

ADJOURNED ANNUAL TOWN MEETING MAY 15, 2017

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PROCEEDINGS

The meeting was called to order and declared open by the Town Clerk, Dale T. Hickey, at 7:10 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 311 registered voters present. Twenty six persons without voting privileges were present. The Town Clerk waived the reading of the warrant.

ARTICLE 1. To choose a Moderator for said meeting. Our duly elected Moderator George A. Balko III is unable to be here tonight, therefore, at this time I will accept nominations for the temporary Moderator for tonight's meeting. Robert P. Lavigne has nominated Joseph G. Sullivan, 53 Blossom Square and seconded by Anthony M. Renzoni. It was **unanimously voted** to elect Joseph G. Sullivan as temporary Moderator for the Annual Town Meeting and was sworn in by Town Clerk Dale T. Hickey

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 Sullivan noted that the Annual Town Report contained the reports of Town Officers, Boards, Commissions, and Committees. The 2016 Annual Town Report was dedicated to Jefferson native Stephen Nowak. Finance Committee member Paul L. Challenger presented a brief overview on the status of the budget.

ARTICLE 4. On motion made by John R. Lambert 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 Holden Members	None

ARTICLE 5

On motion made by John R. Lambert it was **unanimously voted** that no action be taken under this article.

ARTICLE 6.

#1 – On motion made by David J. White it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,799,704 for the proposed budget for GENERAL GOVERNMENT, item 1, substantially as shown on page 15 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET" under the heading "FY 2018 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 \$5,692,704 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 David J. White it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,863,818 for the proposed budget for GENERAL GOVERNMENT DEBT, item 2, substantially as shown on page 16 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED” and to raise said sum by, transferring \$100,000 from the Recreation Revolving Fund, by transferring \$318,000 from available funds in the hands of the Treasurer, and by transferring \$1,627 from the reserved bond premium in the hands of the Treasurer, and by raising and appropriating \$5,444,191 to cover the balance.

#3 – On motion made by David J. White it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,389,495 for the proposed budget for PUBLIC SAFETY, item 3, substantially as shown on page 17 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED” and to raise said sum by transferring \$25,000 from the Wachusett Fund, and by raising and appropriating \$5,364,495 to cover the balance.

#4 – On motion made by Alan R. Berg it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$3,008,671 for the proposed budget for PUBLIC WORKS, item 4, substantially as shown on page 18 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 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 \$2,968,671 to cover the balance.

#5 – On motion made by Alan R. Berg it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$7,839,037 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 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED” and to meet said appropriation by transferring \$1,645,000 from Water/Sewer free cash in the hands of the Treasurer and raising the sum of \$6,274,037 through fees and charges to cover the balance, for a total appropriation of \$7,919,037.

#6 – On motion made by Marilynn L. Foley it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$346,489 for the proposed budget for HUMAN SERVICES, item 6, substantially as shown on page 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED.”

#7 – On motion made by Marilynn L. Foley it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$799,232 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 19 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED.”

#8 – On motion made by Marilynn L. Foley it was **passed by a majority** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$873,783 for the proposed budget for CULTURE, item 8, substantially as shown on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED.”

#9 – On motion made by John R. Lambert it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$1,264,390 and to transfer the sum of \$12,000 to the general fund to cover indirect costs for the ensuing year for a total appropriation of \$1,276,390, for the proposed budget for the SOLID WASTE ENTERPRISE FUND, item 9, substantially as shown on page 20 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2018 BUDGET” under the heading “FY 2018 RECOMMENDED” and to meet said appropriation by raising \$1,276,390 through fees and charges.

ARTICLE 7. On motion made by Paul L. Challenger it was **unanimously voted** that the Town raise and appropriate the sum of \$20,509,674 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. Paul L. Challenger moved, upon the recommendation of the Finance Committee, that the Town vote to raise and appropriate the sum of \$5,490,326 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 \$5,490,326 under this Article 8 and \$20,509,674 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$26,000,000, the Town thereby approves a budget of \$89,769,226 for the fiscal year 2018 for the Wachusett Regional School District.

A motion was made on the floor by Kenneth V. Mills to amend the original motion, seconded and was **voted by a majority** to vote on the amended motion.

