

ADJOURNED ANNUAL TOWN MEETING MAY 18, 2015

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PROCEEDINGS

The meeting was called to order and declared open by the Moderator, George A. Balko III, at 7:16 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 208 registered voters present. Twenty-three 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 2014 Report was dedicated to Mountview Middle School Kids in the Kommunity Youth Organization and the Holden DPW staff. David White presented an update of the Mountview School Building Project.

ARTICLE 4. On motion made by William Randell 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. No action being necessary, the Article was **passed over**. (past debts and charges)

ARTICLE 6.

#1 – On motion made by Joseph Dolak it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,358,226 for the proposed budget for GENERAL GOVERNMENT, item 1, substantially as shown on page 16 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said sum by transferring \$34,750 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 \$5,261,476 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 Joseph Dolak it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$4,323,217 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 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said sum by, by transferring \$405,000 from available funds in the hands of the Treasurer, by transferring \$100,000 from the Recreation Revolving Fund and by transferring \$1,764 from the reserved bond premium in the hands of the Treasurer, and by raising and appropriating \$3,816,453 to cover the balance.

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#3 – On motion made by Karl Makela it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$4,888,402 for the proposed budget for PUBLIC SAFETY, item 3, substantially as shown on page 18 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said sum by transferring \$25,000 from the Wachusett Fund, and by raising and appropriating \$4,863,402 to cover the balance.

#4 – On motion made by David White it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$2,784,425 for the proposed budget for PUBLIC WORKS, item 4, substantially as shown on page 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said sum by transferring \$40,000 from the Water/Sewer Enterprise fund receipts for indirect costs, transferring \$5,000 from the Perpetual Care Trust Fund, and by raising and appropriating \$2,739,425 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 \$6,990,477 and to transfer the sum of \$74,750 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 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said total sum of \$7,065,227 by transferring \$1,127,500 from Water/Sewer free cash in the hands of the Treasurer and to raise the sum of \$5,937,727 through fees and charges to cover the balance.

#6 – On motion made by William Randell it was **voted by majority** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$324,144 for the proposed budget for HUMAN SERVICES, item 6, substantially as shown on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2016 RECOMMENDED.”

#7 – On motion made by Peter Lacy it was **voted by majority** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$836,743 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED.”

#8 – On motion made by Marilyn Foley it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year the sum of \$844,700 for the proposed budget for CULTURE, item 8, substantially as shown on page 21 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED.”

#9 – 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 \$1,148,149 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 21 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2016 BUDGET” under the heading “FY 2016 RECOMMENDED” and to raise said total sum of \$1,160,149 by transferring \$30,000 from Solid Waste Free Cash and to raise the sum of \$1,130,149 through fees and charges to cover the balance.

ARTICLE 7. On motion made by Alan Berg it was **unanimously voted** that the Town appropriate the sum of \$19,841,194 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 and to raise said sum by transferring \$678,787 from available funds in the hands of the Treasurer, and by raising and appropriating \$19,162,407 to cover the balance.

ARTICLE 8. On motion made by Alan Berg it was **unanimously voted** that the Town raise and appropriate the sum of \$3,532,448 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, it being understood that by appropriating \$3,532,448 under this Article 8 and \$19,841,194 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$23,373,642, the Town thereby approves a budget of \$83,797,672 for the fiscal year 2016 for the Wachusett Regional School District.

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ARTICLE 9. On motion made by Peter Lacey it was **unanimously voted** that the Town raise and appropriate the sum of \$42,400 to be added to the Department of Public Works Depreciation Fund, and that the Town appropriate and transfer from the Department of Public Works Depreciation Fund the sum of \$224,400 to pay debt service for the 3rd year of a 5 year borrowing for the purchase of a Dump Truck equipped with Plow and Spreader and to purchase a new Truck Equipped with a Hook & Haul system.

ARTICLE 10. On motion made by Joseph Dolak it was **unanimously voted** that the Town accept and expend 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 Karl Makela it was **unanimously voted** that the Town appropriate the sum of \$250,000 to be added to the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund, established pursuant to MGL Chapter 40 §5B, and to raise said sum by transferring \$250,000 from available funds in the hands of the Treasurer, and that the Town appropriate and transfer from the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund the sum of \$250,000 to pay for Refurbishment of the Tower Truck. **2/3rds VOTE REQUIRED**

ARTICLE 12. A motion made by Alan Berg that the Town vote to appropriate the sum of \$1,850,000 to be added to the Stabilization Fund and to raise said sum by raising and appropriating \$1,200,000 and transferring \$650,000 from available funds in the hands of the Treasurer.

A motion was made by Robert Lavigne to amend Article 12 by reducing the total amounts to be appropriated to the Stabilization Fund from the sum of \$1,850,000 to \$450,000 and to meet this appropriation by transferring available funds in the hands of the Treasurer, such that the revised motion will be as follows:

that the Town vote to appropriate the sum of \$450,000 to be added to the Stabilization Fund and to raise said sum by transferring \$450,000 from available funds in the hands of the Treasurer.

By standing vote of 102 Yes and 57 No the amendment was passed by a majority.

The main motion as amended passed by a **2/3 voice vote**.

