
June 15, 2020 - ANNUAL TOWN MEETING

ANTICIPATED MOTIONS

**Articles listed on the Consent Agenda are considered to be routine and will be acted on using an expedited procedure. Questions or concerns from the floor regarding any Consent Agenda article will result in that article's removal from the Consent Agenda for action under regular procedures.*

Consent Agenda (articles marked *)

MOTION [BUNNELL] [*Consent Agenda*]: Move that the Town accept and approve the following motions as presented in the anticipated motions handout. Articles *1,2,4,8,9,10,11,12,13,16,17,18,19,23,41,42,and 43.

***ARTICLE 1. Choosing miscellaneous officials (consent agenda).** To choose one Poundkeeper; two Surveyors of Lumber; two Measurers of Wood and Charcoal; two Field Drivers; two Weighers of Grain; all for a term of one year.

MOTION [*Consent Agenda*]: Move that the following persons be elected to the indicated offices for the ensuing year: Poundkeeper, Ricky Seldomridge; Measurer of Wood and Charcoal, Gary Petzold; Measurer of Wood and Charcoal, Susan Petzold; Surveyor of Lumber, Edward P. Lindsay.

***ARTICLE 2. Hearing reports (consent agenda).** To hear and act on reports of all officers and committees whose duties require them to report to said meeting.

MOTION [*Consent Agenda*]: Move that the town accept the reports of all officers and committees as printed in the Annual Town Report.

ARTICLE 3. Funding Transfers FY 2020. MOVE NO ACTION To see if the Town will vote to transfer sums of money previously appropriated but unexpended from certain FY 2020 budgets for the purpose of funding certain FY 2020 budgets which are insufficient to meet needed expenditure levels for the balance of the fiscal year, pursuant to Section 33B of Chapter 44 of the Massachusetts General Laws, or take any other action relative thereto. **MOVE NO ACTION**

Finance Committee Recommendation: To be made at Town Meeting.

MOTION [BUNNELL]: MOVE NO ACTION

~~Pursuant to Section 33B of Chapter 44 of the General Laws, move to transfer the sum of \$,000 from previously appropriated but unexpended funds in the following FY'2020 budgets:~~

~~# and to place such funds in the following amounts in the following FY'2020 budgets:~~

***ARTICLE 4. Ambulance Fund Transfer (consent agenda). MOVE NO ACTION** To see if the Town will vote to appropriate \$,000 from Receipts Reserved for Appropriation for Ambulance to the FY'20 Ambulance Budget for the purpose of covering operating expenses, or take any other action relative thereto. **MOVE NO ACTION**

MOTION [*Consent Agenda*]: MOVE NO ACTION:

~~Move to appropriate \$,000 from Receipts reserved for Appropriation for Ambulance to the FY'2020 Ambulance Budget to cover operating expenses.~~

Finance Committee Recommendation: To be made at Town Meeting.

ARTICLE 5. Parliamentary procedures. To see if the Town shall adopt special parliamentary procedures for the purpose of implementing the provisions of Chapter 580 of the Acts of 1980 (Proposition 2½) as amended, and as set forth in a document entitled "Article 5, Exhibit A," on file with the Town Clerk, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move that the Town adopt special parliamentary procedures for the purpose of implementing the provisions of Chapter 580 of the Acts of 1980 (Proposition 2½), as amended, and as set forth in a document entitled "Article 5, Exhibit A," on file with the Town Clerk.

ARTICLE 6. Compensation for elected Town officials. To see if the Town will vote to fix the compensation for all elected Town Officers for the fiscal year beginning July 1, 2020 and ending June 30, 2021, or take any other action relative thereto.

Finance Committee Recommendation: To be made at Town Meeting.

MOTION [BUNNELL]: Move to fix the compensation for elected Town Officers for fiscal year July 1, 2020 to June 30, 2021, as follows: Assessors, \$3,631 per year, chairman, \$4,007 per year; Town Clerk, \$80,042 per year (all fees revert to the Town treasury); Moderator, \$200 Annual Town Meeting, \$50 Special Town Meeting; Selectmen, \$5,255 per year, chairman \$6,130 per year; Water Commissioners, \$150 per year; Cemetery Commissioners, no salary; Library Trustees, no salary; Planning Board Members, no salary; Poundkeeper, Field Drivers, Weighers of Grain, Surveyors of Lumber, Measurers of Wood and Charcoal; all other Town officers elected other than by official ballot, fees only, fixed by General Laws.

ARTICLE 7. Budget Appropriations. To hear and act on the report of the Finance Committee together with the appropriations recommended by them; and to raise such sums of money as may be deemed necessary for defraying the expenses of the Town for the ensuing fiscal year and appropriate the same and vote how the same shall be raised or provided for; or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of the FY 2021 Annual Budget in the Amounts Listed in the Proposed Appropriations Budget.

MOTION [BUNNELL]: Move to accept the report of the Finance Committee and vote to raise and appropriate (\$44,302,519,) and appropriate from Free Cash \$103,552 to cover the necessary capital expenditures and operating expenses of the Town for Fiscal Year 2021 (July 1, 2020 to June 30, 2021) per appropriations listed separately in the Town Meeting Workbook and incorporated herein by reference, with the exception of those budgets and expenditures which will be voted on separately in subsequent Articles.

