

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

At the Annual Town Meeting duly called and held in the Oxford Middle School, 497 Main Street, Oxford, MA, on Wednesday, May 3, 2023, at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (100 Voters = quorum); 282 voters were present.

Checkers:

Martha A. Cady
Patricia Lee Ferdella
Juliana Masley
Rose M. Wing

Tellers:

Shelley L. Lambert
Debra Rose McDonald
Melissa L. Moldover
Lucinda B. Nagle
Sheila M. Thomas
Laura Beth Wilson

Brittany McDougal Bialy, Library Director
Matthew Bobola, School Business Administrator & Director of Operations
Kyle Brenner, Baypath
Brian Coulombe, Oxford Fire Department
Patrick Dahlgren, Zoning Enforcement Officer
Gregory Doyle, Oxford Fire Department
Jared M. Duval, P.E., DPW Director
Kathleen Flynn, Animal Control Officer
Joanne Frederick, Human Resource Specialist
Peter Gerhard, DPW Department
Diane L Haddad, Former Oxford Resident
Frederick R. Haddad, Former Oxford Resident
Fr. Andrew Giourelous, Oxford Fire/EMS Chaplain
Michael Gifford, Oxford Police Department
Diane (Dee) Green, Executive Assistant to the Board of Selectmen
Edward Hart, Assistant Animal Control Officer
Irene Houle, Baypath
Bishoy Ibrahim, Oxford Police Department
Michelle A. Jenkins, Town Clerk
Judith Lochner, Conservation Agent
Michael Lucas, Superintendent of Schools
Amelia R. Lupis, Senior Clerk
Michael Lupis, Director of Facilities
Katherine M. McKenna, Finance Director
Kris McMullin, Media Production Assistant
Kaylee Olson, Media Production Coordinator
Shawn O'Neill, Oxford Fire Department

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

Jillian Patch, Treasurer Collector

Alexander Sendzik, Town Assessor

Mark R. Reich, Esq., Town Counsel

Tony M. Sousa, Assistant Town Manager/Director of Planning and Economic
Development

Rike Sterrett, Director of Public Health Services

The Town Moderator, Russell C. Rheault, called the meeting to order at 7:05pm.

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

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.

The audience was asked to please stand for the National Anthem, followed by the Pledge of Allegiance and a moment of silence for those who have passed.

Raymond Rheault, a 20-year Air Force Veteran, was asked to lead the audience with the Pledge of Allegiance.

The Moderator read a list of names of those residents and/or employees who recently passed since the Town's last Town Meeting.

The Moderator introduced Town Officials and Board Members.

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| MOTION MADE: To waive the reading of the Warrant in its entirety. |
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| MOTION PASSED. |
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ARTICLE 1. To hear the reports of any Town Officers or Committees.

Historical Commission – Jean M. O'Reilly - Presentation of the Hugenot Oak Gavel

Commission on Disability – Deb LaMarche

Oxford Community Center – Shelley Lambert – Programs at the Center

Finance Committee – John Eul, Jr. – Budget Process

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

Sponsored by the Town Manager
Finance Committee Recommends

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

MOTION MADE: That the sum of Three Thousand Seven Hundred Seventeen Dollars (3,717.00) be appropriated from the FY23 Treasurer Collector's Operating Budget to pay Tax Title services from a prior year.

Requires a 4/5 vote.

MOTION PASSED UNANIMOUSLY. A 4/5 vote declared by the Moderator.

ARTICLE 3. To see if the Town will vote to transfer from available funds and appropriate a sum of money to meet the State's share of the cost for Town roadway maintenance and repair, such amount to be reimbursed by the Commonwealth of Massachusetts as State Highway Aid (Fiscal Year Chapter 90 Apportionment); or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the sum of Five Hundred Five Thousand Three Hundred Seventeen Dollars and Ninety-Five Cents (\$505,317.95) be appropriated from the State Highway Aid (FY24 Chapter 90 Apportionment) as printed in the warrant.

MOTION PASSED.

