

ANNUAL TOWN MEETING
APRIL 28, 1990

Attendance:
Precinct A -- 37
Precinct B -- 86
Precinct C -- 78
Precinct D -- 86
Total --287

In accordance with the Warrant, as posted, the inhabitants of the Town of Wilbraham, qualified to vote in Town affairs, met in Minnechaug Regional High School. At 9:20 a.m. Town Moderator Donald F. Bready determined that a quorum was present and the call of the meeting was read by Town Clerk Mary A. Irla.

A motion by Selectmen Chairman G. Louise Voss to suspend the Annual Town Meeting so that a Special Town Meeting, as posted, for 9:15 a.m. could be held, was approved unanimously.

The meeting reconvened at 9:32 a.m.

ARTICLE 1: Choosing Miscellaneous Officials: Voted Unanimously that the following persons be elected to the indicated offices for the ensuing year:

- Poundkeeper -----Gilles E. Turcotte
- Surveyors of Lumber--Edward P. Lindsay, Jr. & William Garvey
- Measurers of Wood & Charcoal -----Stanley Gore & William Garvey
- Field Drivers -----Dorrance T. Green & Jeremiah P. McCartney, Jr.
- Weighers of Grain ---Alton McDonald & Jesse L. Rice

ARTICLE 2: Hearing Reports: Voted by a Majority that the Town accept the reports of all officers and committees as printed in the Annual Town Report.

ARTICLE 3: Parliamentary Procedures: Voted by a Majority that the Town adopt special parliamentary procedures for the purpose of implementing the provisions of Chapter 580 of the Acts of 1980 (Proposition 2 1/2), as amended, and on file with the Town Clerk.

PARLIAMENTARY PROCEDURE TO BE FOLLOWED WITH RESPECT TO ADOPTION OF BUDGET AT 1990 ANNUAL TOWN MEETING UNDER ARTICLE 3.

1. All motions to appropriate funds not recommended by the Finance Committee, increase an appropriation recommended by the Finance Committee or change the method of funding from the recommendation of the Finance Committee under any Article considered at this Annual Town Meeting shall be made in writing, signed by the proponent, and shall be delivered to the moderator after said motion has been seconded, and shall, if said motion proposes to appropriate funds in excess of the Finance Committee's recommendation, or decrease funding from fees or other sources of revenue which has been recommended by

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the Finance Committee, specify the specific available fund or the specific portion of the Town budget which shall be reduced in an amount sufficient to fund said appropriation, increased appropriation or reduced funding under consideration.

2. In connection with the discussions of said motion, it shall be appropriate for the Town Meeting to consider the effect which a reduction in the portion of the Town budget proposed by said Article would have upon the Town.

3. After said motion has been discussed, a tentative vote shall then be taken by the Town Meeting which shall not, however, be binding upon the Town Meeting. If said motion receives a majority of those voting, it shall be retained for final consideration by the Town Meeting at the conclusion of the initial presentation of all proposed appropriations under Article 12. If said motion fails to receive a majority of those voting in said tentative vote, it shall not be subject to further consideration by said Town Meeting.

4. At the conclusion of the presentation of Article 12, before consideration of the main motion with respect to Article 12, all of those motions relating to appropriations, increases or decreases in appropriations or decreases in funding from fees or other sources of revenue which have received a tentative majority vote shall then be presented by the Moderator for final consideration after the Finance Committee has analyzed said motions and has prepared a summary showing the cumulative effect that the adoption of said motions would have upon the proposed appropriations under Article 12. Said motions shall be considered in the order in which they were presented but no motions not previously presented for tentative vote shall be considered unless requested by two-thirds vote of the Town Meeting.

5. The Finance Committee shall certify to the Moderator prior to the commencement of discussion on each Article, upon request, the amount available for appropriation by said Town Meeting, taking into account appropriations already made and appropriations recommended by the Finance Committee which have not yet been voted upon. No motion shall be considered which attempts to appropriate an amount in excess of that which the Finance Committee certifies to be available for appropriation under the provisions of Chapter 580 of the Acts of 1980, as amended (Proposition 2 1/2).

