

ADJOURNED ANNUAL TOWN MEETING

MAY 17, 2010

PROCEEDINGS

The meeting was called to order and declared open by the Moderator, George A. Balko III, at 7:15 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 181 registered voters present. Eighteen persons without voting privileges were present. Moderator Balko announced that unless there were objections, he would not read each warrant article. There were no objections.

Board of Selectmen Chairman David J. White presented a plaque to outgoing Selectman Kenneth O'Brien upon completion of 6 years of service as a member of the Board.

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 introduced the newly elected officers to the Meeting: George A. Balko III, Moderator for one year; James Jumonville and Robert P. Lavigne, Selectmen for three years; Nina Mazloff and Susan S. Reynolds, Trustees of Damon Memorial for three years; Cynthia G. Bazinet and Duncan G. Leith, Wachusett Regional School District Committee for three years. The Moderator thanked those who were not continuing in office for their years of service to the Town.

ARTICLE 3. **No action was necessary under this Article.** Moderator Balko noted that the Annual Town Report contained the reports of Town Officers, Commissions, and Committees. The 2009 Report was dedicated to Chester M. Marshall and William E. Hale. He also recognized the new Town Manager Nancy T. Galkowski, Town Clerk Cheryl A. Jenkins and Selectmen Chairman David J. White Sr.

Finance Committee Chairman Alan Berg presented a brief overview on the status of the budget.

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

Moderator	\$100.00
Selectmen-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 Committee - 8 members	None

ARTICLE 5. On motion made by Alan Berg it was **unanimously voted** that no action be taken under this Article (past debts and charges).

TOWN OF HOLDEN ADJOURNED ANNUAL TOWN MEETING – MAY 17, 2010

ARTICLE 6.

#1 – 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 \$4,433,732 for the proposed budget for GENERAL GOVERNMENT, item 1, as printed on page 5 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading 'FY2011 RECOMMENDED.'

#2 – On motion made by Alan Berg it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$3,473,792 for the proposed budget for GENERAL GOVERNMENT DEBT, item 2, as printed on page 6 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY 2011 RECOMMENDED" and to raise said sum by transferring \$36,644 from available funds in the hands of the Treasurer, by transferring \$71,942 from the Sewer Connection Fund, and by raising and appropriating \$3,365,206 to cover the balance.

#3 – On motion made by Richard Bates it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$4,296,535 for the proposed budget for PUBLIC SAFETY, item 3, as printed on page 6 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading 'FY2011 RECOMMENDED.'

#4 – On motion made by James Dunn it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$2,437,659 for the proposed budget for PUBLIC WORKS, item 4, as printed on page 7 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading 'FY2011 RECOMMENDED.'

#5 – On motion made by Alan Berg it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,078,073 for the proposed budget for the WATER/SEWER ENTERPRISE FUND, item 5, as printed on page 7 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading 'FY2011 RECOMMENDED' and to raise said sum through fees and charges.

#6 – On motion made by Donald Mancini it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$267,313 for the proposed budget for HUMAN SERVICES, item 6, as printed on page 8 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY2011 RECOMMENDED."

#7 – On motion made by Paul Challenger it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$478,745 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 8 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY2011 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 \$748,780 for the proposed budget for CULTURE, item 8, as printed on page 8 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY2011 RECOMMENDED."

#9 – On motion made by Glenn Gaudette it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, \$1,088,723 for the proposed budget for the SOLID WASTE ENTERPRISE FUND, item 9, as printed on page 9 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading 'FY2011 RECOMMENDED' and to raise said sum by transferring \$738 from Solid Waste Free Cash and by raising through fees and charges the sum of \$1,087,985 to cover the balance.

ARTICLE 7. On motion made by Paul Challenger it was **unanimously voted** that the Town raise and appropriate the sum of \$18,367,996 for the Town's share of the costs and expenses of the Wachusett Regional School District

TOWN OF HOLDEN ADJOURNED ANNUAL TOWN MEETING – MAY 17, 2010

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 Paul Challenger it was **unanimously voted** that the Town raise and appropriate the sum of \$1,811,423 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 \$1,811,423 under this Article 8 and \$18,367,996 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$20,179,419, the Town thereby approves a budget of \$73,605,419 for the fiscal year 2011 for the Wachusett Regional School District.

