

**ANNUAL TOWN MEETING  
MAY 15, 2006**

**Attendance**  
**Precinct A: 73**  
**Precinct B: 64**  
**Precinct C: 116**  
**Precinct D: 65**  
**Total ----- 318**

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 on Monday, May 15, 2006. 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 technical problems with microphones and table lights) Moderator Dionne explained the process to be followed during this evening's event. 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, 12,14,17,25,26,27,28,29 and 30. Each article is listed separately in these minutes.

At 7:32 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 7:47 PM a motion passed by unanimous vote closing the Special Town Meeting and returning to Annual Town Meeting to continue conducting business.

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

Following the moment of silence, Selectman Moriarty thanked Moderator Dionne for his years of service to the town since tonight would be his last meeting as Moderator. He and his family are moving out of town. Selectman Moriarty then read a Proclamation in Art Dionne's honor. It was then declared that May 15, 2006 was Arthur Dionne Day. Moderator Dionne was then presented with an engraved wall clock noting his years of service to Wilbraham. Moderator Dionne responded with a brief heartfelt thank you.

Moderator Dionne introduced State Representative Gale Candaras to those in the audience.

**ARTICLE 1. -Choosing Miscellaneous Officials (Consent Agenda): Passing by unanimous 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. –**Historic District: Requiring a 2/3<sup>rd</sup> vote, failing to pass by a 2/3<sup>rd</sup> vote** (Y-183, N- 112) that the Town amends Article VI of the Town By-Laws, “Regulation of Public Conduct,” by adding Section 629, “Local Historic District,” as on file with the Town Clerk as “Article 2, Exhibit A.” Warren Rothschild, Chairman of the Historic District Study Committee, gave a presentation.

ARTICLE 3. –**Petitioned Article, Request for Selectboard: Passing by a majority vote** that the Town authorize and empower the Board of Selectmen, on behalf of the town to investigate, study and report back to the town at the next Town Meeting the following: The anticipated financial impact of the upcoming retirement of the “Baby-Boomers” on the Wilbraham town budget. It is anticipated that large numbers of retirees will require potential continuing payment for possible health insurance, possible retirement benefits and possible life insurance for extended periods of time. We need to be informed of this impact and to begin planning for this contingency. Robert Page, Chairman of the Concerned Citizens of Wilbraham, gave a brief presentation.

ARTICLE 4. –**Agricultural Commission: Passing by a majority vote** that the Town amends Article V of the Town By-Laws, “Committees Appointed by the Board of Selectmen,” by adding Section 520, “Agricultural Commission,” as on file with the Town Clerk as “Article 4, Exhibit A.”

ARTICLE 5. - **Amendment to By-Law Concerning Dogs: Passing by a majority vote** for the town to amend the town bylaws to provide for the licensing and control of dogs, by striking existing sections 604 and 605 and inserting it their places new text for Section 604 as on file with the Town Clerk as “Article 5, Exhibit A;”

ARTICLE 6. -**Parliamentary Procedures: Passing by unanimous 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 6, Exhibit A," on file with the Town Clerk.

ARTICLE 7. –**Annual Community Preservation Program Budget:** Finance Committee Recommends. **Passing by unanimous 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 2007, with each item to be considered a separate appropriation.

**Proposed FY 2007 Community Preservation Budget**

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from FY 2007 Community Preservation Fund revenues for FY 2007 Community Preservation Purposes with each item considered a separate appropriation:

<u>Purpose</u>	<u>Recommended Amount</u>
Appropriations	
Hearse House	\$ 8,000
Records Preservation	\$ 12,974
Little Red School House	\$ 41,600
Foskit Memorial (Grange) Hall	\$ 3,400
Cemetery Monument Repair Project:	\$ 5,350
Rice Nature Preserve:	\$ 291,080

Housing Study \$ 20,000

Reserves

Affordable Housing \$ 20,267

Stoughton Smead spoke on behalf of the Community Preservation Committee.

