

**TOWN OF WORTHINGTON  
ANNUAL TOWN MEETING  
May 7, 2022  
9:30 AM  
RH Conwell School  
OUTSIDE**

Hampshire ss:

To either of the Constables of the Town of Worthington in the County of Hampshire.

**GREETINGS:** 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 election and in Town affairs to meet outside at the RH Conwell Elementary School in said Worthington on Saturday the Seventh of May, 2022 at 9:30 AM, then and there to act on the following articles:

**ARTICLE ONE:** To Choose all other Town officers as are not required by law to be elected by ballot.

- Almoners of the Whiting Street Fund  
Bruce Barshefsky, Catherine Whitcomb, Diane Meehan
- Field Drivers and Fence Viewers  
Bart Niswonger, Kevin Porter, Darlene Millman
- Surveyors of Wood and Timber  
Keith Manley, Sam Powell, Clarence Witter

**ARTICLE TWO:** To Act upon the reports of the Town Clerk, Town Treasurer, Selectboard, Almoners of the Whiting Street Fund and other elected or appointed officers or committees of the Town.

**ARTICLE THREE:** To see if the Town will vote to Raise and Appropriate the sum of **\$1,272,008.47** the total Worthington School District Budget for the period of July 1, 2022 through June 30, 2023, or take any other action in relation thereto:

Worthington School District Appropriation	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Elementary	\$953,573.69	<b>\$985,133.47</b>	Recommended	Recommended
Secondary	258,182.40	<b>286,875.00</b>	Recommended	Recommended
Total	\$1,211,756.09	<b>\$1,272,008.47</b>		

**ARTICLE FOUR:** To see if the Town will vote pursuant to the provisions of Section 53E ½ of Chapter 44 M.G.L. to re-authorize the amount of **\$1,680.00** as the annual spending limit for the Conwell School Laptop Protection Plan revolving fund, such limit to be applicable for Fiscal Year 2023, or take any other action in relation thereto.

*Selectboard Action: Recommended*

*Finance Comm. Action: Recommended*

**ARTICLE FIVE:** To see if the Town will vote to Appropriate and Transfer the sum of **\$150,000.00** from the General Stabilization Fund to fund repairs to the RH Conwell Building, or take any action relative thereto.

*Selectboard Action: Recommended                      Finance Comm. Action: Recommended*

**ARTICLE SIX:** To see if the Town will vote to Raise and Appropriate the sum of **\$248,751.00** for Vocational Education, or take any other action in relation thereto:

Vocational Education	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
	\$190,817.00	<b>\$248,751.00</b>	Recommended	Recommended

**ARTICLE SEVEN:** To see if the Town will vote to Raise and Appropriate the sum of **\$76,628.00** to be paid to Gateway Regional School District for Capital and MSBA payback costs, or take any other action in relation thereto:

Gateway School District Payback	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Bonded Projects	55,884.00	<b>\$55,340.00</b>	Recommended	Recommended
MSBA Payback	21,288.00	<b>21,288.00</b>	Recommended	Recommended
Total	\$77,172.00	<b>\$76,628.00</b>		

**ARTICLE EIGHT:** To see if the Town will vote to fix the salaries or compensation of all elected officers of the Town, as provided by MGL Chapter 41, Section 108 as amended, and to Raise and Appropriate the sum of **\$54,182.00** for these salaries and compensation to be as of July 1, 2022 as follows, or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Selectboard, Chair	\$2,339.00	<b>\$2,477.00</b>	Recommended	Recommended
Selectboard, Clerk	2,055.00	<b>2,177.00</b>	Recommended	Recommended
Selectboard, Member	2,055.00	<b>2,177.00</b>	Recommended	Recommended
Bd. of Health, Chair	1,897.00	<b>2,009.00</b>	Recommended	Recommended
Bd. of Health, Clerk	1,897.00	<b>2,009.00</b>	Recommended	Recommended
Bd. of Health, Mem.	1,897.00	<b>2,009.00</b>	Recommended	Recommended
Moderator	100.00	<b>100.00</b>	Recommended	Recommended
Town Clerk	10,754.00	<b>11,388.00</b>	Recommended	Recommended
Assessors, Chair	6,433.00	<b>6,812.00</b>	Recommended	Recommended
Assessors, Clerk	13,801.00	<b>14,614.00</b>	Recommended	Recommended
Assessors, Member	5,839.00	<b>6,184.00</b>	Recommended	Recommended
Tree Warden	2,102.00	<b>2,226.00</b>	Recommended	Recommended
Total	\$51,169.00	<b>\$54,182.00</b>		

