

## ANNUAL TOWN MEETING

**MAY 16, 2005**

### **Attendance**

**Precinct A: 174**

**Precinct B: 152**

**Precinct C: 170**

**Precinct D: 152**

**(Two-night total) Total ----- 648**

In accordance with the Warrant, as posted, the inhabitants of the Town of Wilbraham, qualified to vote in Town affairs, met in Minnechaugh Regional High School on Monday, May 16, 2005. At 7:20PM Moderator, Arthur F. Dionne noted a quorum was present and called the meeting to order. (The meeting was delayed from 7:00 PM to 7:20 PM due to the large turnout still being checked in.) The Pledge of Allegiance was then recited followed by Town Clerk Beverly J. Litchfield reading the call of the meeting.

The Moderator welcomed all and commenced with an explanation of the process concerning the "Consent Agenda." The articles included in the consent agenda were then read, one at a time by the members of the Board of Selectmen. After each article the Moderator asked if there were any questions. If there were none, they proceeded with the next article. The Consent Articles were 1, 10, 11, 13, 14, 16, 33, 34, 35, 36, 37, and 38.

At 7:35 PM a motion was made and seconded to recess the Annual Town Meeting and to open the Special Town Meeting. This passed by a unanimous vote. At the conclusion of the Special Town Meeting at 7:50 PM a motion passed by majority vote closing the Special Town Meeting and returning to Annual Town Meeting to continue conducting business.

At this time the Moderator read the memoriam list of names that have recently passed on. This was followed by a moment of silence.

**ARTICLE 1. -Choosing Miscellaneous Officials (Consent Agenda):** Passing by a majority vote that the following persons be elected to the indicated offices for the ensuing year:

Poundkeeper	Michael H. Masley
Surveyors of Lumber	Edward P. Lindsay Jr. & William H. Garvey
Measurers of Wood and Charcoal	William H. Garvey
Field Drivers	John J. Garvey
Weighers of Grain	Jesse L. Rice

**ARTICLE 2. -Parliamentary Procedures:** Passing by a majority vote 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 as set forth in a document entitled "Article 2, Exhibit A," on file with the Town Clerk.

**ARTICLE 3. – Tax Exemptions for Elderly Taxpayers:** Finance Committee Recommends. Passing by a majority vote that the Town accept Clause 41C of Section 5 of Chapter 59 of the Massachusetts General Laws as amended by Section 51 of Chapter 184 of the Acts of 2002 to reduce the eligibility age from 70 to 65, increase the annual gross receipts limits from \$13,000 to \$20,000 for a single taxpayer and from \$15,000 to \$30,000 for a married couple, increase the whole estate limit from \$28,000 to \$30,000 for a single taxpayer and from \$30,000 to \$35,000 for a married couple, and increase the exemption amount from \$500 to \$750 of taxes due.

**ARTICLE 4. – Petitioned Article, Election of Finance Committee:** Failing to pass as amended that the Town amend the Town By Laws to delete Article V, Section 504 and replace it with Article III, a Section 311 to read as follows:

- a.) The Town shall elect a Finance Committee consisting of nine members, no one of whom shall hold any elected town office. Three persons shall be elected each year following the conclusion of the fiscal year for a term of three (3) years.
- b.) For purposes of continuity, the Selectmen shall appoint three (3) members whose term shall begin on July 1, 2005 and end on June 30, 2008. When this by-law is adopted the Town shall elect three (3) members at the annual election for a term of three (3) years to the open expiring terms, whose service will commence July 1, 2006. The following year the Town shall elect three (3) members at the annual town election, for a term of three (3) years to the open, expiring terms whose service will commence July 1, 2007. The following year the Town shall elect three (3) members at the annual town election for a term of three (3) years to the open, expiring terms whose service will commence July 1, 2008. This election process will be repeated each subsequent year.
- c.) Said committee shall annually choose its own chairman. Vacancies occurring on said Finance Committee shall be filled by a joint meeting of the Board of Selectmen and the members of the Finance Committee to serve through June 30<sup>th</sup> of the last fiscal year of the member's term. To this committee shall be referred all articles in the Town warrant calling for appropriations. The Committee shall consider all matters proposed to be acted upon at Town meetings, but it shall not report on such matters as may have been referred to other committees by vote of the Town.
- d.) No vote shall be passed at any Town Meeting involving the appropriation or expenditure of any sum of money, the subject matter of which has not first been considered and reported on by said committee.
- e.) It shall be the duty of this committee to investigate the needs of the Town, particularly the financial requirements of the several departments, and to ascertain and recommend the amount required to carry out the work for the Town for the ensuing year.
- f.) Five members of the committee shall constitute a quorum for the transaction of business.