2/3rds VOTE REQUIRED

ARTICLE 13. On motion made by John Lambert it was **unanimously voted** that the Town appropriate the sum of \$3,110,000 for the purpose of acquiring capital items substantially as shown on page 23 of the "TOWN MEETING HANDBOOK FY 2016 CAPITAL BUDGET," and to raise said sum by raising and appropriating the sum of \$1,020,000, and by borrowing the sum of \$2,090,000 under G.L. Chapter 44, Section 8, or any other enabling authority, which borrowing relates to the Water-Sewer Enterprise Fund for the acquisition and the equipping of a Dump Truck with Plow, Improvements to the Lincoln Ave and the Jefferson Sewer Pump Stations, and Water Main Replacements, and to that end that the Treasurer, with the approval of the Selectmen, be authorized to issue bonds and notes therefore totaling \$2,090,000.

2/3rds VOTE REQUIRED

ARTICLE 14. On motion made by David White it was **unanimously voted** that the Town appropriate \$29,000 for the purpose of completing improvements to the HVAC system at the Leroy T. Mayo Elementary School, and to raise said sum by appropriating \$20,752.96 of the unexpended proceeds of the Town's bonds dated June 15, 2003 authorized at the May 19, 2003 Town Meeting to pay costs of school construction projects which are now complete, and for which no further liability remains, as permitted by Chapter 44, Section 20 of the General Laws and to transfer \$8,247.04 from the unexpended balance of Warrant Article 15 from the 2014 Annual Town Meeting relating to upgrades to the heating system at Dawson School.

ARTICLE 15. On motion made by John Lambert it was **passed by majority** that the Town appropriate the sum of \$417,505 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 \$375,000 from available funds in the hands of the Treasurer, and by transferring \$42,505 from the Water/Sewer Enterprise Fund Free Cash in the hands of the Treasurer.

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ARTICLE 16. On motion made by Marilynn Foley it was **unanimously voted** 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 \$372,322.

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 \$302,695.

ARTICLE 18. On motion made by David White 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 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 various building projects, provided that the expenditures from such Fund shall not exceed \$251,635.

ARTICLE 19. On motion made by Timothy Ethier 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 20. On motion made by Kenneth O'Brien it was **unanimously voted** that the Town authorize the sum of \$140,050 of the excess of the income of the Municipal Light Department for the calendar years 2015 and 2016 over and above the total expense of the plant as defined in the General Laws, as an item of income to be used by the Assessors in establishing the tax rate for the fiscal year commencing July 1, 2015.

ARTICLE 21. On motion by Kenneth O'Brien 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, 2015, 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 authorized by the Board of Light Commissioners as outlined in General Laws, Chapter 164, Section 57.

ARTICLE 22. On motion made by Anthony Renzoni it was **unanimously voted** that the Town accept as a public way January Lane from Station 0+00 to Station 5+66 for a distance of approximately 566 feet along the centerline; as shown on a plan of land entitled, 'January Lane Acceptance Plan of Land prepared for Winter Ridge Limited Partnership' dated October 25, 2013, by Whitman and Bingham Associates, LLC., 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 23. On motion made by Robert Lavigne it was **unanimously voted** that the Town authorize the Town Manager to convey on behalf of the Town a permanent, non-exclusive easement for underground utility purposes over, through and in Town-owned property located at and known as 1196 Main Street, shown as Parcel 95 on Assessors Map 146, to and for the benefit of property of The First Congregational Church of Holden, located at and known as 1180 Main Street, its successors and assigns, with the distances of the perimeter of the easement area being the following four distances: 66 feet, 2 inches; 13 feet, 7 inches; 80 feet, 2 inches and 4 feet, 2 inches, containing approximately 292 sq. ft. of land area, and provided that such easement rights shall not interfere with the Town's use of the subject property; the deed of easement to be in the general form

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of the document entitled "Utility Easement Deed," on file at the office of the Town Clerk and upon such other terms and conditions as the Town Manager deems are in the best interest of the Town.

ARTICLE 24. On motion made by Jeremy Kurtz it was **voted by majority** that the Town accept as a town way the layout of a portion of River Street, over and across a new bridge over the Quinapoxet River to Harris Street, as voted by the Board of Selectmen and approved by the Planning Board, as shown on a plan prepared by C&C Consulting Engineers, LLC, dated April 3, 2015, on file at the office of the Town Clerk the acceptance of such way being necessary to facilitate a project of the Massachusetts Department of Transportation to replace the existing bridge serving River Street.

ARTICLE 25. On motion made by Kenneth O'Brien it was **defeated by a majority vote** that the Town rescind the vote taken under Article 28 at the 2014 Annual Town Meeting in which the Town authorized the Town Manager to make available for sale, upon such terms and conditions as the Town Manager deems to be in the best interest of the Town, a portion of the Town-owned property located at 175 Highland Street, with a building thereon, known as the Creamer Property.

ARTICLE 26. On motion made by William Ritter it was **passed by a 2/3rds voice vote** that the Town approve certain amendments to the Town of Holden Zoning Bylaw, Section 7.1, Section VII, Signs and Billboards, all as described in a document entitled 'Proposal to Amend the Signs and Billboards Bylaw' dated April 29, 2015 on file at the Office of the Town Clerk.

2/3 VOTE REQUIRED

Voted to adjourn the meeting at 9:15 p.m.

A true copy.

Attest:

Cheryl A. Jenkins
Town Clerk