

ATTENDANCE:
Precinct A ---- 41
Precinct B ---- 99
Precinct C ---- 57
Precinct D ---- 94
Total ----291

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 9:00 a.m. Town Moderator Donald F. Bready noted that a quorum was present and the call of the meeting was read by Town Clerk Mary A. Irla.

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

Poundkeeper -----Giles 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. McCarthy, Jr.
Weighers of Grain ----Alton McDonald &
Jesse L. Rice

ARTICLE 2: Voted Unanimously that the Town accept the reports of all of the officers and committees as printed in the Annual Town Report.

ARTICLE 3: Voted by a Majority (2 Against) 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 1991 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 an 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 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 7. 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 7, before consideration of the main motion with respect to Article 7, all of those motions relating to appropriations, increases or decreases in appropriations or decreased 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 7. 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: Voted Unanimously that the Town fix the compensation for all elected Town Officers for the fiscal year beginning July 1, 1991 and ending June 30, 1992, as follows:

Assessors, Chairman -----	\$ 2,200 per year
Assessors-----	2,000 per year
Town Clerk -----	23,363 per year
(All fees revert to the Town treasury)	
Moderator-----	200 Annual Town Mtg.
	50 Special Town Mtg.
Selectmen, Chairman-----	1,800 per year
Selectmen-----	1,500 per year
Tree Warden-----	5,953 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 Town officers elected other than by official ballot, fees only, fixed by General Laws.	

ARTICLE 5: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$77,400 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 6: Finance Committee Recommends. Voted Unanimously that the Town appropriate the sum of \$100,000, for a Fiscal Year 1992 Reserve Fund, pursuant to MGL Chapter 40, Section 5A.

ARTICLE 7: Finance Committee Recommends. Voted by a Majority, as amended, that the Town accept the report of the Finance Committee and vote to appropriate the sum of \$15,580,730 to cover the necessary capital expenditures and operating expenses of the Town for Fiscal Year 1992 (July 1, 1991-June 30, 1992) 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-----	\$ 10,430
from: Water Receipts	
to: Water Enterprise Fund-----	547,715
from: Solid Waste Receipts	
to: Solid Waste Disposal Enterprise--	421,613
from: Capital Cost recovery	
to: Sewer Debt and Interest-----	21,060
from: Sewer Receipts	
to: Sewer Enterprise Fund-----	367,768
to: Sewer Capital-----	22,000
from: Cemetery Trust Fund	
to: Cemetery Capital Projects-----	7,000
from: Offset Receipts	
to: Dog Officer's Expense-----	20,000

Amount of Certified Free Cash Required for
FY 1992 municipal appropriations:----- 180,064

Note: A motion to amend Article 7 appropriations, failed to pass at the adjourned meeting of June 12, 1991 but was approved, as per above, at the adjourned meeting of 6/27/91.

A motion by Judith Hoffman, Chairman of the Wilbraham School Committee, to remove \$1500 from the total expenses and enter it into the Out of State line item, was approved by a majority vote.

A request by Judith Hoffman to get a sense of the voters on whether the Board of Selectmen should call for an Override Election was approved by the voting body with one dissenting vote.

Meeting Adjourned for lunch at 1:00 p.m.

Meeting reconvened at 2.20 p.m.

The Board of Selectmen requested a moment of silence in memory of the following deceased residents who were active in town government.

Harry L. King, Jr.-----Plumbing Inspector &
Voting Machine Technician
George E. Keyes-----Water Superintendent
Maurice H. Pelletier----Cable Television Committee
Herbert F. Daunheimer---Planning Board
George W. Johnson, II----Wilbraham Housing Authority
William A. Garten, Jr.--Executive Secretary-Accountant

ARTICLE 8: 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 9: Voted Unanimously that the Town authorize the Town Treasurer/Collector, with the approval of the Selectmen to borrow money, from time to time in anticipation of revenue of the fiscal year beginning July 1, 1991 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 10: Voted Unanimously that the Town accept the provisions of Chapter 291 of the Acts of 1990, which will allow the Town to receive Enhanced 911 telephone service, as defined in the Act and that the Town Clerk notify the Secretary of the Commonwealth of said acceptance on or before December 11, 1991.