A motion to reconsider Article 4 came after Article 7. It was seconded but failed to pass by a majority vote.

ARTICLE 5. –**Annual Community Preservation Program Budget:** Finance Committee Recommends. Passing by a majority vote that the town appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for debt service and community preservation projects in FY 2006, with each item to be considered a separate appropriation.

**Proposed FY 2006 Community Preservation Budget**

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from FY 2006 Community Preservation Fund revenues for FY 2006 Community Preservation Purposes with each item considered a separate appropriation:

<u>Purpose</u>	<u>Recommended Amount</u>
Appropriations	
Rice Fruit Farm	\$314,280
Hearse House	\$ 5,000
Grange Hall	\$ 5,000
Reserves	
Historic Preservation	\$ 29,285
Affordable Housing	\$ 39,285

Each appropriation and reserve was voted individually. Each appropriation and reserve passed by a majority vote.

ARTICLE 6. –**Rice Nature Preserve, Ratification of Prior Authorization:** Finance Committee Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town ratify, approve and confirm the vote of the town passed under Article 4 at the 2004 Annual Town Meeting authorizing the acquisition by gift and/or purchase of all or a portion of the land commonly known as the Rice Fruit Farm consisting of up to 270 acres more or less and as more fully described in such prior vote of the town for open space conservation purposes pursuant to Section 8C of Chapter 40 and Chapter 44B of the Massachusetts General Laws, otherwise known as the Massachusetts Community Preservation Act, and appropriating \$1,310,000 to pay the costs of such acquisition; to ratify, approve and confirm the intent of the town pursuant to such prior vote by authorizing the Treasurer, with approval of the Board of Selectmen, to meet such appropriation by borrowing \$1,310,000 under Chapters 44 and 44B of the Massachusetts General Laws or any other enabling authority, with the intent that, although any bonds or notes issued hereunder shall be general obligations of the town, the debt service on any such bonds or notes will be paid from annual revenues in the Community Preservation Fund to the extent not paid from federal or state aid, private donations or other amounts available for the project as described below, provided that the amount of the borrowing authorized hereunder shall be reduced by any Massachusetts Self-Help grants, other federal or state aid or private donations received prior to the issuance of any bonds or notes hereunder; to determine whether the town will vote to ratify, approve and confirm the intent of the Town under such prior vote to authorize the Board of Selectmen and the Conservation Commission to take all action necessary to carry out this project and to provide for such land to be held under the care, custody, management and control of the Conservation Commission on behalf of the Town.

