

# TOWN OF WEST BOYLSTON

## SEMI-ANNUAL TOWN Town Clerk Meeting Minutes May 19, 2014

Article 1 Section 3 of the Town of West Boylston's General Bylaws states that "One Hundred (100) legal voters, including the presiding officer and the clerk, shall constitute a quorum, provided that a number less than a quorum may vote an adjournment; and that not more than Seventy-five (75) shall be required to maintain a quorum once the meeting has been called to order by the Moderator and that a quorum of Seventy-five (75) be required to reconvene any adjourned session of any such meeting."

Kim D. Hopewell, Town Clerk informed town meeting floor that 100 registered voters were in attendance and that the quorum requirement as set out in the General Bylaws has been met. At 7:10 p.m. the meeting was called to order.

The following people were appointed as tellers by the Town Clerk;

Bruce Peterson  
John F. McCormick, III  
Elaine Novia  
Kathy Casey

Carol Peterson  
Barbara Deschenes  
Mark Brodeur  
James Ryan

M.G.L. Ch. 39 § 15 was accepted at the Oct. 20, 2008 Semi-Annual Town Meeting and placed in the General Bylaws Article I § 7. This bylaw section states: "If a two-thirds vote of Town Meeting is required by statute, the Moderator may, at his or her discretion, decline to verify a voice vote by polling the voters or by dividing the meeting, and may record the vote as a two-thirds vote without taking such a count."

Following the Pledge of Allegiance, a moment of silence was conducted for all the members of the community who have passed and the servicemen and women who have made the ultimate sacrifice serving in the armed forces in Iraq, Afghanistan and around the world.

Leon Gaumond, Jr., Town Administrator was recognized by Moderator Jonathan Meindersma, and gave the following employee recognition presentation;

Mr. Moderator I request permission to speak through you to the attendees of the Annual West Boylston Town meeting for a brief presentation.

My name is Leon Gaumond and I am the Town Administrator for the Town of West Boylston. As I have done for the past few years, I would like to take the time to recognize some dedicated individuals who work on behalf of the residents of West Boylston every day. As you may know, the dedication of government employees who conduct the public's business is often unrecognized despite the essential services they perform. Teachers, fire fighters, police officers, and many others labor faithfully at the local level in the public interest, sometimes at risk for their own personal safety. Indeed, all government employees and appointed officials strive to fulfill the promises made by the founders of our republic while also trying to meet the challenging needs of a diverse population in a rapidly changing technological environment.

Mr. Moderator, there are several employees who are celebrating major anniversaries of working for the Town and I believe should be recognized by the citizens of West Boylston. With your permission, I would like to recognize the following individuals for all that they do on behalf of the Town of West Boylston.

**5 years**

- Laura LaBreck, School
- Christine Stratton, School
- Carol Pusateri, School
- Douglas Sochovka, School
- Blake Perron, Fire Dept.

**10 Years**

- Jennifer Diaz, School
- Nancy Librandi, School
- Kerry Silver, School
- Bridgette Welch, School

**15 Years**

- Sgt. Thomas Balvin
- Dawn Suire, School
- Michelle Gangai, School
- Jennifer Kunz, School
- Bruce Palmer, School

**20 Years**

- Karen Murphy, School
- Michael Kittredge, DPW
- Matt Hanna, Fire Dept.
- Richard Ellberg, Fire Dept.

**30 Years**

- Louise Howland, Library
- Nancy Lucier, BOS/TA

**35 Years**

- Mark Hopewell, Fire Dept.

**Kevin McCormick**

Chairman Board of Selectmen

Mr. McCormick spoke on behalf of the Town and Board of Selectmen in thanking and congratulating Town Administrator Leon Gaumond, Jr. for 10 years of service to the Town.

Mr. Gaumond continued;

There are several individuals whose work with the Town is coming to an end this year due to retirement. They are:

**Retirees**

- Greg Riccardi, Fire Dept 38 Years
- Paul Buono, 13 years Fire Dept.
- Sandy Ivins, School

Finally, I would like to recognize all those citizens of the Town who serve on elected and appointed boards, commissions and committees. It is on the backs of these essentially volunteer entities that the Town continues to operate in a productive manner. It is my hope that others in the community may be touched by the desire to serve the Town in some capacity.

This year there are several people who are leaving public service after many years of elected service to the Town. I would like to acknowledge John Owanisian having served on the School Committee for 4 years, Pat McKeon having served on the Planning Board for 6 years, James Kaufman having served on the Planning Board for 1 year, John Wilson having served on the Water Commission for 12 years, and Joan Welsh having served on the Housing Authority for 13 years. As the Town Administrator, I am proud of the contributions that all of these fine individuals have made to the Town.

Mr. Moderator, it would be my honor to lead the Town in a round of applause for all public servants of the Town of West Boylston.

Moderator Jonathan Meindersma asked for a motion to waive the reading of the Warrant and refer to it as subject matter only.

Motion by Kevin McCormick and duly seconded by Christopher Rucho it was unanimously voted.

## **Article 1 – Authorization to Hear the Reports of Officers and Committees of the Town**

*Motion- Michael Kittredge, Jr.*

*Second- Christopher Rucho*

It was unanimously voted to hear the reports of the officers and standing committees of the Town. The following reports were given;

### **Recreation Department**

Jennifer Breen, Recreation Direction

The Recreation Department has been busy since my last report at our October town meeting. The department continues to grow and provide affordable programs to the residents of West Boylston.

In September, the department took over the half day program at the Major Edwards Elementary School. The department ran this program to provide a safe environment for children in grades K-5 on the Professional Development days in our district. The program was designed to provide a recreation component by bringing in programs such as Rainforest Reptiles, Birds of Prey, taking the kids sledding in Goodale Park and making all kinds of different arts and crafts projects. The program saw a hugely positive response, having as many as 50 children in attendance for some of the half days.

The department worked to bring back the ski program to children in grades 3, 4 and 5. An unusually cold winter made for some challenging weeks, but overall, the experience was excellent! We had 20 children go to Wachusett mountain every week, for 8 weeks on a school bus. The kids were able to take ski or snowboard lessons and then have free ski time after dinner in the lodge with their friends and classmates. This program was hugely successful, due in large part to the overwhelming response from parents to help chaperone week after week in the cold.

The ice rink on the town common got lots of use this winter, thanks in large part to all of the cold weather. It was fantastic to see families taking advantage of the ice, as well as watching full on hockey games at night. The department would like to thank residents for all of their help in keeping the activity on the rink safe and enjoyable for everyone.

The annual Easter Egg Hunt took place in April with more than 150 children participating in this free event. This event has become something that families look forward to, and will hopefully be an annual tradition that lasts for many years to come. Our friends at the West Boylston Senior Center were a huge

help in filling the eggs this year (over 1,500) and the department is thankful for their support and looks forward to collaborations in the future.

Currently, the department is offering a town soccer program on Friday evenings with over 75 children participating. Half of these children are ages 3-5. The department is trying to continue to offer more programs to this age group as there are few activities geared toward them in town.

Looking forward to summer we will be offering tennis, soccer, LEGO camp and a day camp, known as "Days of Play" for children in grades K-5. All of the information about these programs can be found on line at [www.westboylston-ma.gov](http://www.westboylston-ma.gov)

**Capital Investment Board**

Raymond Bricault, Chair

**PowerPoint Presentation**

**Slide 1**

**Capital Investment Board Annual Report, May 2014**

**Slide 2**

- Capital Asset Review- Update
- Annual Capital reviews becoming more routing
- Buy-in from all departments
- A work in progress.....
- ~\$12M in requests from all funding sources over the next 5 years

**Slide 3**

<b>Capital Requests for the next 5 years by funding source</b>					
<b>By Funding Source</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Raise or Appropriate	126,000	0	11,444	0	0
Grant	0	74,970	0	302,444	0
Operating Budget	214,623	60,180	58,262	53,591	67,111
Debt Exclusion Override	60,000	1,836,000	1,768,680	4,138,711	1,071,608
Capital Investment Fund	299,000	223,013	43,322	157,738	946,262
Prop. 2 ½ General Override	0	0	0	0	0
Other	0	0	0	0	0
Accrued Funds	0	0	208,080	0	0
Community Preservation Fund	0	0	0	0	0

<b>Total</b>	<b>\$699,623</b>	<b>\$2,194,163</b>	<b>\$2,089,789</b>	<b>\$4,652,484</b>	<b>\$2,084,981</b>
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**Slide 4**