***ARTICLE 8. Water Enterprise Fund Budget.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Enterprise Fund, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the following sums be appropriated for the Water Enterprise Fund: Salaries, \$459,265; Expenses, \$1,348,524, and that \$1,807,789 be raised as follows: \$1,807,789 from Water Department receipts for Fiscal Year 2021 expenses.

***ARTICLE 9. Water Enterprise Fund Reserve Fund (consent agenda).** To see if the Town will vote to appropriate from water receipts the sum of \$50,000.00 or any other sum, for a Fiscal Year 2021 Reserve Fund under the Water Enterprise Fund, determine how this appropriation should be provided for, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to appropriate from water receipts the sum of \$50,000 for a Fiscal Year 2021 Reserve Fund.

***ARTICLE 10. Wastewater Enterprise Fund Budget.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Wastewater Enterprise Fund, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the following sums be appropriated for the Wastewater Enterprise Fund: Salaries, \$266,934; Expenses, \$917,999, and that \$1,184,933 be raised as follows: \$1,057,373 from Wastewater Department receipts, \$21,560 from retained earnings and *fund balance reserved for future debt \$106,000*) for Fiscal Year 2021 expenses.

***ARTICLE 11. Wastewater Enterprise Fund Reserve Fund (consent agenda).** To see if the Town will vote to appropriate from wastewater receipts the sum of \$60,000.00 or any other sum, for a Fiscal Year 2021 Reserve Fund under the Wastewater Enterprise Fund, determine how this appropriation should be provided for, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to appropriate from wastewater receipts the sum of \$60,000 for a Fiscal Year 2021 Reserve Fund.

***ARTICLE 12. Solid Waste Enterprise Fund Budget (consent agenda).** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste Enterprise Fund, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the following sums be appropriated for the Solid Waste Enterprise Fund: Salaries, \$133,175; Expenses, \$236,965, and that \$370,140 be raised as follows: \$337,918 from Solid Waste Enterprise Fund receipts, and \$32,222 from retained earnings for Fiscal Year 2021 expenses.

***ARTICLE 13. Solid Waste Enterprise Fund Reserve Fund (consent agenda).** To see if the Town will vote to appropriate from solid waste receipts the sum of \$4,000.00 or any other sum, for a Fiscal Year 2021 Reserve Fund under the Solid Waste Enterprise Fund, determine how this appropriation should be provided for, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to appropriate from Solid Waste Enterprise Fund receipts the sum of \$4,000 for a Fiscal Year 2021 Reserve Fund.

ARTICLE 14. Capital Projects from Free Cash. To see if the Town will vote to appropriate or transfer from available funds (Free Cash (2019)) a sum of money, \$380,280, to fund the following Projects in Fiscal Year 2020; or take any other action relative thereto.

DEPARTMENT	PROJECT	AMOUNT
Police Department	Watch Guard – Cameras (9)	\$57,780
I.T. Department	Replace Fiber Line for Town Hall Connection	\$30,000
Historical Commission	Property Plaques and Signs	\$2,500
Fire Department	Rescue Air Bags	\$9,000
Fire Department	Autoloader for Ambulance (Contingent on Grant)	\$10,000
Wilbraham Fiber	Broadband Study Plan	\$15,000
Recreation Department	Lawnmower	\$15,000
DPW (Highway Div)	Chipper	\$38,000
Facility Maintenance	Various Town Building Projects (See List)	\$100,000
Selectmen	Non-Bargaining Compensation Study	\$25,000
Tree Warden	Tree Removal Program	\$78,000

Explanation: This Article would fund capital projects from free cash instead of issuing debt to pay for these projects. This saves the town an estimated \$ 62,700 in interest costs over the life of a Bond.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move that the Town vote to appropriate from available funds (Free Cash (2019)), \$380,280 to fund the following Projects in Fiscal Year 2020:

DEPARTMENT	PROJECT	AMOUNT
Police Department	Watch Guard – Cameras (9)	\$57,780
I.T. Department	Replace Fiber Line for Town Hall Connection	\$30,000
Historical Commission	Property Plaques and Signs	\$2,500
Fire Department	Rescue Air Bags	\$9,000
Fire Department	Autoloader for Ambulance (Contingent on Grant)	\$10,000
Wilbraham Fiber	Broadband Study Plan	\$15,000
Recreation Department	Lawnmower	\$15,000
DPW (Highway Div)	Chipper	\$38,000
Facility Maintenance	Various Town Building Projects (See List)	\$100,000
Selectmen	Non-Bargaining Compensation Study	\$25,000
Tree Warden	Tree Removal Program	\$78,000

ARTICLE 15. Appropriation for Capital Outlays. To see if the Town will vote to appropriate a sum of money, by borrowing, transfer from available funds, or otherwise, for the following purposes in accordance with Section 7(1) of Chapter 44 of the Massachusetts General Laws: the acquisition of interests in land or the acquisition of assets, or for the following projects: the landscaping, alteration, remediation, rehabilitation or improvement of public land, the dredging, improvement, restoration, preservation or remediation of public waterways, lakes or ponds, the construction, reconstruction, rehabilitation, improvement, alteration, remodeling, enlargement, demolition, removal or extraordinary repair of public buildings, facilities, assets, works or infrastructure, including: (i) the cost of original equipment and furnishings of the buildings, facilities, assets, works or infrastructure; (ii) damages under chapter 79 resulting from any such acquisition or project; and (iii) the cost of engineering, architectural or other services for feasibility studies, plans or specifications as part of any acquisition or project; provided that the interest in land, asset acquired or project shall have a useful life of at least 5 years; and provided further, that the period of any borrowing shall not exceed the useful life of the interest in land, asset acquired or project financed with proceeds of any such borrowing. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any other action relative thereto. (2/3rd Vote.)