**ARTICLE 8. -Budget Appropriations:** Finance Committee Recommends. **Passing by unanimous vote**, following the passage of an amendment to this article, that the Town accept the report of the Finance Committee and appropriate the sum of \$30,483,934 to cover the necessary capital expenditures and operating expenses of the Town for Fiscal Year 2007 (July 1, 2006 to June 30, 2007) per appropriations listed separately and incorporate herein by reference, and to provide said appropriations as follows:

Transfer	from: Water Receipts	\$1,198,972
	to: Water Enterprise Fund	
	from: Solid Waste Receipts	\$ 537,145
	to: Solid Waste Enterprise Fund	
	from: Sewer Receipts	\$ 495,279
	to: Sewer Enterprise Fund	
	from: Offset Receipts	\$ 25,000
	to: Dog Officer Expenses	

Amount of Certified Free Cash Required for FY 2007 Municipal Appropriations: \$259,532

Amendment to Article 8 concerned Budget #301, Regional Schools Assessment, which was reduced by \$144,428 to \$17,211,763. This made the total appropriation under Article 8 to be reduced by the same amount to \$30,483,934. This amendment passed by unanimous vote.

Kevin O'Donnell, Finance Chairman, gave a presentation on the proposed budget. He extended his thanks to all involved with putting this budget together.

**ARTICLE 9. -Stabilization Fund:** Finance Committee Recommends. **Requiring a 2/3<sup>rd</sup> vote, declared passed by 2/3<sup>rd</sup> vote by the Moderator (passing by unanimous vote)** that the Town raise and appropriate \$151,224 from available funds to the Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws.

**ARTICLE 10. - Stabilization Fund:** Finance Committee Recommends. **Requiring a 2/3<sup>rd</sup> vote, declared passed by 2/3<sup>rd</sup> vote by the Moderator (passing by unanimous vote)** that the Town raise and appropriate \$200,000 from available funds to a special stabilization fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws to reserve monies to defray costs, including debt service, related to capital projects.

**ARTICLE 11. -Compensation for Elected Town Officials:** 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, 2006 and ending June 30, 2007.

AS ACCEPTED that the compensation for elected Town Officers for fiscal year July 1, 2006 to June 30, 2007, be fixed as follows: Assessors, Chairman, \$3,043, Members, \$2,756 each, per

year; Town Clerk, \$48,492 per year (all fees revert to the Town treasury); Moderator, \$200 Annual Town Meeting, \$50 Special Town Meeting; Selectmen, \$4,050 per year, Chairman \$4,726 per year; Tree Warden, \$8,231 per year; Water Commissioners, \$150 per year; Cemetery Commissioners, no salary; Library Trustees, no salary; Planning Board Members, no salary; Pound keeper, 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 12. -Receipts Reserved for Appropriation for Ambulance (Consent Agenda):** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate \$473,901 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 13. -Appropriation for Ambulance Depreciation Account:** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate \$5,000 from Receipts Reserved for Appropriation for Ambulance to be held in a depreciation account for vehicle and equipment replacement pursuant to Sections 5 and 5F of Chapter 40 of the Massachusetts General Laws.

**ARTICLE 14. – Receipts Reserved for Appropriation for Cemeteries (Consent Agenda):** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate \$18,000 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 15. - Reserve Fund:** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate from Free Cash (\$140,091) and overlay funds certified as excess by the Board of Assessors pursuant to Section 25 of Chapter 59 of the Massachusetts General Laws (\$9,909) the sum of \$150,000 for a Fiscal Year 2007 Reserve Fund.

**ARTICLE 16. –Water Division Reserve Fund:** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate from water receipts the sum of \$50,000 for a Fiscal Year 2007 Reserve Fund.

**ARTICLE 17. –Waste Water Enterprise Fund Retained Earnings (Consent Agenda):** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate \$91,962 from available funds in the Waste Water Enterprise Fund retained earnings account to accommodate additional flows (\$81,962) and continuation of a study related to expansion of the sewer system and continuation of a capacity study under the Geographic Information System (\$10,000).

**ARTICLE 18. –Water Enterprise Fund Retained Earnings: Passing by unanimous vote to move no action on this article.**

**ARTICLE 19. -Chapter 90 Appropriation:** Finance Committee Recommends. **Passing by unanimous vote** that the Town appropriate \$328,815 from available funds provided under Section 34 of Chapter 90 of the Massachusetts General Laws.

