

**ANNUAL TOWN MEETING
APRIL 29, 1996**

Attendance:
Precinct A: 70
Precinct B: 114
Precinct C: 97
Precinct D: 82
TOTAL: 363

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 7:00 PM Moderator Arthur F. Dionne noted a quorum was present and called the meeting to order. The Moderator asked those in attendance to join him in the Pledge of Allegiance to the Flag. The call of the meeting was then read by Town Clerk Beverly J. Radner. After a brief explanation concerning procedures, the Moderator proceeded with the meeting.

ARTICLE 1. Choosing Miscellaneous Officials: 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

A motion to suspend the Annual Town Meeting so that the Special Town Meeting, as posted for 7:15 PM, could be held was approved unanimously.

The Annual Town Meeting resumed at 7:30 PM with Selectman Gale D. Candaras reading a special note concerning Charles Merrick, his achievements and dedication to the Town. This was followed by the reading of the in memoriam list. The list included Josephine Pease who was inadvertently left off the list in the Annual Town Report.

A special mention of upcoming retirements was also announced. Those mentioned were:

Lawrence Cloutier	Police Dept.	26 Yrs.
William Plourde	Police Dept.	27 Yrs.
Edward Malzenski	Sealer of Wts./Measures	
J. Brian Halloran	Supt. Schools	

Paula Tingle expressed the Regional School Committees appreciation concerning J. Brian Halloran's dedicated service to the school. A round of applause came from those in attendance.

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

ARTICLE 3. Parliamentary Procedures: Finance Committee Recommends. Voted Unanimously that the Town accept 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.

A motion was made and seconded to wave the second reading of the article. Motion carried Unanimously.

ARTICLE 4. Compensation for Elected Town Officials: Finance Committee Recommends. Voted by a Majority (one against) that the Town fix the compensation for all elected Town Officers for the fiscal year beginning July 1, 1996 and ending June 30, 1997 as follows: Assessors, Chairman, \$2,334, Members, \$2,122 each, per year; Town Clerk, \$29,115 per year (all fees revert to the Town treasury); Moderator, \$200 Annual Town Meeting, \$50 Special Town Meeting; Selectmen, \$3,183 per year, Chairman \$3,713 per year; Tree Warden, \$6,316 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. Overlay Reserve Fund: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$41,455, from overlay funds certified as excess by the Board of Assessors pursuant to Section 25 of Chapter 59 of the Massachusetts General Laws to the Stabilization Fund.

ARTICLE 6. Stabilization Fund: Finance Committee Recommends. Voted Unanimously that the Town raise and appropriate \$162,416 from Free Cash to the Stabilization Fund.

ARTICLE 7. Reserve Fund: Finance Committee Recommends. Voted Unanimously that the Town raise and appropriate from available funds, the sum of \$100,000, or any other sum, for a Fiscal Year 1997 Reserve Fund, and determine how this appropriation should be provided for.

ARTICLE 8. Receipts Reserved for Appropriation for Ambulance: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$88,121, from Receipts Reserved for Appropriation for Ambulance personal services and operating costs, pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws.

ARTICLE 9. Receipts Reserved for Appropriation for Ambulance: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$30,000, 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 10. Receipts Reserved for Appropriation for the Stony Hill Road School: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$32,328 from Receipts Reserved for Appropriation for the Stony Hill Road School, and transfer \$25,000 to the Stony Hill Road School Bond Issue Fund and \$7,328 to General Fund Interest Expenses.

ARTICLE 11. Financial Policies: Voted Unanimously that the Town endorse the Financial Policies as approved by the Board of Selectmen , Finance Committee and Capital Planning Committee, and filed by the Board of Selectmen with the Town Clerk.

ARTICLE 12. Budget Appropriations: Finance Committee Recommends. Voted Unanimously that the Town accept the report of the Finance Committee and appropriate the sum of \$17,447,672, to cover the necessary capital expenditures and operating expenses of the Town for Fiscal Year 1997 (July 1, 1996 to June 30, 1997) per appropriations listed separately and incorporated herein by reference, and to provide said appropriations as follows:

Transfer	from: Water Receipts	\$717,749
	to: Water Enterprise Fund	
	from: Solid Waste Receipts	\$469,639
	to: Solid Waste Enterprise	
	from: Sewer Receipts	\$421,471
	to: Sewer Enterprise Fund	
	from: Cemetery Trust Fund	- 0 -
	to: Cemetery Capital Projects	
	from: Offset Receipts	\$ 18,000
	to: Dog Officer's Expense	
	from: Hampden County Traffic Safety Program Grant	\$ 32,000
	to: Selectmen Salaries	
	from: Federal Crime Bill (COPFAST) Grant	\$ 15,862
	to: Police Salaries	

from: Mass. Drug Abuse Resistance Education Grant	\$ 9,000
to: Police Salaries	
from: Mass. Tobacco Control Grant	\$ 14,616
to: Selectmen Salaries	
from: Receipts Reserved for Appropriation to Ambulance	\$ 19,000
to: Fire Salaries	

Amount of Certified Free Cash Required for FY 1997 Municipal Appropriations: \$239,228

Presentation was made by Michael Flynn, Chairman of the Finance Committee. Some questions arose concerning amounts in certain line item budgets. Explanations were presented. Paula Tingle, a member of the Regional School Committee spoke on the school budget and introduced the new Assistant Superintendent of Schools.

