



**OFFICE OF THE
T O W N C L E R K
TOWN HALL
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**ANNUAL TOWN MEETING
May 10, 2004**

After determining that a quorum was present, the Annual Town Meeting was called to order at 7:12 p.m. by Moderator Anne Farina. The format of the evening was then outlined; the Moderator would accept a motion to recess the Annual Town Meeting and open the Special Town Meeting. Following the adjournment of the Special Town Meeting, she would accept a motion to re-open the Annual Town Meeting. It was expected that a second night might be needed to finish the business of the Annual Town Meeting, which would be the following night at 7:00 p.m.

Announcements included the recognition of Boy Scout Troop #28 for their service in delivering 1,000 annual town reports. Recognition was made in honor of 4 Scouts. Alex Hopke, Brian Belley, Alex Hollis, and Matt Belley, who have or will have achieved Eagle Scout status this year. Girl Scout Troop #602 was recognized for their fundraising efforts benefiting town hall restoration projects with the sale of their cookies and bottled water. Mary Beth Pallis was warmly thanked for moderating Candidate's Night, as well as to the Friends of the Library for hosting the evening. The Peter Twomey Center was also thanked for providing babysitters for the Town Meeting.

Members of Boy Scout Troop #28 who carried the flags included Stephen Debay (American flag), Kyle Schembechler, (Troop flag), and color guards Austin Walker, Patrick Thomas, Sean Sullivan, Zach Shea, Matt Banville and Matt Buck..

Following the Pledge of Allegiance, the Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing of the warrant and return of service.

Motion made and seconded to recess the Annual Town Meeting and resume after the completion of the Special Town Meeting.

Majority Vote Required
Voted in the Affirmative

Motion made and second to open the Annual Town Meeting at 7:21 pm. Total number of voters checked in: 214.

Motion Passes Unanimously

ARTICLE 1. Motion made and seconded that the Town accept the 2003 Annual Town Report as printed with the following corrections: Town Treasurer's annual report missing (report passed out at this meeting and available).

Majority Vote Required
Voted in the Affirmative

ARTICLE 2. Motion made and seconded that the Town raise and appropriate the following sums to defray the expenses for the Town, to fix Salary & Compensation for all elected and appointed Town Officers. *(Rich Silveria of the Advisory Board gave an overview of the budget including revenue sources, expense trends: percent growth, multi-year projection, explanation of free cash, itemization of free cash used to offset tax rate. Copies of the presentation were available for the audience to follow).*

GENERAL GOVERNMENT

122.000	Selectmen Salaries.....	1,800
122.005	Selectmen Expense.....	5,000
131.005	Finance Committee Expense.....	150
132.000	Reserve Account.....	25,000
135.000	Town Accountant Salary.....	16,636
135.001	Town Accountant Clerical.....	5,518
135.005	Town Accountant Expense.....	1,800
135.007	Audit of books.....	10,000
141.000	Assessor's Salaries.....	900
141.001	Assessor's Associate.....	22,559
141.002	Assessors Clerical.....	10,828
141.005	Assessors Expense.....	4,700
145.000	Treasurer Salary.....	14,455
145.005	Treasurer Expense.....	7,500
146.000	Tax Collector Salary.....	14,455
146.005	Tax Collector Expense.....	9,100

151.000	Town Counsel Retainer.....	25,000
151.005	Contingent legal expenses.....	25,000
160.000	Dog License Program.....	1,000
161.000	Town Clerk Salary.....	17,264
161.005	Town Clerk Expense.....	2,500
162.000	Election and Registration Wages.....	2,450
162.005	Election and Registration Expenses.....	3,000
163.000	Registrar Salary.....	200
171.001	Conservation Committee Clerical.....	7,386
171.005	Conservation Committee Expense.....	3,000
171.006	Conservation Land Fund.....	50,000
175.001	Planning Board Clerical.....	7,386
175.005	Planning Board Expense.....	1,000
176.005	Zoning Board of Appeals Expense.....	2,000
176.006	Northern Mdlx Council of Gov'ts.....	700
192.000	Town Hall Clerical.....	35,664
192.001	Town Hall Caretaker Wages.....	7,500
192.005	Town Hall Expenses.....	25,000
192.006	Town Hall Maintenance.....	0
195.000	Town Reports.....	5,000
199.005	Town Engineer.....	22,500
	Subtotal General Government	393,951
	PUBLIC SAFETY	
	<u>POLICE DEPARTMENT</u>	
210.000	Police Chief Salary.....	83,909
210.001	Police Wages.....	436,950
210.005	Police Expenses.....	27,646
210.006	Police Cruiser Expense.....	28,560
210.007	Police Radio Services.....	62,500
210.008	Police Lockup.....	3,500
210.009	Police Cruiser.....	37,297
211.000	Police Station Expense.....	17,606
	Subtotal Police	697,968

	<u>FIRE DEPARTMENT</u>	
220.000	Fire Wages.....	2,500
220.005	Fire Expenses.....	10,000
220.006	Fire Equipment.....	2,500
	Subtotal Fire	15,000
232.005	EMS Operating Expenses.....	7,400
241.000	Building Inspector Salary.....	10,479
241.005	Building Inspector Expense.....	1,100
242.000	Gas Inspector Salary.....	2,180
243.000	Plumbing Inspector Salary.....	3,460
245.000	Electrical Inspector Salary.....	8,068
249.001	Animal Inspector Expenses.....	300
291.000	Emergency Management.....	500
292.000	Dog Officer Wages and Expense.....	6,000
294.000	Tree Warden Wages and Expense.....	5,000
	Subtotal Public Safety	757,455
	<u>SCHOOLS</u>	
	<u>G.D.R.S.D.</u>	
300.001	GDRSD Operating Budget.....	* 3,324,466 [3,231,000]
300.002	GDRSD Debt.....	678,485
	*\$93,466.00 contingent on an affirmative vote on town election ballot for May 17, 2004; failing an affirmative vote on the town ballot, then the Town raise and appropriate \$3,231,000.00 for Line Item #300.001	
	Subtotal GDRSD *	4,002,951 [3,909,485]