**ARTICLE NINE:** To see if the Town will vote to Raise and Appropriate the sum of **\$491,599.00** for the following Town charges, or take any other action in relation thereto:

**GENERAL GOVERNMENT:**

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Selectboard Expenses	\$3,500.00	<b>\$3,500.00</b>	Recommended	Recommended
Assessors' Expenses	1,750.00	<b>1,750.00</b>	Recommended	Recommended
Classified Advertising	2,000.00	<b>2,500.00</b>	Recommended	Recommended
Tax Map Maintenance	1,800.00	<b>1,800.00</b>	Recommended	Recommended
Assessors' Software Support	8,500.00	<b>8,800.00</b>	Recommended	Recommended
Assessors' Revaluation	19,950.00	<b>4,300.00</b>	Recommended	Recommended
Online Tax Maps	2,400.00	<b>2,400.00</b>	Recommended	Recommended
Town Clerk's Expenses	700.00	<b>1,600.00</b>	Recommended	Recommended
Election Expenses	585.00	<b>3,144.00</b>	Recommended	Recommended
Registrars' Expense	50.00	<b>50.00</b>	Recommended	Recommended
Tree Warden's Expenses	20,000.00	<b>20,000.00</b>	Recommended	Recommended
Tax Collector	18,562.00	<b>20,043.00</b>	Recommended	Recommended
Asst Tax Cltr/Asst Treasurer	8,449.00	<b>9,127.00</b>	Recommended	Recommended
Tax Collector's Expenses	4,100.00	<b>4,100.00</b>	Recommended	Recommended
Tax Collector's Software	5,349.00	<b>5,349.00</b>	Recommended	Recommended
Accounting Services	30,600.00	<b>31,200.00</b>	Recommended	Recommended
Accounting Software	4,051.00	<b>4,254.00</b>	Recommended	Recommended
Treasurer	18,562.00	<b>20,043.00</b>	Recommended	Recommended
Treasurer's Expenses	4,500.00	<b>4,500.00</b>	Recommended	Recommended
Treasurer's Software	1,445.00	<b>1,518.00</b>	Recommended	Recommended
Town Payroll Service	3,500.00	<b>4,000.00</b>	Recommended	Recommended
Executive Assistant	56,534.00	<b>61,048.00</b>	Recommended	Recommended
Assistant Secretary	3,970.00	<b>4,204.00</b>	Recommended	Recommended
Recording Secretary	8,000.00	<b>8,000.00</b>	Recommended	Recommended
Bd. of Appeals Expense	600.00	<b>600.00</b>	Recommended	Recommended
Conservation Comm. Exp.	600.00	<b>600.00</b>	Recommended	Recommended
Historic Commission Exp	250.00	<b>250.00</b>	Recommended	Recommended
Town Off. Maint. & Sup.	3,200.00	<b>3,500.00</b>	Recommended	Recommended
Town Hall Maintenance	4,500.00	<b>4,500.00</b>	Recommended	Recommended
Town Hall Custodian	4,680.00	<b>3,420.00</b>	Recommended	Recommended
Town Telephone Exp.	16,500.00	<b>20,000.00</b>	Recommended	Recommended
Town Building Heating	24,000.00	<b>26,000.00</b>	Recommended	Recommended
War Memorial & Town Bldgs	0.00	<b>300.00</b>	Recommended	Recommended
Conwell Bldg. Expenses	127,248.00	<b>134,596.00</b>	Recommended	Recommended
IT/Comptr. Replenishmt plan	4,000.00	<b>4,000.00</b>	Recommended	Recommended
Comptr. Maint. & Supplies	1,500.00	<b>2,000.00</b>	Recommended	Recommended
Computer Maint. Labor	3,200.00	<b>3,200.00</b>	Recommended	Recommended
Town Web Site	1,000.00	<b>1,000.00</b>	Recommended	Recommended
Planning Board Expenses	300.00	<b>300.00</b>	Recommended	Recommended
P.V.P.C.	201.00	<b>213.00</b>	Recommended	Recommended
Parks & Rec Comm. Exp.	1,800.00	<b>3,800.00</b>	Recommended	Recommended
Founder's Day	0.00	<b>0.00</b>	Recommended	Recommended
Finance Comm. Expense	140.00	<b>140.00</b>	Recommended	Recommended