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Debt Exclusion Override	60,000	1,836,000	1,768,680	4,138,711	1,071,608
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Community Preservation Fund	0	0	0	0	0
<b>Total</b>	<b>\$699,623</b>	<b>\$2,194,163</b>	<b>\$2,089,789</b>	<b>\$4,652,484</b>	<b>\$2,084,981</b>
<ul style="list-style-type: none"> <li>○ Average annual funding needed for the Capital Investment Fund is \$334,000</li> <li>○ Average funds added to the CIF - \$173k/year, excluding sewer enterprise transfer</li> </ul>					

**Slide 5**

<b>Projected Balances in the Capital Investment Fund 5 Year</b>					
	<b>Fiscal Year</b>				
<b>Running Balances</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Beginning Balance	722,691	523,691	250,678	157,356	(50,382)
Capital Investment Fund Uses-Planned	299,000	223,013	43,322	157,738	946,738
Capital Investment Fund Uses-Unplanned		150,000	150,000	150,000	150,000
Capital Investment Fund Sources	100,000	100,000	100,000	100,000	100,000
<b>End of Year Balance</b>	<b>\$523,691</b>	<b>\$250,678</b>	<b>\$157,356</b>	<b>(\$50,382)</b>	<b>(\$1,046,644)</b>

**Slide 6**

<b>Projected Balances in the Capital Investment Fund 5 Year</b>					
	<b>Fiscal Year</b>				
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Beginning Balance	722,691	523,691	250,678	157,356	(50,382)
Capital Investment Fund Uses-Planned	299,000	223,013	43,322	157,738	946,738
Capital Investment Fund Uses-Unplanned		150,000	150,000	150,000	150,000
Capital Investment Fund Sources	100,000	100,000	100,000	100,000	100,000
<b>End of Year Balance</b>	<b>\$523,691</b>	<b>\$250,678</b>	<b>\$157,356</b>	<b>(\$50,382)</b>	<b>(\$1,046,644)</b>

**Slide 7**

**Conclusions**

- The capital asset management process in West Boylston has improved
- Resources are limited and longer term plans to fund the capital needs of the town must be explored
- Begin to consider designating new revenue sources explicitly for capital needs rather than inclusion in expanded operating budgets

**Town Wide Planning Committee**

Leon Gaumont, Jr.

The Town Wide Planning Committee would like to announce to Town Meeting that they have submitted several updates to the Planning Board which have been approved and submitted to the state. The committee has worked on this project with no additional funds requested from the Town to support this project. As the Chairman of the TWPC, I would like to thank all of the members of the committee as well as all other town offices and committees for their diligence in working on these documents.

The original Master Plan was adopted in 2005 and the Town Wide Planning Committee has been meeting since that time to fulfill its mission as established by the Town Meeting vote. The submitted updates are not intended to be a complete rewrite of the Master Plan but rather are updates of individual sections which the Committee felt were ready to be released to the Department of Housing and Community Development. The updates are the product of many years of hard work and study – all with the expressed goals of making the Town of West Boylston the best it can be.

The Master Plan is a document intended to be a guide and a blueprint for the future of West Boylston. The ideas and concepts expressed in the Master Plan are not binding and not intended to usurp the review process of any West Boylston governmental entity, board or committee or even the authority of the Town Meeting.

The proposed updates can be found on the Town's website under the Town Wide Planning Committee's page. The TWPC would also like to ask if any residents of the Town have an interest in joining our group to outreach to the Town Administrator.

**Beaman Memorial Public Library**

Louise Howland, Library Director

Thank you, Mr. Moderator

My name is Louise Howland. I am the Director of the Beaman Memorial Public Library and a resident of the Town of West Boylston.

I am pleased to inform the Town that our Certification application with the Board of Library Commissioners successfully passed through the Waiver process. This provides the Library with \$9,400 in State Aid and continued access to Federal and State grants while providing library users full access to the collections of all libraries across the State.

And, for the first time in a decade, I am able to announce to this body that the budget for the library, as proposed in this warrant, fully meets the funding requirements for the Town of West Boylston according to State laws governing public libraries. When I first began working at the library in 1984, it was open 40 hours a week. By the turn of the century service hours had dropped to just 30. With this budget, the Trustees will be able to return to a full schedule, opening at 10 a.m. Tuesdays through Saturdays and maintaining evening hours Tuesdays through Thursdays.

The board of Library Trustees invites the community to participate in its Strategic Planning activities this spring by filling out a brief survey. You may pick up a copy of the survey at the library or click on the link to the survey on the Library's web site. With your help and support, the Beaman Library will continue to be a valued resource for the Town of West Boylston.

**Council on Aging**

John Curran, Council on Aging

West Boylston, like virtually all other all other communities, faces a burgeoning increase in the number of individuals who will qualify as senior citizens. Not only will a greater percentage of the town's population attain senior status in coming years but according to virtually all demographic studies, they will live much longer than their predecessors. With the 2010 census, the population of 60+ comprises 23% of the town. The 50-59 age groups comprise another 17%. The seniors of West Boylston have been a positive role model; they have raised families, supported the town in many components and strengthen the community. As vital members of our community, seniors deserve the resources that a center can provide. It should be in essence a place where senior citizens of the community can come for a variety of reasons: to attend specific programs, to receive services, eat a meal or just congregate and enjoy the company of other people. In some respects, for many it becomes "a home away from home".

In our community today, many seniors live alone and largely in isolation. That number will undoubtedly grow. Having a vibrant and welcoming facility, one that will allow for elders to be active and engaged will be an important resource for them both for its social value as well as for their overall mental health and well-being.

There can be no dispute that the present location is grossly inadequate and is surely not an inducement for people to want to come and attend programs or to just socialize. There is a need for a building that is brighter, more spacious, and with the capacity to serve more people and different functions.

We understand the fiscal challenges faced by our town and so many others as they seek to respond to the myriad needs of their citizens. We recognize that some things we would ideally propose may be beyond the ability of the Facilities Committee to support. As a result, we have attempted to be modest in advancing what we believe to be a reasonable proposal. But the creation of an inviting and multi-functional facility for our senior citizens needs to be an imperative, not only because it will provide a much-needed resource for the town but also because it makes a clear and unequivocal statement about how we regard an important segment of our community. So as we move forward we ask for your support.

And for those of you that have not visited the center, young, elder and in between, we invite you to come visit to see what we are about.

## **Article 2 – Authorization to Borrow in Anticipation of Revenue and to Enter into a Compensating Balance Agreement with a Bank**

*Motion- John Hadley*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte.*

It was unanimously voted to authorize the Town Treasurer/Tax Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2015, the period from July 1, 2014 through June 30, 2015, in conformity with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and to authorize the Treasurer/Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2015 pursuant to Massachusetts General Laws, Chapter 44, Section 53F.

## **Article 3 – Departmental Revolving Funds Authorization**

*Motion- Kevin McCormick*

*Second- John Hadley*

*Recommendation- Finance Cmte.*

It was unanimously voted to authorize revolving funds for certain town departments under Massachusetts General Law Chapter 44 § 53E1/2 for the fiscal year beginning July 1, 2014.



Article 3

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY14 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
<b>WBPA-TV</b>	Board of Directors of WBPA-TV	Receipts submitted to WBPA-TV for the operation of WBPA-TV that have been authorized by the Board of Directors of WBPA-TV as well as the franchise license fee paid by Charter Communications to the town	Purchase equipment to enhance cable-casting abilities of the town and to purchase expendable material as needed such as videotape, batteries, gaffer's tape, lights, etc.	\$5,000	Not to be used for wages or salaries since WBPA-TV is a volunteer organization
<b>Board of Health</b>	Board of Health	Fees derived from permits issued to licensed sewage haulers in the Town of West Boylston, said fees shall cover the cost of dumping at the Upper Blackstone Water Pollution Abatement District, plus an administrative charge and fees derived from plan reviews, inspections, administrative charges and other fees for services rendered by the Board of Health	To pay Upper Blackstone Water Pollution Abatement District for sewage dumped at its facility in Millbury by sewage haulers licensed in the Town and to pay Board of Health inspectors and/or agents for services provided for food service, sanitary code compliance, public nuisance, noisome trade inspections; and for percolation and soil testing, septic system design review, septic system installation review, final septic inspection and engineering services, and to fund administrative expenses of the Board of Health, including wage and salary expenses of part-time employees of the Board of Health	\$50,000	
<b>Cemetery Trustees</b>	Cemetery Trustees	All fees collected by the Cemetery Department exclusive of perpetual case and sale of lots receipts	Ordinary operating costs of the Cemetery Dpt. including, but not limited to, part-time wages and grave opening costs	\$60,000	Not to be used for any full-time salaries and wages or elected official stipends
<b>Council on Aging</b>	Council on Aging	Fees and donations derived from various fund raising activities collected by the COA and for revenue and reimbursements from the Worcester Regional Transit Authority and user fees and donations for transportation services provided by the COA	Activities related to COA programs not provided for in the FY15 budget, and to fund administrative expenses of the COA including, but not limited to, wages of part-time employees of the COA.	\$60,000	
<b>Planning Board</b>	Planning Board	Fees derived from plan review filing fees and all other fees charged by the Planning Board	Pay agents, attorneys, planners, and engineers of the Planning Board for services provided for permit application, plan review and consultant services	\$50,000	
<b>Zoning Board of Appeals</b>	Zoning Board of Appeals	Fees derived from variance, special permit, comprehensive permit filing fees and all other fees charged by the ZBA	Pay agents, attorneys, planners, and engineers of the ZBA for services provided for permit application, plan review and consultant services and to fund administrative and wage expenses of the ZBA, including wage and salary expenses of part-time employees of the ZBA.	\$25,000	