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Appropriation for capital outlays. Move that the Town appropriates \$ 275,000 to pay costs of the following capital outlay items:

Public Buildings	DPW GARAGE	\$ 200,000
Equipment	WMS ROOFTOP HVAC UNIT	\$ 75,000

including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$275,000 in accordance with Chapter 44 of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. (2/3rd Vote.)

***ARTICLE 16. Receipts reserved for appropriation for ambulance (consent agenda).** To see if the Town will vote to appropriate a sum of money [\$868,123] from Receipts Reserved for Appropriation for Ambulance to Ambulance personal services, operating and capital costs, pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*Consent Agenda*]: Move to appropriate \$868,123 from Receipts Reserved for Appropriation for Ambulance to Ambulance personal services, operating and capital costs, pursuant to Section 5 of Chapter 40 of the General Laws.

***ARTICLE 17. Appropriations for Ambulance Depreciation Account (consent agenda).** To see if the Town will vote to appropriate a sum of money [\$115,000] from Receipts Reserved for Appropriation for Ambulance to be held in a depreciation account for vehicle and equipment replacement pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws; or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*Consent Agenda*]: Move to appropriate \$115,000 from Receipts Reserved for Appropriation for Ambulance to be held in a depreciation account for vehicle and equipment replacement pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws.

***ARTICLE 18. Receipts reserved for appropriation for cemeteries (consent agenda).** To see if the Town will vote to appropriate a sum of money [\$20,000] from Receipts Reserved for Appropriation for Cemeteries to Cemetery Expenses, pursuant to Section 5 of Chapter 40 and Section 16 of Chapter 114 of the Massachusetts General Laws, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*Consent Agenda*]: Move to appropriate \$20,000 from Receipts Reserved for Appropriation for Cemeteries to Cemetery operating expenses, pursuant to Section 5 of Chapter 40 and Section 16 of Chapter 114 of the General Laws.

***ARTICLE 19. Receipts reserved for appropriation for Wilbraham Public Access Television (consent agenda).** To see if the Town will vote to appropriate a sum of money [\$165,465] from the PEG Access and Cable Related Fund for Appropriation for Wilbraham Public Access Television, pursuant to Section 53F ¾ of Chapter 44 of the Massachusetts General Laws, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*Consent Agenda*]: Move to appropriate \$165,465 from the PEG Access and Cable Related Fund for Appropriation for Wilbraham Public Access Television, pursuant to Section 53F ¾ of Chapter 44 of the Massachusetts General Laws.

ARTICLE 20. Reserve Fund. To see if the Town will vote to raise and appropriate, transfer from available funds (free cash), transfer from Overlay Surplus, or otherwise fund, a sum of money for a Fiscal Year 2021 Reserve Fund, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*BOILARD*]: Move to raise and appropriate \$300,000 for a Fiscal Year 2021 Reserve Fund.

ARTICLE 21. Special Appropriation for road repaving and preservation. To see if the Town will vote to raise and appropriate, transfer from the Stabilization Fund, or transfer from available funds (free cash), \$150,000 to repave, resurface and/or crack seal public ways, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [*BOILARD*]: Move to raise and appropriate \$150,000 to repave, resurface and/or crack seal public ways.

ARTICLE 22. Other Post-Employment Benefits Liability Trust Fund. To see if the Town will vote to raise and appropriate or transfer from the following available funds (free cash, water receipts, wastewater receipts, solid waste receipts, receipts reserved for appropriation for ambulance) a sum of money to be placed into the Other Post-Employment Benefits Liability Trust Fund, established under the provisions of Massachusetts General Laws Chapter 32B, Section 20, or take any other action relative thereto.

Fund	Source	Amount
General Fund	raise and appropriate	\$ 450,000
Water Enterprise Fund	water receipts	\$ 15,521
Wastewater Enterprise Fund	wastewater receipts	\$ 4,957
Solid Waste Enterprise Fund	solid waste receipts	\$ 2,194
Receipts Reserved for Appropriation for Ambulance	receipts reserved for appropriation for ambulance	\$ 4,528

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move that the town vote to raise and appropriate or transfer from the following available funds (free cash, water receipts, wastewater receipts, solid waste receipts, receipts reserved for appropriation for ambulance) a sum of money to be placed into the Other Post-Employment Benefits Liability Trust Fund, established under the provisions of Massachusetts General Laws Chapter 32B, Section 20,

FUND	SOURCE	AMOUNT
General Fund	Raise and appropriate	\$450,000
Water Enterprise Fund	Water receipts	\$15,521
Wastewater Enterprise Fund	Wastewater receipts	\$4,957
Solid Waste Enterprise Fund	Solid waste receipts	\$2,194
Receipts Reserved for Appropriation for Ambulance	Receipts reserved for appropriation for ambulance	\$4,528

***ARTICLE 23. Municipal Building Insurance Fund (consent agenda).** To see if the Town will vote to raise and appropriate, or transfer from available funds (free cash), a sum of money to be placed in the Building Insurance fund, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move to raise and appropriate \$1,000 for the Municipal Building Insurance Fund.