	<u>G.L.R.V.T.S.</u>	
300.003	GLRVT Operating Budget.....	104,571
	Subtotal GLRVT	104,571
	Subtotal Schools *	4,107,522
		[4,014,056]
	PUBLIC WORKS	
	<u>HIGHWAY DEPARTMENT</u>	
422.000	Highway Salaries.....	81,401
422.002	Highway part-time wages.....	7,000
422.001	Highway Clerical.....	5,788
422.006	Highway Maintenance.....	27,000
422.007	Highway Machinery Fund.....	31,000
422.008	Highway Lease/Purchase Equipment.....	0
422.009	Highway Brush Removal.....	6,500
422.010	Highway Sign Maintenance.....	1,500
422.011	Highway Line Painting.....	7,200
423.013	Highway Paving.....	11,000
423.000	Highway Snow Removal.....	91,000
424.000	Street Lights.....	6,000
	Subtotal Highway Department	275,389
433.000	Transfer Station.....	87,500
433.001	Landfill Expenses.....	1,000
491.000	Cemetery Wages and Supplies.....	11,960
491.001	Cemetery Care of Lots.....	735
491.002	Cemetery Interments.....	3,000
	Subtotal Public Works	379,584
	HUMAN SERVICES	
510.002	Nashoba Board of Health Assessment.....	5,083
510.005	Board of Health Expense.....	7,000
522.000	Nursing Services.....	1,758
523.000	Greater Lowell Mental Health.....	400

541.000	Council on Aging.....	6,000
541.005	Council on Aging Transportation.....	15,000
543.000	Veterans Agent Salary.....	541
543.002	Veterans Agent Expense.....	400
543.006	Veterans Benefits.....	500
	Subtotal Human Services	36,682
	LIBRARY & RECREATION	
610.000	Library Salaries.....	59,622
610.005	Library Expenses.....	60,975
611.000	MVL Consortium Dues.....	9,704
630.000	Cable Television Committee.....	100
631.005	Recreation Department Expense.....	5,500
650.000	Parks Department Expense.....	14,000
650.001	Larter Field Maintenance.....	17,000
670.000	Arts Lottery Commission Cultural Council.....	75
691.000	Historical Committee Expense.....	500
692.000	Memorial Day Committee.....	550
693.000	Summer Concert Series.....	2,000
	Subtotal Library & Recreation	170,026
	DEBT & INTEREST	
710.000	Long Term Debt.....	266,239
751.000	Long Term Interest.....	127,722
752.000	Short Term Interest.....	10,000
	Subtotal Debt & Interest	403,961
	INSURANCE & ASSESSMENTS	
910-000	Disability Insurance Claims.....	0
911.000	County Retirement.....	76,875
914.000	Group Health Insurance.....	

		79,850
919.000	FICA.....	19,000
945.000	Property and Liability Insurance.....	58,240
	Subtotal Insurance & Assessments	233,965
	WATER DEPARTMENT	
061.501	Water Dept. Clerical.....	4,435
061.502	Water Dept. Expense.....	400
061.503	Water Dept. Debt.....	13,289
061.505	Water Dept. Maintenance.....	34,476
	Subtotal Water Department	52,600
	Grand Total *	6,535,746
	Total Debt and Interest	[6,442,280]
	Total Debt and Interest(percent)	16.6%
	*Net Line Items *	5,450,011
		[5,356,545]

**\$93,466.00 of Groton-Dunstable Regional School Operating Budget, Line Item 300.001 is contingent on an affirmative vote relative to the pertinent ballot provision on the Annual Town Election ballot for May 17, 2004; but failing an affirmative vote on the Town Election ballot, then the Town raise and appropriate in the alternative, the sum of \$6,389,680.00 [\$6,442,280.00 - \$52,600 for water receipts.].*

Items questioned: 171.006 Conservation Land Fund; 210.000 Police Chief Salary; 210.001 Police Wages; 210.005 Police Expenses, 210.009 Police Cruiser; 300.001 GDRSD Operating Budget; 423.000 Highway Snow Removal; 433.000 Transfer Station; 433.001 Landfill Expenses; 061.501 Water Dept. Clerical; 061.502 Water Dept. Expense; 061.503 Water Dept. Debt and 061.505 Water Dept. Maintenance. Motion made and seconded to approve the line items not questioned.

Majority Vote Required
Voted in the Affirmative

Questioned Line Items:

171.006 Conservation Land Fund. Motion made and seconded to amend line item to the sum of Fifty Thousand Dollars (\$50,000.00) with the understanding that such sum is to be

deemed an appropriation pursuant to Section 8C of Chapter 40 of the General Laws, to accumulate from year to year and to be expended by the Conservation Commission according to the provisions of said statute.

Majority Vote Required
Voted in the Affirmative

210.000 Police chief salary. Base salary of \$62,500.00 plus \$8,000 (Quinn Bill).
210.001 Police wages Base salaries plus Quinn Bill
210.005 Police expenses Enrollment in NEMLEC, training (increases)

Motion made and seconded to pass line items above.

Majority Vote Required
Voted in the Affirmative

210.009 Police Cruiser. Motion made and seconded to amend line item to the sum of Thirty Seven Thousand, Two Hundred Ninety Seven Dollars (\$37,297.00), authorizing by this vote the purchase of three vehicles and the execution of an appropriate contract or agreement for the same. *(Lease to purchase three vehicles for \$1.00 after 2 years, which will be a reoccurring expense for next year. The amount includes an administrative fee of \$300.00 for the first year).*

Majority Vote Required
Voted in the Affirmative

423.000 Highway Snow Removal. Line item reflects a more accurate budget rather than transfer from free cash. Motion made and seconded to pass as it appears in the town report.

Majority Vote Required
Voted in the Affirmative

433.000 Transfer Station *(Question of how recycling costs are applied)*

433.001 Landfill expense

Motion made and seconded to pass line above.