On an amended motion made by Kenneth V. Mills it was **passed by a majority** that the Town appropriate the sum of \$5,986,307 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 \$5,986,307 under this Article 8 and \$20,509,674 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$26,495,981, the Town thereby approves a budget of \$90,872,878 for the fiscal year 2018 for the Wachusett Regional School District.

ARTICLE 9. On motion made by Alan R. Berg it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 to be added to the Department of Public Works Depreciation Fund, created by Chapter 328 of the Acts of 2000.

ARTICLE 10. On motion made by Alan R. Berg 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 Christopher A. Lucchesi it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 to be added into the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 12. On motion made by Joseph J. Dolak it was **unanimously voted** that the Town transfer and appropriate from unexpended funds from Warrant Article 11 of the May 18, 2015 annual town meeting, the sum of \$170,000 to be added into the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 13. On motion made by Joseph J. Dolak 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, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 14. On motion made by Christopher A. Lucchesi it was **passed by a majority** that the Town appropriate the sum of \$448,884 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 \$404,884 from available funds in the hands of the Treasurer, and by appropriating and transferring \$44,000 from the Water/Sewer Enterprise Fund Free Cash in the hands of the Treasurer.

ARTICLE 15. On motion made by Christopher A. Lucchesi it was **passed by a 2/3rds voice vote** that the Town appropriate the sum of \$3,397,000 for the purpose of acquiring capital items substantially as shown on page 24 of the "TOWN MEETING HANDBOOK FY 2018 CAPITAL BUDGET," and to raise said sum by transferring \$882,000 from available funds in the hands of the Treasurer, and by borrowing the sum of \$570,000 under G.L. Chapter 44, Section 7, or any other enabling authority, which borrowing relates to the acquiring and equipping of an Ambulance for the Fire Department, and a Loader with Wing Plow for the Department of Public Works, and by borrowing the sum of \$1,945,000 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, Heritage Lane Sewer Pump Station Repairs, and Sycamore Drive 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 \$2,515,000.
2/3rds VOTE REQUIRED

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ARTICLE 16. On motion made by William M. Randell it was **unanimously voted** that the Town reauthorize 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 Director 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 \$391,096.

ARTICLE 17. On motion made by William M. Randell it was **unanimously voted** that the Town accept General Laws Chapter 44, Section 53F-3/4, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support public, educational and government (PEG) access services and to support oversight and renewal of the cable franchise agreement. Said fund to begin operation for Fiscal 2018, which begins on July 1, 2017, (ii) to transfer the balance remaining on June 30, 2017 in the existing Cable Revolving Fund previously established in accordance with General Laws, Chapter 44, Section 53E-1/2 to the PEG Access and Cable Related Fund; and (iii) to appropriate \$432,332 from the PEG Access and Cable Related Fund for Fiscal year 2018 to fund PEG Access services.

ARTICLE 18. On motion made by William M. Randell it was **unanimously voted** that the Town reauthorize 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 \$255,258.

ARTICLE 19. On motion made by Joseph J. Dolak it was **unanimously voted** that the Town appropriate \$1,446,415.80 from the premium paid to the Town upon the sale of bonds and notes issued for the new Mountview Middle School, which are the subject of a Proposition 2½ debt exclusion, to pay costs of the project being financed by such bonds or notes and to reduce the amount authorized to be borrowed for such project, but not yet issued by the Town, by the same amount.

ARTICLE 20. On motion made by Geraldine A. 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 A. Herlihy it was **unanimously voted** that the Town authorize the sum of \$147,163 of the excess of the income of the Municipal Light Department for the calendar years 2017 and 2018 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, 2017.

ARTICLE 22. On motion made by Geraldine A. 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, 2017, 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 23. On motion made by Robert P. Lavigne it was **unanimously voted** that the Town accept as a public way,

St. Mary's Drive Extension from Station 0+00 to Station 2+17 for a distance of approximately 217 feet along the centerline; as shown on a plan of land entitled, "Roadway Acceptance Plan St Mary's Drive Extension Holden, MA," prepared by Andrysick Land Surveying dated August 3, 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.