ARTICLE 24. Stabilization Fund. To see if the Town will vote to raise and appropriate, transfer from overlay surplus (certified as excess by the Board of Assessors pursuant to Section 25 of Chapter 59 of the Massachusetts General Laws), or transfer from other available funds (free cash), a sum of money to be added to the Stabilization Fund and an additional sum of money to be added to the Capital Stabilization Fund, both in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws, or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to transfer \$100,000 from Free Cash to be added to the Stabilization Fund and to transfer \$1,125,000 from free cash to be added to the Capital Stabilization Fund, both in accordance with Section 5B of Chapter 40 of the Massachusetts General Law.

ARTICLE 25. Water Enterprise Retained Earnings. To see if the Town will vote appropriate \$210,972 from the Water Enterprise Retained Earnings account to fund a new water valve (\$25,000), a new water truck (\$100,000), the Water Department’s share of a new DPW building (\$50,000) and an inspection of the water tank (\$35,972); or take any other action relative thereto.

Explanation: This funding is for various improvements and equipment replacement.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article

MOTION [BUNNELL]: Move to appropriate \$210,972 from the Water Enterprise Retained Earnings account to fund a new water valve (\$25,000), a new water truck (\$100,000), the Water Department’s share of a new DPW building (\$50,000) and an inspection of the water tank (\$35,972).

ARTICLE 26. Waste Water Enterprise Retained Earnings. To see if the Town will vote appropriate \$ 50,000 from the Waste Water Enterprise Fund Retained Earnings account to fund the Waste Water Department’s share of a new DPW building ((\$50,000) or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to appropriate \$50,000 from the Waste Water Enterprise Fund Retained Earnings account to fund the Waste Water Department’s share of a new DPW building (\$50,000).

ARTICLE 27. Zoning By-Law Amendment – First Floor (Street Level) Use Regulations for Mixed Use Buildings: To see if the Town will vote to amend the Wilbraham Zoning By-Law by deleting existing Section 6.4.3(C) in its entirety and substituting therefore a new Section 6.4.3(C) to read as follows:

“The first floor (street level) of the Mixed Use Building shall be occupied for commercial use only and shall be limited to the commercial uses specifically authorized in the applicable zoning district by site plan approval or special permit pursuant to section 3.4.5 of the Zoning By-Law, and said commercial uses shall be subject to separate approval by the appropriate permit granting authority in accordance with the requirements of this Zoning By-Law. Dwelling units shall not occupy the first floor of the mixed use commercial building.”

or take any other action relative thereto.

Explanation: This article seeks to amend Section 6.4.3(C) of the Zoning By-Law by improving the clarity of the existing commercial use regulations that apply to the first floor of a Mixed Use Building.

Planning Board Recommendation: Planning Board Recommends Approval of this Article

MOTION [BUNNELL]: Move to amend the Wilbraham Zoning By-Law by deleting existing Section 6.4.3(C) in its entirety and substituting therefore a new Section 6.4.3(C) to read as follows:

“The first floor (street level) of the Mixed Use Building shall be occupied for commercial use only and shall be limited to the commercial uses specifically authorized in the applicable zoning district by site plan approval or special permit pursuant to section 3.4.5 of the Zoning By-Law, and said commercial uses shall be subject to separate approval by the appropriate permit granting authority in accordance with the requirements of this Zoning By-Law. Dwelling units shall not occupy the first floor of the mixed use commercial building.”

ARTICLE 28. Zoning By-Law Amendment - Decommissioning or Abandonment Regulations for Large-Scale Ground-Mounted Solar Energy Systems: To see if the Town will vote to amend the Wilbraham Zoning By-Law by revising the last sentence in section 10.7.12(B) to read as follows:

“The cost for the removal will be drawn from the performance surety provided by the applicant or charged to the property owner in accordance with the provisions of M.G.L. chapter 139, section 3A as a tax lien on the property and said costs will constitute liens for purposes of M.G.L. chapter 40, section 58.”

or take any other action relative thereto.

Explanation: This article seeks to amend Section 10.7.12(B) of the Zoning By-Law by clarifying that any cost incurred by the Town in decommissioning a Large-Scale Ground-Mounted Solar Energy System pursuant to M.G.L. chapter 139 section 3A shall be considered a lien under the municipal charges lien statute (M.G.L. chapter 40 section 58).

Planning Board Recommendation: Planning Board Recommends Approval of this Article

MOTION [BUNNELL]: Move to amend the Wilbraham Zoning By-Law by revising the last sentence in section 10.7.12(B) to read as follows:

“The cost for the removal will be drawn from the performance surety provided by the applicant or charged to the property owner in accordance with the provisions of M.G.L. chapter 139, section 3A as a tax lien on the property and said costs will constitute liens for purposes of M.G.L. chapter 40, section 58.”

ARTICLE 29. Acceptance of Public Ways. To see if the Town will vote to accept Julia Way and Willowbrook Lane as a public way pursuant to a layout filed by the Board of Selectmen with the Town Clerk, or take any other action relative thereto.