**ARTICLE 7 – Rice Orchard, Authorization to Borrow for Purchase:** Finance Committee Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town appropriate \$1,050,000 for the acquisition of all or a portion of, and/or an agricultural preservation restriction in, the following described land for open space conservation purposes pursuant to Section 8C of Chapter 40 and Chapter 44B of the Massachusetts General Laws, otherwise known as the Massachusetts Community Preservation Act: the property referred to as the “Orchard 90 ac.” consisting of 90 acres more or less and identified more specifically in the Option to Purchase (90+/- Acres Orchard) Agreement dated February 28, 2005 among Jesse L. Rice and Arthur W. Price, as co-trustees of the Winifred C. Rice Revocable Trust and the Jesse L. Rice Revocable Trust, each dated July 18, 1997, and the Town, which Agreement is on file in the office of the Town Clerk; that to meet this appropriation the Treasurer, with approval of the Board of Selectmen, is authorized to borrow \$1,050,000 under Chapters 44 and 44B of the Massachusetts General Laws or any other enabling authority, with the intent that, although any bonds or notes issued hereunder shall be general obligations of the town, the debt service on any such bonds or notes will be paid from annual revenues in the Community Preservation Fund to the extent not paid from federal or state aid, private donations or other amounts available for the project as described below, that the Board of Selectmen and the Conservation Commission are authorized to contract for and to expend any federal or state aid and any private donations available for the project, provided that the amount of the borrowing authorized under this vote shall be reduced by any federal or state aid or private donations received prior to the issuance of any bonds or notes hereunder; that the Board of Selectmen and the Conservation Commission are authorized to take any action necessary to carry out this project; and that the land, or the interests therein, to be acquired pursuant to this vote shall be held under the care, custody, management and control of the Conservation Commission on behalf of the town.

**ARTICLE 8. -Budget Appropriations:** Finance Committee Recommends. Passing by a majority vote that the Town accept the report of the Finance Committee and appropriate the sum of \$29,615,731 to cover the necessary capital expenditures and operating expenses of the Town for Fiscal Year 2006 (July 1, 2005 to June 30, 2006) per appropriations listed separately and incorporate herein by reference, and to provide said appropriations as follows:

Transfer	from: Water Receipts	\$1,317,484
	to: Water Enterprise Fund	
	from: Solid Waste Receipts	\$532,140
	to: Solid Waste Enterprise Fund	
	from: Sewer Receipts	\$473,026
	to: Sewer Enterprise Fund	
	from: Offset Receipts	\$ 25,000
	to: Dog Officer Expenses	

Amount of Certified Free Cash Required for FY 2006 Municipal Appropriations: \$402,501

**ARTICLE 9. –Curbside Solid Waste Collection:** Finance Committee Recommends. Failing to pass by a majority vote that the Town authorize the Board of Selectmen to negotiate and enter into a contract for the curbside collection of solid waste for a period of five years if in the opinion of the Board it is in the best interest of the Town, and to reduce Solid Waste Salaries under Article 8 by \$19,906 and appropriate an additional \$666,712 in Solid Waste Expenses from Solid Waste Receipts to the Solid Waste Enterprise Fund to support said contract.

**ARTICLE 10. -Compensation for Elected Town Officials (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town fixes the compensation for all elected Town Officers for the fiscal year beginning July 1, 2005 and ending June 30, 2006.

AS ACCEPTED that the compensation for elected Town Officers for fiscal year July 1, 2005 to June 30, 2006, be fixed as follows: Assessors, Chairman, \$2,954, Members, \$2,676 each, per year; Town Clerk, \$46,627 per year (all fees revert to the Town treasury); Moderator, \$200 Annual Town Meeting, \$50 Special Town Meeting; Selectmen, \$3,932 per year, Chairman \$4,588 per year; Tree Warden, \$7,991 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 11. -Receipts Reserved for Appropriation for Ambulance (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town appropriate \$518,766 from Receipts Reserved for Appropriation for Ambulance to Ambulance personal services, operating and capital costs, pursuant to Section 5 of Chapter 40 of the Massachusetts General Laws.

**ARTICLE 12. –Appropriations for Purchase of an Ambulance Vehicle:** Finance Committee Recommends. Passing by unanimous vote that the Town appropriate \$35,000 from Receipts Reserved for Appropriation for Ambulance and \$109,000 from the depreciation account for vehicle and equipment replacement for the purchase of a new ambulance vehicle.