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ARTICLE 24. On motion made by John M. Michalak it was **passed by a 2/3rds voice vote** that the Town approve certain amendments to the Town of Holden Zoning Bylaw, Chapter 7.1, as described in a document entitled "SECTION XX Temporary Moratorium on Recreational Marijuana Establishments", on file at the Office of the Town Clerk

2/3rds VOTE REQUIRED

ARTICLE 25. On motion made by John M. Mickalak it was **passed by a 2/3rds voice vote** that the Town approve certain amendments to the Town of Holden Zoning Bylaw, Chapter 7.1, Section XI, as described in a document entitled "Proposed Amendment to the Open Space Residential Development Bylaw", on file at the Office of the Town Clerk.

2/3rds VOTE REQUIRED

ARTICLE 26. On motion made by Geraldine A. Herlihy it was **passed by a majority vote** that the Town authorize the Town Manager to accept on behalf of the Town, upon such terms and conditions as the Town Manager deems to be in the best interest of the Town, the donation of a parcel of land with buildings thereon, located at and known as 18 Industrial Drive in Holden and shown as Block 43, on Assessors' Map 186, said property being now or formerly owned by Quamco, Inc.

ARTICLE 27. On motion by Anthony M. Renzoni it was **unanimously voted** that the Town amend Article II of the Town's General Bylaws, entitled "Financial Affairs", by inserting a new Section 5 after Section 4 therein, to be entitled "Departmental Revolving Funds," as described in a document entitled "Departmental Revolving Funds Bylaw", a copy of which is on file in the Office of the Town Clerk and available for public inspection during regular business hours of the Town Hall.

ARTICLE 28. On motion made by Timothy C. Ethier it was **unanimously voted** that the Town approve the following amendments to the Town of Holden Bylaws, Article V, Part 13:

By deleting the following words in Section 2 (4), "Or take any other action relative thereto", and replacing them with "All of the powers of an agricultural commission set forth in Chapter 40, Section 8L, of the General Laws." and;

By replacing Section 3 with the following:

"The Commission shall consist of seven members appointed by the Town Manager, subject to the approval of the Board of Selectmen. A majority of members shall be farmers or employed in an agriculture-related field. If farmers or persons employed in agriculture are not available to serve on the Commission, then the Commission shall include a majority of members with knowledge and experience in agricultural practices or knowledge of related agricultural business. They shall serve staggered terms of three years each, except that with respect to the initial appointees, one shall have a term of one year, three shall have a term of two years and three shall have a term of three years." and;

By deleting Section 4 in its entirety.

And to accept MGL Ch 40 Section 8L

ARTICLE 29.

#1 - On motion made by Kenneth T. Strom it was **passed by a 2/3rds voice vote** that the Town vote taken under Article 24 at the Annual Town Meeting on May 16, 2016 be amended to read as follows:

To transfer from available funds 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, to be made subject to a conservation restriction in perpetuity to the White Oak Land Conservation Society, Inc. and the Greater Worcester Land Trust, Inc. pursuant to Massachusetts General Laws, Chapter 184, Sections 31-33, 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

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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 30. On motion made by Kenneth V. Mills it was **unanimously voted** that the Town approve naming the Art Department Courtyard at the Wachusett Regional High School in honor of Ralph Caouette.

ARTICLE 31. On motion made by John R. Lambert it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 to be added into the Open Space Preservation Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 32. On motion made by David J. White it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$16,000 to be added into the Regional Dispatch Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 33. On motion made by Michael Grasseschi, ('The petitioners') request the right to apply for a Class II Motor Vehicle License in the town of HOLDEN, MA. 01520. The petition is to amend Chapter 7.1 of the Holden Zoning Bylaw Section V, Table II to add 4a under Retail and Service to allow the sale of used cars by Special permit in the commercial zoning districts. The Zoning Board of Appeals to determine the number of cars according to the size of the property.'

The motion **failed by a 2/3rds voice vote.**

2/3rds VOTE REQUIRED

ARTICLE 34. On motion made by Ira L. Hoffman 'We, registered voters of the Town of Holden MA, request that the Town raise and appropriate a sum of money, not to exceed \$10,000, to fund an "emergency boarding" account. This account will be administered by the Fire Chief, or his designee, and be used to board-up damaged structures in time-critical situations that require immediate action.'

The motion **failed by a majority vote.**

Voted to adjourn the meeting at 10:15 p.m.

A true copy.

Attest:

Dale T. Hickey
Town Clerk