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY14 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
<b>Conservation Commission</b>	Conservation Commission	Fees derived from all Wetland Protection Act filing fees and all other fees charged by the Conservation Commission	Pay agents, attorneys, planners and engineers of the Cmsn. for services provided for permit application and plan review and consultant services and to fund administrative and wage expenses of the Cmsn. including, but not limited to, wage and salary expenses of part-time employees of the Cmsn.	\$25,000	
<b>Parks, Playground &amp; Fields</b>	Parks Commission	Field user fees and donations collected by the Parks Commission	To fund costs of maintaining and operating the playgrounds, fields and facilities under the jurisdiction of the Parks Commission, including the purchase of supplies and services, to fund the repair and maintenance of playgrounds, fields, parks and park facilities including, but not limited to, the tennis and basketball courts and playing fields; said activities to be undertaken in coordination with the DPW and in conformity with all applicable laws and permit requirements and to fund administrative and wage expenses associated with the administration of programs of the Parks Cmsn., including wage and salary expenses of the part-time employees of the Cmsn.	\$50,000	
<b>Fire Alarm</b>	Fire Chief	Fees charged to private property owners for use of the municipal fire alarm system by the Fire Dept.	To fund the cost of purchasing and installing equipment as well as the operation and maintenance associated with the municipal fire alarm system service and to fund administrative and wage expenses associated with the operation and maintenance of the municipal fire alarm system, including wage and salary expenses of part-time employees of the Fire Dept.	\$15,000	
<b>Hazmat</b>	Fire Chief	Fees and payments for services related to the mitigation of hazardous materials and other incidents as paid from traffic companies, insurance companies and the like for billable services	Fund costs of purchasing equipment, supplies and services related to hazardous material and other emergencies, and administrative and wage expenses associated with the operation and response to hazardous material and other incidents	\$10,000	

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY14 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
<b>Recycling</b>	DPW Director	Any revenues derived from the collection of funds for the receipt of electronic components or the sale of compost bins, kitchen scrap pails, recycling bins and scrap metal.	Pay expenses associated with the responsible recycling of electronic components that are banned from the waste stream, environmentally responsible recycling of yard waste by the distribution of compost bins, the environmentally responsible recycling of kitchen waste by the distribution of kitchen scrap pails, environmentally responsible recycling of newsprint and commingled plastics by the distribution of recycling bins and the environmentally responsible recycling of scrap metal	\$10,000	
<b>Celebrations</b>	Municipal Assistant or Celebrations Cmte.	All gifts, donations and fees collected by the town for the sole purpose of financing the costs of the Memorial Day observance and the depository for all gifts, donations and fees collected by the town for the purpose of financing the costs of other Celebrations & Observances as deemed by the Board of Selectmen	Pay for expenses and costs necessary for the annual Memorial Day Observance and other Celebrations and Observances as deemed by the Board of Selectmen, including, but not limited to, purchase of supplies and services.	\$10,000	Excludes full and part-time employee salary or wage costs
<b>Beaman Memorial Library</b>	Library Trustees	Donations received in support of the library	Any Board of Trustees approved operational expenses of the library	\$15,000	
<b>Economic Dev. Task Force</b>	Municipal Assistant	Donations received in support of economic development and The Gateway Improvement Project	Any Town Administrator approved operational expenses of the Economic Development Task Force as well as The Gateway Improvement Project	\$15,000	
<b>Recreation Program</b>	Parks Commission	Recreation program user fees and donations collected by the Park Commission	Costs of operating the recreation program including wage and salary expenses of the part-time employees	\$50,000	

**Article 4 – Authorization to Expend Funds in Anticipation of Reimbursement of State Highway Assistance Aid**

*Motion- Siobhan Bohanson*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte.*

It was unanimously voted to accept any and all state highway assistance funds authorized by the state legislature and approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program to be expended for the maintenance, repair and construction of Town roads in anticipation of reimbursement under the direction of the Board of Selectmen and the Town Administrator for work on roads located on the State Aid Primary System as approved by the Massachusetts Highway Department, and further to authorize the Town Treasurer/Tax Collector, with the approval of the Board of Selectmen, to borrow money from time to time during Fiscal Year 2015, for the period from July 1, 2014 through June 30, 2015, in anticipation of reimbursement of said highway assistance in conformity with the provisions of Massachusetts General Laws, Chapter 44, Section 6A.

**Article 5 – Authorization to Amend the Personnel Bylaw and to Review the Classification and Compensation Plan so as to Provide Employees a Cost –Of- Living Pay Increase (2.0%)**

*Motion- Christopher Rucho*

*Second- Kevin McCormick*

It was unanimously voted to amend Section 5, Part AA. Classification and Compensation Plan of the Personnel Bylaw by deleting the current language and inserting the following:

**Non-Exempt Employees – Wage Earning Employees**

<b>Grade</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
<b>1</b>	\$11.62	\$12.78	\$13.91	\$15.13	\$16.26
<b>2</b>	\$12.74	\$14.04	\$15.29	\$16.55	\$17.03
<b>3</b>	\$13.87	\$15.24	\$16.66	\$18.05	\$19.46
<b>4</b>	\$15.00	\$16.53	\$18.01	\$19.53	\$21.04
<b>5</b>	\$16.17	\$17.80	\$19.41	\$21.71	\$22.64

<b>Grade</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
<b>6</b>					
Cemetery Superintendent	\$33,753.57	\$37,138.37	\$40,498.45	\$45,284.41	\$47,277.06
COA Director	\$33,749.01	\$37,139.45	\$40,498.60	\$45,285.57	\$47,277.17
<b>7</b>					
Children’s Librarian	\$31,286.52	\$34,363.77	\$37,536.15	\$40,656.33	\$43,782.33
Town Clerk	\$31,286.52	\$34,363.77	\$37,536.15	\$40,656.33	\$43,782.33
Assistant Library Director	\$33,738.24	\$37,006.07	\$40,419.71	\$43,785.80	\$47,149.57

<b>8</b>					
Building Inspector	\$25,542.60	\$28,106.02	\$30,649.70	\$33,217.78	\$35,757.99
<b>9</b>					
Principal Assessor	\$41,072.75	\$45,185.84	\$49,296.59	\$53,087.20	\$57,496.04
Town Accountant	\$41,072.75	\$45,185.84	\$49,296.59	\$53,087.20	\$57,496.04
<b>10</b>					
Library Director	\$42,881.07	\$48,497.41	\$51,870.45	\$57,228.10	\$61,725.12
Treasurer/Tax Collector	\$47,861.77	\$52,653.38	\$57,439.21	\$62,229.69	\$67,020.15

**Non- Exempt Emergency Fire and Medical Services Employees**

<b>Grade</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
1F	\$9.30	\$10.21	\$11.17	\$12.09	\$13.06
2F	\$13.42	\$14.75	\$16.12	\$17.45	\$18.81
3F	\$14.79	\$16.16	\$17.50	\$18.86	\$20.35
4F	\$18.49	\$20.21	\$21.89	\$23.60	\$25.42

**Article 6– Authorization to Set the Salary of Elected Officials**

*Motion- John Hadley*

*Second- Michael Kittredge, Jr.*

It was unanimously voted to determine and fix what salaries elective officers of the town shall receive for Fiscal Year 2015 in conformity with the provisions of Massachusetts General Laws, Chapter 41 Section 108:

Moderator	\$ 1.00;
Selectmen	\$ 1.00 each (5 members);
Town Clerk	\$43,782.33 in conformity with Section 5, Part AA of the Classification & Compensation Plan of the Personnel Bylaw;
Planning Board	\$ 1.00 each (5 members);
Cemetery Trustees	\$ 1.00 each (3 members); and
Municipal Light Board	\$300.00 each (3 members);

**Article 7 – Authorization to Transfer Unexpended Funds from Fiscal Year 2014 Appropriations**

*Motion- John Hadley*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte.*

It was unanimously voted to transfer from overlay surplus or the following unexpended balances of