Majority Vote Required
Voted in the Affirmative

061.501 Water Dept. Clerical
061.502 Water Dept. Expenses
061.503 Water Dept. Debt
061.505 Water Dept. Maintenance

Motion made and seconded to transfer from Water Department receipts, the sum of Fifty Two Thousand, Six Hundred Dollars, (\$52,600.00) for Water Department Clerical, Expense, Debt and Maintenance, as recommended in the FY05 Town Report, Budget Section.

Majority Vote Required
Voted in the Affirmative

300.001 Groton-Dunstable Regional School District Operating Budget. Motion made and seconded that the Town appropriate the sum of Three Million, Three Hundred Twenty Four Thousand, Four Hundred Sixty Six Dollars (\$3,324,466.00), provided that Ninety Three Thousand, Four Hundred Sixty Six Dollars (\$93,466.00) of such appropriation is contingent on an affirmative vote relative to the pertinent ballot provision on the Annual Town Election ballot for May 17, 2004.

School committee presentation began by Frank O'Connell with an explanation of the budget. School committee unanimously supports the full budget. The presentation outlined explanations for increased expenses . the District is bringing a new middle school online, contractual obligations for the existing staff relative to salaries and health care costs, significant growth, loss of state revenue, increased student enrollment (nearly doubling over the past 15 years), decrease in state funding in the form of Chapter 70 state aid (increase of 5.1% between FY02 and FY05 versus a 15.1% increase in student enrollment during the same period), regional school transportation funding, actual special education funding and building assistance to cite a few. Tax implications for the Town of Dunstable equate to \$25.00 per \$100,000 of assessed property value.

School Committee member Alan Vervaeke outlined the impact to the District if the override does not pass; fundamental changes including, but not limited to increased class sizes, increased and proposed fees (drama, band, building use, bus) reduction of Middle School hours, the elimination of certain maintenance projects, elementary specials, and possibly Middle School athletic programs.

Majority Vote Required
Yes 118
No 43
Voted in the Affirmative

ARTICLE 3. Motion made and seconded that the Selectmen appoint for a term of one year, one Pound Keeper, two Fence Viewers, two Field Drivers and three Surveyors of Lumber.

Majority Vote Required
Voted in the Affirmative

ARTICLE 4. Motion made and seconded that the Town take no action on this article (*on accepting any Gifts or Trust Funds which may be offered under any condition*) as there are none presently proposed for acceptance.

Majority Vote Required
Voted in the Affirmative

ARTICLE 5. Motion made and seconded to take no action (*on the Town hearing reports of any Committees appointed at any previous Town Meeting*) as there are none.

Majority Vote Required
Voted in the Affirmative

ARTICLE 6. Motion made and seconded that the Town take no action (*on paying any unpaid bills of 2003, as none is needed*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 7. Motion made and seconded that the Town take no action (on any vote pursuant to the Massachusetts General Laws, Chapter 71, Section 52, to permit members of the Greater Lowell Regional Vocational Technical School District Committee to be compensated for their services).

Majority Vote Required
Voted in the Affirmative

ARTICLE 8. Motion made and seconded that the Town take no action (on any vote pursuant to the Massachusetts General Laws Chapter 71, Section 52 to set the compensation for each member of the Greater Lowell Regional Vocational Technical School District Committee commencing July 1, 2004).

Voted in the Affirmative

ARTICLE 9. Motion made and seconded that the Town transfer from free cash, the sum of Seven Thousand Dollars (\$7,000.00) for the purchase of bulletproof vests for the Police Department.

Majority Vote Required
Voted in the Affirmative

ARTICLE 10. Motion made and seconded that the Town borrow, in anticipation of revenue or reimbursement, the sum of Eighty Eight Thousand Five Hundred Ninety Four Thousand Dollars and 73 cents (\$88,594.73) along with any other amount which might become available for reimbursement under MGL Chapter 90, Section 34, Clause 127 (A).

Majority Vote Required
Voted in the Affirmative

ARTICLE 11. Motion made and seconded that the Town accept that part of the General Laws, Chapter 140, Section 139, that states as follows: ~~No~~ fee shall be charged for a license for a dog owned by a person aged 70 years or over in any city or town that accepts this provision;+reserving, however, the present schedule of fees for the licensing of dogs that charges ten dollars for male and female dogs, excepting neutered or spayed animals, for which the fee is six dollars; and subject in all events to the authority to fix fees conferred under General Laws, Chapter 40, Section 22F, which was accepted by vote of the Town under Article 34 of the Annual Town Meeting of May 8, 2000.

Majority Vote Required
Voted in the Affirmative

ARTICLE 12. Motion made and seconded that the Town accept the provisions of Chapter 40, Section 8G of the Massachusetts General Laws, as amended, authorizing agreements with other cities and towns to provide mutual aid programs for police departments.

Majority Vote Required
Voted in the Affirmative

ARTICLE 13. Motion made and seconded that the Town transfer from the Highway Machine Reserve Fund the sum of Twenty Thousand Dollars (\$20,000.00), allocated as follows: Four thousand, four hundred fifty-four and 64/100 (\$4,454.64) dollars to the highway machinery account to be used for repairs for the one ton truck, and Fourteen Thousand Five Hundred Forty Five and 36/100 (\$14,545.36) Dollars to the lease/purchase account to be used for payment for the backhoe loader.

Majority Vote Required
Voted in the Affirmative

ARTICLE 14. Motion made and seconded that the Town take no action (*on the lease/purchase for 2 John Deere or equivalent tractors*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 15. Motion made and seconded that the Town transfer from free cash Five Hundred Dollars (\$500.00) for the purchase of one (1) paper shredder for the Town Hall offices.

Majority Vote Required
Voted in the Affirmative

ARTICLE 16. Motion made and seconded that the Town take no action (*for the establishment of an account and future budget line item entitled trails & sidewalks*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 17. Motion made and seconded that the Town take no action as none is needed. (*Ten Thousand Dollars appropriated for funding an audit of the Town's FY04 financial operations included in budget*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 18. Motion made and seconded that the Town take no action (*regarding the purchase of a storage shed for the Police Department*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 19. Motion made and seconded that the Town take no action (*for the purpose of funding non recurring maintenance at Larter Field*).