Town Reports	1,250.00	<b>1,250.00</b>	Recommended	Recommended
Law Account Expense	15,000.00	<b>15,000.00</b>	Recommended	Recommended
Tax Taking-Collector	1,200.00	<b>1,200.00</b>	Recommended	Recommended
Tax Title Foreclosure Treas.	2,500.00	<b>2,500.00</b>	Recommended	Recommended
Tax Title Foreclosure Maint.	2,000.00	<b>2,000.00</b>	Recommended	Recommended
Audit Expenses	12,500.00	<b>12,500.00</b>	Recommended	Recommended
Council on Aging	10,000.00	<b>12,000.00</b>	Recommended	Recommended
COA Building Lease	9,500.00	<b>9,500.00</b>	Recommended	Recommended
Total	\$476,526.00	<b>\$491,599.00</b>		

**ARTICLE TEN:** To see if the Town will vote to Appropriate and Transfer the sum of **\$2,758.00** from the General Stabilization Fund to purchase a New Grill (\$200.00), Two Benches (\$1,285.00), an ADA-compliant Table (\$1,273.00), for the Town Park, or take any action relative thereto.

*Selectboard Action: Recommended*

*Finance Comm. Action: Recommended*

**ARTICLE ELEVEN:** To see if the Town will vote to Raise and Appropriate the sum of **\$22,900.00** for the Worthington Library, or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Worthington Library	\$21,879.00	<b>\$22,900.00</b>	Recommended	Recommended

**ARTICLE TWELVE:** To see if the Town will vote to Raise and Appropriate the sum of **\$20,295.00** for the following Town charges, or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Maintenance of Cemeteries	\$15,450.00	<b>\$16,395.00</b>	Recommended	Recommended
Cem. Commission Expense	500.00	<b>500.00</b>	Recommended	Recommended
Grave Openings	3,400.00	<b>3,400.00</b>	Recommended	Recommended
Total:	\$19,350.00	<b>\$20,295.00</b>		

**ARTICLE THIRTEEN:** To see if Town will vote to Raise and Appropriate the sum of **\$177,832.84** for the following Town charges, or take any other action in relation thereto:

**PUBLIC HEALTH AND SAFETY:**

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Emergency Mgmt. Salary	\$1,011.00	<b>\$1,071.00</b>	Recommended	Recommended
Emergency Mgmt. Expenses	600.00	<b>600.00</b>	Recommended	Recommended
CivicReady	1,178.00	<b>1,213.00</b>	Recommended	Recommended
Animal Control Officer Salary	1,660.00	<b>1,758.00</b>	Recommended	Recommended

Animal Control Officer. Exp.	300.00	<b>300.00</b>	Recommended	Recommended
Hilltown Comm. Ambulance	30,469.14	<b>31,169.84</b>	Recommended	Recommended
Town Constable	100.00	<b>100.00</b>	Recommended	Recommended
Animal Inspector	693.00	<b>734.00</b>	Recommended	Recommended
Building Commissioner	19,213.00	<b>20,748.00</b>	Recommended	Recommended
Building Inspector Alternate	0.00	<b>0.00</b>	Recommended	Recommended
Building Inspector's Expenses	1,578.00	<b>2,000.00</b>	Recommended	Recommended
Plumbing Inspector	1,504.00	<b>1,593.00</b>	Recommended	Recommended
Plumbing Inspector's Expense	400.00	<b>400.00</b>	Recommended	Recommended
Wiring Inspector	3,399.00	<b>3,600.00</b>	Recommended	Recommended
Wiring Inspector's Expense	120.00	<b>120.00</b>	Recommended	Recommended
Assist. Wiring Insp. Expense	300.00	<b>300.00</b>	Recommended	Recommended
Gas Inspector	1,182.00	<b>1,252.00</b>	Recommended	Recommended
Board of Health Expenses	200.00	<b>200.00</b>	Recommended	Recommended
Board of Health Agent	3,900.00	<b>3,900.00</b>	Recommended	Recommended
Ctrl. Hamp. Veterans' Service	5,775.00	<b>5,904.00</b>	Recommended	Recommended
Veteran's Aid	15,000.00	<b>15,000.00</b>	Recommended	Recommended
Disposal Works	55,000.00	<b>65,000.00</b>	Recommended	Recommended
Disposal Attendant	11,642.00	<b>12,577.00</b>	Recommended	Recommended
Hilltown Resource Mgt. Coop.	6,362.00	<b>7,093.00</b>	Recommended	Recommended
Streetlights	1,000.00	<b>1,200.00</b>	Recommended	Recommended
Total:	\$162,586.14	<b>\$177,832.84</b>		