Fiscal Year 2014 appropriations, to Fiscal Year 2014 appropriation accounts;

<b>Transfer From</b>		<b>Transfer To</b>	
Unemployment Compensation	5,550	Workers Comp Insurance Premiums	5,550
Fire Salaries & Wages	11,700	Police Salaries & Wages	11,700
Overlay Surplus	23,000	Computer Purchased Services	23,000
Overlay Surplus	5,000	Library Purchased Services	8,000
County Retirement Assessment	3,000		
Snow Removal Salary & Wages	10,550	Snow Removal Supplies	10,550
Group Health Insurance Premiums	183,701	Snow Removal Supplies	183,701
Group Health Insurance Premiums	2,920	Snow Removal Purchased Services	2,920
Assessor Purchased Service	1,000	Assessor Salaries	1,000
School - Vocational Education	147,930	School - Education Expenses	147,930
Group Health Insurance Premiums	22,000	Town Offices Purchased Services	22,000
Finance Committee - Reserve Fund	<u>22,000</u>	Town Office Supplies	<u>22,000</u>
<b>Total Reduction</b>	<b>\$438,351</b>	<b>Total Appropriation</b>	<b>\$438,351</b>

**Article 8** – Authorization to Pay Bills from a Previous Fiscal Year

*Motion- Kevin McCormick*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte.*

It was unanimously voted to transfer the following sums to pay for bills which were incurred from a previous fiscal year:

\$2,120 from Overlay Surplus AND,

\$5,000 from Article #4 voted at ATM 10/17/11 for the Major Edwards Green Window Repair Project to pay Lenard Engineering Inc for sidewalk improvements

And further transfer;

\$2,000 from the FY2014 Fire Salaries Budget to pay for a refund to FEMA for unused grant funds.

**Article 9** – Authorization to Appropriate Money to the Sewer Enterprise Account for Fiscal Year 2015

Motion- Siobhan Bohanson  
 Second- John Hadley  
 Recommendation- Finance Cmte.

It was unanimously voted raise and appropriate or transfer from available funds the sum of One Million Six Hundred Sixty-Five Thousand Three Hundred Seventy-Three Dollars and No Cents (\$1,665,373.00) to the West Boylston Sewer Enterprise Account to be expended by the Board of Selectmen, acting as the Board of Sewer Commissioners, for sewer development, administration, assessment, operation, and maintenance expenses in Fiscal Year 2015 as follows:

Fiscal Year 2015 West Boylston Sewer Department Budget

Administration	-	134,735.00
Operations and Maintenance	-	1,150,765.00
Reserve Fund	-	20,000.00
Debt and Interest Payments	-	356,873.00
Capital Reserve	-	<u>3,000.00</u>
Total Budget Appropriation	-	\$1,665,373.00

and to meet said appropriation through:

- (1) the appropriation of One Million, Two Hundred Thousand Dollars and No Cents (\$1,200,000) from Fiscal Year 2015 Sewer Enterprise Fund User Revenue, and
- (2) the appropriation of Three Hundred Fifty-Six Thousand, Eight Hundred and Seventy-Three Dollars and No Cents (\$356,873.00) from the Fund Balance Reserved For Sewer Betterment Debt Service, and
- (3) the appropriation of One Hundred and Eight Thousand Five Hundred Dollars and No Cents from Sewer Enterprise Retained Earnings (\$108,500.00)

**Article 10** – Fiscal Year 2015 Omnibus Budget Appropriation Article

Motion- Christopher Rucho  
 Second- John Hadley  
 Recommendation- Finance Cmte.

It was unanimously voted raise and appropriate the sum of \$21,826,623 as printed in the town meeting warrant, necessary to defray the expenses and charges of the Town of West Boylston in Fiscal Year 2015, the period of July 1, 2014 through June 30, 2015, including the costs of public education, debt and interest payments, and providing municipal services, and reduce the tax rate by transferring the following sums:

Raise & Appropriate	21,227,123
From Ambulance Receipts Reserved	362,000
From Wachusett EMS Fund	17,500
From Free Cash	<u>220,000</u>

\$21,826,623

Fiscal Year 2015 Omnibus Budget

						Approved Budget FY 2014	Town Admin. Recommend ed Budget FY 2015
<b>General Government</b>							
010	01	14	05100	000	Moderator Salary	1.00	1.00
					Other Expenses	50.00	50.00
					<b>TOTAL Moderator</b>	<b>51.00</b>	<b>51.00</b>
010	01	22	05100	000	Selectmen Salaries	5.00	5.00
					Other Expenses	6,150.00	6,150.00
					<b>TOTAL Selectmen</b>	<b>6,155.00</b>	<b>6,155.00</b>
010	01	23	05100	000	Town Administrator Salaries	173,970.00	177,450.00
					Other Expenses	10,800.00	10,800.00
					<b>TOTAL Town Administrator</b>	<b>184,770.00</b>	<b>188,250.00</b>
010	01	32	06700	000	Reserve Fund	43,200.00	43,200.00
					<b>TOTAL Reserve Fund</b>	<b>43,200.00</b>	<b>43,200.00</b>
010	01	35	05100	000	Finance Director Salary and Wages	32,988.00	38,500.00
					Other Expenses	135,175.00	138,725.00
					<b>TOTAL Finance Director</b>	<b>168,163.00</b>	<b>177,225.00</b>
010	01	36	06200	000	Town Audit	35,000.00	25,000.00
					<b>TOTAL Town Audit</b>	<b>35,000.00</b>	<b>25,000.00</b>
010	01	41	05100	000	Assessor's Salaries	21,877.00	23,385.00
					Other Expenses	56,100.00	60,545.00
					<b>TOTAL Assessors</b>	<b>77,977.00</b>	<b>83,930.00</b>
010	01	45	05100	000	Treasurer/Collector Salaries	143,272.00	146,138.00
					Other Expenses	23,800.00	36,800.00
					<b>TOTAL Treasurer/Collector</b>	<b>167,072.00</b>	<b>182,938.00</b>
010	01	51	06200	000	Town Counsel	60,000.00	60,000.00
					<b>TOTAL Town Counsel</b>	<b>60,000.00</b>	<b>60,000.00</b>



010	01	55	05100	000	Computer Salaries & Wages		
					Other Expenses	73,200.00	68,960.00
010	01	55	06800	000	Computer Capital Outlay	10,500.00	9,700.00
					<b>TOTAL Data Processing</b>	<b>83,700.00</b>	<b>78,660.00</b>
010	01	61	05100	000	Town Clerk Salaries	67,865.00	70,068.00
					Other Expenses	2,750.00	2,450.00
					<b>TOTAL Town Clerk</b>	<b>70,615.00</b>	<b>72,518.00</b>
010	01	62	05100	000	Elections Salaries	12,500.00	14,250.00
					Other Expenses	14,220.00	14,220.00
					<b>TOTAL Elections &amp; Registrations</b>	<b>26,720.00</b>	<b>28,470.00</b>
010	01	75	05100	000	Planning Board Salaries	3,183.00	3,247.00
					<b>TOTAL Planning Board</b>	<b>3,183.00</b>	<b>3,247.00</b>
010	01	92	05100	000	Public Safety H.Q. Salaries	0.00	0.00
					Other Expenses	37,220.00	37,220.00
					Municipal Building Maintenance	9,900.00	9,900.00
					<b>TOTAL Public Safety Headquarters</b>	<b>47,120.00</b>	<b>47,120.00</b>
010	01	94	051**	000	Town Hall Salaries	10,658.00	15,735.00
					Other Expenses	140,462.00	56,250.00
					Municipal Building Maintenance		9,900.00
					<b>TOTAL Town Hall Building</b>	<b>151,120.00</b>	<b>81,885.00</b>
010	01	95	06200	000	Print Town Report	1,000.00	1,000.00
					<b>TOTAL Print Town Report</b>	<b>1,000.00</b>	<b>1,000.00</b>
<b>TOTAL GENERAL GOVERNMENT</b>						<b>1,125,846.00</b>	<b>1,079,649.00</b>
<b>Public Safety</b>							
010	02	10	051**	000	Police Salaries	1,263,890.00	1,276,396.00
					Other Expenses	41,780.00	51,791.00
012	02	10	05800	207	Police Capital Outlay	38,000.00	33,000.00
					<b>TOTAL Police</b>	<b>1,343,670.00</b>	<b>1,361,187.00</b>
010	02	20	051**	000	Fire Salaries	547,149.00	544,447.00
					Other Expenses	76,900.00	113,600.00
010	02	20	06225	000	Ambulance expenses	34,250.00	
					<b>TOTAL Fire</b>	<b>658,299.00</b>	<b>658,047.00</b>
010	02	35	05100	000	Communications Salaries	220,971.00	225,626.00
					Other Expenses	38,055.00	38,055.00
					<b>TOTAL Public Safety Communications</b>	<b>259,026.00</b>	<b>263,681.00</b>