Explanation: Roads must be designated as “public ways” by Town Meeting in order for the town to accept full responsibility for their maintenance, and they must meet certain criteria to be accepted as “public ways.” Through this article the Town formally accepts as “public ways” roads that qualify for that designation.

MOTION [BOILARD]: Move to accept Julia Way and Willowbrook Lane as a public ways pursuant to a layout filed by the Board of Selectmen with the Town Clerk.

ARTICLE 30. Acceptance of Deeds. To see if the Town will vote to accept such deeds and grants of interests in land to the Town recorded at the Hampden County Registry of Deeds or the Hampden County Land Registration Office since the date of the last Annual Town Meeting as filed by the Board of Selectmen with the Town Clerk as “Article 30, Exhibit A”, or take any other action relative thereto.

Explanation: Under this Article Town Meeting votes to accept certain interests in land that have been deeded or granted to the Town since the last Annual Town Meeting.

MOTION [BOILARD]: Move No Action.

ARTICLE 31. Community Preservation Program Budget. To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative costs, community preservation projects and other expenses in fiscal year 2021, with each item to be considered a separate appropriation; or take any other action relative thereto.

APPROPRIATIONS	
FY 2021 estimated revenues for Administrative Costs	\$7,500
RESERVES:	
FY 2021 estimated revenues for Historic Preservation Reserves	\$45,206
FY 2021 estimated revenues for Community Housing Reserves	\$45,206
FY 2021 estimated revenues for Open Space Reserves	\$45,206
FY 2021 estimated revenues for Non-Committed Reserves	\$316,444
FY 2021 estimated total of revenue in Reserves	\$452,062
Estimated new surcharge collections for FY 2021	407,267
Estimated State Match for FY 2021	\$44,799
FY 2021 estimated total	\$452,062

Explanation: The Article provides funding to the local Community Preservation Committee for Administrative costs up to \$7,500.00 from the Non-Committed category and must be voted upon annually. Additionally, the Community Preservation Act (CPA) requires Town Meeting to appropriate or reserve for future appropriation at least ten percent (10%) of the estimated annual CPA revenue for acquisition and initiatives for each of the following categories: Open Space 10%, Community Housing 10% and Historic Preservation 10%. The balance of 70% shall be appropriated to the Non-Committed category, from which additional funds may be awarded to Open Space, Housing, Historic and Recreation projects. Approval of this Article is intended to satisfy the requirement for Fiscal Year 2021. Currently the Department of Revenue FY2020 State Matching share is estimated at 11% of our estimated current year’s local revenues; Local Surcharge \$407,267 and State matching share at 11% is \$44,799.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative costs, community preservation projects and other expenses in fiscal year 2021, as printed in Article 31 of this Warrant, with each item to be considered a separate appropriation.

ARTICLE 32. CPA Project for Preservation of Town Record Books. To see if the Town will vote to transfer \$47,243.00 from the Community Preservation Fund Historical category for a CPA Project to preserve Town record books kept in custody of the Town Clerk; or take any other action relative thereto.

Explanation: This article would provide funding for the continued restoration and preservation of Town’s critical records of present and past Wilbraham citizens, important Town original Board of Selectmen documents, voting records, mortgage and war service records that could not be replaced and are held under supervision of the Town Clerk.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to transfer \$47,243 from the Community Preservation Historic Preservation Fund for a Community Preservation Project for the preservation of town record books in the custody of the Town Clerk.

ARTICLE 33. Restoration of Adams Cemetery Grave Stone Markers. To see if the Town will vote to transfer \$3,600 from the FY2021 Community Preservation Historic category to provide funding for repair and re-installation of seven gravestone markers in the older section of Adams Cemetery, or take any other action relative thereto.

Explanation: Some tablets are fractured, requiring repair of multiple broken segments then reattachment to their base for final re-installation on site or take other action relative to the restoration.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to transfer \$3,600 from the FY2021 Community Preservation Historic category to provide funding for repair and re-installation of seven gravestone markers in the older section of Adams Cemetery.

ARTICLE 34. Restoration of East Wilbraham Cemetery Grave Stone Markers. To see if the Town will vote to transfer \$8,525 from the FY2021 Community Preservation Historic category to provide funding to remove, repair, restore and re-installation of sixteen gravestone markers in East Wilbraham Cemetery, or take any other action relative thereto.

Explanation: Headstones are fractured or damaged by freezing weather or lawnmower hits and require reattachment to their base before re-installation or take other action relative to the restoration.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to transfer \$8,525 from the FY2021 Community Preservation Historic category to provide funding to remove, repair, restore and re-installation of sixteen gravestone markers in East Wilbraham Cemetery.

ARTICLE 35. Spec Pond Recreation Support Storage Building, Supplemental Funding Application. To see if the Town will vote to transfer \$250,000 from FY2021 Community Preservation Non-Committed category as supplemental funding for construction of a 3,000 SF pre-engineered Butler metal building on the east side of Spec Pond Complex, or take any other action relative thereto.

