

- **THE COMMONWEALTH OF MASSACHUSETTS**
- WORCESTER SS.

**TO EITHER OF THE CONSTABLES OF THE TOWN OF MENDON
IN THE COUNTY OF WORCESTER GREETING.**

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS YOU are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the **Miscoe Hill School** in said MENDON on the **twenty-fifth** day of June next, at 7:00 o'clock in the forenoon, then and there to act on the following articles:

- ARTICLE 1 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Finance Committee Salaries (Line Item 131A); or act or do anything in relation thereto.
- ARTICLE 2 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Assessors Expenses (Line Item 141B); or act or do anything in relation thereto.
- ARTICLE 3 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Town Counsel Expenses (Line Item 151B); or act or do anything in relation thereto.
- ARTICLE 4 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Town Hall Services Computer Expenses (Line Item 199E); or act or do anything in relation thereto.
- ARTICLE 5 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Police Department Expenses (Line Item 210B); or act or do anything in relation thereto.
- ARTICLE 6 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Fire Department Expenses (Line Item 220B); or act or do anything in relation thereto.
- ARTICLE 7 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Electrical Inspector Expenses (Line Item 245B); or act or do anything in relation thereto.
- ARTICLE 8 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Road Machinery Expenses (Line Item 421B); or act or do anything in relation thereto.
- ARTICLE 9 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Highway Construction and Maintenance Salaries (Line Item 422A1); or act or do anything in relation thereto.
- ARTICLE 10 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Snow and Ice Removal Salaries (Line Item 423A); or act or do anything in relation thereto.
- ARTICLE 11 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Snow and Ice Removal Expenses (Line Item 423B); or act or do anything in relation thereto.
- ARTICLE 12 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Testing-Landfill, Wells and Beach Account (Line Item 510F); or act or do anything in relation thereto.
- ARTICLE 13 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Worcester County Retirement (Line Item 911B) or act or do anything in relation thereto.
- ARTICLE 14 (Fin Com)** To see if the Town will vote to transfer a sum of money from available funds to Health Insurance Expenses (Line Item 914B); or act or do anything in relation thereto.
- ARTICLE 15 (BOS)** To see if the Town will vote to accept section 9A of MGL Chapter 200A; or act or do anything in relation thereto.
- ARTICLE 16 (Highway Department)** To see if the Town will vote to transfer a sum of money from the Capital Expenditures account to purchase a 2015 Chevrolet 2500-series Pick-Up truck; or act or do anything in relation thereto.
- ARTICLE 17 (BOS)** To see if the town will vote to amend the Zoning Map, of Mendon, Massachusetts, updated through March 19, 2013 so that 3 North Avenue, Map 8-189-3, as being located within the General Residential District, be zoned General Business District; or act or do anything in relation thereto.
- ARTICLE 18 (BOS)** To see if the Town will vote to accept the gift by Paul E. Cussen to the Town of Mendon of 7.74 +/- acres of land at 26 Hartford Avenue East, Mendon, Massachusetts, described as Open Space A, on sheet 2 of 25 and sheet 8 of 25, entitled "Definitive Comprehensive Permit Plan, Cobbler's Knoll in Mendon, Massachusetts" being recorded at the Worcester County Registry of Deeds as Plan No. 2313 in Plan Book 813, Page 62, subject to an easement twenty feet (20') in width where the granted premises abut a parcel to the north and to the east of the granted premises, and said parcel being labeled "Drainage Lot." Said easement is for the purpose of constructing, maintaining, reconstructing and otherwise effectuating drainage facilities upon the benefited lot. Said easement is in favor of Cobbler's Knoll, LLC and all of the lots shown on the able referenced Plan; or act or do anything in relation thereto.
- ARTICLE 19 (Historical Commission)** To see if the Town will vote to amend the Mendon General By-Laws, Chapter XVI Scenic Roads, Section 7 General by adding the following Public ways designated as Scenic Roads in the Town of Mendon:

- Main Street from Hastings Street to George Street,
- Maple Street,
- Elm Street;

or act or do anything in relation there to.

