

ADJOURNED ANNUAL TOWN MEETING MAY 16, 2016

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PROCEEDINGS

The meeting was called to order and declared open by the Moderator, George A. Balko III, at 7:10 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 191 registered voters present. Twenty persons without voting privileges were present. The Moderator waived the reading of the warrant.

ARTICLE 1. To choose a Moderator for said meeting. No action being necessary, the Article was **passed over**.

ARTICLE 2. This Article having been acted upon previously, **no action was necessary** (election of officers). The Moderator announced the newly elected officers.

ARTICLE 3. **No action was necessary under this Article.** Moderator Balko noted that the Annual Town Report contained the reports of Town Officers, Boards, Commissions, and Committees. The 2015 Annual Town Report was verbally dedicated, by the Moderator to the Town's people that attend the Annual Town Meeting yearly. Finance Committee Alan Berg presented a brief overview on the status of the budget.

ARTICLE 4. On motion made by David White it was **unanimously voted** that the Town, in accordance with Section 108 of Chapter 41 of the General Laws as amended, vote to fix the salaries and compensation of elective Town officers for the ensuing year as follows:

Moderator	\$100.00
Selectman-Chairman	1,150.00
2 nd Member	1,000.00
3 rd Member	1,000.00
4 th Member	1,000.00
5 th Member	1,000.00
Trustees of Damon Memorial - 6 Members	None
Wachusett Regional School District Committee – 10 Members	None

ARTICLE 5

On motion made by David White it was **unanimously voted** that the Town transfer and appropriate the sum of \$339,969 from funds Reserved for Future Interest Payments, related to the premium received on the Bond Anticipation Note issued for the Mountview Middle School Project, to offset and pay the interest costs for said borrowing due in FY 2016.

ARTICLE 6.

#1 – On motion made by John Dolak it was **voted by majority** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,648,765 for the proposed budget for GENERAL GOVERNMENT, item 1, substantially as shown on page 16 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET" under the heading "FY 2017 RECOMMENDED" and to raise said sum by transferring \$ 45,000 from the Water/Sewer Enterprise fund receipts for indirect costs, by transferring \$ 12,000 from the Solid Waste Enterprise fund receipts for indirect costs, by transferring \$50,000 from Overlay Surplus and by raising and appropriating \$ 5,541,765 to cover the balance; and to further authorize the Town Manager to transfer from the Town Manager Salary & Wages account various sums to the Salary & Wages accounts of other Town Departments, as the Town Manager may deem advisable to effect adjustments of salaries and wages in the ensuing fiscal year.

#2 – On motion made by William Randell it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,460,017 for the proposed budget for GENERAL GOVERNMENT DEBT, item 2, substantially as shown on page 17 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET" under the heading "FY 2017 RECOMMENDED" and to raise said sum by transferring \$100,000 from the Recreation Revolving Fund and by transferring \$ 1,697 from the reserved bond premium in the hands of the Treasurer, and by raising and appropriating \$5,358,320 to cover the balance.

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#3 – On motion made by Alan Berg it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,184,975 for the proposed budget for PUBLIC SAFETY, item 3, substantially as shown on page 18 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED” and to raise said sum by transferring \$25,000 from the Wachusett Fund, and by raising and appropriating \$5,159,975 to cover the balance.

#4 – On motion made by John Lambert it was **voted by a majority** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$2,850,342 for the proposed budget for PUBLIC WORKS, item 4, substantially as shown on page 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED” and to raise said sum by transferring \$35,000 from the Water/Sewer Enterprise fund receipts for indirect costs, transferring \$5,000 from the Perpetual Care Trust Fund, and by raising and appropriating \$2,810,342 to cover the balance.

#5 – On motion made by John Lambert it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$7,283,304 and to transfer the sum of \$80,000 to the general fund to cover indirect costs for the ensuing year, for the proposed budget for the WATER/SEWER ENTERPRISE FUND, item 5, substantially as shown on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED” and to raise said total sum of \$7,363,304 by transferring \$1,110,000 from Water/Sewer free cash in the hands of the Treasurer and to raise the sum of \$6,253,304 through fees and charges to cover the balance.

#6 – On motion made by Marilynn Foley it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$339,625 for the proposed budget for HUMAN SERVICES, item 6, substantially as shown on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED.”

#7 – On motion made by Joseph Dolak it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$723,709 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 21 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED.”

#8 – On motion made by Karl Makela it was **voted by a majority** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$876,070 for the proposed budget for CULTURE, item 8, substantially as shown on page 21 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED.”

