

RESULTS OF ANNUAL TOWN MEETING

May 5, 2012

The warrant was returned to the Town Clerk at 9:15 AM.

With a quorum present, the Moderator Nancy Chew called the meeting to order at 10:01 AM.

The motion was made and seconded to waive the reading of the warrant, and so voted.

The moderator states that rules of the meeting are to be the same as the Special Town Meeting.

ANNUAL TOWN MEETING ARTICLES

Article 1. The motion was made and seconded to elect all other town officers not required to be on the official ballot.

VOTE: UNANIMOUS

Article 2. The motion was made and seconded to hear the reports of the various town officials and committees.

VOTE: UNANIMOUS

Article 3. The motion was made and seconded to authorize the Treasurer to borrow funds as necessary in anticipation of revenue, in accordance with Chapter 44, Sections 23 to 27 of the Massachusetts General Laws.

VOTE: UNANIMOUS

Article 4. The motion was made and seconded to accept the following sums in trust; the income therefrom to be expended for the perpetual care of lots as follows:

Glenwood Cemetery

| <u>Amount</u> | <u>Name</u> | <u>Ave.</u> | <u>Lot</u> | <u>Section</u> |
|---------------|--------------------------|-------------|------------|----------------|
| \$200.00 | Elissa E. Stuart | | C | 30 Lyman |
| \$200.00 | Judith Debrecini | | E | 19 Lyman |
| \$200.00 | Steven & Marlene Plante | | E | 20 Lyman |
| \$800.00 | Christabalina Rivera | | C | 33 Lyman |
| \$400.00 | Elmer S. Fitzgerald, Jr. | | E | 1 Lyman II |
| \$400.00 | Corine M. Rainville | | | 67B Section 1 |
| \$400.00 | Neil & Deborah Kaplan | | D | 7A Lyman |
| \$400.00 | Paul & Sheila Gerry | | E | 28 Lyman |

| | | | | |
|----------|---------------------------|---|-----|-----------|
| \$200.00 | Richard & Dianne Anderson | E | 2 | Lyman II |
| \$800.00 | Richard Lundberg | | 101 | Section 1 |

VOTE: UNANIMOUS

Article 5. The motion was made and seconded to authorize the renewal of the Cemetery Burial and Foundations Revolving Fund in accordance with Massachusetts General Laws, Chapter 44, Section 53E½, to receive monies collected for burials, said funds to be expended by the Cemetery Commissioners to pay for said burials to be performed, for grave foundations and for general cemetery maintenance and improvements; with expenditures not to exceed \$10,000.

VOTE: UNANIMOUS

Article 6. The motion was made and seconded to authorize the renewal of the Library Books Revolving Fund in accordance with Massachusetts General Laws, Chapter 44, Section 53E½, to receive monies collected for book late fees and replacement fees, said funds to be expended by the Library Trustees to pay for book and media repairs, replacements, supplies and expenses; with expenditures not to exceed \$3,000.

VOTE: UNANIMOUS

Article 7. The motion was made and seconded to authorize the Council on Aging Newsletter Revolving Fund in accordance with Massachusetts General Law, Chapter 44 Section 53E½, to receive monies collected from advertising within the Monthly Newsletter, said funds to be expended by the Council on Aging to pay for the costs of printing and mailing monthly newsletter with expenditures not to exceed \$5,000.

VOTE: UNANIMOUS

Article 8. The motion was made and seconded to appropriate all funds which become available in the Fiscal Year 2013 from the Commonwealth of Massachusetts Department of Highways, Chapter 90 Bond Issue proceeds, to be used by the Highway Department for the repair and maintenance of town roads in conformance with Massachusetts General Law.

VOTE: UNANIMOUS

Article 9. The motion was made and seconded to accept Massachusetts General Law Chapter 41 Section 108P requiring that a collector or a treasurer who has been awarded proper certification by the Massachusetts Collectors and Treasurers Association shall receive additional compensation in an amount equal to 10% of such regular annual compensation, but not more than \$1,000.00 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. Such additional compensation shall be discontinued when certification is discontinued or withdraw.

VOTE: PASSED

Article 10. The motion was made and seconded to raise and appropriate a sum of \$31,814 to operate the Solid Waste Department Recycling Center and Transfer Station for the fiscal year, FY2013 beginning July 1, 2012.

VOTE: UNANIMOUS

Article 11. The motion was made and seconded to raise and appropriate the sum of \$5,611,719.13 for the Departments and purposes noted in the Warrant and to set the salaries of elected officials as printed in the Warrant.