**ARTICLE 13. – Receipts Reserved for Appropriation for Cemeteries (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town appropriate \$6,300 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 14. - Reserve Fund (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town raise or appropriate from Free Cash (\$70,000) and overlay funds certified as excess by the Board of Assessors pursuant to Section 25 of Chapter 59 of the Massachusetts General Laws (\$30,000) the sum of \$100,000 for a Fiscal Year 2006 Reserve Fund.

ARTICLE 15. –**Water Division Reserve Fund:** Finance Committee Recommends. Passing by a majority vote that the Town raise and appropriate from water receipts the sum of \$50,000 for a Fiscal Year 2006 Reserve Fund.

ARTICLE 16. –**Waste Water Enterprise Fund Retained Earnings (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town appropriate \$65,349 from available funds in the Waste Water Enterprise Fund retained earnings account for the purpose of installing equipment to control odor and regulate peak flows (\$35,349), continue a sewer capacity study under the Geographic Information System (\$10,000) and continue a general study of waste water system capacity (\$20,000).

ARTICLE 17. –**Chapter 90 Appropriation:** Finance Committee Recommends. Passing by a majority vote that the Town appropriate \$328,842 from available funds provided under Section 34 of Chapter 90 of the Massachusetts General Laws.

ARTICLE 18. –**Conservation Fund:** Finance Committee Recommends. Passing by a majority vote that the Town raise and appropriate \$7,000 to the Conservation Fund for open space acquisition, in accordance with Section 8C of Chapter 40 of the Massachusetts General Laws.

ARTICLE 19. –**Authorization to Borrow for Capital Outlays:** Finance Committee Recommend. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town borrow \$917,000 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, including original equipment and landscaping, paving and other site improvements, \$477,000;
- in accordance with Section 7(9) of Chapter 44 of the Massachusetts General Laws for the cost of departmental equipment, \$175,000; and
- in accordance with Sections 7(1) of Chapter 44 of the Massachusetts General Laws for design and construction of sewerage systems \$265,000.

ARTICLE 20. –**Zoning By-Law Amendments - Miscellaneous:** Planning Board Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town amend the Wilbraham Zoning By-Law by revising sections 1.3, 3.4.6.4, 4.4.3, 4.4.10, 11.6, and 13.6 as set forth in a document entitled "**Article 20, Exhibit A**" on file with the Town Clerk.

ARTICLE 21. - **Zoning By-Law Amendment – Residential Multiple Dwelling (RMD) District Inclusionary Housing Regulations:** Planning Board Recommends. Requiring a 2/3<sup>rd</sup> vote, Failing to pass by a 2/3<sup>rd</sup> vote declared by the Moderator that the Town amend the Wilbraham Zoning By-Law by inserting a new section 5.6 “Inclusion of Affordable Housing” as set forth in a document entitled "**Article 21, Exhibit A**" on file with the Town Clerk.

ARTICLE 22. –**Zoning By-Law Amendment - Rezoning 2407, 2417, 2423, 2431 and 2439 Boston Road (By Petition):** Passing by a majority vote to move no action on this article.

**ARTICLE 23. -Zoning By-Law Amendment - Rezoning 20, 24, 28 and 88V Stony Hill Road:** Planning Board Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town amend the Wilbraham Zoning By-Law and the accompanying Zoning Map referenced therein by rezoning from Residential-15 (R-15) to General Business (GB) a parcel of land containing approximately 108,503 square feet including all or a portion of land located at 20, 24, 28 and 88V Stony Hill Road, as more particularly described on a plan on file with the Town Clerk entitled "**Article 23, Exhibit A.**"

**ARTICLE 24. -Acceptance of Deeds:** Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town accept such deeds of land to the Town recorded at the Hampden County Registry of Deeds or the Hampden County Land Registration Office since the date of the last Annual Town Meeting as filed by the Board of Selectmen with the Town Clerk as "Article 24, Exhibit A."