Majority Vote Required
Voted in the Affirmative

At this point, the winners of the free Transfer Station packages were drawn: The Oberg's, Mill Street, N. Lombardi, Upton Street and David Rynne, River Street

ARTICLE 20. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to ARTICLE 20, regarding use variances, to wit, that the Town amend Section 17.2 of the Zoning Bylaws, Powers of the Board, by striking the last sentence of subparagraph (d) *%*variances for use in any district, in particular, may be authorized subject to the strict requirements of applicable law,+ and by inserting in place thereof, the following:

%Variances for use in any district shall not be granted.+ The resulting subsection in its entirety would read:

%d) The Board of Appeals shall hear and decide requests for variance from the terms of the bylaw, in accordance with provisions of the Massachusetts General Laws, as they may be from time to time amended. Variances for use in any district shall not be granted.+ or take any action in relation thereto.

2/3 Vote Required
111 yes
4 No
Voted in the Affirmative

ARTICLE 21. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to ARTICLE 21 regarding the %Purposes+section of the Bylaw, to wit, that the Town amend the zoning bylaws by deleting Section 1. Purposes, in its entirety and replacing it with the following:

SECTION 1. PURPOSES. Dunstable's character is defined by its rural quality including narrow roads, scenic landscape, agricultural uses, low density and appropriately sized housing, water quality and water bodies, open space, and diversity of housing types. The purpose of this Zoning Bylaw (the %Bylaw+) is to promote the health, safety, morals, convenience and general welfare of residents of the Town of Dunstable (the %Town+) while maintaining Dunstable's character, protecting its natural resources, and promoting affordable housing for Dunstable residents; to provide safe, efficient traffic flow to, from and along the streets; to lessen congestion in the streets; to lessen the danger from fire and flood; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to conserve energy; to preserve and increase the amenities of the Town; to conserve natural conditions and increase resources; to conserve and protect public and private water supply, including ground water; to conserve and protect storage areas for seasonal or periodic high water; to conserve and protect public and private bodies of water and water courses; to facilitate the adequate provision of transportation, drainage, schools, parks, open space and other public requirements; to conserve the value of land and buildings, including the prevention of blight and pollution of the environment; to preserve historic sites; to improve and beautify the Town by encouraging the most appropriate uses of land within the Town; to protect the community from the effects of unsuitable development; to avoid unsuitable traffic on residential streets; to facilitate future reuse and redevelopment of property; and to separate or otherwise isolate property uses which may be conflicting or incompatible.

In accordance with these purposes, the use, construction, erection, establishment, movement, repair, alteration, enlargement, height, location and occupancy of buildings and structures and the uses and occupancy of all land in the Town of Dunstable are hereby regulated and restricted as hereinafter provided, and no development use or occupancy of

land shall be carried on except as permitted herein. (*Planning Board recommends the passage of this Article*)

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 22. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to ARTICLE 22 regarding the Bed and Breakfast Establishments, to wit, that the Town amend the Zoning Bylaw of the Town of Dunstable by clarifying certain Special Permit functions of the Planning Board and by adding provisions with respect to Bed and Breakfast establishments, as follows:

(a) By striking the existing headnote, %Section 6.7. Development Regulations . Senior Residential Multifamily Development+ and by inserting in place thereof the following headnote:

%Section 6.7. Uses Permitted by Special Permit of the Planning Board.+

(b) By inserting the phrase: %Senior Residential Multifamily Development+ after subsection number 6.7.1, and prior to the language beginning %for the purpose of providing a variety of housing+

(c) By adding, following the text of present subsection 6.7.7., the following provisions relative to Bed and Breakfast establishments:

%6.7.8. Bed and Breakfast Establishment. In order to help to preserve the special character of the Town as a rural village by encouraging the utilization of existing homes which, because of their size, are costly and/or difficult to maintain as private residences, and by providing an economic incentive to maintain and/or rehabilitate older, larger residences, and by regulating Bed and Breakfast establishments to insure sensitivity and compatibility with the surrounding neighborhoods in the Town through minimizing adverse impacts on neighboring residential use, an owner or tenant of an existing single family dwelling house in any district may make application to the Planning Board for a Special Permit for a Bed and Breakfast Establishment.

6.7.9. Description. A Bed and Breakfast Establishment is a single-family dwelling having a mixed use as a home for the residential owner or tenant and as an accessory use for guest lodging. The home is to be the primary and legal residence of the owner or tenant.

6.7.10. Submittal and Review Requirements. Application under this section shall be submitted in accordance with the requirements of the Massachusetts General Laws and any rules and regulations of the Planning Board in connection with Special Permits. The Planning Board may, in its discretion, refer the application to any other board or agency of

the Town, for review. In addition, applicants shall comply with the requirements of Site Plans as set forth in Section 14 of this Bylaw, provided that specific requirements of such section may be waived by the Planning Board at the request of the applicant as long as the Board deems that such waiver will not impair the due and proper interests of the Town or otherwise adversely affect the review process. In general, applicants for Special Permits under the provisions of this section shall provide sketches, drawings, or plans necessary to illustrate compliance with the requirements of the section and this Bylaw. Illustrations required may include, but not be limited to, parking and driveway plan, room layout, sanitary facilities, and kitchen facilities.