**ARTICLE FOURTEEN:** To see if Town will vote to Raise and Appropriate **\$108,825.00** for the following Town charges, or take any other action in relation thereto:

**FIRE DEPARTMENT – FULL-TIME CHIEF/EMT:**

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Fire Dept. Operating Exps.	\$22,800.00	<b>\$25,000.00</b>	Recommended	Recommended
Fire Department Fuel	2,500.00	<b>2,500.00</b>	Recommended	Recommended
Clerical	5,049.00	<b>0.00</b>	Recommended	Recommended
Fire Chief Salary	5,608.00	<b>65,000.00</b>	Recommended	Defer to Town Mtg
Fire Dept. Grant Writer	1,234.00	<b>1,325.00</b>	Recommended	Recommended
Code Inspection Comp.	1,500.00	<b>0.00</b>	Recommended	Recommended
Fire Dept. Call Comp.	13,000.00	<b>15,000.00</b>	Recommended	Recommended
Total	\$51,691.00	<b>\$108,825.00</b>		

**ARTICLE FIFTEEN:** To see if the Town will vote to Raise and Appropriate the sum of **\$396,241.00** for Group Insurance or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Group Insurance	\$285,357.00	<b>\$396,241.00</b>	Recommended	Recommended

**ARTICLE SIXTEEN:** To see if Town will vote to Raise and Appropriate **57,228.00** for the following Town charges, or take any other action in relation thereto:

**FIRE DEPARTMENT STATUS QUO FIRE CHIEF:**

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Fire Dept. Operating Exps.	\$22,800.00	<b>\$25,000.00</b>	Recommended	Recommended
Fire Department Fuel	2,500.00	<b>2,500.00</b>	Recommended	Recommended
Clerical	5,049.00	<b>5,638.00</b>	Recommended	Recommended
Fire Chief Salary	5,608.00	<b>6,265.00</b>		
Fire Dept. Grant Writer	1,234.00	<b>1,325.00</b>	Recommended	Recommended
Code Inspection Comp.	1,500.00	<b>1,500.00</b>	Recommended	Recommended
Fire Dept. Call Comp.	13,000.00	<b>15,000.00</b>	Recommended	Recommended
<b>Total</b>	<b>\$51,691.00</b>	<b>\$57,228.00</b>		

**ARTICLE SEVENTEEN:** To see if the Town will vote to Raise and Appropriate the sum of **\$375,818.00** for Group Insurance or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Group Insurance	\$285,357.00	<b>\$375,818.00</b>	Recommended	Recommended

**ARTICLE EIGHTEEN:** To see if the Town will vote to Appropriate and Transfer the sum of **\$9,000.00** from the General Stabilization Fund to purchase New Emergency Radios for the Fire Department or take any other action in relation thereto.

*Selectboard Action: Recommended                      Finance Comm. Action: Recommended*

**ARTICLE NINETEEN:** To see if the Town will vote to Raise and Appropriate the sum of **\$331,090.00** for the following Town charges, or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Hampshire Cty Retirement	\$295,613.00	<b>\$240,140.00</b>	Recommended	Recommended
Unemployment Comp.	3,000.00	<b>3,500.00</b>	Recommended	Recommended
Workers Compensation	10,518.00	<b>11,000.00</b>	Recommended	Recommended
Insurance and Bonds	50,000.00	<b>52,450.00</b>	Recommended	Recommended
Medicare	23,000.00	<b>24,000.00</b>	Recommended	Recommended
<b>Total:</b>	<b>\$382,131.00</b>	<b>\$331,090.00</b>		