ARTICLE 20. –**Conservation Fund:** Finance Committee Recommends. **Passing by 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 21. -**Authorization to Borrow for Capital Outlays:** 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 borrows \$540,000 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, \$400,000;

-- in accordance with Section 7(9) of Chapter 44 of the Massachusetts General Laws for the cost of departmental equipment, \$30,000; and

-- in accordance with Sections 7(28) of Chapter 44 of the Massachusetts General Laws for the development, design and purchase and installation of computer hardware, other data processing equipment and computer assisted integrated financial management and accounting systems, \$110,000.

Robert Quintin, Chairman of the Capital Planning Comm., gave a brief presentation on the article. He thanked his committee and others involved with putting this request together.

ARTICLE 22. –**Authorization to Borrow for Water Main Replacement:** Finance Committee Recommends. **Requiring a 2/3<sup>rd</sup> vote, passing by unanimous vote** that the Town borrows \$350,000 in accordance with Section 8(6) of Chapter 44 of the Massachusetts General Laws for the installation of a water transmission main across the Chicopee River to replace the older of two water mains that cross the Miller Street Bridge.

DPW Director Edmund Miga gave a brief explanation concerning the article.

ARTICLE 23. – **Applications for Exemption from the Community Preservation Act Surcharge: Passing by unanimous vote** that the Town amends Article V of the Town By-Laws, “Committees Appointed by the Board of Selectmen,” by amending Section 519, “Community Preservation Committee,” as on file with the Town Clerk as “Article 23, Exhibit A.”

Assessor Chairman Lawrence LaBarbera explained the reasoning behind this article to those in attendance.

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. –**Hearing Reports (Consent Agenda): Passing by unanimous vote** that the Town accept the reports of all officers and committees as printed in the Annual Town Report.

ARTICLE 26. -**Council on Aging Revolving Fund (Consent Agenda):** 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 FY 2006 revolving fund to the FY 2007 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) Memorial donations. (3) Fees for classes, trips and programs. Expenditures authorized by the Director of Elder Affairs, not exceeding a total of \$10,000 in FY 2007, 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 27. -**Compost Bin Revolving Fund (Consent Agenda):** 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 FY 2006 revolving fund to the FY 2007 revolving fund. Expenditures authorized by the Recycling Coordinator, not exceeding a total of \$5,000 in FY 2007, 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 28. -**Cemetery Revolving Fund (Consent Agenda):** 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 FY 2006 revolving fund to the FY 2007 revolving fund. Expenditures authorized by the Cemetery commission, not exceeding a total of \$20,000 in FY 2007, 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 29. -**Authorization to Dispose of Surplus Equipment (Consent Agenda):** **Passing by 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 30. -**Authorization to Enter Into Lease/Purchase Agreements (Consent Agenda):** **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 31. – **Zoning By-Law Amendment - Rezoning 12 Grove Street: Requiring a 2/3<sup>rd</sup> vote, declared passed by 2/3<sup>rd</sup> vote by the Moderator** that the Town amends 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

16,466 square feet located at 12 Grove Street, as more particularly described on a plan on file with the Town Clerk entitled "Article 31, Exhibit A".

Edward Stevenson gave a brief explanation on the above article.

**ARTICLE 32. – Sewer Advisory Committee: Failing to pass by a majority vote** for the Town to amend Article V of the Town By-Laws, "Committees Appointed by the Board of Selectmen," by amending Section 512, "Sewer Advisory Committee," as on file with the Town Clerk as "Article 32, Exhibit A."

DPW Director Edmund Miga responded to questions being raised concerning the above article.

**ARTICLE 33. Adjournment of Annual Town Meeting: Passing by unanimous vote** that the Town adjourn the Annual Town Meeting until 8:30 A.M., Saturday, May 20, 2006, 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.

Meeting adjourned at 10:20 PM.

Attest: \_\_\_\_\_

Beverly J. Litchfield, CMC, CMMC  
Town Clerk of Wilbraham

## **TOWN BULLETIN**

### **Boston, Massachusetts**

The foregoing amendments to the town by-laws adopted under articles 4, 5, 23, and 31 of the warrant for the Wilbraham town meeting that convened on May 15, 2006 are hereby approved.

Thomas F. Reilly  
Attorney General

July 17, 2006

Kelli E. Gunagan  
Assistant Attorney General