

**ANNUAL TOWN MEETING
MAY 3, 1999**

Attendance:
Precinct A: 29
Precinct B: 44
Precinct C: 33
Precinct D: 57
Total -----163

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 the Moderator, Arthur F. Dionne, noted a quorum was present and called the meeting to order. At this time 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.

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 H. Garvey
Measurers of Wood & Charcoal	Stanley Gore & William H. Garvey
Field Drivers	Dorrance T. Green & John Garvey
Weighers of Grain	Alton McDonald & Jesse L. Rice

A motion to recess the Annual Town Meeting in order to convene a Special Town Meeting, as posted, was passed by unanimous vote. At the conclusion of the Special Town Meeting, the Town would return to the Annual Town Meeting to continue conducting business.

Annual Town Meeting reconvened at 7:25 PM.

A moment of silence was held following the reading of the "In Memoriam". Those names mentioned were William Sitnik and Richard Bousquet.

Introductions and greetings were extended to State Representative Gale Candaras and Senator Brian Lees' representative, Lois Scibelli.

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 2½), as amended, and set forth in a document entitled "Article 3, Exhibit A," on file with the Town Clerk.

A motion to waive the second reading of the parliamentary procedure was made and seconded. Motion carried by unanimous vote.

ARTICLE 4. Compensation for Elected Town Officials: Finance Committee Recommends. Passing by a majority vote that the Town fix the compensation for all elected Town Officers for the fiscal year beginning July 1, 1999 and ending June 30, 2000.

Voted that the compensation for elected Town Officers for fiscal year July 1, 1999 to June 30, 2000, be fixed as follows: Assessors, Chairman, \$2,561, Members, \$2,320 each, per year; Town Clerk, \$38,635 per year (all fees revert to the Town treasury); Moderator, \$200 Annual Town Meeting, \$50 Special Town Meeting; Selectmen, \$3,477 per year, Chairman \$4,057 per year; Tree Warden, \$6,795 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. Reserve Fund: Finance Committee Recommends. Voted unanimously that the Town raise or appropriate from Free Cash (\$89,000) and available funds (\$100,000, the sum of \$189,000 for a Fiscal Year 2000 Reserve Fund and determine how this appropriation should be provided for.

ARTICLE 6. Stabilization Fund: Finance Committee Recommends. Requiring a 2/3rd vote, passing by unanimous vote that the Town appropriate the sum of \$270,354 from the Stabilization Fund in order to eliminate the deferral of teachers' salaries pursuant to Section 5B of Chapter 40 of the Massachusetts General Laws.

ARTICLE 7. Stabilization Fund: Finance Committee Recommends. Requiring a 2/3rd vote, passing by a declared 2/3rd vote (2 opposed) by the Moderator that the Town appropriate the sum of \$129,000 from the Stabilization Fund in order to fund repairs to municipal buildings pursuant to Section 5B of Chapter 40 of the Massachusetts General Laws.

ARTICLE 8. Stabilization Fund: Finance Committee Recommends. Requiring a 2/3rd vote, passing by a declared 2/3rd vote by the moderator that the Town appropriate the sum of \$105,996 from the Stabilization Fund to partially fund the FY2000 Hampden-Wilbraham Regional School District assessment pursuant to Section 5B of Chapter 40 of the Massachusetts General Laws.

Topics that were discussed ranged from children's safety in school to mismanagement of the school budget. Those who responded to questions were School Committee Chairman Paula Tingle, Superintendent Brenda Dietrich and Town Administrator William Fogarty.

ARTICLE 9. FY 1998 Regional School District Deficit: Finance Committee Recommends. Passing by a majority vote that the Town appropriate the sum of \$245,965 from Free Cash to pay the Town's share of the FY1998 operating budget deficit of the Hampden-Wilbraham Regional School District.

ARTICLE 10. Receipts Reserved for Appropriation for Ambulance: Finance Committee Recommends. Passing by unanimous vote that the Town appropriate the sum of \$124,947 from Receipts Reserved for Appropriation for Ambulance to Ambulance personal services and operating costs, pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws.

ARTICLE 11. Receipts Reserved for Appropriation for Ambulance: Finance Committee Recommends. Passing by unanimous vote that the Town appropriate the sum of \$70,000 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 12. Receipts Reserved for Appropriation for Cemeteries: Finance Committee Recommends. Passing by unanimous vote that the Town appropriate the sum of \$3,500 from Receipts Reserved for Appropriation for Cemeteries to Cemetery operating Costs, pursuant to Section 5 of Chapter 40 and Section 16 of Chapter 114 of the Massachusetts General Laws.