**ARTICLE TWENTY:** To see if the Town will vote to Raise and Appropriate the sum of **\$32,742.00** for Principal and Interest on the Fire Truck Debt, or take any other action in relation thereto:



	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Fire Pumper Truck	\$33,489.00	<b>\$32,742.00</b>	Recommended	Recommended

**ARTICLE TWENTY-ONE:** To see if Town will vote to Raise and Appropriate **\$170,713.00** for the following Town charges, or take any other action in relation thereto:

**POLICE DEPARTMENT:**

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
Police Dept. Expenses	\$18,745.00	<b>\$19,815.00</b>	Recommended	Recommended
Police Chief Salary	72,800.00	<b>78,655.00</b>	Recommended	Recommended
Police Dept. Wages	23,940.00	<b>59,359.00</b>	Recommended	Recommended
Add'l Police Dept. Wages	32,112.00	<b>0.00</b>		
Police Clerical Wages	10,446.00	<b>11,276.00</b>	Recommended	Recommended
IMC Software Maint.	950.00	<b>858.00</b>	Recommended	Recommended
CJIS Yearly Maintenance	*NEW*	<b>750.00</b>	Recommended	Recommended
Regional Lockup	1,098.00	<b>0.00</b>		
Total	160,091.00	<b>\$170,713.00</b>		

**ARTICLE TWENTY-TWO:** To see if the Town will vote to Appropriate and Transfer the sum of **\$47,243.00** from the General Stabilization Fund to purchase a New Cruiser F150 with Cab and Slide-out, or take any other action in relation thereto.

*Selectboard Action: Recommended      Finance Comm. Action: Recommended*

**ARTICLE TWENTY-THREE:** To see if the Town will vote to Raise and Appropriate the sum of **\$593,145.00** for the following Town charges, or take any other action in relation thereto:

	FY2022 Adopted	FY2023 Proposed	Selectboard Action	Finance Comm. Action
General Highway Maint.	\$50,000.00	<b>\$50,000.00</b>	Recommended	Recommended
Road Sweeping	6,500.00	<b>6,500.00</b>	Recommended	Recommended
Town Mowing	12,000.00	<b>12,000.00</b>	Recommended	Recommended
Winter Highway Maint.	110,000.00	<b>110,000.00</b>	Recommended	Recommended
Wtr. HWY Overtime Wages	11,853.00	<b>11,850.00</b>	Recommended	Recommended
Highway Dept. Wages	153,155.00	<b>165,370.00</b>	Recommended	Recommended
Highway Wages Clerical	5,223.00	<b>5,638.00</b>	Recommended	Recommended
Highway Superintendent	75,046.00	<b>81,037.00</b>	Recommended	Recommended
Hwy.Supt. Add'l Wtr. Comp.	2,479.00	<b>2,500.00</b>	Recommended	Recommended
Garage Maintenance	14,000.00	<b>14,000.00</b>	Recommended	Recommended
Machinery Maintenance	30,000.00	<b>40,000.00</b>	Recommended	Recommended
Highway/Police Fuel	30,000.00	<b>30,000.00</b>	Recommended	Recommended

Superintendent's Expense	1,500.00	<b>1,500.00</b>	Recommended	Recommended
FRCOG Group Purchasing	2,750.00	<b>2,750.00</b>	Recommended	Recommended
Secondary Rd. Improvemts.	60,000.00	<b>60,000.00</b>	Recommended	Recommended
Total:	\$564,506.00	<b>\$593,145.00</b>		

**ARTICLE TWENTY-FOUR:** To see if the Town will vote to Appropriate and Transfer the sum of **\$120,000.00** from the General Stabilization Fund to purchase a new 4-Wheel Drive CAT 420XE Backhoe or take any action relative thereto.

*Selectboard Action: Recommended Finance Comm. Action: Recommended*

**ARTICLE TWENTY-FIVE:** To see if the Town will vote to Appropriate and Transfer the sum of **\$360,000.00** from the General Stabilization Fund to purchase a New 10 Wheel Plow and Wing, Dump Truck to replace the 2009 International Dump Truck, or take any action relative thereto.

*Selectboard Action: Recommended Finance Comm. Action: Recommended*

**ARTICLE TWENTY-SIX:** To see if the Town will vote to Raise and Appropriate the sum of **\$10,000.00** to establish a Reserve Fund to provide for extraordinary or unforeseen expenditures, as provided by M.G.L. Chapter 40, Section 6, as amended, or take any other action in relation thereto.