ARTICLE 4. To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, §53E 1/2 to establish the Fiscal Year 2024 spending limits for the following revolving funds established in the Oxford General By-Laws CHAPTER SEVENTY-THREE, Revolving Funds, as follows:

Wiring Inspector Fees: One hundred Thousand Dollars (\$100,000.00)

Plumbing Inspector Fees: Twenty-Five Thousand Dollars (\$25,000.00)

Gas Inspector Fees: Twenty Thousand Dollars (\$20,000.00)

Building Inspector Fees: Twenty Thousand Dollars (\$20,000.00)

Sealer of Weights and Measures: Ten Thousand Dollars (\$10,000.00)

Utilities: Five Hundred Thousand Dollars (\$500,000.00)

Animal Control: Fifty Thousand Dollars (\$50,000.00)

Board of Health: Eighty Thousand Dollars (\$80,000.00)

or act thereon.

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That Article 4 be adopted as printed in the Warrant.

MOTION PASSED.

ARTICLE 5. To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Compensated Absence Fund; or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the sum of Fifty Thousand Dollars (\$50,000.00) be transferred from Free Cash and be appropriated to the Compensated Absence Fund for Fiscal Year 2024.

MOTION PASSED UNANIMOUSLY.

ARTICLE 6. To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Stabilization Fund, for Fiscal Year 2024; or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) be transferred from Free Cash and be appropriated to the Stabilization Fund for Fiscal Year 2024.

MOTION PASSED UNANIMOUSLY.

ARTICLE 7. To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Other Post Employment Benefits (OPEB) Liability Trust Fund, for Fiscal Year 2024; or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the sum of Seventy Thousand Dollars (\$70,000.00) be transferred from Free Cash and be appropriated for the Other Post Employment Benefits (OPEB) Liability Trust Fund for Fiscal Year 2024.

MOTION PASSED.

ARTICLE 8. To determine what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by a vote of the 2020 Annual Town Meeting,

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

Article 13, as authorized by Massachusetts General Laws Chapter 44, §53F 3/4, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses for Fiscal Year 2024; or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the sum of One Hundred Fifty-Nine Thousand Six Hundred and Ninety-Six Dollars (\$159,696.00) be appropriated from the PEG Access and Cable Related Fund to the Fiscal Year 2024 PEG Access Budget.

MOTION PASSED.

ARTICLE 9. To determine what sums of money the Town will raise by taxation or transfer from available funds and appropriate to defray charges and expenses of the Town, including debt and interest, for the fiscal year beginning July 1, 2023 (Fiscal Year 2024); or act thereon.

Sponsored by the Town Manager
Finance Committee Recommends

MOTION MADE: That the amounts of money set forth in the Finance Committee recommendation column of the printed budget, be appropriated for the several purposes therein itemized, each item marked with an asterisk being considered a separate appropriation and to meet said appropriations as follows:

| | |
|---|--------------|
| Raise through Taxation | \$44,455,105 |
| Transfer from Ambulance Receipts Reserved for Appropriation | \$800,000 |
| Transfer from WRTA Receipts Reserved for Appropriation | \$25,000 |
| Raise through Sewer Enterprise Receipts | \$490,742 |
| Raise through Water Enterprise Receipts | \$63,204 |
| Transfer from Water Enterprise Retained Earnings | \$23,153 |

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

FIRST AMENDMENT MADE: That the school department appropriate \$20,089,345.00 which was 3.9% increase over FY23 budget.

FIRST AMENDMENT PASSED.

SECOND AMENDMENT MADE: That the main motion be amended with the following changes to the Finance Committee approved column:

| | |
|---------------------------|----------------|
| Selectmen Total: | \$107,021.00 |
| Town Manager Total: | \$399,221.00 |
| Finance Department Total: | \$--- |
| Legal Services Total: | \$125,000.00 |
| Land Management Total: | \$473,842.00 |
| EMS/Fire Total: | \$2,242,118.00 |
| Public Works Total: | \$3,632,543.00 |
| Community Center Total: | \$299,600.00 |

SECOND AMENDMENT FAILED.

MAIN MOTION WITH FIRST AMENDMENT PASSED. NEW BUDGET TOTAL IS \$44,625,018.00.

ARTICLE 10. To see if the Town will vote to raise by taxation or transfer from available funds or borrow and authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue a note or notes and/or bond or bonds and appropriate a sum of money for the Capital Outlay Program for Fiscal Year 2024, including any incidental and related expenses; or act thereon.