ARTICLE 11: Voted Unanimously that the Town urge that its State Senator and State Representative do everything necessary to implement the provisions of Question 5, which was approved overwhelmingly by the voters at the 1990 biennial state election, including both the formulation of a plan to do so as well as a vote in favor of an appropriation to fund local aid in the amount of 40% of growth taxes (income, corporate and sales) no later than July 1, 1993.

ARTICLE 12: Voted Unanimously that the Town accept Chapter 59, Section 57A of the Massachusetts General Laws which provides for the issuance of one property tax bill when the amount of the tax does not exceed \$25.00.

ARTICLE 13: Voted Unanimously that the Town accept Chapter 281 of the Acts of 1990, which requires collectors to request that the Assessors abate tax bills where the tax is less than \$10.

ARTICLE 14: Voted Unanimously that the Town accept Chapter 336 of the Acts of 1990, which grants an exemption from motor vehicle excise to the surviving spouses of former prisoners of war.

ARTICLE 15: Voted Unanimously that the Town appropriate \$271,704 from available funds in the Water Enterprise Fund retained earnings account for the purpose of making specific capital repairs to the Town's water distribution system.

ARTICLE 16: Voted Unanimously that the Town appropriate \$26,511 from available funds in the Wastewater Enterprise Fund retained earnings account for the purpose of making specific capital repairs to the Town's wastewater collection and transmission system.

ARTICLE 17: Voted Unanimously that the Town appropriate \$152,215 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 18: 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 19: Voted by a Majority 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 20: Voted unanimously that the Town accept as public ways, pursuant to a layout filed by the Board of Selectmen with the Town Clerk, all or portions of the following streets: Dollar Avenue, Forest Glade Drive, Woodsley Road, Horseshoe Lane, Stonegate Circle, Alder Lane, and Winterberry Drive.

ARTICLE 21: 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 22: Voted Unanimously that the Town approve the transfer of a parcel of land containing 6.93 acres, previously deeded to the Town for municipal purposes only, by S. Presley Blake on April 27, 1978, located between Boston Road and the Massachusetts Turnpike and located adjacent to East Wilbraham Cemetery, from "general" municipal purpose to a specific "cemetery" purpose.

ARTICLE 23: FAILED TO PASS. Petitioned Article. (Move that the Town vote to adopt a bylaw requiring certain boards and commissions to report certain findings to the Town Meeting at the time that sewer or water main extensions are proposed)

Tellers appointed and sworn in by the Moderator: Dorothy Garvey, Donald Flannery, Dr. Alan Peck, John Shea, Charles Godleski

ARTICLE 24: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting the definition of "Frontage" in section 1.3, and substituting therefor a new definition to read as follows:

Frontage. The Common boundary between that portion of a Lot in the Town of Wilbraham and a Street as defined hereinafter in this section which provides adequate physical access across said boundary to a potential building site. For zoning purposes, lot frontage is the continuous distance between side lot lines measured at the setback line parallel to street frontage; or in the case of a Corner Lot, the continuous distance between the side lot line and the intersecting street line measured at the setback line on each street.

ARTICLE 25: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting the definition of "Lot" in section 1.3 and substituting therefor a new definition to read as follows:

Lot. A continuous area or parcel of land in undivided common ownership, with legally definable boundaries, and not divided by a street. For zoning purposes, when a lot crosses the town boundary, only that portion of the lot situated in Wilbraham shall be considered in determining conformity to the dimensional requirements specified under this By-Law.

ARTICLE 26: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting the definition of "Building Height" in section 1.3, and substituting therefor a new definition to read as follows:

Building Height. The vertical distance measured from the mean elevation of the finished grade within ten (10) feet of the walls of the building to the highest point of any roof or parapet; except that in the Hillside and Ridgeline District, said vertical distance is measured from the mean elevation at the foundation perimeter of the natural grade existing prior to construction grading or filling.