Explanation: A similar Application, Warrant Article #41, was approved at ATM May 13, 2019, for \$250,000 from the CPA Non-Committed category, plus Friends of Recreation pledged \$15,000 to this project last year. However, no bidding action was taken to first determine if the DPW new building construction bids were going to be affordable. The high value of Recreation Department's machines, playing field equipment and supplies to be stored in this Spec Pond Recreation building has introduced fire alarm and suppression systems, hydrant, modified floor design for drainage, septic holding system and professional recommendations of Architect Roy Brown that were not in last year's plan. If FY2021 Application is approved by Town Meeting for an additional \$250,000 from CPA funds, along with \$7,000 pledged from Friends of Recreation, combined total from both years would be \$500,000 from CPA funds and \$22,000 from Friends of Recreation.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to transfer \$250,000 from FY2021 Community Preservation Non-Committed category as supplemental funding for construction of a 3,000 SF pre-engineered Butler metal building on the east side of Spec Pond Complex.

ARTICLE 36. Atheneum Society of Wilbraham, renovate Old Meeting House front entry at 450 Main Street for compliance with handicapped entrance to a public building. To see if the Town will vote to transfer \$19,249 from the Community Preservation FY2021 Historic category and \$128,504 from the CPA Non-Committed category, total of \$147,753 for restoration of the 450 Main St entry of a historic building to comply with Massachusetts Handicap Access regulations to a public building, without altering the building or its colonial appearance, or take any other action relative thereto.

Explanation: Recommendations made by current and past Wilbraham ADA officers. From a paved parking area on the north side of the building, inside the present hedge, construct a 4.9% gradual inclined ramp using brick paver blocks which will rise across the front of the property to the south border, then left U-turn back, rising not more than 4.9% grade to the center entry door, level with the first floor interior. Landing area with handrails both sides connected to conventional front steps down to the public sidewalk and curbside drop off area.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to transfer \$19,249 from the Community Preservation FY2021 Historic category and \$128,504 from the CPA Non-Committed category, total of \$147,753 for restoration of the 450 Main St entry of a historic building to comply with Massachusetts Handicap Access regulations to a public building, without altering the building or its colonial appearance.

ARTICLE 37. Community Gardens Well shelter and Gardener's Storage Shed. To see if the Town will vote to transfer \$15,000 from the FY2021 CPA Non-Committed category for construction of two small accessory buildings on the Community Gardens campus on Monson Rd, or take any other action relative thereto.

Explanation: A 12'x14' secure shed for storage of gardeners tools, wheel barrows and planting supplies to be kept on site during the growing season. The new building would be secured to the existing foundation to comply with building code. The smaller, weather-tight well shed, approximately 10'x10' will be attached to a new foundation to protect the well, pump, plumbing and wiring originally funded by CPA in 2008. The original shelter has deteriorated and no longer protects the wiring and piping from winter weather damage, vandalism or theft.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to transfer \$15,000 from the FY2021 CPA Non-Committed category for construction of two small accessory buildings on the Community Gardens campus on Monson Rd.

ARTICLE 38. Gleason Land purchase for Conservation Restriction. To see if the Town will vote to appropriate \$47,043 from the FY2021 CPA Open Space category and \$172,957 from Non-Committed category, totaling \$220,000 from CPA funds to pay the costs of acquiring, by negotiated purchase, the 71.47 acre Gleason Family property of forest land between Bellows Rd. and Springfield St. to be managed and controlled by the Conservation Commission of the Town of Wilbraham in accordance with M.G.L. c. 40, Section 8C for conservation and passive recreation purposes; and to authorize the Board of Selectmen and the Conservation Commission, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction to the Minnechaug Land Trust or other nonprofit organization qualified and willing to hold such a restriction in accordance with M.G.L. c. 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town of Wilbraham to affect said purchase, or take any other action relative thereto. (2/3rd Vote)

Explanation: The Gleason family has owned this parcel since 1945 and now would like to sell the land to the Town for Permanent Conservation purposes. The parcel is ideally located in a central corridor of established hiking trails. Going westerly the trail connects to Woodland Park Conservation Area in Springfield. Easterly, existing hiking trails on the property allow access to Wilton, Inwood, Westwood Drives and Victoria Lane in Wilbraham. A segment of the Mill River crosses the property with associated wetland habitat, flood plain, forested upland and two vernal pools on the property. Estimated total project cost is \$261,000. CPA funds would pay \$220,000, Minnechaug Land Trust has committed \$26,000 toward the purchase and Wilbraham Conservation Commission has committed \$15,000 for this purchase. Wilbraham Conservation Commission and Open Space Committee with Land Trust and Hiking Club volunteers will patrol and monitor the trail network, vernal pools and surrounding wetlands.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BUNNELL]: Move to appropriate \$47,043 from the FY2021 CPA Open Space category and \$172,957 from Non-Committed category, totaling \$220,000 from CPA funds to pay the costs of acquiring, by negotiated purchase, the 71.47 acre Gleason Family property of forest land between Bellows Rd. and Springfield St. to be managed and controlled by the Conservation Commission of the Town of Wilbraham in accordance with M.G.L. c. 40, Section 8C for conservation and passive recreation purposes; and to authorize the Board of Selectmen and the Conservation Commission, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction to the Minnechaug Land Trust or other nonprofit organization qualified and willing to hold such a restriction in accordance with M.G.L. c. 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town of Wilbraham to affect said purchase. (2/3rd Vote)

ARTICLE 39. Twelve Mile Brook Foot Bridge, Supplemental Funding Application. To see if the Town will vote to transfer \$14,500 from FY2021 Community Preservation Non-Committed category for additional funding to construct a new light weight, Fiberglass Reinforced Polymer pedestrian foot bridge over 12 Mile Brook, or take any other action relative thereto.