ARTICLE 4: Compensation for Elected Town Officials: Finance Committed Recommends. Voted Unanimously that the Town fix the compensation for all elected Town Officers for the fiscal year beginning July 1, 1990 and ending June 30, 1991, as follows:

Board of Assessors, Chairman	--\$ 2,200
Board of Assessors, Members	--- 2,000
Town Clerk	----- 23,263
(All fees revert to the Town treasury)	
Town Collector	----- 23,263
(All fees revert to the Town treasury)	

petitioner David Carter of 1 Silver St. presented the following resolution under Article 7, for approval.

Voted Unanimously that the Town adopt the following resolution:

Whereas, the Town's network of streets, roadways, sidewalks and drainage systems are necessary to the quality of life Wilbraham residents enjoy, and

Whereas, the proper maintenance of this network requires efficient and safe equipment, and

Whereas, the Town's DPW workers are a valuable human resource, and

Whereas, the DPW's fleet of vehicles and equipment are aging and unsafe, inefficient and costly to maintain,

Now Therefore be it Resolved, that the Town should begin to replace its fleet of vehicles on a regular basis to ensure safe and affective DPW services.

ARTICLE 8: ADDITIONAL STATE AID: A substitute motion was submitted by Brian Halloren Superintendent of Schools:

Voted by a Majority, that should added state funds be received by the Town of Wilbraham in excess of \$2,091,556 that said additional funds be allocated to the following:

Regional School 19%, Local Schools 41% and General Government 40% -- said general government monies to be appropriated to the reserve fund and no budget can exceed that voted at the Annual Town Meeting prior to June 25, 1990, except the Reserve Fund. If the said Town votes to override Proposition 2-1/2 at a special election prior to June 25, 1990, this Article shall be null & void.

Recessed 12:30 p.m.

Reconvened 1:45 p.m.

ARTICLE 9: Stabilization Fund: Finance Committee Recommends.

Voted by a 2/3 Majority (Yes 96 - No 34) that the Town appropriate \$181,000 from the Stabilization Fund in order to fund the following FY 1991 municipal expenditures pursuant to MGL Chapter 40, Section 5B: \$100,000 to Budget 302, DPW Highway Capital, for the purchase of heavy equipment pursuant to MGL Chapter 44 Section 7 (9); \$50,000 to Budget 301, DPW Highway Expense, for the construction of public ways, or the extension or widening thereof, pursuant to MGL Chapter 44 Section 7 (5); \$9,500 to Budget 301, DPW Highway Expense, for reconstruction of surface drains pursuant to MGL Chapter 44, Section 7 (1); \$6,000 to Budget 112, Public Safety Dispatch Capital, for police communication installations pursuant to MGL Chapter 44 Section 7 (14); \$15,500 to Budget 029, Board of Assessors Expense, for the payment of charges incurred under contracts authorized by

Section 4 of Chapter 40 for the expert appraisal of taxable property pursuant to MGL Chapter 44 Section 7 (18).

ARTICLE 10: Overlay Reserve Fund: Finance Committee Recommends. Voted by a Majority (1 Against) that the Town appropriate \$149,000 to Budget 077, Group Health and Life Insurance, from previously appropriated overlay funds certified as excess by the Board of Assessors pursuant to Section 25 of Chapter 59 of the Massachusetts General Laws.

ARTICLE 11: Reserve Fund: Finance Committee Recommends. Voted by a Majority (1 Against) that the Town appropriate the sum of \$100,000 for a Fiscal Year 1991 Reserve Fund pursuant to MGL Chapter 40 Section 6.

ARTICLE 12: Budget Appropriations: The vote on this article was postponed until 4/30/90 due to a discrepancy over the figures submitted by the school committee. The vote on Article 12 appears after ARTICLE 24.