ARTICLE 13. Budget Appropriations: Finance Committee Recommends. Passing by unanimous vote that the Town accept the report of the Finance Committee and appropriate the sum of \$20,993,540 to cover the necessary capital expenditures and operating expenses of the Town for Fiscal year 2000 (July 1, 1999 to June 30, 2000) per appropriations listed separately and incorporated herein by reference, and to provide said appropriations as follows:

Transfer	from: Water Receipts	\$1,079,367
	to: Water Enterprise Fund	
	from: Solid Waste Receipts	\$ 511,870
	to: Solid Waste Enterprise Fund	
	from: Sewer Receipts	\$ 429,502
	to: Sewer Enterprise Fund	
	from: Offset Receipts	\$ 18,000
	to: Dog Officer Expenses	
	from: Hampden County Traffic Safety Program Grant	\$ 35,000
	to: Selectmen Salaries	
	from: Federal Crime Bill (COPFAST) Grant	\$ 3,502
	to: police Salaries	

Amount of Certified Free Cash required for FY2000 Municipal Appropriations: \$230,319

Presentation was given by Finance Committee Chairman Greg Gale. This presentation was followed by a line by line reading of the proposed budget. At Budget 301, Regional School, a presentation was given by Chairman Paula Tingle and Ron Thomson. Paula introduced the rest of the committee members. Paula also thanked the committee for all of their hard work throughout the year.

A motion was made and seconded to waive the second reading of Article 13. Motion carried by unanimous vote.

ARTICLE 14. Water Enterprise Fund Retained Earnings: Finance Committee Recommends. Passing by unanimous vote that the Town appropriate \$58,490 from available funds in the Water Enterprise Fund retained earnings account for the purpose of funding water exploration and water system repairs and improvements, as approved by the Board of Water Commissioners.

ARTICLE 15. Solid Waste Enterprise Fund Retained Earnings: Finance Committee Recommends. Passing by a majority vote that the Town appropriate \$19,565 from available funds in the Solid Waste Enterprise Fund retained earnings account for the purpose of developing a geographic information system.

ARTICLE 16. Authorization to Borrow for Capital Outlays: Finance Committee Recommends. Requiring a 2/3rd vote, passing by unanimous vote that the Town borrow a sum not to exceed \$480,000 for the following purposes:

in accordance with Section 7 (9) of Chapter 44 of the Massachusetts General Laws for the cost of departmental equipment, \$80,000;

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, \$400,000.

A presentation was given by Capital Planning Chairman Robert Quintin. He gave a special thanks to his committee members especially Nancy Johnson and Tom Sullivan.

ARTICLE 17. Chapter 90 Anticipation Borrowing: Finance Committee Recommends. Passing by unanimous vote that the Town authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$393,783 in anticipation of state receipts pursuant to Section 4 of Chapter 44 of the Massachusetts General Laws, for uses specified in Section 6A and Section 7, Subsections 5 and 6 of Chapter 44 of the Massachusetts General Laws, said money representing allotment for Chapter 90 road construction, reimbursement from the state to be used to retire such debt.

ARTICLE 18. Public Works, Economic Development Grant Anticipation Borrowing: Finance Committee Recommends. Passing by a majority vote (one opposed) that the Town authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$750,000 in anticipation of state receipts pursuant to Section 4 of Chapter 44 of the Massachusetts General Laws for uses specified in Section 6A and Section 7, Subsections 5 and 6 of Chapter 44 of the Massachusetts General Laws, said money representing allotment for a Public Works Economic Development Grant, reimbursement from the state to be used to retire such debt.

ARTICLE 19. Council on Aging Revolving Fund: Finance Committee Recommends. Passing by unanimous vote that the Town reauthorize a revolving fund under the Council on Aging and transfer the balance from the FY1999 revolving fund to the FY2000 revolving fund in accordance with

Section 53 E½ 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 \$10,000 in FY2000, 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 and classes. The balance in the revolving fund shall not exceed \$10,000.

ARTICLE 20. Compost Bin Revolving Fund: Finance Committee Recommends. Passing by unanimous vote that the Town reauthorize a revolving Home Composting Bin Account in accordance with Section 53 E½ of Chapter 44 of the Massachusetts General Laws in order to place revenue collected from the sale of compost bins which shall be used to purchase additional compost bins, and transfer the balance of the FY1999 revolving fund to the FY2000 revolving fund. Expenditures authorized by the Recycling Coordinator, not exceeding a total of \$5,000 in FY2000, 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 21. Cemetery Revolving Fund: Finance Committee Recommends. Passing by unanimous vote that the Town reauthorize a revolving Cemetery Account in accordance with Section 53 E½ of Chapter 44 of the Massachusetts General Laws in order to place revenue collected from the sale of boundary markers, foundations, numbered lot markers, and for opening and closing graves, which shall be used to purchase boundary markers, foundations, numbered lot markers, and to open and close graves, and transfer the balance from the FY1999 revolving fund to the FY2000 revolving fund. Expenditures authorized by the Cemetery Commission, not exceeding a total of \$20,000 in FY2000, may be made to purchase boundary markers, foundations, numbered lot markers, and to open and close graves. The balance in the revolving account shall not exceed \$20,000.