Explanation: A similar Application, Warrant Article # 40 was approved at last year's Annual Town meeting May 13, 2019, funding \$25,000 from CPA to construct a 36' long pedestrian FRP footbridge over Twelve Mile Brook. Since that approval the bridge abutment locations on the stream embankment have been investigated and must now be reinforced, stabilized and moved back from the stream to comply with Massachusetts Wetlands brook embankment regulations. Moving the bridge abutments further back from the stream edge will require a longer span footbridge than originally planned. The bridge crossing is located at the base of a steep hiking trail, therefore the bridge kit of fiberglass reinforced polymer components, handrails and pressure treated wood decking must be carried

from the Crane Hill Rd parking lot through the forest, down to the Brook, as a kit in pieces then assembled by hand on site. Combination of last year's award with FY2021 supplemental proposal would total \$39,500 from CPA funds

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to transfer \$14,500 from FY2021 Community Preservation Non-Committed category for additional funding to construct a new light weight, Fibreglas Reinforced Polymer pedestrian foot bridge over 12 Mile Brook.

ARTICLE 40. Open Space Trail Identification Signs. To see if the Town will vote to transfer \$2,700 from FY 2021 Community Preservation Non-committed category for design and production of ten hanging signs and several post mounted signs for identification of Wilbraham Conservation Land and Open Space hiking trails, Community Gardens and 12 Mile Brook conservation land, or take any other action relative thereto.

Explanation: Several of the Town Owned conservation areas with hiking trails are unmarked, both on the abutting paved road connecting to the parking area and the interior hiking trails that connect to adjacent Town owned conservation acreage. The goal is to develop a recognized Wilbraham logo on signs of similar appearance that will identify these locations and trails as Conservation Land, open to the public. Open Space and Conservation areas to be identified: McDonalds Preserve, Crane Hill Disc Golf, Twelve Mile Brook, Oakland Trailwalk, Rice Nature Preserve, Thayer Brook Easytrail, Community Gardens, White Cedar Swamp, Mount Marcy and Sawmill Trailwalk. All signs will comply with Town regulations.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to transfer \$2,700 from FY 2021 Community Preservation Non-committed category for design and production of ten hanging signs and several post mounted signs for identification of Wilbraham Conservation Land and Open Space hiking trails, Community Gardens and 12 Mile Brook conservation land.

***ARTICLE 41. Authorization to Dispose of Surplus Equipment (consent agenda).** To see if the Town will authorize the Board of Selectmen on behalf of the Town to sell, transfer or otherwise dispose of damaged, obsolete or unneeded tangible personal property or equipment owned by the Town; or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to authorize the Board of Selectmen on behalf of the Town to sell, transfer, or otherwise dispose of damaged, obsolete, or unneeded tangible personal property or equipment owned by the Town.

***ARTICLE 42. Departmental Revolving Funds (consent agenda).** To see if the town will vote to fix the maximum amount that may be spent during Fiscal year FY2021 beginning on July 1, 2020 for the revolving funds established in Town By-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E ½, the Town of Wilbraham shall authorize the following Revolving Funds:

Revolving Fund	Department, Committee, Board, Agency or Officer	FY 2021 Spending Limit
Council on Aging	Director of Council on Aging	\$20,000
Compost Bins	Director of Public Works	\$5,000
Cemetery	Cemetery Commission	\$20,000
Community Garden	Conservation Commission	\$6,000

;or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to fix the maximum amount that may be spent during Fiscal year FY2021 beginning on July 1, 2020 for the revolving funds established in Town By-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E ½, the Town of Wilbraham shall authorize the following Revolving Funds: Council on Aging, \$20,000; Compost Bins, \$5,000; Cemetery, \$20,000; and Community Garden, \$6,000.

***ARTICLE 43. Authorization to Enter into Lease/Purchase Agreements (consent agenda).** To see if the Town will vote to authorize the Board of Selectmen to make contracts for the lease, with option to purchase, of various municipal equipment, subject to annual appropriation, if in the opinion of the Board it is in the best interests of the Town. The Board of Selectmen shall identify within its budget submission to the Finance Committee any contract for the lease with an option to purchase; or take any other action relative thereto.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [Consent Agenda]: Move that the Town vote to authorize the Board of Selectmen to make contracts for the lease, with option to purchase, of various municipal equipment, subject to annual appropriation, if in the opinion of the Board it is in the best interests of the Town. The Board of Selectmen shall identify within its budget submission to the Finance Committee, any contract for the lease with an option to purchase.

ARTICLE 44. Town By-Law Amendment— To Define Appointing Authority in the Town of Wilbraham for Employees and Officers Other than Those Employed by the Wilbraham Police Department, Wilbraham Fire Department, and Wilbraham Department of Public Works.

A. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special Home Rule legislation under the Home Rule Amendment to the Massachusetts Constitution or take any other action thereon, for Special Legislation to be entitled, “An Act Defining the Appointment and Removal Authority in the Town of Wilbraham for Officers and Employees of the Town of Wilbraham Other Than Those Employed by the Wilbraham Police Department, Wilbraham Fire Department, and Wilbraham Department of Public Works,” and to read as follows:

AN ACT PROVIDING FOR THE APPOINTMENT AND REMOVAL AUTHORITY OF THE TOWN ADMINISTRATOR OF THE TOWN OF WILBRAHAM FOR OFFICERS AND EMPLOYEES OF THE TOWN OTHER THAN THOSE EMPLOYEES OF THE WILBRAHAM POLICE DEPARTMENT, WILBRAHAM FIRE DEPARTMENT, AND WILBRAHAM DEPARTMENT OF PUBLIC WORKS.

SECTION 1. Notwithstanding any general or special law or Town bylaw to the contrary, the Town Administrator of the Town of Wilbraham shall have the authority to appoint and remove all officers and employees, other than department heads, of the Town including, but not limited to, officers and employees working in the following departments: the board of assessors, the board of library trustees, the council on aging, the playground & recreation commission, the town accountant, the town clerk, and the town treasurer; provided, however, the Town Administrator shall not have the authority to appoint or remove any department heads or any officers or employees of the Wilbraham Police Department, the Wilbraham Fire Department, or the Department of Public Works, and provided further that Town Administrator shall not have the authority to appoint and remove the director of the Wilbraham Public Library, which director shall be appointed for a term not to exceed three years, and may be removed by the board of library trustees.

SECTION 2. Removals by the Town Administrator of any subordinate officers and employees appointed by the Town Administrator shall be subject to the approval of the board of selectmen.

SECTION 3. Notwithstanding any general or special law or Town bylaw to the contrary, the Board of Selectmen of the Town of Wilbraham shall have the authority to appoint and remove all department heads of the various departments in the Town of Wilbraham; provided, however, that the board of library trustees shall have the authority to appoint and remove a director for a term not to exceed three years.

SECTION 4. This act shall take effect upon its passage.

B. The General Court may make clerical or editorial changes of form only to the requested legislation within the scope of the public objectives of the petition, or take any other action relative thereto that is reasonably necessary to carry out the public objectives of the petition; or take any other action relative thereto.

Explanation: This Article authorizes the Board of Selectmen to petition the General Court to adopt a home rule petition authorizing

Town Administrator to appoint or remove certain municipal employees, subject to approval by the board of selectmen.

MOTION [BOILARD]: Move the Town authorize the Board of Selectmen to petition the General Court for special Home Rule legislation under the Home Rule Amendment to the Massachusetts Constitution or take any other action thereon, for Special Legislation to be entitled, “An Act Defining the Appointment and Removal Authority in the Town of Wilbraham for Officers and Employees of the Town of Wilbraham Other Than Those Employed by the Wilbraham Police Department, Wilbraham Fire Department, and Wilbraham Department of Public Works,” as set forth in Article 44 of this Warrant.

ARTICLE 45. Non-Binding Resolution—Tax Increment Financing Program. To see if the town will vote to adopt the following non-binding resolution:

A resolution to seek applications for eligible projects for Municipal Real Estate Tax Incentives under M.G.L. c. 23A, Sec. 3E.

WHEREAS, the Town benefits from private real estate investment through redevelopment of property and the creation and retention of employment opportunities;

WHEREAS, applicable law permits the Town to provide certain municipal real estate tax incentives for eligible projects that are consistent with the development objectives of the Town and are likely to increase or retain employment opportunities in the Town;

WHEREAS, municipal real estate tax incentives take the form of a Tax Increment Financing (TIF) Exemption or Special Tax Assessment as codified in a written agreement with the Town which is subject to subsequent Town meeting approval on a case by case basis;

WHEREAS, municipal real estate tax incentives may attract or retain investment in the Town;

WHEREAS, setting forth the Town’s desire to attract investment through municipal real estate tax incentives is critical to attracting eligible projects; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wilbraham wishes to seek applications for municipal real estate tax incentives pursuant to M.G.L. c. 23A, Sec. 3E.

NON- BINDING- MAJORITY VOTE TO PASS

Explanation: The Economic Development Initiative Steering Committee seeks Town Meeting’s opinion, via a non-binding resolution, on offering real estate tax incentives to increase or retain employment opportunities in Wilbraham.

Finance Committee Recommendation: Finance Committee Recommends Approval of this Article.

MOTION [BOILARD]: Move to adopt the non-binding resolution to seek applications for eligible projects for Municipal Real Estate Tax Incentives under M.G.L. c. 23A, Sec. 3E, as set forth in Article 45 in this Warrant.

ARTICLE 46. Wilbraham Senior Center To Be Relocated To Memorial School. We the undersigned require that the binding questions of: Should the Wilbraham Senior Center be relocated to Memorial School and be placed on the Warrant for the 2020 Annual Town Meetings, for a Vote of the Citizens of Wilbraham, present at the said Town Meeting.
Petitioned Article.

MOTION : Motion to be made by the Petitioners.

ARTICLE 47. Name Memorial School A Historic Building Honoring Veterans. We the undersigned direct the Selectmen/Woman to make application to name Memorial School a Historic Building honoring our Veterans.
Petitioned Article.

MOTION : Motion to be made by the Petitioners.