Sponsored by the Town Manager and Finance Director
Finance Committee Recommends

MOTION MADE: That the sum of Two Million One Hundred Ninety Thousand Four Hundred Ninety Dollars (\$2,190,490.00) be transferred from Free Cash and appropriated for the following items, each item being considered a separate appropriation:

| | |
|--|-----------|
| DPW-Roadway/Dam/Bridge/Culvert | \$930,000 |
| Engineering, Repair, Restoration and Improvement | |
| Building Improvement Fund | \$500,000 |
| DPW – Fleet Repair/Replace | \$180,000 |
| DPW – Ruel Field Improvements | \$25,000 |
| DPW – Cemetery/Grounds Equipment | \$25,000 |
| Town Hall – Wheelchair Ramp Upgrade | \$500,000 |
| Townwide – Green Communities Local Match | \$30,490 |

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

Further that the sum of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00) be transferred from the ambulance receipts reserved for appropriation fund and appropriated for the replacement of Ambulance 1.

AMENDMENT MADE: That the Town Hall Wheelchair ramp upgrade
And by substituting the words Town Hall Wheelchair ramp upgrade: \$50,000.00.

AMENDMENT FAILS.

MOTION PASSED.

ARTICLE 11. To see if the Town will vote to amend Chapter Twelve, Finance Committee, Section One of the General Bylaws by striking out the last two sentences therein; or act thereon.

Sponsored by the Finance Director and Moderator
Finance Committee Recommends

MOTION MADE: That Article 11 be adopted as printed in the Warrant.

MOTION FAILS.

ARTICLE 12. To see if the Town will vote to adjust the eligibility factors for the property tax exemption for senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41 C, by reducing the age of eligibility from seventy to sixty-five, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023; or act thereon.

Sponsored by the Board of Assessors
Finance Committee Recommends

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

MOTION PASSED.

ARTICLE 13. To see if the Town will vote to accept the donation, which may be for nominal consideration, of land located at 8 Sutton Avenue (Map 34C, Parcel E-27) as recorded in Deed Book 65569, page 170, for general municipal purposes; and further to authorize the Board of Selectmen to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Sponsored by the Director of Planning and Economic Development and Town Manager
Finance Committee Recommends
Planning Board Recommends

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

MOTION PASSED.

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

ARTICLE 14. To authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, upon such terms and conditions as the Board of Selectmen deem appropriate, such interests in land including a permanent easement over land now or formerly owned by Sandra E. Gregson, parcel no. 29C-BO6; and Joyce M. O'Keefe, parcel no. 29C-B08, all as shown on a plan entitled "Easement Exhibit Plan" by Control Point Associates, Inc., dated February 16, 2023, which is located in the vicinity of 2 and 6 Waite Street, and to transfer from available funds a sum of money as funding for such acquisition and costs related thereto; and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the purpose of this article; or act in relation thereto.

Sponsored by the DPW Director
Finance Committee Recommends
Planning Board Recommends

MOTION MADE: That Article 14 be adopted as printed in the Warrant.

MOTION PASSED UNANIMOUSLY.

ARTICLE 15. To see if the Town will vote to rescind its acceptance of Chapter 8 of the Acts of 1965, An Act Placing the Office of Chief of Police the Positions of the Regular or Permanent Members of the Police Force of the Town of Oxford under the Civil Service Laws, provided, however, that such rescission shall not affect any contractual rights or civil service rights already in existence and will only apply to the civil service rights of successor employees, or take any other action on the matter on request of the Board of Selectmen; or act thereon.

Sponsored by the Police Chief and Town Manager
Finance Committee Recommends

MOTION MADE: That Article 15 be adopted as printed in the Warrant.

MOTION FAILED: 92 in favor, 110 opposed.

ARTICLE 16. To see if the Town will vote pursuant to the provisions of Massachusetts General Laws Chapter 44, §53E½ to establish a new revolving fund, to be known as the Rocky Hill Yard Waste Facility Revolving Fund; and further, to amend the Oxford General By-Laws CHAPTER SEVENTY-THREE, Revolving Funds accordingly as shown in the document on file in the Office of the Town Clerk, or act thereon; and further establish the fiscal year 2024 spending limit as follows:

Rocky Hill Yard Waste Facility Fees: Twenty-nine thousand five hundred dollars (\$29,500.00)

Sponsored by the DPW Director and Town Manager
Finance Committee Recommends

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

MOTION MADE: That Article 16 be adopted as printed in the Warrant.

