 44 §§ 7 or 8, or any other enabling authority to issue bonds and notes of the Town therefor. 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 the costs approved by this vote, in accordance with G.L. c 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, 2/3<sup>rd</sup> majority vote required. Motion was seconded and passed with a 2/3<sup>rd</sup> majority vote.

**ARTICLE 22: Passed with a 2/3<sup>rd</sup> Majority Vote** to raise and appropriate, borrow, or transfer from available funds the sum of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), or some such sum for the Dudley Water Asset Management Project which is on the Massachusetts 2021 Drinking Water State Revolving Fund Asset Management Project List. The total project cost of \$150,000.00 is comprised of a \$90,000 grant (60% of the total project cost) which the Town will be reimbursed for in two (2) payments of \$45,000 at 50% and 100% project completion by MassDEP and the Massachusetts Clean Water Trust. The balance of the project will be comprised of in-kind services provided by the Town valued at \$30,000 and a cash contribution from Water Enterprise Funds valued at \$30,000; or take any other action relative thereto.

FAA Chairman Michael Mayotte made a motion to appropriate the sum of \$700,000.00 for the purpose set forth in Article 23 of the warrant, and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to G.L. c 44 §§ 7 or 8, or any other enabling authority to issue bonds and notes of the Town therefor. 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 the costs approved by this vote, in accordance with G.L. c 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, 2/3<sup>rd</sup> majority vote required. Motion was seconded and passed with a 2/3<sup>rd</sup> majority vote.

Marcia Wagner, 27 Hickory Drive, voiced concerns about the PFAS articles on the warrant as they include temporary treatment (article 21); water treatment plant and watermain design and Water Treatment and Water Main Construction. She stated that she knows there are companies that will remediate PFAS for under a million dollars and her concern is why do we need a whole new system and who is going to pay for this.

Scott Zajkowski, Water/Sewer Commissioner stated that the temporary treatment is just that a temporary fix to remove PFAS from the water. He said Article 21 is to fund the temporary fix and Article 23 is the engineering cost for the permanent correction. Scott stated that he does not know where the other fixes for under a million dollars are that the previous speaker mentioned, however the town of Westfield is anticipating a cost of 5 million to correct their PFAS issues and the town of Ayer is anticipating \$5-6 million for corrections.

George Patrinos, Water/Sewer Superintendent, stated that PFAS came into play when it started being regulated. He stated that the temporary fix will consist of blending the water to acceptable levels while still allowing us to maintain our necessary flow. The permanent fix will take years to complete. He said that DEP is starting with Dudley as we are in the securing a new well. He stated we are starting off with blending and going into temporary vessels which is going to help maintain our capacity of water for what we have right now and as we go for more wells for next year for our station 1 we will be going for a final treatment facility to be constructed at our New Boston Road facility where all the pump stations can be treated directly there. This will allow for

big cost savings, we also have grants, low interest loans. All we need is approval for the project to go forward.

Kerry Cyganiewicz, Board of Selectmen Chair, stated that the Board of Selectmen are in favor of these articles as we are in need of this.

Selectmen Steven Sullivan asked the Water/Sewer Superintendent to share the information that he presented to their board as to why this is important that these articles pass now; where we are in the funding process; and what are the penalties for not continuing moving forward with correcting the problem and explaining the daily fines. George Patrinos, Water/Sewer Superintendent reported: As Dudley is beginning this process now, there are grants available and low interest loans that if we don't take advantage of this now as more towns move forward with their corrections these funds will no longer be available to us. All of the construction bids have come in under the proposed bid prices so that is in our favor as well. It is mandated by the state and we need to do it. After we go through these temporary phases we will move forward with the permanent phase where everything will get treated at one plant, which will save the town money. He stated that by removing water mains going through back roads from one pumping station to another pumping station and by having them all go the main permanent treatment plant the town will save money by having asbestos piping removed from the old lines. George said that the fines for non-compliance can go up to \$50,000.00 per day. DEP is impressed with how Dudley is handling the situation at this time but if we stop moving forward the fines will come into play. Lynn Doherty of 175 Corbin Road stated that there was a well drilled on her property that produce large volumes of water. They offered the well to the town and can not understand why that couldn't be used. George Patrinos stated that the town tested the water and it can't be used because it has high levels of Radon.