010	02	41	051**	000	Building Inspector Salaries	74,642.00	81,371.00
					Other Expenses	8,500.00	8,050.00
					<b>TOTAL Building Inspector</b>	<b>83,142.00</b>	<b>89,421.00</b>
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010	02	44	06200	000	Sealer of Weights Purchased Services	1,775.00	1,775.00
					<b>TOTAL Sealer Of Weights</b>	<b>1,775.00</b>	<b>1,775.00</b>
<hr/>							
010	02	91	06200	000	Other Emergency Management	7,500.00	7,500.00
					<b>TOTAL Emergency Management</b>	<b>7,500.00</b>	<b>7,500.00</b>
<hr/>							
010	02	92	051**	000	Animal Control Salary	8,800.00	8,976.00
					Other Expenses	1,300.00	1,300.00
					<b>TOTAL Animal Control</b>	<b>10,100.00</b>	<b>10,276.00</b>
<hr/>							
					<b>TOTAL PUBLIC SAFETY</b>	<b>2,363,512.00</b>	<b>2,391,887.00</b>
<hr/>							
<b>Public Education</b>							
310	00	00	01601	010	Education-Expenses	9,158,280.00	
					Vocational Education	1,286,400.00	
					<b>TOTAL Education</b>	<b>10,444,680.00</b>	<b>10,774,500.00</b>
<hr/>							
					<b>TOTAL EDUCATION</b>	<b>10,444,680.00</b>	<b>10,774,500.00</b>
<hr/>							
<b>Public Works</b>							
010	04	20	051**	000	Highway Salaries	381,468.00	433,715.00
					Other Expenses	280,022.00	280,000.00
					Municipal Building Maintenance	9,900.00	9,900.00
					<b>TOTAL Streets and Parks</b>	<b>671,390.00</b>	<b>723,615.00</b>
<hr/>							
010	04	23	051**	000	Snow Removal Salaries	56,742.00	57,877.00
					Other Expenses	52,000.00	53,000.00
					<b>TOTAL Snow Removal</b>	<b>108,742.00</b>	<b>110,877.00</b>
<hr/>							
010	04	24	06200	000	Street Lighting	80,561.00	80,561.00
					<b>TOTAL Street Lighting</b>	<b>80,561.00</b>	<b>80,561.00</b>
<hr/>							
010	04	30	06200	000	Trash Removal and Tipping Fees	384,288.00	384,288.00
010	04	34	06300	000	Landfill Monitoring Expenses	9,000.00	8,000.00
					<b>TOTAL Trash Removal &amp; Tipping</b>	<b>393,288.00</b>	<b>392,288.00</b>
<hr/>							
010	04	91	051**	000	Cemetery Salaries	46,355.00	47,062.00
010	04	91	06200	000	Cemetery Purchased Services	0.00	15,000.00
					<b>TOTAL Cemetery</b>	<b>46,355.00</b>	<b>62,062.00</b>
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<b>TOTAL PUBLIC WORKS</b>						<b><u>1,300,336.00</u></b>	<b><u>1,369,403.00</u></b>	
<hr/>								
<b>Human Services</b>								
010	05	10	06200	000	Board of Health	13,000.00	10,000.00	
<b>TOTAL Board Of Health</b>						<b><u>13,000.00</u></b>	<b><u>10,000.00</u></b>	
<hr/>								
010	05	41	05100	000	Council on Aging Salaries	45,665.00	48,600.00	
						Other Expenses	2,639.00	36,950.00
<b>TOTAL Council on Aging</b>						<b><u>48,304.00</u></b>	<b><u>85,550.00</u></b>	
<hr/>								
010	05	43	051**	000	Veteran's Services Salary	1,669.00	1,703.00	
						Other Expenses	625.00	650.00
010	05	43	06780	000	Veteran's Benefits	133,350.00	135,230.00	
<b>TOTAL Veterans Services</b>						<b><u>135,644.00</u></b>	<b><u>137,583.00</u></b>	
<hr/>								
<b>TOTAL HUMAN SERVICES</b>						<b><u>196,948.00</u></b>	<b><u>233,133.00</u></b>	
<hr/>								
<b>Culture and Recreation</b>								
010	06	10	051**	000	Library Salaries	212,312.00	237,090.00	
						Other Expenses	115,634.00	118,863.00
						Building Maintenance	9,900.00	9,900.00
<b>TOTAL Library</b>						<b><u>337,846.00</u></b>	<b><u>365,853.00</u></b>	
<hr/>								
010	06	95	06200	000	Arts Council Purchased Services	350.00	350.00	
<b>TOTAL Other Culture and Recreation</b>						<b><u>350.00</u></b>	<b><u>350.00</u></b>	
<hr/>								
<b>TOTAL CULTURE AND RECREATION</b>						<b><u>338,196.00</u></b>	<b><u>366,203.00</u></b>	
<hr/>								
<b>Debt Service</b>								
010	07	10	06910	000	Maturing Debt-Principal	1,090,301.00	1,115,301.00	
010	07	50	06915	000	Maturing Debt-Interest	116,795.00	171,472.00	
010	07	53	06925	000	Interest on Temporary Loans	1,350.00	1,350.00	
<b>TOTAL DEBT SERVICE</b>						<b><u>1,208,446.00</u></b>	<b><u>1,288,123.00</u></b>	
<hr/>								
<b>Intergovernmental</b>								
010	08	40	06780	000	Regional Planning Assessment	1,894.00	1,941.00	
010	08	43	06780	000	Wachusett Earthday Collaborative	2,587.00	2,587.00	

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**TOTAL INTERGOVERNMENTAL**

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**4,481.00**

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**4,528.00**

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**Employee Benefits/Risk Management**

<b>010</b>	09	11	05170	000	County Retirement Assessment	801,370.00	887,697.00
<b>010</b>	09	12	05170	000	Workers Compensation Insurance	52,898.00	57,500.00
<b>010</b>	09	13	05170	000	Unemployment Compensation	62,500.00	47,500.00
<b>010</b>	09	14	05170	000	Group Health Insurance Premiums	2,895,802.00	2,995,000.00
<b>010</b>	09	14	05175	000	Health Insurance Premiums (OPEB Town Share)	0.00	3,500.00
<b>010</b>	09	15	05170	000	Group Life Insurance Premium	13,000.00	13,000.00
<b>010</b>	09	16	05170	000	Medicare-Town's Share	170,000.00	175,000.00
<b>010</b>	09	45	06740	000	General Insurance	125,000.00	140,000.00
<b>012</b>	09	45	07740	000	Self-Insurance Deductible Expenses		
<b>TOTAL EMPLOYEE BENEFITS/RISK MANAGEMENT</b>						<b>4,120,570.00</b>	<b>4,319,197.00</b>

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**GRAND TOTALS****21,103,015.00****21,826,623.00**

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**Article 11** – Authorization to Appropriate Funds from the Community Preservation Revenues*Motion- Patrick Crowley**Second- Christopher Rucho**Recommendation- Community Preservation Committee*

It was unanimously voted to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2015, and to transfer supplemental funds to fiscal year 2014 Reserves, with each item to be considered a separate appropriation:

**Appropriations:**

From FY 2015 estimated revenues for Committee Administrative Expenses \$ 7,500

**Reserves:**

From FY 2015 estimated revenues for Historic Resources Reserve	\$ 21,500
From FY 2015 estimated revenues for Community Housing Reserve	\$ 21,500
From FY 2015 estimated revenues for Open Space Reserve	\$ 21,500
From FY 2015 estimated revenues for Budgeted Reserve	\$ 143,000
From FY 2014 Budgeted Reserve to FY 14 Historic Resources Reserve	\$ 4,900
From FY 2014 Budgeted Reserve to FY 14 Community Housing Reserve	\$ 4,900
From FY 2014 Budgeted Reserve to FY 14 Open Space Reserve	\$ 4,900

**Article 12** – Vote to Rescind a Previous Vote and Vote to Appropriate Funds for Community Preservation Fund Projects as Recommended by the Community Preservation Committee

*Motion- Patrick Crowley*

*Second- John Hadley*

*Recommendation- Community Preservation Committee*

12 A-D Each Appropriation from Community Preservation Fund Revenues, or transferred from prior year reserves for Community Preservation purposes with each appropriation being treated as a separate item:

**12A- Rescind vote taken on Article 15, May 21, 2012 ATM - Historic stained glass windows in the Masonic Lodge**

*Motion- Patrick Crowley*

*Second- John Hadley*

*Recommendation- Community Preservation Committee, Finance Cmte./ Capital Investment Board*

**Discussion-**

Pat Crowley stated that the Town of West Boylston could not come to terms with the legal agreement with the Masonic Lodge regarding the restoration and preservation of the stained glass.

