

12:25 pm

TOWN OF DUDLEY  
FALL TOWN MEETING WARRANT  
COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

To either of the Constables in the Town of Dudley, in the County of Worcester, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Dudley, qualified to vote in elections and town affairs, to meet in the Connie Vanco-Galli Auditorium at Shepherd Hill Regional High School in said Dudley on **Monday, October 28, 2019 and Tuesday, October 29, 2019**, if needed, and other such times as may be voted, if needed at 7:00 P.M. then and there to take action on the following articles:

**ARTICLE 1: (Board of Selectmen)- Board and Committee Reports- Routine** -To see if the Town will vote to receive the reports of the several Town Officers and all Committees, or take any other action relative thereto.

**ARTICLE 2: (Board of Selectmen) - Warrant Article Recommendations- Routine:** - To hear and act on the recommendations of the Board of Selectmen and the Finance & Appropriation Advisory Committee, or take any other action relative thereto.

**ARTICLE 3: – (Town Administrator) - FY 2020 Supplemental Budget –** 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 2020 voted under Article 7 of the May 20, 2019 Annual Town Meeting, or take any other action relative thereto:

See Appendix “A” attached hereto

**ARTICLE 4 - (Police Department) – Police Cruiser Purchase-** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of Fifty One Thousand Dollars and Zero Cents (\$51,000.00) to cover costs associated with the purchase of one police cruiser, as recommended by the Capital Improvement Planning Committee, or take any other action relative thereto.

**ARTICLE 5 – (Highway Department) – Street Sweeper Purchase -**To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of Two Hundred Twenty Five Dollars and Zero Cents (\$225,000.00), or such other sum for the purchase of a 2019

**ARTICLE 24 - (Board of Selectmen)** – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of Thirty Thousand Dollars and Zero Cents (\$30,000.00) to Legal Expense Account #0001-156-5310-02, or take any other action relative thereto.

**ARTICLE 25 – (Board of Selectmen) – Unpaid Bills of a Prior Fiscal Year** – To see if the Town will vote to raise and appropriate borrow, or transfer from available funds the sum of Twenty Two Thousand Nine Hundred Forty One Dollars and Seven Cents (\$22,941.07) to pay unpaid bills of a prior fiscal year, or take any other action relative thereto.

WGL Energy	\$3,559.99
WGL Energy	\$5,804.34
WGL Energy	\$6,076.36
WGL Energy	\$7,120.83
Harrington Memorial Hospital	\$ 113.00
Harrington Memorial Hospital	\$ 100.05
KP Law	\$ 166.50

**ARTICLE 26 - (Board of Selectmen)**- To see if the Town will vote, pursuant to General Laws Chapter 59, Section 38H, or any other enabling authority, to authorize the Board of Selectmen to negotiate and enter into an agreement for payment in lieu of taxes (PILOT Agreement) for a ground-mounted solar facility to be located at 197 Oxford Road, Dudley, Massachusetts for the term of up to 20 years from the date such facility becomes operational, and upon such other terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town, and further, to authorize the Board of Selectmen to take such actions as may be necessary or convenient to implement such agreement and accomplish the purpose of this article, or take any other action relative thereto.

**ARTICLE 27 – (Town Administrator)** – To see if the Town will transfer Six Thousand Dollars and Zero Cents (\$6,000.00) from the Town Administrator’s Salary Account #0001-123-5111-01 for the purpose of paying the first year of ClearGov Software Contract #0001-156-5702-02, or take any other action relative thereto.

**ARTICLE 28 – (Town Administrator) – Storm Water Management Account** – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of Eight Thousand, Five Hundred Dollars and Zero cents (\$8,500.00) to Stormwater Account # 0001-156-5225-02 , or take any other action relative thereto.

**ARTICLE 29 – (Town Administrator)** - To see if the Town will vote to amend the Dudley General By-laws, ARTICLE 50 TOWN ADMINISTRATOR, by inserting a new Section 2(9), and renumbering the existing subparagraphs of Section 2 accordingly, all changes shown in **bold**, below, or take any other action relative thereto.