ARTICLE 13: Chapter 90 Anticipation Borrowing: Finance Committee Recommends. Voted Unanimously that the Town authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of state receipts in accordance with Chapter 44, Section 7, Subsections 5 and 6 of the General Laws, said money representing allotment for Chapter 570, Acts of 1980, or Chapter 90 road construction, reimbursement from the state to be used to retire such debt.

ARTICLE 14: Authorization to Borrow in Anticipation of Revenue: Finance Committee Recommends. Voted Unanimously that the Town authorize the Town Treasurer, with the approval of the Selectmen to borrow money, from time to time in anticipation of revenue for the fiscal year beginning July 1, 1990 in accordance with Chapter 44, Section 4 of the General Laws; and to issue a note or notes as may be given for a period of less than one year in accordance with Chapter 44, Section 17 of the General Laws.

ARTICLE 15: Executive Secretary Title Change: Voted Unanimously that the Town delete Section 400 of Article IV of the Town By-Laws and replace it with the following section in order to change the job title of Executive Secretary to Town Administrator:

"The Board of Selectmen may appoint a Town Administrator for a term not to exceed three years, and may remove him for just cause. A Town Administrator appointed under the provisions of this section shall be sworn to the faithful performance of his duties. During the time that he holds office he shall hold no elective town office, but he may be appointed by the selectmen or, with their approval, by any officer, board, committee or commission to any other Town office or position consistent with his office. He shall

receive such aggregate compensation, not exceeding the amount appropriated therefor, as the selectmen may determine. He shall act by and for the selectmen in any matter which they may assign to him relating to the administration of the affairs of the town or of any town office or department under their supervision and control, or, with the approval of the selectmen, may perform such other duties as may be requested of him by any other town officer, board, committee or commission."

ARTICLE 16: Acceptance of Pension Legislation: Finance Committee recommends no action.

An Amendment by Arthur Dionne to table the article until a subsequent town meeting passed by a Majority vote (Yes 72, No 59)

(Motion asked that the Town accept the provisions of Section 22D of Chapter 32, which establishes various options relating to the Commonwealth of Massachusetts Contributory Retirement System, effective July 1, 1991) It was felt that not enough information was available as to the cost to the town, therefore, an amendment by Arthur Dionne to Table this Article until a subsequent Town Meeting was approved by the voting body.)

ARTICLE 17: Water Enterprise Fund Retained Earnings. Voted by a Majority that the Town appropriate \$231,005 available funds in the Water Enterprise Fund retained earnings account for the purpose of enlarging the capacity of water mains throughout town.

ARTICLE 18: Wastewater Enterprise Fund Retained Earnings: A motion to Move No Action passed by Majority Vote. (It was determined that no funds were available)

ARTICLE 19: Solid Waste Enterprise Fund Retained Earnings: Voted Unanimously that the Town appropriate \$62,756 from available funds in the Solid Waste Enterprise Fund Retained Earnings Account for the purpose of closing the existing landfill on Boston Road pursuant to state and federal environmental regulations.

ARTICLE 20: Petitioned Article - Landfill Use Fees: (A substitute motion was submitted by the petitioners requesting the Board of Health to establish a Land Fill Use Fee for senior citizens) THE MOTION FAILED TO PASS.

ARTICLE 21: Acceptance of Public Ways: Voted by a Majority that the Town accept as public ways, pursuant to a layout filed by the Board of Selectmen with the Town Clerk, all or a portion of the following streets; Bonair Drive, Bradlind Avenue, Deepwood Drive, Evergreen Circle, Hemlock Circle, Hitching Post Lane, Mirrick Lane, Oakland Street, Part Drive, Western View Drive, Wright Place.