*Selectboard Action: Recommended Finance Comm. Action: Recommended*

**ARTICLE TWENTY-SEVEN:** To see if the Town will vote to Appropriate as available funds the total sum of **\$233,060.00** from Chapter 90 funds or any other amounts from the Commonwealth of Massachusetts for highway construction and/or maintenance, or take any other action in relation thereto.

*Selectboard Action: Recommended Finance Comm. Action: Recommended*

**ARTICLE TWENTY-EIGHT:** To see if the Town will vote to Appropriate and Transfer the sum of **\$445,419.00** from Free Cash to the General Stabilization Fund, or to take any other action in relation thereto.

*Selectboard Action: Recommended Finance Comm. Action: Recommended*

**ARTICLE TWENTY-NINE:** To see if the Town will vote to Authorize the Selectboard to enter into contracts with the Massachusetts Highway Department for construction and/or maintenance of public highways for the Fiscal Year 2023, and further to authorize the Selectboard on behalf of the Town to accept any money from the Commonwealth of Massachusetts for highway construction and/or maintenance, or to take any other action in relation thereto.

**ARTICLE THIRTY:** To see if the Town will vote to Authorize the Selectboard to apply for Massachusetts State or Federal grant programs and to further Authorize the Selectboard to expend monies received through such programs following a public hearing, or take any other action in relation thereto.



## ARTICLES FOR FY 2022

**ARTICLE THIRTY-ONE:** To see if the Town will vote to Appropriate and Transfer the sum of **\$5,000.00** from the FY22 Conwell Building Appropriation, the sum of **17,343.00** from the FY22 Vocational Education Appropriation and **1,732.00** from the FY22 County Retirement Appropriation to the FY22 Worthington School Appropriation to cover the cost of additional students attending the Hampshire Regional School District., or take any other action in relation thereto.

*Selectboard Action: Recommended*                      *Finance Comm. Action: Recommended*

**ARTICLE THIRTY-TWO:** To see if the Town will vote to Appropriate and Transfer the sum of **\$28,647.47** from the General Stabilization Fund to fund deficit spending in the following appropriations:

Winter Highway Maintenance Account \$18,952.19

Winter Highway Overtime Wages \$5,543.35

Highway Super Additional Winter Compensation \$4,151.93

or take any other action in relation thereto.

*Selectboard Action: Recommended*                      *Finance Comm. Action: Recommended*

**ARTICLE THIRTY-THREE:** To see if the town will vote to amend the zoning bylaw by adding Section 8.7 Accessory Dwelling Units:

### **SECTION 8.7 ACCESSORY DWELLING UNITS (ADU)**

#### A. Purpose

The provision of Accessory Dwelling Units (ADUs) is intended to:

1. provide housing options for residents who cannot afford, or who do not desire, a free-standing single unit house with land;
2. provide older owners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in their homes and neighborhoods they may otherwise be forced to leave;
3. encourage a more economic and energy-efficient use of the Town's housing supply and create a greater range of housing accommodations while maintaining the appearance and rural character of the Town;
4. protect the stability, property values, and the single-family residential character of the town by ensuring accessory dwelling units are installed only in owner-occupied properties with proper permitting and inspections; and,
5. provide housing units for persons with disabilities.

#### B. Accessory Dwelling Units (ADU) Conditions

The Planning Board shall issue Site Plan Approval, per Section 2.6 of this bylaw, for only one singular dwelling unit accessory to the use of a single-family principal dwelling, provided that each of the following conditions is met:

1. The ADU will be a complete, separate housekeeping unit containing kitchen, sleeping and sanitary facilities.
2. Only one ADU is created within a single-family dwelling or house lot as defined under Section 5 hereof.
3. In the case of an attached ADU, plans must be provided showing all proposed interior and exterior changes to the single-family dwelling. In the case of a detached ADU, plans must be provided showing the proposed site changes, as well as the interior and exterior of the proposed structure.
4. There will be two separate egresses. One must open directly to the outside. One may be shared with the principal single-family principal dwelling through an entry hall or corridor.
5. The gross floor area of the ADU (including any additions) shall not be greater in floor area than 900 square feet.
6. Once an ADU has been added to a single-family residence, the ADU shall never be enlarged beyond 900 square feet in floor area, as allowed by this bylaw.
7. Any new separate outside entrance serving an attached ADU shall be placed in such a manner that it does not interfere with the single-family character of the town. For example, the entry to the ADU can be located on the side or in the rear of the building. Detached ADUs shall be designed and sited in such a way that they do not interfere with the rural and single-family residential character of the town, and are clearly subordinate to the principal dwelling.
8. A minimum of three off-street parking spaces must be available for use by the owner occupant(s) and tenants to avoid on-street parking.
9. The procedure for the submission and approval of a Building Permit for an ADU shall be the same as prescribed elsewhere in this Bylaw except the application shall include a notarized letter from the owner(s) stating that the owner(s) will occupy one of the dwelling units on the premises.
10. The owner(s) of the property on which the ADU is created must continue to occupy at least one of the property's dwelling units as their primary residence, except for bona fide temporary absences. The Building Inspector shall revoke the Certificate of Occupancy for any ADU for which the Building Inspector determines that the owner(s) does not so occupy.
11. The Inspector of Buildings shall not issue a Certificate of Occupancy for an ADU until the owner(s) of the property presents a time-stamped copy of a Declaration of Covenants for the subject property that has been filed at the County Registry of Deeds. The Declaration shall state that the right to occupy an ADU ceases if the property is not the primary residence of one or more of its owners, or upon transfer of title unless the new owner takes the action described in paragraph 12 below.
12. In those instances where there is a transfer of ownership of a dwelling with an ADU, if a structure that has received approval for an ADU is sold, and if the new owner wishes to continue to exercise

the use, the new owner must, within 30 days of the sale, submit a notarized letter to the Building Inspector stating that the owner will occupy one of the dwelling units on the property and shall conform to all of the criteria and conditions for ADUs.

C. Accessory Dwelling Units in Existence Before the Adoption of an Accessory Dwelling Unit Bylaw

1. The Planning Board may authorize, under a Site Plan Review and in conjunction with the Building Commissioner, an accessory unit (ADU) in an owner-occupied, single-family dwelling or accessory structure. The Board will review, with the Building Commissioner and Board of Health Agent, each existing use on a case-by-case basis to determine if the dwelling conforms to the State Building Code and Health Code.
2. The applicant must follow the same procedures described in this Accessory Dwelling Unit Bylaw.

D. Conflict with Other Laws

The provisions of this bylaw shall be considered supplemental of the existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

And make the following necessary amendments to existing sections in the Zoning Bylaw:

**AMEND SECTION 4.5 C. TO READ AS FOLLOWS:**

C. The Planning Board shall be the Site Plan Review Authority for the following uses where no special permit is required:

**1. Accessory Dwelling Units**

- ~~1-2.~~ Religious and Educational Uses
- ~~2-3.~~ Federal, State of Massachusetts, and Town of Worthington uses;
- ~~3-4.~~ Public Service Corporations exempt from the Special Permit process;
- ~~4-5.~~ Child Care Facilities;
- ~~5-6.~~ Hazardous Waste, Refuse Treatment and Disposal Facilities;
- ~~6-7.~~ Scientific Research Facilities.

**AMEND SECTION 5 A. IN PART BY ADDING THE WORDS “PRINCIPAL” AND THE WORDS “AND ONE ACCESSORY DWELLING UNIT”, AS SEEN BELOW:**

A. A dwelling, principal building, or principal structure hereinafter erected shall be located on a lot having not less than a minimum area of two (2) acres and a minimum frontage of 400 feet measured contiguously along a single street, either public or private, which the lot abuts. If private, said private street must either have been in existence or have been laid out on a plan duly recorded in the Hampshire County Registry of Deeds at the time of the enactment of the Zoning Bylaw. Frontage on more than one street or opposite sides of the same street

cannot be added to meet the minimum frontage requirement. No more than one **principal dwelling**, principal building, or principal structure, **and one accessory dwelling unit**, shall be built upon any such lot. A lot or parcel of land having an area or frontage of lesser amounts than required above, may be considered as coming within the area and frontage requirements of this Section provided such lot or parcel of land was listed in the tax records, or shown on a plan or described in a deed duly recorded and registered at the time of adoption of the Bylaw, and did not at the...