A motion was made by Brad Riga, concerning the Highway Dept. budget, to reduce the budget for sand purchase. Motion was seconded but did not pass by a majority. Attempted motion is on file with the Town Clerk.

William Massidda commended the Budget Committees for their hard work and dedication.

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 \$385,663, in anticipation of state receipts in accordance with Section 6A and Section 7, Subsections 5 and 6 of Chapter 44 of the Massachusetts General Laws, said money representing allotment for Chapter 85, Acts of 1994, or Chapter 90 road construction, reimbursement from the state to be used to retire such debt.

ARTICLE 14. Authorization to Borrow for Capital Outlays: Finance Committee Recommends. (2/3 vote required) Voted Unanimously that the Town borrow a sum not to exceed \$485,832 for the following purposes:

in accordance with Section 7 (3A) of Chapter 44 of the Massachusetts General Laws for remodeling, reconstructing or making extraordinary repairs to public buildings owned by the Town, \$166,149;

in accordance with Section 7 (9) of Chapter 44 of the Massachusetts General Laws for the cost of departmental equipment, \$241,683;

in accordance with Section 7 (28) and 7 (29) of Chapter 44 of the Massachusetts General Laws for the development, design, purchase and installation of computer hardware, other data processing equipment and computer assisted integrated financial management and accounting systems, \$33,000;

in accordance with Section 7 (31) of Chapter 44 of the Massachusetts General Laws for the purpose of removing asbestos from municipally owned buildings, \$5,000;

in accordance with Section 7 (25) of Chapter 44 of the Massachusetts General Laws for the construction of municipal outdoor recreational and athletic facilities, \$30,000;

in accordance with Section 7 (6) of Chapter 44 of the Massachusetts General Laws for the resurfacing of off-street parking areas, \$10,000.

An amendment to Article 14 was presented by Selectman Moriarty which reduced the article by \$30,000. The amendment was seconded and the motion carried unanimously. The amendment is on file in the Town Clerk's office.

The amendment decreased the original figure concerning departmental equipment from \$271,683 to \$241,683 therefore making the total to be borrowed \$485,832 instead of \$515,832.

The following persons were sworn in as tellers for the Annual Town Meeting:

Dr. Alan Peck

Truman Swallow

Judith Dionne

ARTICLE 15. Reduce Authorization to Borrow for Capital Outlays: Finance Committee Recommends. (2/3 vote required) Voted Unanimously that the Town reduce the authorization to borrow \$283,000 under Section 7 (3A) of Chapter 44 of the Massachusetts General Laws approved at the June 22, 1992 Special Town Meeting (Article 2) for remodeling, reconstructing or making extraordinary repairs to public buildings owned by the Town, to \$173,769.

ARTICLE 16. Rescind Authorization to borrow for Capital Outlays: Finance Committee Recommends. (2/3 vote required) Voted Unanimously that the Town rescind the authorization to borrow \$50,000 under Section 7 (31) of Chapter 44 of the Massachusetts General Laws approved at the June 22, 1992 Special Town Meeting (Article 3), for the removal of asbestos from municipally owned buildings.

ARTICLE 17. Council on Aging Revolving Fund: Finance Committee Recommends. Voted Unanimously that the Town reauthorize a revolving fund under the Council on Aging and transfer the balance from the FY 1996 revolving fund to the FY 1997 revolving fund in accordance with Section 53 E1/2 of Chapter 44 of the Massachusetts General Laws. Receipts shall be credited into said fund from the following sources: (1) Donations from individuals, organizations, and events. (2) Allowance from the Senior Network. (3) Memorial donations.

(4) Fees for classes, trips, and programs. Expenditures authorized by the Director of Elder Affairs, not exceeding a total of \$5,000 in FY 1997, may be made for the following purposes: (1) Payment of costs connected with programs and events. (2) Repair and maintenance of equipment and furnishings. (3) Purchase of memorials and volunteer recognition. (4) Fees for instructors of classes. The balance in the revolving fund shall not exceed \$5,000.

ARTICLE 18. Compost Bin Revolving Fund: Finance Committee Recommends. Voted Unanimously that the Town authorize the Board of Selectmen to establish a revolving Home Composting Bin Account in accordance with Section 53 E1/2 of Chapter 44 of the Massachusetts General Laws. Receipts shall be credited into said account from the sale of home composting bins. Expenditures authorized by the Recycling Coordinator, not exceeding a total of \$5,000, may be made for the purchase of additional composting bins for resale to town residents. The balance in the revolving account shall not exceed \$5,000.