ARTICLE 22: Petitioned Article - Stop Signs: Voted by a Majority (Yes, 48-No 38), as amended, that the Town vote that the Board of Selectmen institute an intersection STOP sign program which in general would be structured as follows; 1. that within the next twelve (12) months a study shall be made of all side streets intersecting with primary connector roads and that an assessment be made as to the necessity of placing STOP signs on those side streets; 2. that a "side street" shall be defined as any street on which there are three or more residential dwellings; 3. that within ninety (90) days of the passage of this article due consideration shall be given to placing the following STOP signs: a. on Inwood Drive, Brooklawn Road, Wilbraview Drive and Brookside Road, where they intersect with Springfield Street; b. on Oakland Street where it intersects with Pleasantview Road; c. on Burleigh Road and Branch Road where each intersects with Main Street; d. on Crane Hill Road where it intersects with Glendale Road; and e. a two-way STOP sign on Mountain Road north where it intersects with Glendale Road.

ARTICLE 23: Acceptance of Deeds: Voted Unanimously that the Town accept various deeds of easement rights to the town recorded at the Hampden County Registry of Deeds or the Land Registration Office, since the date of the last Annual Town Meeting.

ARTICLE 24: Petition Article - Residence Identification. Tabled until Monday, April 30, 1990, so that petitioner could meet with Town Counsel for proper formation of this Article.

Meeting Adjourned at 5:00 p.m. until Monday April 30, 1990 at 7:30 p.m.

SECOND SESSION;

April 30, 1990 Annual Town Meeting reconvened at 7:40 p.m. Moderator Donald F. Bready declared a quorum was present.

Attendance: Precinct A - 30
Precinct B - 83
Precinct C - 53
Precinct D - 76
Total -242

The Town Moderator accepted a friendly amendment to Article 2 to correct figures in the 1989 General Fund Expenditures as reported in the Annual Town Report and to have the Town Accountant make the corrections and file the corrected copy with the Town Clerk.

ARTICLE 24: Petitioned Article - Residence Identification. Petitioner submitted an amended motion after consultation with Town Counsel Michael Hassett and with the approval of the Moderator.

Voted by a Majority, as amended, that the Town add to its

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general by-laws a provision authorized by M.G.L. c. 40, sec. 21, requiring and regulating the numbering of buildings on or near the line of public or private ways and prescribing by whom and the method in which it shall be done.

1. The Board of Selectmen or its designee including but not limited to the Town Building Inspector may order a building to be numbered or renumbered by the owner thereof, on or near the line of public or private ways; and shall keep or cause to be kept and shall file with the office of the Town Clerk a suitable record of all such numbering and renumbering.

2. The owner of every building shall comply with any such order within thirty (30) days after notice by the Board of Selectmen or its said designee, to number or renumber a building on or near the line of the public or private way on which the building is situated. The numbers shall be not less than three (3) inches in height.

3. If the owner of any building fails to number the same timely in accordance with an order issued under the provisions of this by-law, said owner shall pay a penalty in the amount of TWENTY-FIVE (\$25.00) DOLLARS for each offense, which shall enure to the Town or to such usages as it may direct; said fine to be recovered on complaint before a District Court or by noncriminal disposition in accordance with M.G.L. c. 40, sec. 21D. Each day the owner fails to comply with an order issued under the provisions of this by-law shall constitute a separate offense.

ARTICLE 12: Budget Appropriations Voted by a Majority, as amended, that the Town accept the report of the Finance committee and appropriate the sum of \$15,463,028 to cover the necessary operating expenses of the Town for Fiscal Year 1991 (July 1, 1990-June 30, 1991) per appropriations listed separately and incorporated herein by reference, and to provide said appropriations as follows:

Transfer from:	State Aid to Library	
to:	Library Expense	\$ 12,205
from;	Water Receipts	
to:	Water Enterprise Fund	\$511,633
from:	Solid Waste Receipts	
to:	Solid Waste Disposal Enterprise	\$408,873
from:	Capital Cost Recovery	
to:	Sewer Debt and Interest	\$ 21,060
from:	Sewer Receipts	
to:	Sewer Enterprise Fund	\$363,272
from:	Cemetery Trust Fund	
to:	Cemetery Capital Projects	\$ 7,000
from:	Offset Receipts	
to:	Dog Officer's Expense	\$ 20,000