ARTICLE 9. On motion made by James Dunn it was **unanimously voted** that the Town raise and appropriate the sum of \$200,000 to be added to the Public Works Depreciation Fund created by Chapter 328 of the Acts of 2000 and that the Town appropriate and transfer from the Public Works Depreciation Fund the sum of \$218,192 to purchase a truck body for Dump Truck #48, to purchase a 4X4 Spreader for Dump Truck #12, to pay one year's installment on 2-year lease/purchase of a trackless snow plow, to pay the third annual installment on a 5-year lease/purchase for a tractor with boom flail mower, and to purchase a replacement for the Buildings and Grounds Division tractor mower.
4/5TH VOTE REQUIRED

ARTICLE 10. On motion made by James Dunn it was **unanimously voted** that the Town accept and expend all monies to be received from the Commonwealth of Massachusetts under Chapter 11 of the Acts of 1997 for highway purposes, or any other legislation adopted by the General Court relating to public works.

ARTICLE 11. On motion made by James Dunn it was **unanimously voted** that the Town appropriate the sum of \$18,930 to the Water/Sewer Stabilization Fund and to raise said sum by transferring \$18,930 from available funds in the hands of the Treasurer from the MTBE Settlement reserved-for-appropriation account and to appropriate from the Water/Sewer Stabilization Fund the amount of \$50,000 to pay for an Infiltration and Inflow (I & I) Study, and to transfer \$30,000 from the Water/Sewer Stabilization Fund into the DPW Depreciation Fund.
2/3rds VOTE REQUIRED

ARTICLE 12. A motion made by Richard Bates that the Town raise and appropriate the amount of \$175,000 to be added to the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund established pursuant to MGL Chapter 40 §5B. **The Moderator declared that the motion carried by a two-thirds voice vote.**
2/3rds VOTE REQUIRED

ARTICLE 13. On motion made by Alan Berg it was **unanimously voted** that no action be taken under this Article (sum of money to be added to the Stabilization Fund).

ARTICLE 14. A motion made by Richard Bates that the Town appropriate the amount of \$90,000 to fund the first year installment on a 3-year lease/purchase of a new Ambulance #3 to be used for Fire Department/ EMS purposes and to raise said sum by transferring \$90,000 from the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund established pursuant to MGL Chapter 40 §5B. **The Moderator declared that the motion carried by a two-thirds voice vote.**
2/3rds VOTE REQUIRED

ARTICLE 15. A motion was made by Alan Berg 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, equal to the amount by which \$322,589 exceeds the balance in the Recreation Revolving Fund at the end of the current fiscal year, 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 \$322,589.

A motion was made by Kimberly Ferguson to amend the main motion to increase the amount from \$322,589 to \$557,658. **The amendment was defeated by a majority vote. The main motion carried by a unanimous vote.**

TOWN OF HOLDEN ADJOURNED ANNUAL TOWN MEETING – MAY 17, 2010

ARTICLE 16. On motion was made by Alan Berg it was **voted by a majority** 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 \$201,549.

ARTICLE 17. On motion made by Alan Berg 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 \$207,037.

ARTICLE 18. On motion made by Deborah McDonnell it was **unanimously voted** that the Town appropriate the sum of \$432,830 to be added to the Town of Holden Infrastructure Investment Fund and to raise said sum by raising and appropriating the sum of \$316,777 and by transferring \$116,053 from the Recreation Revolving Fund.

ARTICLE 19. On motion made by Deborah McDonnell it was **unanimously voted** that the Town appropriate the sum of \$591,553 to pay fiscal year 2011 debt service for the Municipal Pool Facilities Construction Project and the Public Safety Facility Construction Project and to raise said sum by appropriating and transferring \$591,553 from the Infrastructure Investment Fund. **2/3rds VOTE REQUIRED**

ARTICLE 20. On motion made by Donald Mancini it was **unanimously voted** that the Town appropriate the sum of \$5,947 to pay the first installment on a 3-year lease/purchase of a new, replacement photocopier for the Town Manager's Department and to raise said sum by transferring \$5,947 from the Town Manager Photocopier Receipts Reserved for Appropriation Account.