6.7.11. Minimum Special Requirements:

- (a) The Bed and Breakfast establishment and operation shall be located within an existing owner (or tenant) occupied single family dwelling as of existing the adoption of this section and containing a minimum of four (4) bedrooms.
- (b) Rooms dedicated to the Bed and Breakfast establishment shall be separate from those rooms ordinarily used by the resident family.
- (c) Up to three (3) bedrooms may be dedicated to the Bed and Breakfast establishment, and additional rooms may be authorized by the Planning Board provided that it finds that such additional rooms do not adversely impact the operation and the neighborhood in terms of density, the ability of the location to handle the higher level of parking and traffic, and other such considerations.
- (d) The Special Permit authorizing the operation of a Bed and Breakfast establishment shall be issued by the Planning Board to the owner of the property (or tenant applicant) only and shall not be transferable to a subsequent property owner or tenant unless application is made to the Planning Board for such transfer following the requirements and procedures of this section.
- (e) The owner of the property (or tenant as the case may be) and the recipient of the Special Permit shall have responsibility for operation of the Bed and Breakfast establishment as long as the Bed and Breakfast establishment is in operation. The owner shall file an affidavit with the Dunstable Building Inspector and Town Clerk on an annual basis between December 1 in the year and January 15 in the following year, stating that the property is the principal residence of the owner (or tenant) and that the owner (or tenant) is in residence at all times that the Bed and Breakfast is being operated. Such affidavit shall be a condition of the issuance of the annual Certificate of Occupancy referred to hereinbelow.
- (f) The single-family residence in which the Bed and Breakfast operation is located shall be maintained so that the appearance of the building and grounds remain that of a single-family residence.

- (g) No cooking facilities, including, but not limited to, stoves, microwave ovens, toaster ovens, and hot plates, shall be available to guests; and no meals, except a continental style breakfast, shall be served to guests. Alcohol shall also be prohibited from being served on the premises to any Bed and Breakfast guest. Additionally, there shall be at least one (1) bathroom exclusively dedicated to the guests of the Bed and Breakfast establishment.
- (h) The applicant shall provide evidence to the Planning Board of a satisfactory and sufficient water supply. If the Planning Board finds that the proposed use will have a detrimental effect on any water supply, on or off site, such finding shall be grounds for denial of the Special Permit.
- (i) Any septic system serving the premises shall have the design capacity to support the proposed number of rooms available for rent, as said design capacity is defined by the Dunstable Board of Health or its Agent. Before any Certificate of Occupancy can be issued by the Dunstable Building Inspector for operation as a Bed and Breakfast establishment, the application shall be approved by the Dunstable Board of Health. New Bed and Breakfast establishments served by an existing septic system shall not be granted approval for operation until the Dunstable Board of Health confirms compliance with inspection and/or design requirements as set forth in 310 CMR 15.301; 302; 303; 352; 414 State Environmental Code Title V Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, as the same may from time to time be amended, and the Town of Dunstable Board of Health Rules for On-Site Disposal Supplemental to the State Environmental Code, ~~the~~ Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, ~~the~~ Title 5+q and all other applicable local Board of Health rules and regulations.
- (j) Exterior lighting shall be so shaded or directed as to prevent illumination off-site. All external lighting, except for demonstrable safety and security needs, shall be extinguished by 10:00 P.M.
- (k) No additional parking required for operation of the Bed and Breakfast establishment shall be located in any required building yard set back. All required additional parking areas shall be screened from adjoining residential properties by a fence or dense evergreen plantings, not less than five (5) feet in height, as specified by the Planning Board. Furthermore, such additional parking shall be prohibited in the front yard(s). All parking for a Bed and Breakfast establishment shall be located on the premises unless otherwise approved by Planning Board waiver. There shall be provided two (2) parking spaces for the home owner and one (1) parking space for each bedroom which the Bed and Breakfast establishment has available for rent to guests. Provisions in this Bylaw relative to parking inconsistent with this section shall be resolved in accordance with the provisions of this section.

- (l) Any sign relating to a Bed and Breakfast establishment shall maintain full compliance with Section 13 of this Bylaw . but under no circumstance may any sign for Bed and Breakfast operation exceed 2qX 3qor equivalent surface area.
- (m)The burden shall be upon any applicant to demonstrate that the building which is the subject of the Special Permit application for Bed and Breakfast establishment was in existence at the time of adoption of this section.
- (n) Prior to the renting of any rooms to guests the applicant shall obtain a Certificate of Occupancy signed by the Dunstable Building Inspector. The Certificate of Occupancy shall be renewed every year in January. Such renewal shall be in accordance with any applicable fee schedule established by the Board of Selectmen or such Board or officer as may be duly empowered to establish such fee schedule.+ *(Planning Board recommends the passage of this Article)*

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 23. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to ARTICLE 23 regarding an overlay district to be known as the %Town Center District+ with a map, to wit, that the Town amend the Zoning Bylaw and the Zoning Map of the Town by adding the following sections pertaining to a Town Center District:

(a) By adding under

Section 3a Overlay Districts:

An overlay district known as the Town Center District is hereby established. The district will consist of those areas bounded and shown on a map entitled %Town Center District (TCD)+ dated April, 2004, to be incorporated in the Dunstable Zoning Bylaw, which map is on file in the Town Hall, Planning Board Office, where it may be inspected. The District will overlay and be supplementary to the underlying districts.

(b) By adding after Section 21, Commercial Telecommunications Towers, a new

Section 22. Town Center District.

- A. Introduction: The Town Center District (TCD) is an overlay district established to provide a comprehensive set of development criteria to be applied in Dunstable's town center to distinguish its unique qualities from other business areas within the town. These criteria are established for the continuance and enhancement of

the historic town center area as the functional and symbolic center of Dunstable. The intent of this district is to allow owners of existing historical homes to incorporate additional uses within principal or accessory buildings while maintaining the historic integrity of the buildings, the site, and the town center area.

B. Purposes:

The TCD is established to achieve the following objectives for the town: to maintain continuance and enhancement of the historical town center area; to generate a sense of pride and confidence in the preservation of history in the town center; to create and maintain an attractive and aesthetic cultural and business environment throughout the area; to maintain a consistently high level of design quality; to encourage pedestrian activity by creating a positive pedestrian experience; to protect property values through quality and design control; and to provide incentives for new and existing businesses in the town center area.