- ARTICLE 20 (CPC)** To see if the town will vote to transfer a sum of money from available funds to fund the closing and the costs for a conservation restriction on the 70+/- acre Paddock / D'Alesandro Property located at 52 Providence Street in Mendon, Worcester District Registry of Deeds, Book 30072, page 56; or act or do anything in relation thereto.
- ARTICLE 21 (CPC)** To see if the Town will vote to transfer a sum of money from available funds to fund the installation of a poured rubber ground surface at the Clough Elementary School kindergarten playground; or act or do anything in relation thereto.
- ARTICLE 22 (CPC)** To see if the town will vote to transfer a sum of money not to exceed \$8400 from the Community Preservation Historical Preservation Account to conduct an archeological reconnaissance survey of the Town Forest; or act or do anything in relation thereto.
- ARTICLE 23 (CPC)** To see if the town will vote to transfer a sum of money not to exceed \$20,000 from the Community Preservation Historical Preservation Account to remove or repair and preserve the outside ramp at Town Hall; or act or do anything in relation thereto.
- ARTICLE 24 (CPC)** To see if the Town will vote to transfer a sum of money not to exceed \$88,350 contingent upon receiving reimbursement from the MA LAND Grant or available funds to fund the replacement of the tennis courts and fence around the tennis courts at Memorial field and authorize the Town Administrator or Board of Selectman to file on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the PARC (formerly Urban Self-Help) Act (301 CMR 5.00) and/or any others in any way connected with the scope of this Article, and the town; or act or do anything in relation thereto.
- ARTICLE 25 (CPC)** To see if the town will vote to transfer a sum of money not to exceed \$500 from the Community Preservation Open Space Account to fund signage for the trails on town-owned open space or act; or do anything in relation thereto.
- ARTICLE 26 (Zoning By-Law Review Committee)** To see if the Town will vote to amend the Mendon Zoning By-Law, Section 3.01, (b) (viii) by adding the following words: unless exempted under MGL 40A, section 3, at the end of the sentence after Facilities, or do anything in relation thereto.
- ARTICLE 27 (Zoning By-law Review Committee)** To see if the Town will vote to amend the Mendon General By-Laws by adding Chapter XXVIII, Use of Recreational Trails and Associated Areas; or act or do anything on relation thereto.

CHAPTER XXVIII
Use of Recreational Trails and Associated Areas

Section 1. Definitions

Associated Areas: All Town owned open space and recreational areas. Schools may use these areas for educational purposes such as the study of habitat, history, etc.

Motorized Vehicles: Automobiles, trucks, motorcycles, snow vehicles, mopeds, scooters, mini-bikes, Off Road (ORV) and/or All -Terrain Vehicles (ATV).

Trail: Any way designated or constructed on Town owned land specifically for use for public recreation.

Section 2. Purpose

The provisions of this By-Law shall be to permit the Town of Mendon and designated law enforcement officers to ensure and enforce the proper use of the Trails and Associated Areas in accordance with these regulations.

Section 3. Regulations For Use of Trails and Associated Areas

- The use of Town of Mendon Trails and their Associated Areas is restricted to the hours from sunrise to sunset.
- No person shall use or operate a Motorized Vehicle or device of any kind except authorized maintenance vehicles, emergency vehicles of the Police Department, Fire Department, Emergency Medical Services, or other emergency service, upon or within the Town of Mendon's Trails or Associated Areas, unless said area is specifically designated for the parking and placement of Motorized Vehicles.
- Any Motorized Vehicle found in or upon a Town of Mendon Trail or Associated Areas, unless specifically authorized, shall be subject to towing and storage upon the order and direction of a law enforcement officer in accordance with the provisions of M. G. L. Chapter 266, Section 120D.
- No person within the confines of a Town of Mendon Trail or any Area Associated therewith shall have in his possession, use, or be under the influence of intoxicating liquors, drugs or narcotics.
- No person shall leave, place or dispose of in any manner, trash, litter, refuse, garbage, sewage or other material upon said Town of Mendon Trail or Associated Areas. If it is carried in, it must be carried out.
- No person shall throw, drop or place in waterways or ponds any trash, litter, refuse, garbage, sewage or other materials.
- Scout Troops may have campfires in the vicinity of the Inman Pond cabin as long as a permit from the Fire Department is obtained. Also, in accordance with scouting's current rules, a minimum of two adults must be present at all times. No other person shall light or cause to be lit any fire(s) on a Town of Mendon Trail or within an Associated Area.
- Dogs must be on a leash or kept in sight and under voice control at all times.
- Feeding and/or harassment of wildlife is prohibited.
- The use of metal detectors is prohibited except in the case of authorized archeological activities.
- Care must be taken when approaching a horse and rider on the trail. If said horse and rider are traveling in the opposite direction, stand and allow the horse and rider to pass. When approaching a horse from the rear, announce yourself and wait for instructions from the rider
- No person shall dig up, cut, break, remove, deface, defile or ill-use any structure, sign, bush, tree, plant, turf, rock or have possession of any part thereof.

Section 4. Signage

Excluding the Mendon Town Forest and recreational areas, the Town reserves the right to erect any signs necessary to impart information to preserve the tranquility of open space areas.

Section 5. Enforcement, Violations, Arrests, and Penalties

- a. Whoever is found not to be in conformance with the requirements of Section Three, shall be in violation of this By-Law.
- b. Violations shall be punished by a fine of one hundred dollars (\$100.00) for the first offense and two hundred fifty-dollars (\$250.00) for each subsequent offense.

Section 6. Severability

If any provision of this By-Law is held invalid by a court of competent jurisdiction, the remainder of the By-Law shall not be affected thereby. The invalidity of any section or sections or parts of this By-Law shall not affect the validity of the remainder of the Town's Zoning By-Law.

And you are directed to serve this Warrant, by posting up attested copies thereof at three or more public places in said Town, 14 days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 9th day of June, in the year of our lord two thousand fourteen.

_____ **Selectmen of Mendon**

A True copy. Attest:

_____ **Constable**

Worcester, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Mendon by posting up attested copies of the same at:

Town Hall; _____; _____

_____ days before the date of the meeting, as within directed.

_____, **Constable**