ARTICLE 21. On motion made by Robert Lavigne 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 \$127,500 of the excess of the income of the Municipal Light Department for the calendar years 2010 and 2011 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, 2010.

ARTICLE 23. On motion made by Robert Lavigne 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, 2010 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 Massachusetts General Laws, Chapter 164, Section 57.

ARTICLE 24. On motion made by Alan Berg it was **unanimously voted** that the Town appropriate \$208,810 to fund the upgrade of the Chaffins Substation project within the Town of Holden, and to raise said sum by transferring \$208,810 from the unexpended balance of the borrowing made under Article 11 of the May 17, 2004 Annual Town

TOWN OF HOLDEN ADJOURNED ANNUAL TOWN MEETING – MAY 17, 2010

Meeting relating to the Holden Municipal Light Department Bullard Street Sub-Station. **2/3rds VOTE REQUIRED**

ARTICLE 25. On motion made by Glenn Gaudette it was **unanimously voted** that the unissued balances of the following borrowing authorizations, which are no longer needed to accomplish the purposes for which they were approved, be and hereby are rescinded and of no further force or effect:

<u>Amount to be Rescinded</u>	<u>Date of Approval</u>	<u>Warrant Article/Purpose</u>
\$325,000	September 20, 2004	#2 (Land Purchase)
\$2,600,000	March 31, 2009	#4 (Ice Storm Costs)

ARTICLE 26. On motion made by David White it was **unanimously voted** that the Town accept as a public way Erins Way from Station 0+82 +/- to Station 4+91.53, for a distance of approximately 409.53 feet; and Sheffield Way *Extension* from Station 8+60.40 to Station 10+66.07, for a distance of approximately 205.67 feet; all of said streets having been laid out by the Selectmen and approved by the Planning Board.

ARTICLE 27. On motion made by Anthony Renzoni it was **unanimously voted** that the Town authorize the Board of Selectmen to accept an easement for street purposes, in a parcel of land located at the end of Chapin Road, being shown as and labeled “Easement Y” on a plan of land entitled “Plan of Land in Holden, Mass.” prepared for Chapin Road Trust by David E. Ross Associates, Inc., dated December 2009, said plan is on file and available for public inspection at the office of the Town Clerk during regular business hours of Town Hall.

ARTICLE 28. On motion made by David Lindberg it was **unanimously voted** that the Town amend the Holden Zoning Bylaw, Chapter 7.1 Section XI, Subsection J.3(a) entitled “Cluster Residential Development Bylaw,” (a) by striking it out in its entirety and inserting in its place a new Subsection J.3(a) entitled “Open Space Residential Development Bylaw,” and (b) by adding to Section II of the Zoning Bylaw, entitled “Definitions,” six new definitions, all as more particularly set forth and described in a document entitled “Town of Holden Proposed Open Space Residential Development Bylaw” dated April 29, 2010, a copy of which is on file at the office of the Town Clerk. **2/3rds VOTE REQUIRED**

ARTICLE 29. On motion made by David Lindberg it was **unanimously voted** that no action be taken under this Article (Aquifer Protection District).

ARTICLE 30. A motion was made by Richard Lovely that the Town amend the Zoning Map of the Town of Holden, Massachusetts so as to cause the following parcels as described by Parcel Identification in accordance with the Town of Holden Assessor’s Maps to be changed from the Residential-20/Residential-40 Zoning District to the Commercial Zoning District:

- A. Parcel ID 009-024 a/k/a 1878 Main Street;
- B. Parcel ID 099-023 a/k/a 1864 Main Street.

By a vote of 78 in favor and 49 opposed, the motion failed to obtain the required 2/3rds vote. 2/3rds VOTE REQUIRED

Voted to adjourn the meeting at 9:40 p.m.

A true copy.
Attest:

Cheryl A. Jenkins
Town Clerk