

Commonwealth of Massachusetts  
Town of New Ashford  
May 20, 2025, at 6:00PM  
Annual Town Meeting Warrant  
Covering the fiscal year 2026  
Berkshire County:



To: Any of the constables of the town of New Ashford.

In the name of the Commonwealth of Massachusetts, you are required to warn and notify the inhabitants of the town of New Ashford who are qualified to vote in the town affairs, to meet at the New Ashford Church, 199 Mallery Road, in said New Ashford, on Tuesday the Twentieth day of May 2025, at 6:00PM, and transact the following business:

**Article I:** To elect a moderator for the following year. (Majority)

**Article II:** To see if the town will vote that there be levied on real estate and personal property of the town, or transferred from available funds, a sum sufficient to meet the appropriation of said meeting. (Majority)

**Article III:** To see if the town will vote to authorize the select board to retain counsel when necessary. (Majority)

**Article IV:** To see if the town will vote to close portions of Bauer Rd, Ingraham Rd, Roys Rd, Greylock Rd, Old Rte. Seven, and any other roads, that at certain times of the year the road commissioner and the select board deem necessary. (Majority)

**Article V:** To see if the town will vote to authorize the town treasurer, with the approval of the select board, to borrow money, from time to time, in anticipation of the revenue of the fiscal year, beginning July 1, 2025, and to issue notes as may be given for a period of less than one year in accordance with chapter 44, section 17 of the Massachusetts general laws. (Majority)

**Article VI:** To see if the town will vote to raise and appropriate the sum of six hundred and forty-six thousand, nine hundred and thirty-nine dollars (\$646,939) or any other sum, to defray the charges and expenses of the town of New Ashford, including any debts and interest and to compensate certain officers of the town of New Ashford. (See attached sheet for individual line items) (Majority)

**Article VII:** Enterprise fund budget - to see if the town will vote to raise and appropriate the sum of ninety thousand, three hundred and twenty-five dollars (\$90,325.00) through user's fees and fund six thousand three hundred dollars (\$6,300) to the general fund to reimburse shared officer and appointees' stipends, electricity, licenses, and propane cost. (See attached sheet for individual line items) (Majority)

**Article VIII:** To see if the town will vote to transfer from the cash stabilization account, the sum in the amount two thousand, five hundred dollars (\$2,500), to supplement the town's share of grant money from the FY 2026 budget for emergency management grant. If the article is passed but the grant is not approved, the money will revert to the cash stabilization account. (2/3 majority.)

**Article IX:** To see if the town will vote to transfer from MLP Enterprise fund Free Cash the sum of fifteen thousand dollars (\$15,000.00) to the broadband stabilization fund or take any other action relative thereto. (2/3 majority.)

**Article X:** To see if the town will vote to transfer from Free Cash the sum of five hundred dollars (\$500.00) to the old schoolhouse repair stabilization fund or take any other action relative thereto. (2/3 majority.)

**Article XI:** To see if the town will vote to transfer from Free Cash the sum of thirty-five thousand dollars (\$35,000.00) to the stabilization fund or take any other action relative thereto. (2/3 majority.)

**Article XII:** To see if the town will vote to transfer from Free Cash, the sum of ten thousand five hundred dollars (\$10,500) to supplement the town's share of grant money for the fire fighters' safety grant for FY 2026. If the article is passed but the grant is not approved or all funds not spent, the money will revert to the Free Cash. (Majority)

\*The grant is 100% reimbursable and funds go directly back to the town.

**Article XIII:** To see if the town will vote to transfer from Free Cash, the sum of thirty-five thousand dollars (\$35,000) to build a shed/extension off the side of the Fire Station to house the Town Mower and Provide additional storage for the Fire Department. (Majority)

**Article XIV:** To see if the town will vote to transfer from Free Cash, the sum of seven thousand, five hundred dollars (\$7,500), to supplement the town's share of Municipal Vulnerability Grant money from the FY 2026 budget for the construction of 1 -2 Dry Hydrants for Fire protection. If the article is passed but the grant is not approved, the money will revert to the cash stabilization account. (2/3 majority.)

**Article XV:** To see if the town will vote to transfer from the from Free Cash, the sum in the amount five thousand dollars (\$5,000), to replace the handicap ramp at the town hall. (Majority)

**Article XVI:** To see if the town will vote to transfer from the from Free Cash, the sum in the amount four thousand dollars (\$4,000), to repair the salt shed doors. (Majority)

**Article XVII:** To see if the town will vote to transfer from Free Cash, the sum in the amount of two thousand dollars (\$2,000), to purchase a snowblower to maintain town walkways and ramp. (Majority)

**Article XVIII:** To see if the town will vote to adopt M.G.L. Chapter 200A, §9A., relating to the disposition of unclaimed property by a city or town.