MOTION PASSED.

Approved by the Attorney General on August 9, 2023.

ARTICLE 17. To see if the Town will vote, in accordance with MGL Chapter 41, Section 110A, to authorize the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office; or act in relation thereto.

Sponsored by the Town Clerk
Finance Committee Recommends

MOTION MADE: That Article 17 be adopted as printed in the Warrant.

MOTION PASSED.

ARTICLE 18. To see if the Town will vote to amend the General By-Laws, Chapter Two, Town Meetings, Section 3, by deleting the struckthrough text and inserting the text shown in bold italics as follows:

Section 3. At any town meeting, ~~one hundred (100)~~ ***seventy-five (75)*** registered voters shall constitute a quorum, provided, however, that once the meeting has been called to order there shall be no minimum quorum required to conduct the business of the Town. A quorum of ~~seventy five (75)~~ ***fifty (50)*** registered voters shall be required to reconvene any adjourned session of any such meeting; or act in relation thereto.

Sponsored by the Town Clerk
Finance Committee Recommends

MOTION MADE: That Article 18 be adopted as printed in the Warrant.

MOTION FAILED.

ARTICLE 19. To see if the Town will vote to amend the General By-Laws by adding the following new Section 12 to Chapter One, General Provisions:

Section 12. Any elected or appointed Town Board, Committee, or Commission member shall be prohibited from using the Town Seal or Official Town Stationary in a way which incorrectly suggests that the individual is acting in an official capacity on behalf of the Town; or act in relation thereto.

Sponsored by the Town Clerk and Town Manager
Finance Committee Recommends

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

MOTION MADE: That Article 19 be adopted as printed in the Warrant.

MOTION PASSED.

Approved by the Attorney General on August 9, 2023.

ARTICLE 20. To see if the Town will vote to amend the Zoning Bylaws by striking the language found in Chapter VII, Flood Plain District, in its entirety and replacing it with the language contained in the document on file in the Office of the Town Clerk; or act in relation thereto.

Sponsored by Planning Board and Conservation Agent
Finance Committee Recommends
Planning Board Recommends

MOTION MADE:

PLANNING BOARD RECOMMENDS THAT THE ARTICLE BE AMENDED AS FOLLOWS:

Reference to “ordinance(s)” be changed to “bylaw(s)”
That the word “building” be removed in Section 7.1
That Section 7.2 and Section 16.3 be removed

That the amendment to Chapter VII, Flood Plain District presented in Article 20 be adopted as recommended by the Planning Board.

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

Approved by the Attorney General on August 9, 2023.

ARTICLE 21. To see if the town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter, Chapter 7, Elections, Section 3, Eligibility, by adding a section

7-3-2 An eligible person running for an elective office shall not be a plaintiff in any active legal action where the town, its staff, boards or officers are a defendant. No person deficient in any registrations or filings with the town or delinquent on any personal or business taxes, fees or accounts of the town shall be eligible.

Provided however, that the General court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

Or act thereon.

TOWN OF OXFORD
Annual Town Meeting
May 3, 2023

Sponsored by Citizen Petition
Finance Committee Recommends

MOTION MADE: That Article 21 be adopted as printed in the Warrant.

MOTION FAILED.

ARTICLE 22. To see if the Town will vote to authorize the Board of Selectment to petition the General Court for special legislation to amend the Town Charter, Chapter 8, Financial Provisions and Procedures, Section 9, Collections and Disbursements, by striking section 8-9-2 in its entirety and inserting in its place the following:

8-9-2 Warrants for the payment of town funds, prepared and signed by the town accountant in accordance with general law procedures, shall be submitted to the town manager to be reviewed, approved, and signed, and the town manager shall ensure those warrants are made publicly available on the Town website within 5 business days of being signed.

Sponsored by Citizen Petition
Finance Committee Defers to Recommend

MOTION MADE: That warrants for the payment of town funds, prepared and signed by the town accountant in accordance with general law procedures, shall be submitted to the town manager to be reviewed, approved, and signed, and the town manager shall ensure those warrants are made publicly available on the Town website within 5 business days of being signed.

MOTION FAILED.

At 12:25AM, it was unanimously voted to dissolve the Annual Town Meeting.

True Copy
Attest:

Michelle A. Jenkins, CMC, Town Clerk