C. Uses Permitted by Special Permit:

Uses permitted by Special Permit from the Planning Board in the TCD are:

1. Conversion of one-family dwellings to 2-family dwellings;
2. Authorization of multi-family dwellings existing at the time of adoption of this subsection;
3. Conversion of existing buildings to incorporate a multi-family arrangement of one bedroom dwellings on upper floors of commercial use buildings, with the number of such one bedroom dwelling units being limited to no more than two per floor;
4. Conversion of existing buildings to incorporate a gift and antique shop;
5. Conversion of existing buildings to incorporate a Bed and Breakfast Establishment in accordance with the provisions of Section 6.7.8. of this Bylaw [subject to enactment];
6. Conversion of existing buildings to incorporate a restaurant or café;
7. Conversion of existing buildings to incorporate government, educational, not-for-profit or religious facilities;
8. Conversion of existing buildings to incorporate a professional office;
9. Conversion of existing buildings to incorporate accessory apartments in single family residences, with the number of such dwelling units being limited to no more than two per floor;
10. As regards home occupation in the TCD, the provisions of Section 6.1.(g)v. shall apply, but the referral shall be to the Planning Board.

D. Requirements:

1. Any new construction in the TCD incidental to any Special Permit shall conform to the density and dimensional requirements in Section 11 of this bylaw.
2. Applicants shall comply with the requirements of Site Plans as set forth in Section 14 of this Bylaw, provided that specific requirements of such section may be waived by the Planning Board at the request of the applicant as long as the Board deems that such waiver will not impair the due and proper interests of the Town or otherwise adversely affect the review process.
3. The burden shall be upon any applicant to demonstrate that the building which is the subject of the Special Permit application was in existence at the time of adoption of this section.

E. Bonus Provisions for Developments in the Town Center District:

If a new project or use improves the business environment of the TCD by means of a donation to the Town of Dunstable of public amenities such as parks, plazas, or public access to pre-existing public lands, or donations of substantial improvements on/to such public lands, the Planning Board may allow up to ten (10) percent reduction in the minimum lot area of dimensional requirements as part of the Special Permit process. Applicants for projects or uses not requiring a Special Permit may apply for a Special Permit to be eligible for the Bonus Provisions in this section.

F. Criteria for Approval:

In addition to the requirements of Section 16 of this bylaw for approval of a Special Permit and Section 14, Site Plan Approval (as applicable), a special permit in the TCD shall require that:

1. The appearance of the exterior of any existing building which is the subject of a Special Permit application under this section shall not be substantially changed as viewed from the street adjacent to the site in order to make possible the use applied for.
2. The use and any renovations shall be compatible with the architecture of the façade of the existing structure.
3. Any required parking for additional uses shall be in the rear of the building.

(c) By adding Section 6.7.12. as follows:

6.7.12. Town Center Uses, as set forth in Section 22 of this Bylaw [subject to enactment].+ (*Planning Board recommends passage of this Article*)

2/3 Vote Required
67 Yes (78 needed)
50 No
Motion Defeated

ARTICLE 24. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to ARTICLE 24 regarding an overlay district to be known as the ~~Mixed Use District~~, with a map, to wit, that the Town amend the Zoning Bylaw and the Zoning Map of the Town by adding the following sections pertaining to a Mixed Use District:

(d) By adding under

Section 3a Overlay Districts:

3. Mixed Use District

An overlay district known as the Mixed Use District is hereby established. The district will consist of those areas bounded and shown on a map entitled ~~Mixed Use District (MUD)~~+ dated April, 2004, to be incorporated in the Dunstable Zoning Bylaw, which map is on file in the Town Hall, Planning Board Office, where it may be inspected. The District will overlay and be supplementary to the underlying districts.

(e) By adding after Section 22, Town Center District [subject to an affirmative vote on Article 23], a new

Section 23. Mixed Use District.

A. Purposes:

The purposes of the Mixed Use District (MUD) are to:

- a. allow for greater variety and flexibility in development forms;
- b. encourage the development of affordable housing, rental and ownership;
- c. reduce traffic congestion and air pollution by providing opportunities for housing and employment in close proximity;

- d. encourage more compact and efficient developments.

B. General Description:

A "Planned Unit Development for Mixed Uses" shall mean development containing a mixture of residential uses and building types, including single family and multifamily dwellings, and other uses, as listed under the category Uses Allowed within a Planned Unit Development for Mixed Uses. A Planned Unit Development for Mixed Uses may be allowed by Special Permit of the Planning Board. The Special Permit may allow the development to exceed the normal density requirements for the district to the extent authorized by this Bylaw provided that standards for the provision of affordable housing and other standards specified herein are met.

C. Uses Allowed within a Planned Unit Development for Mixed Uses:

Planned Unit Developments for Mixed Uses shall be permitted in the Mixed Use District only upon issuance of a Special Permit and Site Plan Approval from the Planning Board.

In a Planned Unit Development for Mixed Uses, the following uses may be allowed:

1. Two-family dwellings;
2. Townhouses, i.e., multiple single family dwellings connected by one or more walls, provided they meet the requirements of affordable housing, which shall be defined as housing meeting the requirements of Section 6.7.5.(O) of this Bylaw;
3. Multifamily dwellings;
4. Business uses which are permitted in the B-1 district;
5. Senior Center;
6. Affordable housing for the elderly (over 55 years).

D. Density and Dimensional Regulations:

The following density and dimensional requirements shall apply to any project in the MUD, subject to adjusted requirements as stated for projects including affordable housing as defined hereinabove:

1. The minimum area allocation for each dwelling unit shall be twenty thousand (20,000) square feet, subject to a reduction of up to twenty (20%) percent in the discretion of the Planning Board for projects including affordable housing;
2. The minimum total land area for a Planned Unit Development shall be (10) acres subject to a reduction of up to twenty (20%) percent in the discretion of the Planning Board for projects including affordable housing ;
3. There shall be no frontage requirements within a Planned Unit Development, provided that the applicant demonstrates to the Planning Board satisfactory legal access to the premises;

4. Minimum setback, rear and side yard requirements specified in the Table of Dimensional Requirements (Section 11 of this Bylaw) shall pertain only to the periphery of the Planned Unit Development;
5. The maximum number of dwelling units per structure shall not exceed eight (8);
6. Dwellings shall make up a minimum of seventy-five percent (75%) of the floor area of development in a Planned Unit Development; the balance of the area shall be business use;
7. Individual commercial areas shall not exceed one thousand five hundred (1,500) square feet each.