Jeff Marsh questioned what will happen to the windows if we take away the money to fund it?

Mr. Crowley stated that the Masonic Lodge expressed interest and may come back to the Community Preservation Cmte. in the future to renegotiate.

**Vote-**

It was unanimously voted to rescind action approved at the May 21, 2012 Semi-Annual Town Meeting, Article 15. This article appropriated \$45,651.23 from the fund balance designated for historic preservation, and \$34,298.77 from the undesignated fund balance. The project was to preserve and protect the historic stained glass windows in the Masonic Lodge located at 12 Church Street. Submitted by and to be expended under the direction of West Boylston Masonic Charity and Education Association, Inc.

**12B- Mount Vernon Cemetery- Preservation and or rehabilitation of Section H**

*Motion- Patrick Crowley*

*Second- John Hadley*

*Recommendation- Community Preservation Committee, Finance Cmte./ Capital Investment Board*

**Vote-**

It was unanimously voted to appropriate the sum of \$42,900 from the fund balance designated for historic preservation for a Grant for the preservation and/or rehabilitation of Section H of the Mount Vernon Cemetery submitted by the West Boylston Historical Commission and to be expended under the direction of the Mount Vernon Cemetery Trustees.

**12C- Mount Vernon Cemetery- Management System**

*Motion- Patrick Crowley*

*Second- John Hadley*

*Recommendation- Community Preservation Committee, Finance Cmte*

**PASSED OVER**

**Discussion-**

Pat Crowley stated that the Community Preservation Committee is currently waiting for a legal opinion to see if this is an appropriate use for CPA funds.

**Vote-**

It was unanimously voted to PASS OVER 12C. This article would have appropriated \$11,000 from the fund balance designated for historic preservation for a grant for the purchase of a modern management system to preserve and manage the historic records of graves, owners, deeds and occupants of Mount Vernon Cemetery. Submitted by and to be expended under the direction of the Mount Vernon Cemetery Trustees.

**12D- Parks Recreation Rehabilitation**

*Motion- Patrick Crowley*

*Second- John Hadley*

*Recommendation- Community Preservation Committee, Finance Cmte./Capital Investment Board*

**Vote-**

It was unanimously voted to appropriate the sum of \$26,740 from the undesignated fund balance to fund a grant for the purchase of a fencing and safety netting at the high school baseball field, girls softball field and Woodland Park. Submitted by and to be expended under the direction of the West Boylston Parks Commission.

**Article 13 – Vote to Appropriate Funds for Capital Improvement Purchases**

*Motion- Kevin McCormick*

*Second- Christopher Rucho*

*Recommendation- Capital Investment Board*

It was unanimously voted purchase or enter into contract for the following capital items by June 30, of 2015, and if not purchased or contract for by that date the funding will flow back to the source it came from;

	<b>PROJECT</b>	<b>TOTAL APPROPRIATION</b>	<b>SOURCE OF APPROPRIATION</b>
<b>A</b>	Public Safety Parking Lot	\$42,000	Capital Fund

<b>B</b>	DPW Director Vehicle	\$22,000	Capital Fund
<b>C</b>	DPW Wing Plow Retrofit	\$20,000	Capital Fund
<b>D</b>	DPW Fuel Station Update	\$25,000	Capital Fund
<b>E</b>	DPW Ambulance Refit	<u>\$20,000</u>	Capital Fund
		<b>\$129,000</b>	



***Public Safety Parking Lot***

**Article 14** – Authorization to Appropriate Funds for Real Estate Annual Inspections

*Motion- John Hadley*

*Second- Christopher Rucho*

*Recommendation- Board of Assessors, Finance Cmte.*

It was unanimously voted to transfer from Overlay Surplus the sum of Ten Thousand Dollars and No Cents (\$10,000.00) for the purpose of maintaining property assessment data through an annual inspection program as required by the Department or Revenue.

**Article 15** – Appropriation to Fund an Elderly Community Services Program

*Motion- John Hadley*

*Second- Michael Kittredge, Jr.*

*Recommendation- Finance Cmte.*

It was unanimously voted to transfer from Overlay Surplus, the sum of Twelve Thousand Dollars and No Cents (\$12,000.00) to fund an Elderly Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards, and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides. Said program shall be subject to the following conditions in addition to any and all eligibility requirements promulgated by the Board of Selectmen:

1. participation in the program shall be limited to elderly residents of the Town who own property and are willing and able to provide services to the Town;
2. program participants shall receive compensation at the basic minimum wage rate for the Commonwealth of Massachusetts as promulgated by the Department of Labor and Workforce Development, Division of Occupational Safety for each hour of service rendered for a total not to exceed One Thousand Three Hundred Dollars and No Cents (\$1,300) in any calendar year;
3. the Treasurer/Tax Collector shall comply with the wage, tax, and payroll deduction requirements of the state Department of Revenue and the Federal Internal Revenue Service, prior to compensating program participants; and
4. program participants who meet the eligibility guidelines established by the Board of Selectmen shall be selected for participation on a first come, first served Basis.

**Article 16** – Authorization to amend The Zoning Map and Zoning Bylaws by amending Sections 3.2F- Business Uses, 3.2G- Industrial Uses, and 3.12- Medical Marijuana Treatment Center

*Motion- Christopher Olson*

*Second- Patrick McKeon, III*

*Recommendation- Planning Board, Bylaws Cmte.*

#### MEDICAL MARIJUANA TREATMENT CENTERS

Purpose: To create a Medical Marijuana Overlay District on the Zoning Map to only allow Medical Marijuana Treatment Centers in the Business Zone and the Industrial Zone in accordance with the State Referendum Vote allowing marijuana use: Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1. If not allowed to site anywhere in town, **they could be located anywhere, even residentially-zoned areas.**

Medical Marijuana Treatment Centers are Registered Marijuana Dispensaries, which are not-for-profit entities that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”)), transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.

Marijuana Treatment Centers are registered by the State and must obtain a State license to operate. The State can issue up to 35 licenses throughout the Commonwealth, with no more than 5 per County. As of



January 31, 2014, there were 2 registered sites in Worcester County, in Worcester and Milford. (Ayer is next closest)

Medical Marijuana Treatment Centers are regulated by the Department of Public Health under 105 CMR 725.001.

As proposed, Medical Marijuana Treatment Centers will only be allowed by Special Permit from the Planning Board within the Business and Industrial Zoning Districts, and subject to additional setback requirements and conditions.

Medical Marijuana Treatment Centers shall not be located within 500' of:

- Schools
- Child Care Facilities
- Libraries, Playgrounds, and Public Parks/Swimming Pools
- Other places where minors commonly congregate.

May 2013 Town Meeting action instituted a Moratorium until June 30, 2014, which this Article will update. If not included specifically in town zoning, then one could be sited anywhere, even in a residentially-zoned area.

Applications will require a Public Hearing with mailed abutter notification, and include proof of compliance with State requirements and site-specific details to protect the Town and nearby neighborhoods.

A Special Permit from the Planning Board will have specific conditions to safeguard the public and ensure responsible operation of the facility.

## **PowerPoint Presentation**

### **Slide 1**

ARTICLE 16 – AUTHORIZATION TO AMEND ZONING MAP & ZONING BYLAWS INCLUDE MEDICAL MARIJUANA TREATMENT CENTER

### **Slide 2**

**Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. § 1-1, et seq.**

- If NOT Specified?
- They could be sited anywhere

### **Commentary**

A statewide voter referendum was held in November 2012 and resulted in the Humanitarian Medical Use of Marijuana Act, which legalized the use and distribution of marijuana for medical purposes. The state has acted and, thus, the town of West Boylston must react.

### **Slide 3**

**Medical Marijuana Treatment Centers**

- Not-for-profit entities
- Acquires, cultivates, possesses, processes, transports, sells, distributes, dispenses, or administers

- marijuana, products containing marijuana, related supplies, or educational materials
- Only to registered patients or their caregivers

**Commentary**

Registered Marijuana Dispensaries (RMDs) are synonymous with Medical Marijuana Treatment Centers.