**AMEND SECTION 10 BY ADDING THE FOLLOWING DEFINITION:**

**Accessory Dwelling Unit (ADU)**

A self-contained housing unit, whether attached to the principal dwelling or detached from the principal dwelling, which shall be inclusive of sleeping, cooking and sanitary facilities on the same lot as the principal dwelling and which:

1. conforms to all applicable zoning, building, health, septic, electrical, plumbing, and wetlands protections standards and codes of the Commonwealth of Massachusetts and the Town of Worthington; and which,
2. includes two separate egresses, both meeting the requirements of the Commonwealth's building code for safe egress; and,
3. is not larger than 900 square feet in floor area.

**AND BY DELETING THE FOLLOWING DEFINITION:**

A family dwelling unit is a dwelling or part of a building occupied or intended to be occupied by one family for residential purposes.

And you are directed to serve this warrant by posting attested copies thereof at the Town Hall and outside at Corners seven days at least before the time of said meeting.

Hereof, fail not and make do return of this warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands April 28, 2022

I have served this warrant as directed.

\_\_\_\_\_

Date of Posting: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Constable

\_\_\_\_\_  
Selectboard

ATTEST

## GLOSSARY

**APPROPRIATION:** An authorization granted by a Town Meeting to make expenditures and to incur obligations for specific purposes. A "specific" appropriation is carried forward year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

**AVAILABLE FUNDS:** Free Cash, reserves and unexpended balances available for appropriation.

**CHERRY SHEETS:** Named for the cherry colored paper on which they were originally printed, the Cherry Sheets are the official notification of the next fiscal year's state aid and assessments to communities and regional school districts from the Commissioner of Revenue. State aid to municipalities and regional school districts consists of two major types -- distributions and reimbursements. Distributions provide funds based on formulas while reimbursements provide funds for costs incurred during a prior period for certain programs or services. In addition, communities may receive "offset items" that must be spent on specific programs. Cherry Sheet Assessments are advance estimates of state assessments and charges. Local assessors are required to use these figures in setting the local tax rate. Because these figures are estimates, it should be noted that based on filing requirements and/or actual information, the final aid or assessment may differ.

**ESTIMATED RECEIPTS:** Estimate of money to be received by the Town from various sources, such as MVE excise, licenses, fees, state reimbursements, etc. The estimate is deducted by the Assessors from the gross amount to be raised by taxes when the tax rate is set.

**EXCESS LEVY CAPACITY:** The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year

**FISCAL YEAR:** A twelve-month period commencing July 1, to which the annual budget applies and at the end of which a Town determines its financial position and the results of its operations.

**FREE CASH:** Unrestricted funds from operations of the previous fiscal year that are certified by the Director of Accounts as available for appropriation. Remaining funds include unexpended free cash from the previous year, receipts in excess of estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the town accountant. A community should maintain a free cash balance to provide a hedge against unforeseen expenditures. Maintenance of an adequate free cash level is not a luxury but a necessary component of sound local fiscal management. Credit rating agencies and other members of the financial community expect municipalities to maintain free cash reserves and make judgments regarding a community's fiscal stability, in part, on the basis of free cash. "Free Cash" is also referred to as "Available Funds".

**OVERLAY:** (Overlay Reserve or Allowance for Abatements and Exemptions) An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.

**OVERLAY SURPLUS:** Unused, accumulated amount of the Overlay for various years, which may be voted for any lawful purpose and reverts to Free Cash at the end of each Fiscal Year.

**RESERVE FUND:** An amount set aside annually within the budget to provide a funding source for extraordinary unforeseen expenditures. The finance committee can authorize transfers from this fund for "extraordinary or unforeseen" expenditures. Other uses of the fund require budgetary transfers by town meeting.

**STABILIZATION FUND:** A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. (MGL Ch. 40 § 5B). Towns may appropriate into this fund in any year by a simple majority vote. Any interest shall be added to and become a part of the fund. A two-thirds vote of town meeting is required to appropriate money from the stabilization fund.

**SURPLUS REVENUE:** The amount by which the cash, accounts receivable and other assets exceed the liabilities and reserves.

**TOWN MEETING WARRANT:** A written order calling an Annual or Special Town Meeting and containing a list of items to be acted upon. Warrants are posted at the official posting place.