E. Utility, Parking, Landscaping and Open Space Requirements:

1. Planned Unit Developments for Mixed Uses must meet the utility, parking, landscaping and open space requirements in Section 6.6 of The Dunstable Zoning Bylaw.
2. A natural protective buffer shall be provided around any water body. Said buffer shall conform to the development and not exceed 200 (two hundred) feet, provided that, in special circumstances, the Dunstable Planning Board may allow a lesser buffer at certain locations upon a demonstration by the applicant providing clear evidence that with appropriate safeguards the water body can be adequately protected. The Planning Board may impose limitations on any development within such buffer, and strict limitation shall be imposed within the 100 (one hundred) feet of the buffer nearest to the water body.

(f) By adding Section 6.7.13. as follows:

6.7.13. Mixed uses, as set forth in Section 23 of this Bylaw [subject to enactment].+

2/3 Vote Required

89 Yes

23 No

Voted in the Affirmative

A request for reconsideration for Article 23 was made by a member of the voting audience and after consulting with Town Counsel, Moderator Anne Farina made the determination that the reason offered, as well as several members of the audience who came for this article, left the Meeting following the vote, did not warrant reconsideration of the Article.

Motion made and seconded that Articles 25, 26 and 27 be taken up out of order, specifically in the order of Articles 27, 26 and 25, for the reason that this order is more convenient for the meeting and more conducive to the logical organization of these matters.

Majority Vote Required

Voted in the Affirmative

ARTICLE 27. Motion made and seconded that the Town amend the Zoning Bylaw in accordance with the terms set forth and printed in the MOTION SHEET distributed at this Annual Meeting relative to Article 27, regarding the replacement of Section 15.2.2.(b) pertaining to activity in the Floodplain Overlay District, with a new Section 15.2.2.(b), providing for a Special Permit procedure before the Planning Board in respect to certain activities in the Floodplain Overlay District, to wit, that the Town amend the Zoning Bylaws by striking subsection (b) of Section 15.2.2. in its entirety and substituting therefor the following subsection (b):

~~%(b)~~ No building or structure shall be erected in, nor shall fill be placed within the 100-year floodplain as defined in Section 15.2.1. of this Bylaw, provided that, upon the issuance of a Special Permit by the Planning Board, placement of fill and related activity may be allowed subject to the following requirements:

- (i) The Board finds that such placement of fill is in all regards in compliance with the Commonwealth of Massachusetts Wetlands Protection Act as in force and effect and the Town of Dunstable Wetlands Protection Bylaw;
- (ii) The proposed use shall comply in all respects with the provisions of the underlying district;
- (iii) Within ten (10) days of receipt of the application, the Board shall transmit one copy of the proposal plan to each of the Conservation Commission, the Board of Health and the Building Inspector; final action shall not be taken until reports have been received from the above Boards or officials, or until thirty five (35) days have elapsed without receipt thereof;
- (iv) Certification by a registered professional engineer is provided by the applicant, demonstrating that such filling shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood; no such filling nor any new construction substantial improvement or other development shall be permitted unless it is demonstrated that the cumulative effect of the proposed filling and development when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point in the Town of Dunstable;
- (v) The Board may specify such additional requirements and conditions as it finds necessary to protect the health, safety and welfare of the public and the occupants of the proposed fill area.

(Planning Board recommends the passage of this Article)

2/3 Vote Required

Voted in the Affirmative Unanimously

Before proceeding to the next Article, a statement was made by Selectmen Robert Nelson disclosing that he is the beneficial owner of the property, filing the proper disclosure form with the Town Clerk following the purchase of the property and being careful not to be involved with any decisions directly related to the property.

ARTICLE 26. Motion made and seconded that the Town direct the Moderator, with the advice and consultation of such other town officers as she cares to seek, to appoint a committee for the purpose of investigating the desirability and feasibility of the acquisition by the Town of the property situated on Pleasant Street in Dunstable, believed to be owned by Salmon Brook Realty Trust, subject to a life estate in Mary A. DeBarbian, shown as Lot O, Block 41 on Map 12 of the Dunstable Assessors, believed to contain in total approximately four (4) acres, or any portion thereof, and to report to next year's Annual Town Meeting, or to any Special Town Meeting convened prior thereto.

Majority Vote Required
Voted in the Affirmative

ARTICLE 25. Motion made and seconded to take no action (that the Town amends the Zoning Bylaw regarding the reclassification of property on Pleasant Street, being Lot O, Block 40, Assessors Map 12, from ~~%R~~-1 Single Family Residence+ to ~~%B~~-1 Retail Business+ with a map).

Majority Vote Required
Voted in the Affirmative

At 11:30 pm a motion was made and seconded to recess the Annual Town Meeting until the following evening, May 11, 2004.

Voted in the Affirmative

Total number of voters checked in: 214.

Respectfully submitted,

Carol A. Skerrett
Town Clerk

**ADJOURNED SESSION OF THE ANNUAL TOWN MEETING
May 11, 2004**

After determining that a quorum was present, the recessed portion of the Annual Town Meeting was called to order at 7:11 p.m. by Moderator Anne Farina.

ARTICLE 28. Motion made and seconded that the Town designate FY2005 as the initial fiscal year within which the provisions of MGL Chapter 59, Section 5K, authorizing persons over 60 years of age to perform volunteer services in exchange for a reduction of property taxes, will become effective, said statute having been adopted by vote of the Town under Article 17 of the Annual Town Meeting of May 12, 2003.

Majority Vote Required
Voted in the Affirmative

ARTICLE 29. Motion made and seconded to accept the provisions of MGL Chapter 40, Sections 42G . 42I, as amended, authorizing the levy of special assessments to meet the cost of laying water pipes in public and private ways.