ARTICLE 27: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by inserting in proper alphabetical sequence a new definition of "Story" in section 1.3 to read as follows:

Story. That portion of a building contained between any floor and the floor or roof next above it, but not to include the basement or attic.

ARTICLE 28: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting section 4.4.9, and substituting therefor a new section 4.4.9 to read:

4.4.9 Residential Height Limitations

A. In all residence districts except as otherwise provided in the Zoning Act, the limit of height shall not exceed two (2) stories,

basement and attic, provided further that such attic space shall not be designed or used for human occupancy.

Building height shall not exceed thirty-five (35) feet, but this limitation of height shall not apply to farm buildings, nor chimneys.

ARTICLE 29: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting the definition of "Accessory Building Structure" in Section 1.3, and substituting therefor a new definition to read as follows:

Accessory Building or Structure. A building or structure customarily incidental and subordinate in extent and purpose, and substantially smaller in size, to a principal building on the same lot or on an adjoining lot under the same ownership, and not attached to the principal building by any covered or roofed structure.

ARTICLE 30: Voted by a 2/3 Majority (Yes-65, No-6) that the Town amend the Wilbraham Zoning By-Law by deleting section 4.4.8, and substituting therefor a new section 4.4.8 to read as follows:

4.4.8. Location And Size Of Accessory Buildings.

In residential districts, any permitted accessory building or structure (except fences and retaining walls) shall conform to the applicable setback for the principal building or use, excepting that any accessory building less than one hundred (100) square feet in area and not exceeding ten (10) feet in height may be built in a side yard if set back at least seventy-five (75) feet from the street line and ten (10) feet from the side lot line, or in the rear yard if set back at least five (5) feet from the rear lot line. Private stables are further limited in Section 3.4.7.5 above.

No accessory building in excess of three hundred (300) square feet in area or sixteen (16) feet in height shall be built except by special permit from the Planning Board in accordance with the provisions of section 13.6 This provision shall not apply to legitimate accessory farm buildings.

ARTICLE 31: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting section 4.5.1, and substituting therefor a new section 4.5.1 to read as follows:

4.5.1 Unregistered Motor Vehicles in Residential Districts.

Motor vehicles as defined in the General Laws which are unregistered and inoperable shall not be stored or parked in residential areas so as to be visible from any street or way for a period in excess of thirty (30) days. However, the open air storage of more than two (2) unregistered vehicles on any residential lot is prohibited. This section shall not apply to unregistered vehicles used primarily for agricultural purposes.

ARTICLE 32: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting the code reference "Y" listed under the R-26, R-34, R-40 and R-60 columns in section 3.4.7.3 of the Schedule of Use Regulations table, and substituting therefor the code reference "ZBA".

ARTICLE 33: Voted Unanimously that the Town amend the Wilbraham Zoning By-Law by deleting section 15.6, and substituting therefor a new section 15.6 to read as follows:

15.6 Amendment

This Zoning By-Law may be amended from time to time at an Annual or Special Town Meeting in accordance with the provisions of Section 5 of Chapter 40A of the General Laws, as amended.

A proposed amendment to the By-Law may be initiated by the Board of Selectmen, the Planning Board, the Board of Appeals, the Pioneer Valley Planning Commission, individuals owning land to be affected by the amendment, or registered voters of the Town pursuant to Section 10 of Chapter 39 of the General Laws.

The Planning Board, after giving proper legal notice, shall hold a public hearing for the consideration of any amendment to this By-Law, and shall report to town meeting its recommendations as to what action should be taken. Petitioners seeking to amend the Zoning By-Law may be charged reasonable fees sufficient to cover the administrative costs of holding the public hearing as may be established under the Rules and Regulations of the Planning Board.

ARTICLE 34: Voted by a 2/3 Majority (Yes-49, No-8) that the Town amend the Wilbraham Zoning By-Law in the following manner:

- A. By inserting in proper alphabetical sequence a new definition of "Public Vantage Point" in Section 1.3;
- B. By adding the Ridgeline and Hillside District under section 2.2;
- C. By deleting section 2.3.2, and substituting therefor a new section 2.3.2; and
- D. By inserting a new section 9.3, Ridgeline and Hillside District;

as set forth in a document entitled "Zoning By-Law Amendment: Ridgeline and Hillside overlay District" on file with the Town Clerk.