| Department | FY13 |
|--|-----------------|
| | APPROVED |
| Administration | \$ 46,656.71 |
| Town Administrator | \$ 55,933.07 |
| Finance Committee | \$ 25,500.00 |
| Town Accountant | \$ 63,554.82 |
| Board of Assessors | \$ 39,216.47 |
| Treasurer | \$ 35,225.08 |
| Tax Collector | \$ 47,536.17 |
| Legal | \$ 25,000.00 |
| IT Expenses | \$ 27,500.00 |
| Town Clerk | \$ 53,434.68 |
| Town Reports | \$ 1,600.00 |
| Conservation Commission | \$ 1,523.00 |
| Planning | \$ 750.00 |
| Zoning | \$ 500.00 |
| Land Use | \$ 11,405.74 |
| Town Office | \$ 43,470.00 |
| Town Clock | \$ 500.00 |
| Municipal Buildings | \$ 13,437.73 |
| Police | \$ 544,609.45 |
| Fire | \$ 151,646.16 |
| Waste Oil | \$ 2,412.01 |
| EMS | \$ 52,515.39 |
| Emergency Management | \$ 1,620.00 |
| E-911 | \$ 100.00 |
| Hazardous Waste Coord. Stipend | \$ 345.86 |
| Building Inspector | \$ 11,432.04 |
| Plumbing Inspector | \$ 6,339.99 |
| Electrical Inspector | \$ 6,424.99 |
| Dog Officer | \$ 15,642.37 |
| Emergency Dispatch | \$ 154,283.04 |
| Monty Tech | \$ 318,059.00 |
| NMRSD | \$2,670,751.78 |
| Highway | \$ 321,425.90 |
| Snow & Ice | \$ 93,000.00 |
| Street Lights | \$ 800.00 |
| Tree Warden | \$ 2,800.00 |
| Cemetery | \$ 10,584.68 |
| Board of Health | \$ 18,282.00 |
| Animal Inspector | \$ 420.24 |
| Council on Aging | \$ 3,538.00 |
| Veterans' Services | \$ 17,231.73 |
| Library | \$ 82,514.17 |
| Band Concerts | \$ 7,500.00 |
| July 3rd | \$ 1,200.00 |
| Allen Field | \$ 1,200.00 |
| Town Common | \$ 3,200.00 |
| Debt Service | \$ 1,000.00 |
| RMV Non Renewal | \$ 2,580.00 |
| Air Pollution | \$ 801.00 |
| Mont RTA | \$ 7,180.00 |
| MBTA Assessment | \$ 12,150.00 |

| | |
|--|-----------------------|
| Middlesex Retirement | \$ 150,810.00 |
| Unemployment | \$ 20,000.00 |
| Employee Ins. Benefits | \$ 309,880.53 |
| Workers Compensation | \$ 13,666.68 |
| Insurance P & C | \$ 80,000.00 |
| FICA | \$ 21,028.65 |
| | |
| Total Operating | \$5,611,719.13 |

Setting of Elected Salaries under Article 11:

- a. Town Clerk: \$29,250.60
- b. Town Collector: \$32,124.17
- c. Town Treasurer: \$25,399.08 (Includes \$1,000 certification stipend)

The motion was made and seconded to amend Article 11 to cut the Town Administrator’s salary 100%.
(\$55,933.07)

VOTE ON AMENDMENT: DEFEATED

VOTE ON ORIGINAL ARTICLE: UNANIMOUS

Article 12. The motion was made and seconded to raise and appropriate \$460,940.23 for the operating budget of the North Middlesex Regional School District, in addition to the sum voted under Article 11 for said operating budget, provided that no funds shall be expended and no bonds shall be issued unless the Town has first voted at an election to exempt this expenditure from the provisions of Proposition 2½, so called, and further provided that the Town of Pepperell and/or the Town of Townsend also votes to approve and fund its proportional share of such additional appropriations.

VOTE: PASSED

Article 13. The motion was made and seconded to adopt the “Stretch Energy Code” set forth in the State Building Code at 780 CMR 115.AA (i.e., Appendix 115.AA), as may be amended from time to time, and to enact Article XVIII of the Town of Ashby By-laws as set forth below:

Article XVIII - Stretch Energy Code

Section 1 - Adoption

The Town of Ashby has adopted the provisions of 780 CMR 115.AA (i.e., Appendix 115.AA of the State Building Code or the “Stretch Energy Code”), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

Section 2 - Purpose

The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

VOTE: YES- 52 NO- 64 DEFEATED

Article 14. The motion was made and seconded to amend the zoning bylaw by inserting Section 9 titled Overlay Districts as printed in the warrant after Section 8 and re-number succeeding sections consecutively.

The Moderator announced the required quantum of vote prior to the vote and declared a two-thirds vote after the vote.

VOTE: PASSED

Article 15. The motion was made and seconded to amend the zoning bylaw by amending section 5.3.3.1 to read “Setback from Street Center 50 feet” and delete section 5.3.3.2.

The Moderator announced the required quantum of vote prior to the vote and declared a two-thirds vote after the vote.

VOTE: PASSED

Article 16. The motion was made and seconded to authorize the Board of Selectmen pursuant to G.L. c.164, §134(a), to initiate the process to aggregate the electric load of interested electricity consumers within the Town of Ashby and enter into agreements for services to facilitate the sale and purchase of electricity and other related services for terms exceeding three years.

VOTE: UNANIMOUS

Article 17. The motion was made and seconded to approve the borrowing authorized by the North Middlesex Regional School district, for the purpose of paying costs of conducting a feasibility study to examine that possible construction of a new high school, expected to be located at 19 Main Street, Townsend, or the possible remodeling and rehabilitation of the current high school, also located at 19 Main Street, Townsend, including the payment of all costs incidental and related thereto (the “Study”), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities, provided that no funds shall be expended and no bonds shall be issued unless the Town has voted at an election to exempt this expenditure from the provisions of Proposition 2½, so called. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA

The motion was made and seconded to amend Article 17 by deleting the words “provided that no funds shall be expended and no bonds shall be issued unless the Town has voted at an election to exempt this expenditure from the provisions of Proposition 2 ½, so called.”

VOTE ON AMENDMENT: PASSED

VOTE ON AMENDED ARTICLE: UNANIMOUS

The motion was made and seconded to dissolve the Annual Town Meeting at 1:14 PM and so voted.

Lorraine Pease
Ashby Town Clerk