**ARTICLE 25. -Acceptance of Grange Building:** Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town authorize the Board of Selectmen to acquire through donation the Wilbraham Grange Hall and 6,570 square feet of land located at 485 Main Street.

**ARTICLE 26. - Easement for Route 20 at Post Office Park Traffic Signals/Spec Pond Access Improvements:** Finance Committee Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town authorize the Board of Selectmen to acquire the following land parcels and/or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction of a new access road to Spec Pond Park.

	Total # of Parcels	Area	Award
Permanent Easement	1	16,364 s.f.	\$1
Permanent Easement	1	970 s.f.	\$1

And any temporary easements as necessary for this project.

Further, that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase or eminent domain. The subject parcels are currently identified on a plan titled "Post Office Park / Spec Pond Access Right-of-Way Project File No. 604205," and on file as "Article 26, Exhibit A" with the Town Clerk, and to raise and appropriate the sum of \$2 to defray any associated right of way expenses connected with this project.

A motion to reconsider this article was made and seconded but failed to pass.

**ARTICLE 27. -Easement for Post Office Park drainage and parking improvements:** Finance Committee Recommends. Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town authorize the Board of Selectmen to acquire and grant rights in land parcels for the purpose of obtaining a secure and public right of way, and granting access, parking, drainage and irrigation improvements consistent with a 17-point agreement between the Town of Wilbraham Playground and Recreation Commission and the Garvey Group.

	Total # of Parcels	Area	Award
To Seek:			
Permanent Easement	1	24,380 s.f.	\$1
Permanent Easement	1	100 s.f.	\$1
To Grant:			
Permanent Easement	1	6,500 s.f.	\$1
Permanent Easement	1	34,800 s.f.	\$1

And any temporary easements as necessary for this project.

Further, that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase or eminent domain. The subject parcels are currently identified on a plan titled “Easement Plan, #35 Post Office Park,” and on file as “Article 27, Exhibit A” with the Town Clerk.

Further, to raise and appropriate the sum of \$2 to defray any associated right of way expenses connected with this project.

**ARTICLE 28. –Materials Recycling Facility Contract:** Requiring a 2/3<sup>rd</sup> vote, Passing by a declared 2/3<sup>rd</sup> vote by the Moderator that the Town approve the Springfield Materials Recycling Facility Municipal Agreement with Recycle American Alliance and the Massachusetts Department of Environmental protection for the receipt and processing of the town’s recyclable materials and the Springfield Materials Recycling Facility for ten years and on file as “Article 28, Exhibit A” with the Town Clerk.

**ARTICLE 29. –Nomination of Candidates:** Passing by a unanimous vote that the Town accept Section 9A of Chapter 53 of the Massachusetts General Laws concerning nomination papers for nominations to town office.

**ARTICLE 30. –Poll Worker Vacancies:** Passing by a majority vote that the town accept Section 16A of Chapter 54 of the Massachusetts General Laws concerning appointments to fill poll worker vacancies.

**ARTICLE 31. –Revision to Dog By-Law:** Passing by a majority vote that the town amends town bylaws relating to restraint of dogs in the following manner.

Section 604, strike the words “A violation of this By-Law shall be punished by a fine of \$10.00 for each offense, subject to the provisions of Mass. Gen. Laws, Chapter 140, Section 173A.” and insert in their place:

The Dog Officer shall investigate complaints of roaming dogs and may, upon satisfactory evidence obtained or observed by the Dog Officer, issue fines to the owner or keeper of such dogs, subject to non-criminal disposition, as provided in MGL Chapter 140, Section 173A, according to the following schedule:

- A. \$25.00 for a first offense

- B. \$35.00 for a second offense by the same dog,
- C. \$50.00 for a third and every subsequent offense by the same dog.

The Dog Officer has discretion to issue a warning in lieu of a fine for a first offense of this section.