ARTICLE 19. Solid Waste Fund Retained Earnings: Finance Committee Recommends. Voted Unanimously that the Town appropriate \$27,011 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. Water Installation Fees: Finance Committee Recommends. Voted Unanimously that the Town allow expenses for water installation by a private homeowner or business to be charged and funded by related receipts.

ARTICLE 21. Non-partisan Elections: Motion failed to pass by a majority that the Town file a petition in the General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution for an act of the Legislature, in or substantially in the form found at Chapter 5 of the Acts of 1988 and Chapter 124 of the Acts of 1986 as shown on copies on file with the Town Clerk, but pertaining specifically to the Town of Wilbraham, to establish the holding of nonpartisan preliminary elections in the Town of Wilbraham, and to repeal the provisions of the General Laws establishing the nomination of municipal officers at caucuses held by the Town partisan political committees.

A large number of persons spoke concerning this article and it was well debated. After a lengthy discussion the motion was finally voted on. A motion to reconsider was made and seconded. This motion failed to pass.

ARTICLE 22. Adoption of New By-Laws: Voted by a Majority (one against) that the Town repeal all of the Town By-Laws whenever adopted prior to this Town Meeting, other than the Zoning By-Laws, Wetlands By-Laws and the Personnel By-Laws, and all of the ordinances and regulations, but not including those adopted by the Board of Health, Planning Board, Water

Commissioners, Sewer Committee, and Zoning Board of Appeals in and substitute therefor the new Town By-Laws in the form on file with the Town Clerk.

ARTICLE 23. 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 24. 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 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 25. Acceptance of Public Ways: 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: Webster Lane, Margaret Drive, Hemingway Road (extension), Mark Twain Drive, and James Circle.

ARTICLE 26. Acceptance of Deeds: Voted Unanimously that the Town accept such deeds of land to the Town as filed by the Board of Selectmen with the Town Clerk and also as recorded at the Hampden County Registry of Deeds or the Land Court since the date of the last Annual Town Meeting.

ARTICLE 27. Zoning By-Law Amendment - rezoning from N.O. to N.S.: A motion to move no action was passed by a majority (one against) not allowing the Town to amend the Wilbraham Zoning By-Law by rezoning from Neighborhood Office (N.O.) to Neighborhood Shopping (N.S.) a parcel of land containing approximately 8,806 square feet, known as Parcel B-1, located at 5 Burt Lane, as more particularly described on a plan entitled "Article 27, Exhibit A" on file with the Town Clerk.

The motion to "move no action" was made by Scott Bergeron. Motion carried.

ARTICLE 28. Zoning By-Law Amendment - Planned Unit Residential Development (PURD): Planning Board Recommends. Passing by a 2/3 vote requirement (Y-183, N-50) that the Town amend sections 1.3, 3.4.2.6 and 4.8 of the Wilbraham Zoning By-Law by deleting "Planned Unit Development" regulations and substituting therefor new "Planned Unit Residential

Development" regulations as set forth in a document entitled "Article 28, Exhibit A" on file with the Town Clerk.

This article was discussed in length and there was two attempts at amending the article. Both amendments failed to pass. After much discussion and time, a motion was made and seconded to move the article. Motion passed by a 2/3 vote requirement (Y-233, N-3). Amendments, as presented, are on file with the Town Clerk.

ARTICLE 29. Conveyance of Easement: Planning Board Recommends. Voted Unanimously that the Town terminate a drainage easement on land of Leonard Viscito, known as Lot 12, Stony Ridge Estates Subdivision, located at 28 Briar Cliff Drive, and accept a deed of a substitute drainage easement on said land of Leonard Viscito as shown on a plan on file with the Town Clerk.

ARTICLE 30. Adjournment of Annual Town Meeting: Voted Unanimously that the Town adjourn the Annual Town Meeting until 8:30 AM, Saturday, May 4, 1996, at the Wilbraham Community Center, Precinct A; Mile Tree School, Precinct B; Memorial School, Precinct C; or Soule Road School, Precinct D; when the Annual Town Election will be held, polls closing at 6:30 PM.

Meeting adjourned at 11:44 PM.

Attest: Beverly J. Radner
Town Clerk

TOWN BULLETIN

Boston, Massachusetts

August 12, 1996

The foregoing amendments to the zoning by-laws adopted under article 28 and the amendments to the general by-laws adopted under article 22, all of the warrant for the Wilbraham annual town meeting that convened on April 29, 1996, are approved.

Scott Harshbarger
Attorney General

August 3, 1996

Jonathan A. Abbott
Assistant Attorney General