Amount of Certified undesignated Fund Balance required for FY 1991 municipal appropriations: \$532,289

however, in the event that a majority of the voters do not

approve a ballot question at a subsequent special town election which seeks to raise an additional \$428,712 in real estate and personal property taxes for the purpose of funding the operational budgets of general government departments, school department and Wilbraham's portion of the Hampden Wilbraham Regional School District for Fiscal Year 1991, then Budget 200, Local Schools, shall be reduced by \$148,928 for a total of \$5,876,727; Budget 201, Regional School Assessment, shall be reduced by \$42,177 for a total of \$2,844,723; Budget 301, DPW Highway, shall be reduced by \$98,500, for a total of \$304,489; Budget 601, Library, shall be reduced by \$42,000, for a total of \$214,224; Budget 331, DPW Engineering, shall be reduced by \$17,000, for a total of \$58,502; Budget 103, Fire Department, shall be reduced by \$27,000, for a total of \$798,719; Budget 104 Fire Department Capital, shall be reduced by \$8,000, for a total of \$0; Budget 066, Town Properties Capital, shall be reduced by \$6,000, for a total of \$0; Budget 102, Police Department Capital, shall be reduced by \$14,028, for a total of \$29,262; (Amendment by John M. Lovejoy approved by a Majority: that the reduction of \$25,085 be deleted from the Recreation Dept. and allocated among all other departments, not fixed,) and the total appropriation of the Town shall be \$15,034,316.

NOTE; A special election held on June 9, 1990 to raise an additional \$428,712 was approved Yes, 1823 - No, 1707, therefore, none of the reductions listed above will be implemented.

ARTICLE 25: Authorization to Dispose of Surplus Equipment: Voted Unanimously that the Town authorize and empower 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 26: Authorization to Enter Into Lease/Purchase Agreements: Finance Committee Recommends. Voted Unanimously that the Town 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 interest 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 27: Petitioned Article - Pedestrian Crosswalk area. Voted Unanimously that the Town establish a pedestrian crosswalk area in the center of Wilbraham extending from Hunting Lane to Faculty Street, and from the Little Red School House on Springfield Street to Main Street; and

1. that "yield to pedestrians" signs and any other necessary warning signs be appropriately placed in the area;
2. that appropriately marked crosswalks be established;
3. that the Town make its best effort to implement the intent of this article within sixty days of its passage or as soon as possible thereafter.

ARTICLE 28: Adjournment of Annual Town Meeting: Voted Unanimously that the Town adjourn the Annual Town Meeting until June 25, 1990, at 8:00 p.m. at Minnechaug Regional High School, at which time final action will be taken to bring the FY 1991 budget into full compliance with Chapter 580 of the Acts of 1980, as amended.

Adjourned 11:25 p.m. until June 25, 1990 at 8:00 p.m.

June 25, 1990 Third Session of Annual Town Meeting of April 28, 1990.

Attendance: Precinct A - 27
Precinct B - 42
Precinct C - 37
Precinct D - 29
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Moderator Donald F. Bready reconvened the meeting at 8:20 p.m. after determining that a quorum was present.

The moderator declared that with the passage of the two override questions that were put on the ballot of the Special Election held on June 9, 1990, all budget articles would remain unchanged and therefore no further action was required by this voting body.

A motion to close the Annual Town Meeting was unanimously approved at 8:22 p.m.

ATTEST: MARY A. IRLA, CMC
TOWN CLERK

TOWN BULLETIN

Boston, Massachusetts

October 1, 1990

The foregoing amendments to the general by-laws adopted under Articles 15 and 24 of the warrant for the Wilbraham Annual Town Meeting that convened April 28 1990, are hereby approved

James M. Shannon
Attorney General