

SPECIAL TOWN MEETING
AUGUST 28, 1991

ATTENDANCE:
Precinct A -- 19
Precinct B -- 31
Precinct C -- 39
Precinct D -- 29
Total --118

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 7:30 p.m. Moderator Arthur F. Dionne noted a quorum was present, the warrant was properly served, called the meeting to order with the Pledge of Allegiance to the Flag.

ARTICLE 1: Finance Committee Recommends. Voted by a Majority that the Town, relating to the deferral of teachers' pay in the local schools, not change the allocation between fiscal years of expenditures of teachers' salaries as provided for by Section 231 of Chapter 138 of the Acts of 1991, and Section 40 of Chapter 71 of the Mass General Laws for FY 1992, or any other general or special law to the contrary.

ARTICLE 2:

A. Voted Unanimously that the Town adopt special parliamentary procedures for the purpose of implementing the provisions of Chapter 580 of the Acts of 1980 as amended (Proposition 2-1/2) and on file with the Town Clerk.

Moderator Dionne swore in Faith Hall, Frank Tencza, and Thomas Sullivan as tellers, as the vote on the following B section of Article 2 requires a 2/3 vote.

B. Finance Committee Recommends. Voted Unanimously (Yes 111-No 0) that the Town appropriate \$10,003 from the Stabilization Fund in order to fund FY 1992 municipal expenditures under Budget 102, Police Capital, pursuant to Massachusetts General Laws Chapter 40, Section 5B and Chapter 44, Section 7 (9).

C. Finance Committee Recommends. Voted Unanimously that the Town amend Article 7 as approved by Annual Town Meeting on June 27, 1991, by the following amounts:

Decrease Budget #003, Selectmen Expenses, by \$1,200
Decrease Budget #025, Accounting Salaries, by \$19,160
Decrease Budget #051, Computer Expenses, by \$700
Decrease Budget #065, Town Property Salaries, by \$2,000
Decrease Budget #102, Police Capital, by \$10,003
Decrease Budget #200, Local Schools, by \$6,000
Decrease Budget #201, Regional School, by \$261,361
Increase Budget #290, Ambulance Expenses, by \$32,485
Decrease Budget #301, Public Works Expenses, by \$11,000
Decrease Budget #551, Veterans' Expenses, by \$2,000
Decrease Budget #601, Library Salaries, by \$15,000
Increase Budget #702, Interest Expenses, by \$34,517

and that the Town further amend Article 7 to appropriate the sum of \$15,319,308 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	\$ 11,629
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 & 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
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Selectman Terry L. Nelson, Chairman of the Board of Selectmen read the following statement and requested that the Town Clerk enter it into the minutes and make it a part of the official record of this meeting.

"The Teacher's Salary deferral provision requires that Regional Schools budget for only 11 months of teachers' salaries in FY 1992. However, the Selectmen recognize that in future years when the deferral is no longer in effect, a "level funded" school budget would be based on 12 months of salary. Unfortunately, given the fiscal constraints facing Massachusetts communities in the years ahead, no department can be guaranteed a level funded budget. Nevertheless, for discussion purposes during our budget deliberations, it is important that we recognize that a level funded budget for the regional school system would include 12 months of salary in future years when the deferral mechanism is no longer in place."

Chairman of the Board of Selectmen, Terry L. Nelson took this opportunity to honor Fire Chief Joseph E. Surprenant for his many years of service in the Fire Department and then as Fire Chief since 1984. Chief Surprenant also served as Forest Warden, Hazardous Waste Coordinator and Civil Defense Director. He was also commended for the many hours of work in coordinating the safety factors involved in the planning and conducting of the Peach Festival held in Wilbraham each year. His cooperation was greatly appreciated by the Peach Festival committee and the Town. On behalf of the Town, Chairman Nelson congratulated Chief Surprenant on his retirement and wished him many years of health and happiness.

Chairman Nelson also took this time to introduce the newly appointed Treasurer/Collector, Thomas P. Sullivan, and the new Chairman of the Finance Committee, Robert W. Russell, to the voting body.

ARTICLE 3: Voted by a Majority (3 Against) that the Town amend Article I, Section 103A of the Town of Wilbraham By-Laws, Non-Criminal Disposition of violations of any By-Law, by striking the existing language and adding the following:

"Pursuant to the provisions of Chapter 40, Section 21D of Massachusetts General Laws, the Town hereby adopts the following procedure for the non-criminal disposition of violations of any by-law adopted by the Town or any rule or regulation of any board, commission or department which contains therein a specific financial penalty. A copy of any such schedule of financial penalties to which this by-law applies shall be retained on file with the Town Clerk.

The Board of Selectmen shall file with the Town Clerk a list of the Town's enforcing officers who shall be entitled to issue tickets under this by-law. In the event that any enforcing officer witnesses, or after an investigation takes notice of a violation of a town by-law, said enforcing officer may give to the offender a written notice in the form prescribed therefor, as amended from time to time and filed with the Town Clerk, to appear before the Town Clerk, the Clerk of the Palmer District Court or the Hampden County Housing Court in accordance with Massachusetts General Laws, Chapter 40, Section 21D.

If in hand service is not readily obtainable when the enforcing officer witnesses or takes notice of the violation, a notice of violation may be mailed by first class mail, postage prepaid to the last and usual address of the alleged offender within 154 days of the enforcing officer witnessing or taking notice of the violation. The enforcing officer may upon the commission of a first offense, inform the offender in writing that a violation has occurred and that if the violation recurs or is not rectified within a specific period of time, such financial penalty shall be imposed.

Each such day that a violation continues shall constitute a separate offense. The violation of any by-law or regulation enforced under the provisions of this by-law shall not exceed the sum of \$300 per diem as specified in General Laws, Chapter 40, Section 21D or as specified in amendments of the said Statute from time to time. If no specific fine has been designated by the by-law section or rule or regulation to which the violation relates, the fine shall be the higher of \$20 per diem or the minimum fine specified by the most recent amendment of General Laws, Chapter 40, Section 21D.

ARTICLE 4: Voted by a Majority (2 Against) that the Town amend the Town of Wilbraham By-Laws by adding the following language to Section 311 (a.):

The Planning Board may nominate one associate member who shall be appointed by the Board of Selectmen and the Planning Board for a one year term and shall serve as an alternate voting member on special permit applications as necessary in accordance with the provisions of Section 15.4 of the Zoning By-Law.

Adjourned at 8:30 p.m.

ATTEST: MARY A. IRLA, CMC
TOWN CLERK

TOWN BULLETIN

Boston, Massachusetts

The foregoing amendments to the general by-laws adopted under articles 3 and 4 of the warrant for the Wilbraham Special Town Meeting held August 28, 1991, are hereby approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL

October 31, 1991

Anthony E. Penski
Assistant Attorney General