**ARTICLE 23: Passed with a 2/3<sup>rd</sup> Majority Vote** to raise and appropriate, borrow or transfer from available funds the sum of Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00), or some such sum for the design, permitting and bidding of a PFAS Water Treatment Plant and Watermain Project consisting of: a new building at the Pump Station No. 6 parcel on New Boston Road which will include filtration, chemical feed systems, communications, controls, and related site and utility work; modifications to Pump Station No. 1, Pump Station No. 3, and Pump Station No. 6; raw water main from Pump Station No. 1 on West Main Street to the proposed Water Treatment Plant; finished water main from the proposed Water Treatment Plant to West Main Street with associated side street and service connections; and administrative items including the development and cost of easement; to determine whether this appropriation shall be raised by borrowing or otherwise, and to take any other action relative thereto.

FAA Chairman, Michael Mayotte made a motion to appropriate \$11,500,000.00 for the purpose of financing construction of the aforementioned PFAS Water Treatment Plant and Watermain

Project including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 2014, C 259; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow said sum and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 2014, c 259 or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 2014, c 259; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 2014, c259 and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Town Administrator is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available to the project and to take any other action necessary to carry out the project. The motion was seconded and passed by a clear 2/3<sup>rd</sup> majority vote.

Tony Grzyb, Chestnut Street asked if the \$11,500,000.00 is borrowed who is responsible from the town to pay for this?

Scott Zajkowski, Water/Sewer Commissioner responded that at this point we are asking to move forward with this through the state revolving fund at this juncture is offering us a zero percent interest with a minimum of 13 percent principal forgiveness, which would result in about 1.3 million that is gifted back, we do not have to pay back. We have two or three years to figure out how to pay for this as there may be more grant money available down the road. Scott said we are approved for the grants and loans right now that we will either need to accept or decline. If we decline, we would still be required to build this plant and it would be at the market full cost.

A discussion continued as to who would pay for this project. Town Administrator said that at this point the full cost would be borne by the users as there is no other option right now, which would hit in 2023. Mr. Grzyb asked why the whole town couldn't pay for this. Mr. Ruda said they could if it was debt excluded and was voted to do so. The Moderator reminded people that we are not looking for a funding mechanism to pay for this tonight we are looking for approval for borrowing so that we can move forward with the project.

Mary Sansoucy, 212 Ramshorn Road, asked why there was not a study committee in place to review this project. Steven Sullivan stated that the Water/Sewer Commissioners are the study committee. She also wanted to know how the project went from 6.5 million to \$11,500,000.00. Jeff Faulkner of Tighe & Bond explained that the project was originally priced at \$6 million for treatment at one site, which was accounted for in the rate study and the progression of rates for the ten years. In August of 2020, an application was sent to the state to fund that construction project and was updated to 6.5 million due to the market at the time. Then 2 additional sites were added for treatment due to PFAS bringing the cost to 11.5 million so that all the town's water sources can be treated at this one treatment plant.

Selectmen Steven Sullivan responded to a previous speaker who wanted to amend the motion and pass the cost along to all taxpayers by stating that in order for that to happen it has be brought back to a town meeting to be voted on as a debt exclusion and if approved it would then have to go on a ballot for a prop ½ exclusion. As the Town Administrator stated, as of tonight the only option is for the users to pay for it, which is the worst-case scenario. Selectmen Sullivan reminded people that we are not here tonight to vote on funding we have two years to figure that out.

**ARTICLE 24: Passed with a Clear 2/3<sup>rd</sup> Majority Vote** raise and appropriate, borrow or transfer from available funds the sum of Eleven Million Five Hundred Thousand Dollars and Zero Cents (\$11,500,000.00) or some such sum for the construction of a PFAS Water Treatment Plant and Watermain Project consisting of: a new building at the Pump Station No. 6 parcel on New Boston Road which will include filtration, chemical feed systems, communications, controls, and related site and utility work; modifications to Pump Station No. 1, Pump Station No. 3 and Pump Station No.6; raw water main from Pump Station No. 1 on West Main Street to the proposed Water Treatment Plant to West Main Street with associated side street and service connections; and all other related improvements; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise, and to take any other action relative thereto.

Steven Sullivan made a motion to adjourn; seconded by Jay Johnson. Motion passed with a majority vote.

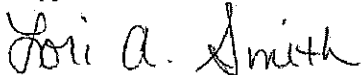
Brought to order at 7:08 p.m.

Adjourned: 8:35 p.m.

Voters Present: 83

Action Taken on Articles 1-24

A True Copy.

Attest: 

Lori A. Smith, Dudley Town Clerk

