

ADJOURNED ANNUAL TOWN MEETING MAY 20, 2019

ADJOURNED ANNUAL TOWN MEETING

MAY 20, 2019

PROCEEDINGS

The meeting was called to order and declared open by the Moderator, George A. Balko III, at 7:21 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 178 registered voters present. Twelve 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 2018 Annual Town Report was dedicated to Donna M. Cross in grateful appreciation of her forty years of service to Holden.

David White and Paul Challenger each spoke briefly concerning the status of the budget.

Al Berg was presented with a plaque on his last night on the Finance Committee, in appreciation of his 17 years of service.

ARTICLE 4. On motion made by David White it was **voted by a majority** 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 **voted unanimously** that the Town take no action under this article.

ARTICLE 6.

#1 – On motion made by Paul Challenger it was **voted unanimously** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$6,314,976 for the proposed budget for GENERAL GOVERNMENT, item 1, substantially as shown on page 4 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to raise said sum by transferring \$49,000 from the Water/Sewer Enterprise fund receipts for indirect costs, by transferring \$12,400 from the Solid Waste Enterprise fund receipts for indirect costs, by transferring \$50,000 from Overlay Surplus and by raising and appropriating \$6,203,576 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 Paul Challenger it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,405,893 for the proposed budget for GENERAL GOVERNMENT DEBT, item 2, substantially as shown on page 5 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to raise said sum by transferring \$249,000 from available funds in the hands of the Treasurer and by transferring \$1,445 from the reserve bond premium in the hands of the Treasurer, and by raising and appropriating \$5,155,448 to cover the balance.

ADJOURNED ANNUAL TOWN MEETING MAY 20, 2019

#3 – On motion made by David White it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,803,958 for the proposed budget for PUBLIC SAFETY, item 3, substantially as shown on page 5 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to raise said sum by transferring \$25,000 from the Wachusett Fund, and by raising and appropriating \$5,778,958 to cover the balance.

#4 – On motion made by Al Berg it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$3,018,697 for the proposed budget for PUBLIC WORKS, item 4, substantially as shown on page 6 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to raise said sum by transferring \$33,400 from the Water/Sewer Enterprise fund receipts for indirect costs, transferring \$5,000 from the Perpetual Care Trust Fund, and by raising and appropriating \$2,980,297 to cover the balance.

#5 – On motion made by Christopher Lucchesi it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$8,103,583 and to transfer the sum of \$82,400 to the general fund to cover indirect costs for the ensuing year for a total appropriation of \$8,185,983 for the proposed budget for the WATER/SEWER ENTERPRISE FUND, item 5, substantially as shown on page 6 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to meet said appropriation by transferring \$1,100,000 from Water/Sewer free cash in the hands of the Treasurer and raising the sum of \$7,085,983 through fees and charges.

#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 \$369,104 for the proposed budget for HUMAN SERVICES, item 6, substantially as shown on page 6 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 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 \$901,029 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 7 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED.”

#8 – 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 \$915,570 for the proposed budget for CULTURE, item 8, substantially as shown on page 7 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 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 \$1,319,276 and to transfer the sum of \$12,400 to the general fund to cover indirect costs for the ensuing year for a total appropriation of \$1,331,676, for the proposed budget for the SOLID WASTE ENTERPRISE FUND, item 9, substantially as shown on page 7 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE FY 2020 BUDGET” under the heading “FY 2020 RECOMMENDED” and to meet said appropriation by raising \$1,331,676 through fees and charges.

ARTICLE 7. On motion made by Christopher Lucchesi it was **unanimously voted** that the Town raise and appropriate the sum of \$22,519,746 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 Christopher Lucchesi it was **voted by majority**, that the Town raise and appropriate the sum of \$7,306,064 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 \$7,306,064 under this Article 8 and \$22,519,746 under Article 7 of the warrant for this Town Meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$29,825,810, the Town thereby approves a budget of \$97,836,205 for Fiscal Year 2020 for the Wachusett Regional School District.

ADJOURNED ANNUAL TOWN MEETING MAY 20, 2019

ARTICLE 9. On motion made by Donald Graves 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 deposit into the Department of Public Works Depreciation Fund, created by Chapter 328 of the Acts of 2000.

ARTICLE 10. On motion made by Donald Graves 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 \$100,000.00 for deposit 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 John Lambert it was **unanimously voted** that the Town appropriate the sum of \$2,842.00 received by the Town pursuant to employee contribution programs for Other Post-Employment Benefits established by the Town Manager, for deposit into the Town's Other Post-Employment Benefits (OPEB) Liability Trust Fund, or act in any other way thereon.

ARTICLE 13. On motion made by Al Berg it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$300,000 for deposit into the General Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 14. On motion made by John Lambert it was **unanimously voted** that the Town appropriate the sum of \$503,449 for deposit 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 \$458,449 from available funds in the hands of the Treasurer, and by transferring \$45,000 from the Water/Sewer Enterprise Fund Free Cash in the hands of the Treasurer.