Summary:

M.G.L Chapter 200A, §9A provides for an alternative procedure for the disposing of abandoned funds, known as Tailings, held in the custody of the City. Tailings can include uncashed Accounts Payable checks, uncashed Payroll checks, and certain tax overpayments where the property owner cannot be found. Adopting this statute allows for a more efficient and expedited process for the disposing of abandoned funds, allowing the Treasurer to take these funds as revenue into the General Fund after there have been several attempts to notify the check recipient, once one full year has passed since the original issuance. Without adopting this measure, the City would need to follow the Massachusetts Unclaimed Property Division's annual reporting guidelines, follow their three-year dormancy period, use their due diligence process to notify the recipients, and escheat the funds to the state annually. This measure allows the City to retain the funds, while also allowing the Treasurer to follow their own timeframe for disposing of Tailings. (Simple Majority)

**Article XIX:** To see if the town will vote to transfer from the from MLP Free Cash, the sum in the amount of ten thousand dollars (\$10,000), for unforeseen repairs during FY26. (Majority)

**Article XX:** To see if the Town of New Ashford will enact the following Amendments to the Zoning Bylaws  
Insert in Section 2: DEFINITIONS:

**ACCESSORY DWELLING UNIT (ADU):** A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- (a) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building Code for safe egress; and
- (b) is not larger in Gross Floor Area, than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller, as defined in 760 CMR 71.02.

**SHORT-TERM RENTALS (STR):** An owner-occupied, tenant-occupied or non-owner-occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house, or bed and breakfast establishment, where:

- (i) at least 1 room or unit is rented to an occupant or sub-occupant; and
- (ii) all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

A rental shall be considered an STR if rented for 30 or fewer days.

Insert in Section 4: USE REGULATIONS:

4.1.6: An ADU shall be permitted by right in all zoning districts where single-family dwellings are a permitted use. ADUs may be attached to the principal dwelling unit or located in a separate accessory structure. An ADU shall meet the following requirements:

- (a) ADUs must comply with all dimensional requirements for lots and structures set forth in Section 5 of this By-law along with all other applicable zoning requirements for the district in which the ADU is located;
  - (b) ADUs must comply with all building codes, board of health regulations, and fire codes;
  - (c) ADUs require site plan approval, provided however, that any terms and conditions set under site plan review are not inconsistent with this Section 4.1.6 and are not unreasonable nor inconsistent with an as-of-right process as defined by G.L. c. 40A, §1A;
  - (d) ADUs must have one dedicated off-street parking space, unless the ADU is located within 0.5 miles from a transit station as defined in 760 CMR 71.02;
  - (e) ADUs may not be rented or occupied as a Short-Term Rental;
  - (f) ADUs may not be maintained in separate ownership from the principal dwelling;
  - (g) ADUs must be stationary and have a permanent foundation that conforms with Massachusetts Building Codes; no living unit on chassis/wheels will be permitted as an ADU;
  - (h) There shall be no more than one ADU per Lot.
- (Simple Majority)

**Article XXI**

To see if the town will vote to set fiscal year 2026 spending limits for revolving funds as follows:

<b>Revolving Fund</b>	<b>Spending Limit</b>
Conservation Commission	\$1,200.00
Electrical/Wiring Inspection Services	\$1,200.00
Planning Board Expenses	\$1,200.00
Plumbing & Gas Inspection Services	\$3,459.86
Trench Safety Inspector Services	\$1,200.00
Zoning Board of Appeals Expenses	\$3,459.86
Board of Health – Licensing Fees	\$1,200.00
Fire Department	\$2,000.00
Select Board Expenses	\$1,200.00
All Other Board Expenses	\$1,200.00
Building Inspector	\$3,459.86
<b>Total of All Revolving Funds</b>	<b>\$20,779.58</b>

**Article XXII:** To act thereon and conduct any business legally brought before said meeting.

You are hereby directed to serve this warrant by posting three (3) attested copies thereof in public places in the town of New Ashford, at least seven days before said meeting. Hereof fail not and make do your returns of doing to the town clerk at the time and place of the meeting afore said.

Constable:	Select board:
Stephen Demyer, constable	Jason Jayko, chairman
Date and time posted	Kenneth McInerney
True and attested Susan Supranowicz Clerk, town of New Ashford	Mark Phelps