ARTICLE 22. Authorization to Dispose of Surplus Equipment: Passing by a unanimous vote 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 23. Authorization to Enter Into Lease/Purchase Agreements: Passing by unanimous vote 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 24. Amendment to Town By-Law Article II, Section 202, "Conduct of Town Meeting:" Passing by unanimous vote that the Town amend Article II of the Town By-Laws, Section 202, "Conduct of Town Meeting," by adding Subsection f.) to read as follows: In all matters not specifically provided for by law or by the By-Laws of the Town of Wilbraham, the Moderator

shall be guided by the principles and rules of practice contained in the work entitled "Town Meeting Time, A Handbook of Parliamentary Law, Second Edition" by Johnson, Trustman and Wadsworth.

Article 24 was presented by the Moderator Arthur Dionne. Upon asking if there were any questions, which there were, the Moderator turned the meeting over to the Town Clerk for her to field the questions. Questions were then answered by Arthur Dionne. At the end of the question and answer session, the Town Clerk reread the article and went to the vote. After announcing the vote the meeting was then turned back over to the Moderator.

ARTICLE 25. By-Law Making Open Space & Recreation a Standing Committee: Passing by majority vote (one opposed) that the Town amend Article V of the Town By-Laws, "Committee Appointed by the Board of Selectmen," by adding Section 518, as on file with the Town Clerk as "Article 25, Exhibit A," making the Open Space and Recreation Committee a standing Town Committee.

ARTICLE 26. Soliciting By-Law (Petitioned): A motion to move no action passed by unanimous vote. The motion was presented by the petitioner John Lovejoy.

ARTICLE 27. Police Awards System (Petitioned): (Non Binding Vote) The major sense of those attending the meeting is opposed to the Town approving an Awards Policy for the Wilbraham Police Department to read substantially as the document entitled "Article 27, Exhibit A" and on file with the Town Clerk.

Police Chief Allen Stratton spoke concerning this article. He stated that he does support the concept of the Article. The Board of Selectmen stated that they have a problem with singling out one department over another.

ARTICLE 28. Dedication of Spec Pond Pavilion: Failing to pass by a majority vote that the Town name the pavilion at Spectacle Pond the "Anthony H. Herdemian Pavilion."

Friends of the Recreation Committee Chairman Brad Pinney spoke concerning this article. He explained that it was for the pavilion only not the pond. It would be in recognition of his service and the development of the Recreation Department over his 18 years of service.

Many remarks were presented. Some mentioned the Lions Club's contribution to Spec Pond over the years.

ARTICLE 29. Easement Ratification: Requiring a 2/3rd vote, passing by a declared 2/3rd vote by the Moderator (3 opposed) that the Town ratify and confirm the granting of a non-exclusive temporary easement for access, ingress and egress to Gregory A. Coons and Amy B. Coons dated March 29, 1999 and recorded in the Hampden County Registry of Deeds Book Page in the following described land:

DESCRIPTION OF EASEMENT

A non-exclusive temporary easement for the purpose of ingress and egress and for common street purposes in and to the land in Wilbraham, Hampden County, Massachusetts being known and designated as Lot #15B as shown on a plan of land entitled "REVISION OF LOT #15 AND LOT #19 RED GAP ROAD, WILBRAHAM, MASSACHUSETTS OWNED BY STIRRUP, INC., SCALE 40 FT./IN: DATE - FEB. 1993" to be recorded in the Hampden County Registry of Deeds, said lot being more particularly bounded and described as follows:

SOUTHERLY by Red Gap Road, One Hundred and 00/100 (100) feet;

NORTHERLY
and EASTERLY by Lot #19 on said plan, a total distance of Three Hundred Fourteen and 27/100 (314.27) feet;

NORTHERLY by land now or formerly of William E. Coons, Fifty and 00/100 (50.00) feet; and

WESTERLY and
NORTHWESTERLY by Lot #15A on said plan, a total distance of Three Hundred Fourteen and 27/100 (314.27) feet.

ARTICLE 30. Acceptance of Deeds: Passing by unanimous vote that the Town accept such deeds of land to the Town as filed by the Board of Selectmen in a document entitled "Article 30, Exhibit A," with the Town Clerk and also as are recorded at the Hampden County Registry of Deeds or the Land Court since the date of the last Annual Town Meeting.

ARTICLE 31. Adjournment of Annual Town Meeting: Passing by unanimous vote that the Town adjourn the Annual Town Meeting until 8:30 AM, Saturday, May 8, 1999, 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 11:17 PM.


Attest: Beverly J. Radner, CMC
Town Clerk

June 9, 1999

TOWN BULLETIN

Boston, Massachusetts

The foregoing amendments to the general town by-laws adopted under articles 24 & 25 of the warrant for the Wilbraham town meeting that convened on May 3, 1999 are approved.

Thomas F. Reilly
Attorney General

Robert W. Ritchie
Assistant Attorney

June 7, 1999
General