#9 – On motion made by David White it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$1,200,967 and to transfer the sum of \$12,000 to the general fund to cover indirect costs for the ensuing year, for the proposed budget for the SOLID WASTE ENTERPRISE FUND, item 9, substantially as shown on page 22 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2017 BUDGET” under the heading “FY 2017 RECOMMENDED” and to raise said total sum of \$1,212,967 by transferring \$70,000 from Solid Waste Free Cash and to raise the sum of \$1,142,967 through fees and charges to cover the balance.

ARTICLE 7. On motion made by Alan Berg it was **unanimously voted** that the Town raise and appropriate the sum of \$20,264,012 for the Town’s share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year, such sum to include the Town’s so-called required Local Minimum Contribution, debt service and transportation, such amount to be paid to the Wachusett Regional School District.

ARTICLE 8. On motion made by Alan Berg it was **unanimously voted** that the Town appropriate the sum of \$5,090,755 for the Town’s share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year to supplement the appropriation made under Article 7 of the warrant for this town meeting, and to raise said sum by transferring \$1,000,000 from available funds in the hands of the Treasurer and by raising and appropriating \$4,090,755 to cover the balance, it being understood that by appropriating \$5,090,755 under this Article 8 and \$20,264,012 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$25,354,767, the Town thereby approves a budget of \$87,566,797 for the fiscal year 2017 for the Wachusett Regional School District.

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ARTICLE 9. On motion made by William Randell it was **voted by a majority** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 into the Department of Public Works Depreciation Fund, and that the Town transfer and appropriate from the Department of Public Works Depreciation Fund the sum of \$272,469 for the purchase of a Dump Truck equipped with a Wing Plow for the Department of Public Works.

ARTICLE 10. On motion made by William Randell it was **unanimously voted** that the Town accept and authorize the expenditure of all monies to be received from the Commonwealth of Massachusetts under Chapter 90 of the General Laws for highway purposes, or any other legislation as may be adopted by the General Court relating to public works.

ARTICLE 11. On motion made by Joseph Dolak it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 into the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund, established pursuant to MGL Chapter 40 §5B, and that the Town transfer and appropriate from the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund the sum of \$600,000 to purchase and equip a new vehicle to replace Engine 2. **2/3rds VOTE REQUIRED**

ARTICLE 12. On motion made by John Lambert it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$500,000 to be added to the General Stabilization Fund. **2/3rds VOTE REQUIRED**

ARTICLE 13. On motion made by Karl Makela it was **unanimously voted** that the Town appropriate the sum of \$438,303 to be deposited into the Town's Other Post Employment Benefits Liability Trust Fund, established under Article 30 of the May 18, 2009 Annual Town Meeting pursuant to the provisions of Chapter 32B, Section 20 of the General Laws and to raise said sum by transferring \$393,473 from available funds in the hands of the Treasurer, and by appropriating and transferring \$44,560 from the Water/Sewer Enterprise Fund Free Cash in the hands of the Treasurer.

ARTICLE 14. On motion made by Marilynn Foley it was **unanimously voted** that the Town appropriate \$2,914,000 for the purpose of acquiring capital items substantially as shown on page 24 of the "TOWN MEETING HANDBOOK FY 2017 CAPITAL BUDGET," and to raise said sum by raising and appropriating the sum of \$744,000, by transferring \$325,000 from available funds in the hands of the Treasurer, and by borrowing the sum of \$1,845,000 under G.L. Chapter 44, Section 8, or any other enabling authority, which borrowing relates to the Water-Sewer Enterprise Fund for Water Main Replacement, Infiltration-Inflow Removal, Lincoln Ave. Force Main Cleaning, and Princeton Street Sewer Pump Station Repairs, and to that end that the Treasurer, with the approval of the Selectmen, be authorized to issue bonds and notes therefore totaling \$1,845,000. **2/3rds VOTE REQUIRED**

ARTICLE 15. On motion made by David White it was **voted by majority** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$160,000 to be available for expenditure by the Town Manager for the purpose of purchasing and installing information technology and improvements to wireless Internet equipment at the Davis Hill School, Dawson School, and Mayo School.

ARTICLE 16. On motion made by Marilynn Foley it was **voted by a majority** that the Town continue a Recreation Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 and Chapter 408 of the Acts of 1996 for use by the Recreation Department into which shall be deposited recreation user fees, exclusive of After School Program fees, such fund to be used only to defray the expenses of the Town Recreation Programs, provided that the expenditures from such Fund shall not exceed \$379,754.

ARTICLE 17. On motion made by Marilynn Foley it was **unanimously voted** that the Town continue a Cable Television Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 for use by the Town Manager into which shall be deposited all monies received from the Cable TV provider, such Fund to be used to defray the cost of equipment, salaries and other expenses incurred by the Town in connection with the public, educational and governmental access programming contemplated by the CATV license granted by the Town, provided that the expenditures from such Fund shall not exceed \$338,217.