## Section 2 – Powers and Duties

The Town Administrator shall be the Chief Administrative Officer of the Town and shall be responsible to the Board of Selectmen for the proper administration of all town affairs placed under his charge by the Board of Selectmen or under town bylaws. Acting by and for the Selectmen, the powers and duties of the Town Administrator shall include, but are not intended to be limited, the following:

- 1). He/she shall supervise, direct and be responsible for the efficient administration of all functions placed under his control by by-law, by town meeting vote, by vote of the Board of Selectmen, or otherwise, including all officers appointed by him/her.
- 2). He/she shall coordinate the activities of all town department under his/her control, with those under the control of officers and multiple member bodies who are elected directly by the voters of Dudley or appointed by the Board of Selectmen.
- 3). He/she shall recommend the appointment, and may recommend the removal, subject to the civil service law and any collective bargaining agreements as may be applicable, all department heads, all officers, subordinates and employees for whom no other method of selection is provided by by-laws, unless otherwise provided by State law. Appointments made by the Town Administrator shall become effective at his/her discretion, unless the Board of Selectmen shall within such period by majority vote of the Board vote to reject such appointment or has sooner voted to affirm it.
- 4). He/she shall, in conjunction with a Personnel Board established by by-law, be entrusted with the administration of a town personnel system, including but not limited to personnel policies and practices, rules and regulations, including provisions for an annual employee performance review, personnel by-law and all collective bargaining agreements entered into on behalf of the Town. He/she shall, in conjunction with the personnel board prepared, maintain and keep current a plan establishing the personnel staffing requirements of each town agency, except those under the jurisdiction of the school committee.
- 5). He/she shall attend all regular and special meetings of the board of selectmen, unless excused at his own request, and shall have a voice, but no vote, in all of its proceedings.
- 6) He/she shall attend all sessions of the town meeting and shall answer all questions addressed to him related to warrant articles and which are related to matters under his general supervision.
- 7) He/she shall assure that all provisions of state laws, the by-laws and other votes of the town meeting, votes of the board of selectmen and of other town agencies which require

enforcement by him or by officers or employees subject to his general supervision and direction, are faithfully carried out, performed and enforced.

- 8) He/she shall prepare, propose and submit, the fiscal documents pertaining to the annual operating budget and proposed capital outlay program for the town.
- 9) **He/she shall approve all bills, drafts, orders and payrolls under the authority of the Board of Selectmen, and shall sign warrants for payment on behalf of the Board of Selectmen, provided that he shall also make available to said Board any records of such actions on a regular basis and as the Board may require.**
- 10) He/she shall keep the board of selectmen fully informed as to the fiscal condition and needs of the town, and shall make such recommendations to the board of selectmen and to other elected and appointive officers as he may deem to be necessary or desirable.
- 11) He/she shall assure that full and complete records of the financial and administrative activities of the town are kept and shall render full reports to the board of selectmen at the end of each fiscal year and at such other periods as it may reasonably require.
- 12) He/she shall have full jurisdiction over the rental and use of all town facilities. He shall be responsible for the maintenance and repair of all town facilities.
- 13) He/she may at any time inquire into the conduct of office or performance of duty of any town officer, town employee or town agency under his general supervision. The Town Administrator may impose progressive discipline for any infractions subject to disciplinary actions, including verbal warning, written warning, performance improvement plans, suspension or administrative leave and may recommend termination or any other action to the Board of Selectmen as may be necessary.
- 14) He/she shall assure that a full and complete inventory of all town-owned property, both real and personal, is kept consistent with Generally Accepted Accounting Principles.
- 15) Under the guidance of the Board of Selectmen, he/she shall be responsible for the negotiation of all contracts with town employees over wages, hours, and other terms and conditions of employment. The Town Administrator shall serve as designee of the Board of Selectmen for the purposes of regional school district collective bargaining negotiations.
- 16) He/she shall be responsible for the purchase of all supplies, materials and equipment, and shall award all contracts for supplies, materials and equipment for all departments and activities of the town, except for the school department. He shall examine and inspect, or cause to be examined and inspected, the quality and the condition of all supplies, materials and equipment delivered to or received by any town department, except the Dudley Charlton Regional School District. He shall, in addition, be responsible for the disposal of all surplus supplies, materials and equipment for all departments and activities of the town, except for the Dudley Charlton Regional School District.