Majority Vote Required
Yes: 45 No: 28
Voted in the Affirmative

ARTICLE 30. Motion made and seconded that the Town direct the Moderator, with the advice and consultation of such other town officers as she cares to seek, to appoint a committee for the purpose of investigating the feasibility of planning and taking action on the matters referred to in ARTICLE 30, to wit, the construction of a new pump station at the second well, the construction of a new water storage tank, and the installation of new mains along Depot, Brook and Pleasant Streets; and to report to next year's Annual Town Meeting, or to any Special Town Meeting convened prior thereto.

Majority Vote Required
Voted in the Affirmative

ARTICLE 31. Motion made and seconded that the Town direct the Moderator to request of the Committee to be appointed pursuant to motion voted pursuant to ARTICLE 30 to consider as well, the prospect and feasibility of considering a future intermunicipal agreement with the Town of Pepperell under which the Dunstable Water Department would provide operational water service to Pepperell, or portions thereof. *[Lengthy discussion followed the motion. Water Commissioner Karl Huber stated that early studies suggest the long-term revenue from this arrangement could total as much as \$30,000 a month. Town meeting members questioned the Town's liability in providing water service and expressed concerns that we would have contractual obligations that would not allow us to discontinue*

service at any point. Members expressed concerns that running water lines throughout the town that were large enough to service 2 towns could open the Town to large 40B development. Selectman Bob Nelson stated that the consensus of the Water Investigation Committee, formed the previous year, was that it was not in the best interest of the Town to enter into an agreement with Pepperell].

Majority Vote Required
Motion Defeated

ARTICLE 32. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Adam Street, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 33. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Brittany Lane, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 34. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Horse Hill Street, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 35. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Jamie Road, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 36. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Kimberly Lane, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 37. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Kristen Lane, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 38. Motion made and seconded that the Town accept as a public way in the Town, a certain way known as Robbins Farm Road, the same having been duly laid out by the Board of Road Commissioners on April 28, 2004, and filed with the Town Clerk on April 29, 2004, all as prescribed in applicable law; and further, that the Selectmen be hereby given the authority to take by eminent domain, on behalf of the Town, as provided under Massachusetts General Laws, Chapter 82, Section 24, as amended such interest in easement or fee as are in their discretionary judgment necessary to these purposes; and further that the Selectmen or the Road Commissioners be hereby authorized to accept in behalf of the Town any deeds or releases of any such interest from any parties holding the same.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 39. Motion made and seconded that the Town take no action as none can be taken at this time (*that the Town accept as a public way in the Town, a certain way known as Sky Top Lane*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 40. Motion made and seconded that the Town authorize the Board of Health to enter into and/or extend a contract with any provider of household waste removal services, hazardous or otherwise, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Health to determine terms and provisions of any such agreements, the costs of such services to be defrayed pursuant to an appropriation made under Article 2 of this warrant, budget line item #510.005.

Majority Vote Required
Voted in the Affirmative

ARTICLE 41. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E ½ of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered to be administered and expended by the Board of Health for the operation and maintenance of the solid waste facility/transfer station including the payment of wages or salaries of employees of such facility who are not full time employees of the Town, such fund to be funded by receipts collected for tags, stickers and recycling and other such permit fees appertaining to the use of the solid waste facility/transfer station, the maximum dollar limit to be expended from such fund during the next fiscal year to be Twenty Five Thousand Dollars (\$25,000.00).

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 42. Motion made and seconded that the Town authorize the Board of Selectmen to enter into and/or extend a contract with any provider of dispatch and related services, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Selectmen to determine terms and provisions of any such agreements the costs of such services to be defrayed pursuant to an appropriation made under Article 2 of this warrant, budget line item #210.007.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 43. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53 E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990 to be administered and expended by the PB for engineering services and supervisory services related to subdivision, special permits, and site plans, including the payment of wages or salaries of employees of the town engineer or any other engineering firm engaged by the PB, who are not full time employees of the town, such funds to be funded by receipts collected from engineering fees and any other such permit fees appertaining to development of land as detailed by the PB in their Rules and Regulations for Subdivisions, the maximum dollar limit to be expended from such fund during the next fiscal year to be \$25,000.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 44. Motion made and seconded that the Town take no action (*relative to the Stabilization Fund*).

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 45. Motion made and seconded that the Town allow the Board of Assessors to use Three Hundred Forty Two Thousand, One Hundred Ninety Five Dollars (\$342,195.00) of Free Cash in the Treasurer's hands to be applied against the FY2005 annual budget expenditures voted at this meeting in order to meet the requirements of Proposition 2 ½.

Majority Vote Required
Voted in the Affirmative Unanimously

Motion made and seconded to adjourn at 8:45 p.m. Total number of voters checked in: 92.

Voted in the Affirmative

	<u>BUDGET</u>	<u>ARTICLES</u>
*Raise and Appropriate	\$6,483,146.00	
	[\$6,389,680.00]	
Transfer from Water Receipts	52,600.00	
*Total Budget	\$6,535,746.00	
	[\$6,442,280.00]	
Transfer from Free Cash		\$ 7,500.00
Transfer from Free Cash to offset FY05 expenditures (Article 45)		\$ 342,195.00
Establishment of Revolving Fund, Chapter 44, Section 53E ½ (solid waste) (Article 41)		\$ 25,000.00
Establishment of Revolving Fund, Chapter 44, Section 53E ½ (Planning Board engineer)		\$ 25,000.00
Authorization to Borrow MGL Chapter 90 (Article 10)		\$ 88,594.73
Transfer from Highway Machine Reserve Fund as follows:		\$ 20,000.00
a. To Highway Machinery Account		4,454.64
b. To Lease/Purchase Account (Article 13)		14,545.36

* Includes GDRSD Operating Budget of \$3,324,466.00 provided that \$93,466.00 of such appropriation is contingent on an affirmative vote relative to the pertinent ballot provision on the Annual Town Election ballot for May 17, 2004; but failing an affirmative vote on the Town Election ballot, then the Town raise and appropriate in the alternative, the sum of \$6,389,680.00.

Respectfully submitted,

Carol A. Skerrett
Town Clerk