ARTICLE 18. On motion made by David Fitzpatrick it was **unanimously voted** that the Town continue an Inspection Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 for use by the Inspection Department into which shall be deposited permit fees paid for by various building components, such Fund to be used to defray the cost of salaries and other expenses incurred by the Town in connection with professional inspections for all building construction and renovation activities, and for all electrical, mechanical, plumbing and gas fitting work providing inspection services for

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various building projects, provided that the expenditures from such Fund shall not exceed \$246,219.

ARTICLE 19. On motion made by David Fitzpatrick it was **unanimously voted** that the Town appropriate the following sums from the unexpended proceeds of separate bonds initially issued by the Town for various purposes specified and for which no further liability remains:

<u>Date of Issue</u>	<u>Purpose of Bond Issue</u>	<u>Unexpended Proceeds</u>
11/15/1991	Grove Cemetery Expansion	\$ 5,915
3/12/2012	DPW Truck	\$ 7,531
3/12/2012	Public Safety Building	\$ 71,481

And to appropriate such funds as follows: \$5,915 for improvements to Grove Cemetery; \$7,531 for a portion of the purchase price of a new Dump Truck equipped with Wing Plow for the Department of Public Works; and \$71,481 to pay for improvements to the Public Safety Facility including the HVAC system.

ARTICLE 20. On motion made by Geraldine Herlihy it was **unanimously voted** that the Town permit the use of the Town Hall for the next year at less than the fair rental value to: John E. Harkins Post #42 American Legion, Boy and Girl Scout Troops of Holden, the Veterans of Foreign Wars, Women's Auxiliary of the John E. Harkins Post #42, Women's Auxiliary of the Veterans of Foreign Wars, the Holden Baseball Program, Inc., League of Women Voters, 4-H Club, Rainbow Girls, the Grange, the White Oak Land Conservation Society, Inc., Holden Citizens for Responsible Energy, Holden Republican Town Committee, Holden Democratic Town Committee, Holden Associated Taxpayers and Holden for Children.

ARTICLE 21. On motion made by Geraldine Herlihy it was **voted by majority** that the Town authorize the sum of \$144,277 of the excess of the income of the Municipal Light Department for the calendar years 2016 and 2017 over and above the total expense of the plant as defined in the General Laws, as income to be used by the Assessors in establishing the tax rate for the fiscal year commencing July 1, 2016.

ARTICLE 22. On motion made by Geraldine Herlihy it was **unanimously voted** that the Town income from the sale of electricity to private consumers, of electricity supplied to municipal buildings, and for municipal power, and of sales of appliances and from jobbing during the calendar year commencing January 1, 2016, be appropriated for the Municipal Light Department, the whole to be expended for the expense of the department for said calendar year, and that if the income exceeds the expense of the department for said calendar year, such part thereof as the Town may vote shall be retained by the Town Treasurer in accordance with applicable law and any further excess shall be transferred to the Depreciation Fund, the Construction Fund, and the Rate Stabilization Fund of said Municipal Light Plant as may be hereafter be authorized by the Board of Light Commissioners as outlined in General Laws, Chapter 164, Section 57.

ARTICLE 23. On motion made by Geraldine Herlihy it was **unanimously voted** that the Town take no action to accept Joel Scott Drive as a public way:

On motion made by Geraldine Herlihy it was **unanimously voted** that the Town accept as a public way:

Hayfield Lane from Station 0+00 to Station 7+66 for a distance of approximately 766 feet along the centerline; as shown on a plan of land entitled, 'Wagner Meadows Road Acceptance Plan in Holden, Mass.', prepared for Casa Builders and Development Corp., prepared by David E. Ross Associates, Inc. dated April 2016, on file in the Office of the Town Clerk, said street having been laid out by the Selectmen and approved by the Planning Board.

On motion made by Geraldine Herlihy it was **unanimously voted** that the Town accept as a public way:

Preservation Lane from Station 1+80 to Station 8+85 for a distance of approximately 705 feet along the centerline as shown on a plan of land entitled, 'Wagner Meadows Road Acceptance Plan in Holden, Mass.', prepared for Casa Builders and Development Corp., prepared by David E. Ross Associates, Inc. dated April 2016, on file in the Office of the Town Clerk, said street having been laid out by the Selectmen and approved by the Planning Board.

On motion made by Geraldine Herlihy it was **unanimously voted** that the Town accept as a public way:

Wagner Lane from Station 0+00 to Station 5+43 for a distance of approximately 543 feet along the centerline as

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shown on a plan of land entitled, 'Wagner Meadows Road Acceptance Plan in Holden, Mass.', prepared for Casa Builders and Development Corp., prepared by David E. Ross Associates, Inc. dated April 2016, on file in the Office of the Town Clerk, said street having been laid out by the Selectmen and approved by the Planning Board.