ARTICLE 15. On motion made by Joseph Dolak it was **unanimously voted** that the Town appropriate the sum of \$3,541,000 for the purpose of acquiring capital items substantially as shown on page 23 of the "TOWN MEETING HANDBOOK FY 2020 CAPITAL BUDGET," and to raise said sum by transferring \$951,000 from available funds in the hands of the Treasurer, and by borrowing the sum of \$2,590,000 under G.L. Chapter 44, Section 7 or Section 8, or any other enabling authority, which borrowing relates to the Water-Sewer Enterprise Fund for Town Wide Water Meter Replacement, Jefferson Water Tank Rehab, Sewer Pump Station Repairs, and SCADA Planning, Design and Implementation and to that end that the Treasurer, with the approval of the Selectmen, be authorized to issue bonds and notes therefore totaling \$2,590,000 and in accordance with Chapter 44 Section 20 of the General Laws, the premium received by the Town upon the sale of any Bonds or notes thereunder, less any such premium applied to the payment of the costs of issuances of such bonds or notes, may be applied to pay project costs, and the amount authorized to be borrowed for each project be reduced by the amount of any such premium so applied

2/3rds VOTE REQUIRED

ARTICLE 16. On motion made by Joseph Dolak it was **unanimously voted** that the Town set the Fiscal Year 2020 spending limit for the Recreation Revolving fund at \$447,008.

ARTICLE 17. On motion made by Joseph Dolak it was **unanimously voted** that the Town set the Fiscal Year 2020 appropriation for the PEG Access and Cable Related Fund established in accordance with General Laws, Chapter 44, Section 53F-3/4 at \$396,492.

ARTICLE 18. On motion made by Joseph Dolak it was **unanimously voted** that the Town set the Fiscal Year 2020 spending limit for the Inspection Revolving Fund at \$232,596.

ARTICLE 19. On motion made by Marilyn Foley it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$50,000 for deposit into the Open Space Preservation Stabilization Fund, established pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 20. On motion made by Al Berg it was **unanimously voted** that the Town transfer and appropriate from available funds in the hands of the Treasurer the sum of \$24,000 for deposit into the Regional Dispatch Stabilization Fund, established

pursuant to General Laws Chapter 40, Section 5B.

ARTICLE 21. On motion made by Chiara Barnes 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 22. On motion made by Robert Lavigne it was **unanimously voted** that the Town authorize the sum of \$153,108 of the excess of the income of the Municipal Light Department for the calendar years 2019 and 2020 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, 2019.

ARTICLE 23. On motion made by Tyler Gibbs it was **unanimously voted** that the 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, 2019, 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 24. On motion made by Geraldine Herlihy **no action** was taken on this article.

ARTICLE 25. On motion made by Anthony Renzoni it was **unanimously voted** that the Town accept Clause 22H of Section 5 in Chapter 59 of the General Laws.

ARTICLE 26. On motion made by Anthony Renzoni it was **passed by a standing count of 98 yes and 34 no** that the Town accept Section 5N of Chapter 59 of the General Laws, as amended by Section 17 of Chapter 218 of the Acts of 2018.

ARTICLE 27. Town Moderator, George Balko called this article **out of order** and no action was taken.

ARTICLE 28. A motion was made by Frederick Lonarado to amend the Town of Holden Zoning By-laws by adding to section IX a new paragraph F. A motion to amend that motion was made by Michael Conway. The amendment **passed by majority vote**. After further debate, the motion made by Mr. Lonardo **passed unanimously** to add to the Zoning By-laws, Section IX, a new Paragraph F, as follows:

Section IX.F. Any increase in area, frontage, or setback requirements; shall apply to any lot in a residential zoning district except to the extent that either the provisions of M.G.L. c. 40A Subsection 6 apply or the following provisions, provide otherwise. Any increase in area, frontage or setback requirements prescribed by the Town's Zoning Bylaw shall not apply to any lot in a residential district if the Zoning Board of Appeals finds that all of the following requirements are met and the Zoning Board of Appeals grants a special permit to permit the development of a single or two-family home on the residential lot.

1. At the time of the recording or endorsement, the lot (a) conformed to the requirements in effect at the time of recording or endorsement, but did not conform to the increased requirements, and (b) had at least fourteen thousand square feet of area in the R-2 district and twenty thousand square feet of area in the R-1 district, and (c) had at least eighty feet of frontage;
2. The size or shape of the lot has not changed since the lot was created by such recording or endorsement (a) such change complied with present Town requirements for frontage, area and setbacks, or (b) the Zoning Board of Appeals specifically finds the change to the lot was de minimis relative to the interest of the neighborhood if that lot would be developed;
3. Either (a) the lot was not held in common ownership at any time after May 15, 2000, with adjoining lot or lots that had continuous frontage with the lot in question, or (b) if the lot was held in common ownership at any time after May 15, 2000, with adjoining lot or lots that had continuance frontage with the lot in question, such lot had on it a single family or two-family dwelling;
4. The Board must find that the proposed development will not be more detrimental to the neighborhood.

2/3rds VOTE REQUIRED

ADJOURNED ANNUAL TOWN MEETING MAY 20, 2019

Voted to adjourn the meeting at 9:02 p.m.

A true copy.

Attest:

Dale T. Hickey
Town Clerk