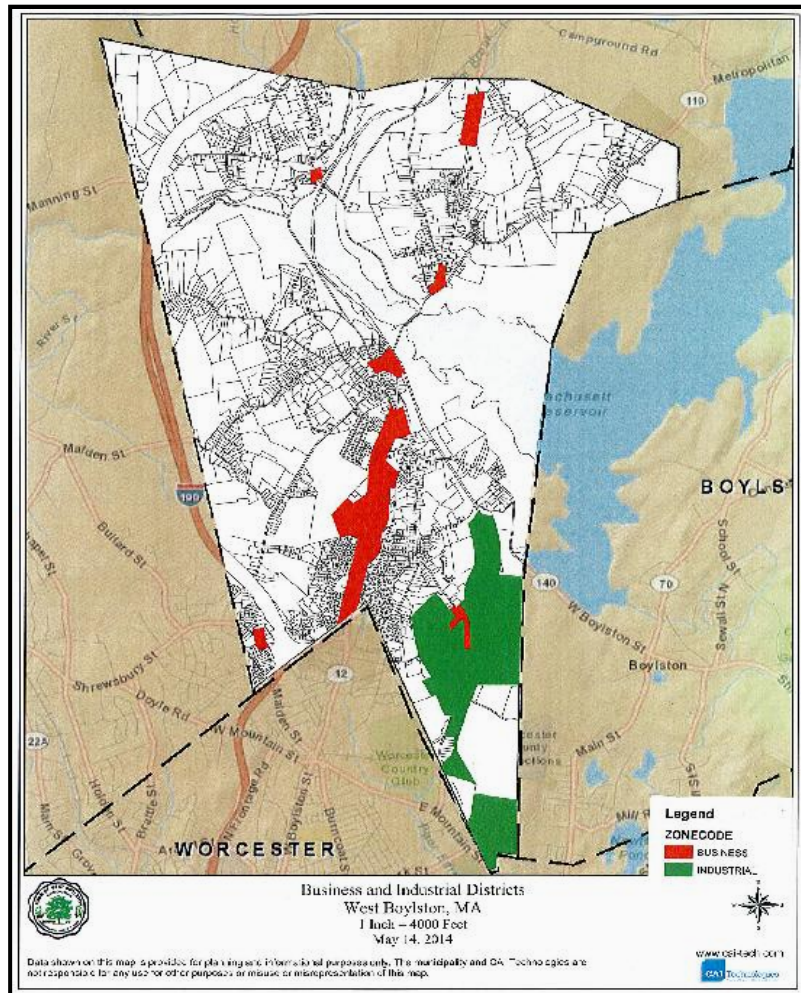
**Slide 4**

**Medical Marijuana Overlay District Allow Medical Marijuana Treatment Centers**

- Business District
- Industrial District

**Slide 5**

Map outlining business and industrial zoning districts



**Slide 6**

**State-Licensed Operations**

- Up to 35 licenses State-wide
- No more than 5 per County
- Two in Worcester County
  - (Worcester and Milford)

**Commentary**

State-licensed RMDs are overseen by the Department of Public Health (DPH). To date, 20 RMDs have been provisionally approved by the State. Currently not aware of any applicants who have requested to site an RMD in West Boylston.

#### **Slide 7**

**Regulated by the Department of Public Health 105 CMR 725.001.**

#### **Commentary**

Regulations of the DPH include an applicant showing that they are compliant with all local zoning bylaws.

#### **Slide 8**

**Special Permit from the Planning Board**

- Requires Public Hearing
- And Mailed Abutter Notices

#### **Slide 9**

**Additional 500' Setback From:**

- Schools
- Child Care Facilities
- Libraries, Playgrounds, and Public Parks/Swimming Pools
- Other places where minors commonly congregate

#### **Slide 10**

May 2013 Town Meeting Moratorium ENDS June 30, 2014

#### **Slide 11**

**If Not Included In Town Zoning?**

- Could be sited anywhere, even a residentially-zoned area.

#### **Commentary**

The proposed bylaw also guarantees a local forum for a public hearing to consider an applicant's request for a special permit.

#### **Slide 12**

**Extensive Submittal Package**

- Compliance with State requirements
- Protect the Town
- Protect Neighborhoods

#### **Commentary**

Extensive submittal package includes consideration of safety, parking, traffic and design and appearance of a proposed RMD.

#### **Slide 13**

**Stringent Approval Conditions**

- Safeguard the Public
- Ensure Responsible Operation

## **Commentary**

Approval conditions for a special permit include hours of operation, incident report requirements, contact information for Zoning Enforcement Officer and Chief of Police in case of an urgent matter. The proposed bylaw represents a balance which includes meeting state requirements while protecting the needs and desires of all town residents.

## **DISCUSSION-**

### **Recommendation-** Planning Board and Bylaws Committee

Donald DeMarsh expressed concern about the Business District located on Central Street since this was an area in which minors congregate. Would this be area be excluded in this bylaw?

Christopher Olson stated that yes, that is one of the criteria in the proposed bylaw under Section 3.12 – 4b (9) Marijuana Treatment Centers may not be located within five hundred feet in which minors commonly congregate.

Christopher Berglund, Finance Cmte. member questioned whether we or the state can impose a tax similar to the hospitality tax on the Marijuana Treatment Centers. Can we as a town tax them?

Leon Gaumond, Jr., Town Administrator stated that there are no provisions and does not think that this type of tax would be forthcoming.

Andrew Beardsley was concerned that the town was on the path of exclusionary zoning, a “not in my neighborhood” sentiment.

Barbara Koppetch stated that she would prefer that medical marijuana be sold in pharmacies not near the elderly complexes such as Hillside Village, Angell Brook and Briarwood. She questioned why Route 12 was not included.

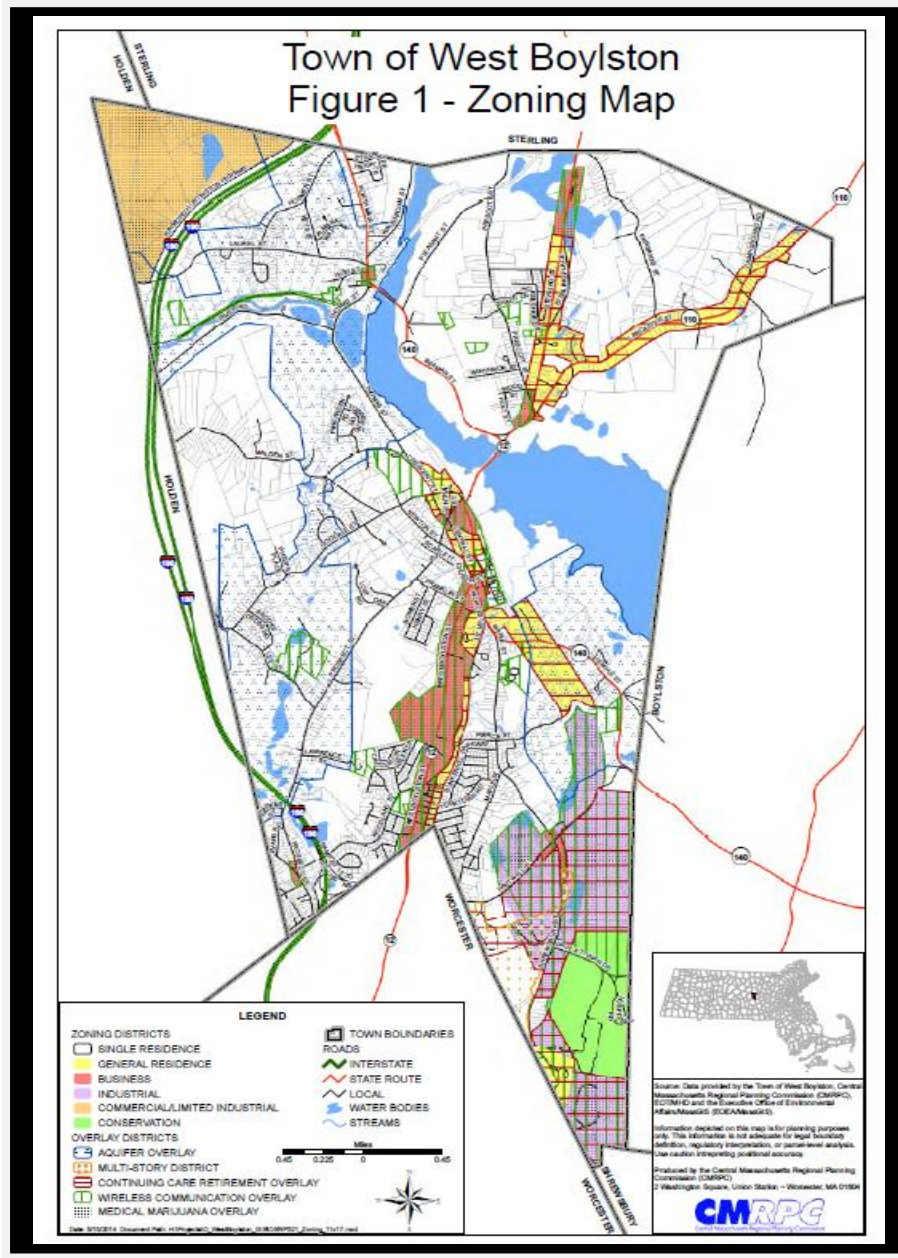
Christopher Olson stated that Rte. 12 was included and that the Business District extended down the Rte. 12 corridor. He then apologized that the map was confusing to her.