ARTICLE 24. On motion made by Kenneth Strom it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$100,000 for the purpose of acquiring by purchase, for conservation and passive outdoor recreation purposes, a certain property known as "Holbrook Extension", containing approximately 23.9 acres of land and shown as "Lot 5" on a plan entitled "Plan of Land, Salisbury Street, Holden, MA", prepared by Douglas Andrysick, Professional Land Surveyor, dated 12/10/13, and recorded at the Worcester District Registry of Deeds in Plan Book 906, Plan 108; said property to be acquired and conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended, and other general laws relating to Conservation, and to be held and managed under the care, custody and control of the Town's Conservation Commission; and

To further authorize the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, as deemed necessary under the Land and Water Conservation Fund Act, (P.L. 88-578), including receiving gifts or grants from the White Oak Land Conservation Society and the Greater Worcester Land Trust for an additional \$100,000 to be received by the Town as a contribution towards the total purchase price of \$200,000 for said property, and the Town Manager and Conservation Commission are hereby authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase. **2/3rds VOTE REQUIRED**

ARTICLE 25. On motion made by David White it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$315,000 to pay for the planning, study, preliminary design, site analysis, environmental assessment, cost estimating or any other cost related to the site acquisition and programming for the development of a new Department of Public Works facility.

ARTICLE 26. On motion made by John Dolak it was **passed by a 2/3rds voice vote** that the Town establish an Open Space Preservation Stabilization Fund pursuant to MGL Chapter 40, Section 5B, for the purpose of funding the costs to acquire real property within the Town of Holden, such property to be held and maintained as open space for the use of the citizens of Holden, and to transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 into such Fund. **2/3rds VOTE REQUIRED**

ARTICLE 27. On motion by Karl Makela it was **passed by a 2/3rds voice vote** that the Town establish a Regional Dispatch Stabilization Fund, pursuant to MGL Chapter 40, Section 5B, for the purposes of upgrading, acquiring and replacing information technology, office, communications or other equipment and related appurtenances necessary for the Wachusett Regional Emergency Communications Center, and to transfer and appropriate from available funds in the hands of the Treasurer the sum of \$5,000 into such fund. **2/3rds VOTE REQUIRED**

ARTICLE 28. On motion made by Kenneth Mills it was **unanimously voted** that the Town approve naming the Science Project Room at the Wachusett Regional High School in honor of Dr. Neil Ault, naming the library at Davis Hill Elementary School in honor of Janice Dymek, and naming the media center at the new Mountview Middle School in honor of Nancy Galkowski.

ARTICLE 29.

#1 - On motion made by Kenneth Mills it was **unanimously voted** that Town approve the amendment of Section 1.1.3 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #1, of the Town Meeting Handbook and Finance Committee Report.

#2 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 1.1.6 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #2, of the Town Meeting Handbook and Finance Committee Report.

#3 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 5 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District

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School Committee on March 14, 2016 and as written under Article 29, #3, of the Town Meeting Handbook and Finance Committee Report.

#4 - On motion made by Kenneth Mills is was **unanimously voted** that the Town approve the amendment of Section 7 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #4, of the Town Meeting Handbook and Finance Committee Report.

#5 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 14.1 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, 5, of the Town Meeting Handbook and Finance Committee Report.

#6 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 16 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #6, of the Town Meeting Handbook and Finance Committee Report.

#7 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 17.1 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #7, of the Town Meeting Handbook and Finance Committee Report.

#8 - On motion made by Kenneth Mills it was **unanimously voted** that the Town approve the amendment of Section 19.1 of the Amended Wachusett Regional School District Agreement, as recommended and approved by vote of the Regional District School Committee on March 14, 2016 and as written under Article 29, #8, of the Town Meeting Handbook and Finance Committee Report.

ARTICLE 30. A motion made by Geraldine Zecco that the Town of Holden Zoning by-law Chapter 7.1 VIII, B, 3, which exempts school buses from the ban on overnight parking in residential neighborhoods in the Town of Holden, be amended by striking "school buses or" to read as follows:

Chapter 7.1 VIII, B. GENERAL PARKING AND LOADING PROVISIONS

3. No commercially licensed vehicle, in excess of 10,000 lb. gross vehicle weight except a farm vehicle on a farm and construction equipment (during actual construction on the site) shall be parked overnight in the R-M, R-10, R-2 and R-1 districts.

A motion was made by Robin Ganesan to take no action. The amendment to take no action was **defeated by a majority vote**. The main motion passed by a **2/3rds voice vote**.

2/3rds VOTE REQUIRED

Voted to adjourn the meeting at 8:56 p.m.

A true copy.

Attest:

Cheryl A. Jenkins
Town Clerk