17) He/she shall be in charge of all machines and software other than machines and software used for educational or classroom purposes, and shall allocate the use thereof among the several town agencies.

18) He/she may authorize any subordinate officer or employee to exercise any power of duty which he is authorized to perform, however, that all acts which are performed under any such delegation shall be deemed to be his acts.

19) He/she shall be responsible to implement and maintain general security and public safety procedures in the Dudley Municipal Center (Town Hall) and extend and review policies and procedures to all buildings and properties controlled or owned by the town, with the exception of those properties under the control of the regional school committee. This includes, but is not limited to IT and Network security.

20) He/she shall perform such other duties as may be required by by-law, by town meeting vote, by vote of the Board of Selectmen, or otherwise.

**ARTICLE 30 – (Personnel Board)** - To see if the Town will vote to amend the Dudley General By-laws, ARTICLE 32 Personnel Policies and Procedures Authorized Pursuant to M.G.L. Chapter 41, Sections 108A and 108C, as follows, with deleted language stricken through and additional text shown in boldface type, or take any other action relative thereto.

## **PERSONNEL POLICIES AND PROCEDURES**

### Section 1. Purpose

The purpose of this by-law is to establish a Personnel Board and the scope of its responsibilities. The Board's mission is to ~~establish~~ **assist in establishing and maintaining** equitable personnel and employee relations practices for the people who work for the Town of Dudley. This ~~action~~ **bylaw** is authorized by Massachusetts General Laws, Chapter 41, Section 108A and 108C and Article LXXXIX of The Constitution of the Commonwealth.

### Section 2. Scope

The Provisions of this by-law shall apply to all employees, Boards and Commissions of the Town, who are not covered by collective bargaining agreements as provided in those agreements.

### Section 3. Organization

- a) The Board shall consist of five citizens of the Town who are not paid employees of the Town. The terms of office shall be for three years. Any member may after a hearing, if requested by the member, be removed for cause by the appointing authority.

You are hereby directed to serve this warrant by posting attested copies thereof, at the Dudley Municipal Center and on the Town of Dudley Web site and by posting notice of availability of the Warrant on one (1) Cable Access Channel.

Warrant to be posted at least seven (7) days before holding of said meeting. Hereof, fail not, and make due return of this warrant with your doing thereon, to the Town Clerk at the time of holding of said meeting.

Given under our hands this 15<sup>th</sup> day of October in the year Two Thousand and Nineteen.

Steven Sullivan, Chairman \_\_\_\_\_

John Marsi, Vice-Chairman \_\_\_\_\_

Kerry Cyganiewicz, Clerk \_\_\_\_\_

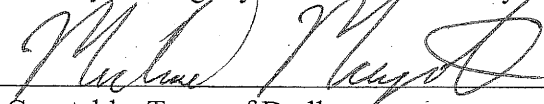
Selectman Paul Joseph \_\_\_\_\_

Selectman Jason Johnson \_\_\_\_\_

*Dudley Board of Selectmen*

I have notified and warned the inhabitants of the Town of Dudley by posting up attested copies of the same at the Dudley Municipal Center on the 17<sup>th</sup> of October 2019 and Shepherd Hill Regional High School on the 17<sup>th</sup> of October 2019. I also observed it posted on the Town's Website and notice of availability on the Dudley Cable Access Channel on the 17<sup>th</sup> of October 2019.

Thereby making my return to the Dudley Town Clerk on the 17<sup>th</sup> of October, 2019.

  
\_\_\_\_\_  
Constable, Town of Dudley

**A TRUE COPY ATTEST:**

  
Town Clerk