Hearing no further discussion, Moderator Meindersma called for a vote.

### **Vote-**

The Moderator declared that a 2/3rds vote was achieved as per G. L. 39 § 15. It was voted to amend the Town’s Zoning Map to include a Medical Marijuana Overlay District in the Business and Industrial Zones;

New Map



AND

To amend Section 3.2.F Business Uses, by adding:

**3.2 F Business Uses**

	SR	GR	B	I	C	CLI
22 Medical Marijuana Treatment Center	N	N	SPR	SPR	N	N

AND

To amend Section 3.2.G Industrial Uses, by adding:

**3.2 G Industrial Uses**

	SR	GR	B	I	C	CLI
12 Medical Marijuana Treatment Center	N	N	SPR	SPR	N	N

AND

By deleting and replacing the current Zoning Bylaw Section 3.12 “Medical Marijuana Treatment Center” with the text that follows:

Section 3.12- Medical Marijuana Treatment Center

1. Establishment: The Medical Marijuana Overlay District (“MMOD”) is established as an overlay district. The boundaries of the MMOD coincide with the boundaries of the Business and Industrial Districts as shown on the Zoning Map on file with the Town Clerk. Within the MMOD, all requirements of the underlying district remains in effect, except where these regulations provide an alternative to such requirements. Land within the MMOD may be used either for (1) a Registered Marijuana Dispensary (“RMD”), in which case the requirements set forth in this section shall apply; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control.
2. Purpose: To provide for the placement of RMDs, in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.
3. Definitions: where not expressly defined in the Zoning Bylaws, terms used in the MMOD Bylaw shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.
  - a. Registered Marijuana Dispensary: also known as a Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.
4. Location
  - a. RMDs may be permitted in the MMOD pursuant to a Special Permit.
  - b. RMDs may not be located within five hundred (500) feet of the following:

- (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
  - (2) Child Care Facility;
  - (3) Library;
  - (4) Playground;
  - (5) Public Park;
  - (6) Youth center;
  - (7) Public swimming pool;
  - (8) Video arcade facility; or
  - (9) Similar facility in which minors commonly congregate.
- c. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified in Section 4.b. to the nearest point of the property line of the proposed RMD.
- d. The distance requirement may be reduced by twenty-five percent or less, but only if:
- (1) The applicant demonstrates that the RMD would otherwise be effectively prohibited within the municipality;
  - (2) The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.
5. Procedure: The Planning Board shall be the Special Permit Granting Authority (SPGA) for a RMD Special Permit.
- a. Application: In addition to the materials required under Section 3.6 Site Plan Review, the applicant shall include:
- (1) A copy of its registration as an RMD from the Massachusetts Department of Public Health (“DPH”);
  - (2) a detailed floor plan of the premises of the proposed RMD that
  - (3) identifies the square footage available and describes the functional areas of the RMD, including areas for any preparation of MIPs;
  - (4) detailed site plans that include the following information:
    - (a) Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this Bylaw;
    - (b) Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic;

- (c) Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;
  - (d) Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for home delivery vehicle(s), as applicable;
  - (e) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
  - (f) Adequacy of water supply, surface and subsurface drainage and light.
- (5) a description of the security measures, including employee security policies, approved by DPH for the RMD;
  - (6) a copy of the emergency procedures approved by DPH for the RMD;
  - (7) a copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the RMD;
  - (8) a copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between RMDs approved by DPH;
  - (9) a copy of proposed waste disposal procedures; and
  - (10) a description of any waivers from DPH regulations issued for the RMD.
- b. The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, the Conservation Commission, the Department of Public Works, Board of Water Commissioners, and the Zoning Board of Appeals. These boards/departments shall review the application and shall submit their written recommendations. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
  - c. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments, the SPGA may act upon such a permit.
6. Special Permit Conditions on RMDs: The SPGA shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RMD, the SPGA shall include the following conditions in any special permit granted under this Bylaw:



- a. Hours of Operation, including dispatch of home deliveries.
  - b. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the SPGA within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
  - c. The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer and SPGA within 48 hours of receipt by the RMD.
  - d. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
  - e. The special permit shall lapse within five (5) years of its issuance. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.
  - f. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
  - g. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
  - h. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.
7. Exemption from RMD Special Permit Requirement: RMDs that demonstrate that they are protected pursuant to the agricultural exemption under G.L. c.40A §3 are not required to obtain a special permit, but shall apply for Site Plan Approval pursuant to Section 3.6 Site Plan Review of the Zoning Bylaw.
  8. Prohibition Against Nuisances: No use shall be allowed in the MMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.
  9. Severability: The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances

shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

**Article 17** – Vote to Consider to accept Chapter 73, Section 4 of the Acts of 1986 as Amended by Chapter 126 of the Acts of 1988

*Motion- Siobhan Bohanson*

*Second- Christopher Rucho*

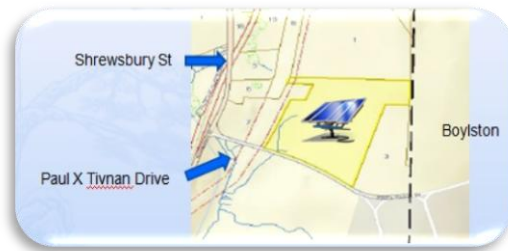
*Recommendation- Finance Cmte., Board of Assessors*

It was unanimously voted to accept Chapter 73, Section 4, of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, for the purpose of increasing the real estate tax exemption under Massachusetts General Laws Chapter 59, Section 5 Clause 41C (also known as the Elderly Exemption) from \$500 to \$1,000 annually.

**Article 18** – Borrego Pilot Agreement

*Motion- Christopher Rucho*  
*Second- John Hadley*  
*Recommendation- Finance Cmte.*

It was unanimously voted to authorize the Board of Selectmen to negotiate and enter into an agreement for payments-in-lieu-of-taxes (“PILOT”) pursuant to Massachusetts General Laws Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, for both real property and personal property associated with a privately owned and operated solar photovoltaic facility to be located on the Town-owned property located on Tivnan Drive, shown on Assessor’s Map 177 as Parcel 2 for a term of up to twenty (20) years on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and to take all actions as may be necessary on behalf of the Town of West Boylston to undertake the purpose of this article.



**Article 19** – Vote to Extend the Sunset Clause on Previously Reauthorized Appropriations

*Motion- Michael Kittredge, Jr.*

*Second- Siobhan Bohanson*

*Recommendation- Finance Cmte., Capital Investment Board*

It was unanimously voted to extend the sunset clause on the following previously approved authorizations;

<b>Town Meeting</b>	<b>Article Number</b>	<b>Amount</b>	<b>Project</b>
May 16, 2011	Article 31	\$130,000	Communications Equipment
May 21, 2012	Article 16	\$ 70,000	Ventilation System (DPW)

from June 30, 2014 to June 30, 2016.

**Article 20** – Appropriate Funds to the Unemployment Trust

*Motion- John Hadley*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte.*

It was unanimously voted to transfer the sum of \$13,000 from the unemployment line item 010-09-13-05170.000 to the Unemployment Trust.

**Article 21** – Appropriate Funds for New Accounting Software Package

*Motion- Kevin McCormick*

*Second- Christopher Rucho*

*Recommendation- Finance Cmte., Capital Investment Board*

It was unanimously voted to transfer the sum of \$80,000 of available funds voted at ATM 10/17/11 Article #4 for the Major Edwards Green Window Repair Project to fund the purchase of new financial software.

**Article 22** – Authorization to Appropriate Funds to the Stabilization Fund

**PASSED OVER**

*Motion- Siobhan Bohanson*

*Second- John Hadley*

*Recommendation-*

It was unanimously voted to PASS OVER Article 22. This article would have voted to raise and appropriate or transfer from available funds a sum of money to the Stabilization Fund.

**Article 23** – Authorization to Appropriate Funds to the Capital Investment Fund

**PASSED OVER**

*Motion- Christopher Rucho*

*Second- Michael Kittredge, Jr.*

It was unanimously voted to PASS OVER Article 23. This article would have voted vote to raise and appropriate or transfer from available funds a sum of money to the Capital Investment Fund.

Kevin McCormick, Board of Selectmen Chair, thanked everyone for coming and taking care of town's business.

Motion to dismiss meeting Kevin McCormick, second Michael Kittredge, Jr.. Unanimously voted.  
Meeting dismissed at 8:35 p.m.

Attest

Kim D Hopewell  
Town Clerk