Section 605, strike the last paragraph “A fine for each violation of Nos. 1-5 of this By-Law of \$25.00 for the first offense and \$100.00 for the second or subsequent offenses shall be assessed against the owner or keeper of said dog under the provisions of Mass. Gen. Laws, Chapter 140, Section 157.” and add the following text at the beginning of the section:

The Dog Officer shall investigate complaints of any dog that is a nuisance by reason of vicious disposition or excessive barking or other disturbance, or that any such dog by such barking or other disturbance is a source of annoyance to any sick person, and may upon satisfactory evidence obtained or observed by the Dog Officer, issue warnings and fines to the owner or keeper of such dogs, subject to non-criminal disposition, as provided in MGL Chapter 140, Section 173A, according to the following schedule:

A. Aggressive behavior, attacks, or biting of people, pets, or farm livestock, \$50.00 for each offense by the same dog.

B. Excessive barking, chasing cars, running in packs, breaking or damaging shrubbery or gardens: first offense \$25.00; a second offense by the same dog shall be punished by a fine of \$35.00, and a third and every subsequent offense by the same dog shall be punished by a fine of \$50.00. The Dog Officer has discretion to issue a warning in lieu of a fine for a first offense of this subsection.

**ARTICLE 32. – Grant or Renewal of Licenses as Affected by Non Payment of Local Taxes, Fees, Etc.:** Passing by a majority vote that the Town accept the provision of Section 57 of Chapter 40 of the Massachusetts General Laws and to amend paragraph b.) of Section 110 of the Town of Wilbraham By-Laws to read as follows (new section underlined):

b.) The Board may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the Board from the Tax Collector; or any license or permit including renewals and transfers with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or other matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or an other municipal charges; provided however that written notice is given to the party and the Tax Collector as required by applicable provisions of the law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the Board with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the Board receives a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees,

assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

**ARTICLE 33. –Hearing Reports (Consent Agenda):** Passing by a majority vote that the Town accepts the reports of all officers and committees as printed in the Annual Town Report.

**ARTICLE 34. -Council on Aging Revolving Fund (Consent Agenda):** Finance Committee Recommends. Passing by a majority vote that the Town reauthorize a revolving fund under the Council on Aging and transfer the balance from the FY 2005 revolving fund to the FY 2006 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 FY 2006, 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 35. -Compost Bin Revolving Fund (Consent Agenda):** Finance Committee Recommends. Passing by a majority 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 FY 2005 revolving fund to the FY 2006 revolving fund. Expenditures authorized by the Recycling Coordinator, not exceeding a total of \$5,000 in FY 2006, 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 36. -Cemetery Revolving Fund (Consent Agenda):** Finance Committee Recommends. Passing by a majority 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 FY 2005 revolving fund to the FY 2006 revolving fund. Expenditures authorized by the Cemetery commission, not exceeding a total of \$20,000 in FY 2006, 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 37-Authorization to Dispose of Surplus Equipment (Consent Agenda):** Passing by a majority 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 38 -Authorization to Enter Into Lease/Purchase Agreements (Consent Agenda):** Passing by a majority 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 39. Adjournment of Annual Town Meeting:** Passing by a unanimous vote that the Town adjourn the Annual Town Meeting until 8:30 A.M., Saturday, May 21, 2005, at the Wilbraham Community Center, Precinct A; Stony Hill 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 P.M.

Attest: \_\_\_\_\_  
Beverly J. Litchfield, CMC, CMMC  
Town Clerk of Wilbraham

July 6, 2005

TOWN BULLETIN

Boston, Massachusetts

Articles 20, 23, 31, and 32 are returned with the approval of the Attorney General's Office concerning amendments to the town by-laws adopted under these Articles on the warrant for the Wilbraham annual town meeting that convened on May 16, 2005 and the maps pertaining to Article 23.

Thomas F. Reilly, Attorney General  
Kelli E. Gunagan, Municipal Law Unit