ARTICLE 35: Voted Unanimously that the Town adjourn the Annual Town Meeting until June 12, 1991, at 7:30 p.m. at Minnechaug Regional High School, at which time final action will be taken to bring the FY 1992 budget into full compliance with Chapter 580 of the Acts of 1980, as amended.

Meeting adjourned at 6:05 p.m. until 7:30 p.m. on June 12, 1991.

JUNE 12, 1991
2nd Session of the
Annual Town Meeting
of 4/27/91

Attendance: Precinct A--10
Precinct B--23
Precinct C--22
Precinct D--19
Total--74

Moderator Arthur F. Dionne noted that a quorum was present and reconvened the Annual Town Meeting at 7:35 p.m.

Budget appropriation amendment. Voted Unanimously to amend the report of the Finance Committee referenced in Article 7 to increase General Account Number 102, Police Department Capital, by \$110,000 to reflect passage of Question #1 on the June 8, 1991 Special Override Election ballot, a capital outlay exclusion to purchase a Police radio system.

A motion to further amend Article 7 Operating Expenses of the Town for Fiscal Year 1992, FAILED TO PASS. (Yes-32, No-33)

(The Selectmen felt that they would prefer to bring the meeting to a close with a vote on this amendment since adjourning to a later date in June would bring it too close to the end of the fiscal year. Chairman, Terry Nelson said that if changes occurred after the meeting was closed, we would go to a Special Town Meeting to make any needed adjustments.

After much discussion from the Finance Chairman, Regional School Committee Chairman, and other members of the voting body, on the advisability of closing the meeting at this point in time, the moderator called for a vote on the motion which failed to pass.)

Selectman Chairman, Terry Nelson made a motion to adjourn the meeting until June 27, 1991 at 7:30 p.m. at the Minnechaug Regional High School. The motion passed by a Majority vote.

Meeting adjourned at 8:00 p.m. and will reconvene on June 27, 1992 at 7:30 p.m.

JUNE 27, 1991
3rd Session of the
Annual Town Meeting
of 4/27/91

Attendance: Precinct A-- 6
Precinct B--30
Precinct C--14
Precinct D--26
Total--76

Moderator Arthur F. Dionne noted that a quorum was present and reconvened the meeting at 7:30 p.m.

A motion to reconsider the vote of the June 12, 1991 continuation of the Annual Town Meeting on the total amount of Budget Appropriations for Fiscal Year 1992, PASSED UNANIMOUSLY.

(Moderator Dionne explained that the reconsideration was requested because he felt that the vote not to accept the budget at the June 12th meeting was not a vote against the budget appropriations but rather the desire to postpone final action

until a later date. No objections were noted.)

A motion by Coralie Gray, Library Trustee, to delete State Aid to the Library in the amount of \$10,430 from the appropriations because Chapter 150, Acts of 1990 requires that "any payment made shall be deposited with the treasurer of the town and held as a separate account and shall be expended by the public library of such town without appropriation"

The motion failed to pass after it was explained by the Selectmen that it required looking into and that it could not be accomplished at this meeting.

The vote on the main budget motion, as amended, passed by a Majority (2 against) and appears, as voted on, in the beginning of this report of the Annual Town Meeting of 4/27/91, Article 7.

Motion to adjourned was approved at 8:00 p.m.

ATTEST: MARY A. IRLA, CMC
Town Clerk

TOWN BULLETIN

Boston, Massachusetts

The foregoing amendments to the zoning by-laws adopted under articles 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 of the warrant for the Wilbraham Annual Town Meeting that convened April 27, 1991, are hereby approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL

Anthony E. Penski
Assistant Attorney General

October 9, 1991

TOWN BULLETIN

The within zoning map pertaining to article 34 of the warrant for the Wilbraham Annual Town Meeting that convened April 27, 1991, is hereby approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL

Anthony E. Penski
Assistant Attorney General

October 9, 1991