



COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON

ANNUAL TOWN MEETING

MINUTES

June 1, 2010

Pursuant to the foregoing warrant, the voters of the Town of Hubbardston assembled at the Center School gymnasium to act on the articles in said warrant. Present were Moderator Edward Leonard; Board of Selectmen members Matt Castriotta(Chair), Ernest Newcomb, and Michael Stauder; Town Clerk Joyce Green; Finance Committee members Edward Blanchard(Chair), David Simmerer, Mark Connery, Benjamin Prentiss, James Pitney, and Chris Norcross; Town Administrator Debra Roussel; and representative for Town Counsel, Joel Bard.

A total of 121 registered voters were checked in by Marcia Howlett and Kellianne Becker. A quorum of 50 voters was present throughout the meeting. Two voters, Glen Gregory and Chris Norcross were selected as counters by the Moderator.

Chairman of the Board of Selectmen, Matt Castriotta, dedicated the 2009 Annual Town Report to resident Walter Ducharme and presented him with a plaque. Mr. Ducharme was given a standing ovation for his behind-the-scenes work for the betterment of the community.

Moderator Leonard called the meeting to order at 7:52pm. The following actions were taken on the articles presented in the aforesaid warrant:

ARTICLE 1. All necessary officers will be chosen at the Annual Town Election on Tuesday, June 8, 2010.

ARTICLE 2. The reports of the Town Officers and Committees will be published in the Annual Town Report.

ARTICLE 3. Motion, Matt Castriotta, that the Town vote **to authorize the Board of Selectmen to enter into agreements with the Commonwealth of Massachusetts Highway Department** for the construction and maintenance of public highways for the twelve month period beginning July 1, 2010. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 4. Motion, Matt Castriotta, that the Town vote **to accept educational grants and aid for Fiscal Year 2011**, to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 5. Motion, Matt Castriotta, that the Town vote **to authorize the continuation of the following Holden Hospital Accounts for Fiscal Year 2011:**

a. Vehicle Replacement Assistance Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. This fund would be used to assist in funding the replacement of a RESCUE VEHICLE for the Town of Hubbardston. Fund would accumulate, and would supplement any town funds utilized for the purchase. Any purchases to be presented for payment from this Account, shall be preauthorized by the Board of Selectmen with voucher authorized by the Board of Selectmen.

b. Education and Training Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. This fund would be used to reimburse Hubbardston residents for successfully completing EMT training only after one full year of active service with the Hubbardston EMS Division of the Fire Department.

Fund would also be used to reimburse EMTs for successfully completing advanced training in the same manner. Any purchases to be presented for payment from this Account, shall be preauthorized by the Board of Selectmen with voucher authorized by the Board of Selectmen.

c. Health Related Account

Funded by monies received from establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. This fund would be utilized for other Health related programs within the Town of Hubbardston, under the direction of the Board of Health, or other health related agencies. Funds to be withdrawn by voucher submitted by the Board of Health or other Town Health related agencies, co-signed by the Board of Selectmen.

d. Excess Investment Surplus Account

Funded by monies received from the establishment of a \$2,500,000.00 trust fund under a settlement between Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. Any return on investment above 8% will be placed in this account which will accumulate and can be used for any special project or acquisition associated with any of the above three categories of distribution, or any other health related projects deemed compatible with the fund's design, with the approval of the Board of Selectmen. Funds may be withdrawn by voucher submitted by the Board of Selectmen.

(Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 6. Motion, Matt Castriotta, that the Town vote **to authorize the following Revolving Accounts for Fiscal 2011** under MGL Ch. 44 §53E ½, as shown on the following chart: (Fin Com Recommends)
Recommended change from prior year use is noted in bold within chart.

| Fund | Authorization By | Revenue Source | Use of Fund | Limit |
|----------------|------------------------|---|---|-----------|
| Wiring Fund | Wiring Inspector | Electrical Permit Fees and Applications | Pay inspector for inspection services and clerical wages | \$ 20,000 |
| Gas Fund | Gas Inspector | Gas Permit Fees and Applications | Pay inspector for inspection services | \$ 3,000 |
| Plumbing Fund | Plumbing Inspector | Plumbing Permit Fees and Applications | Pay inspector for inspection services | \$ 6,000 |
| Recycling Fund | Board of Health | Fees collected for use of center and drop-off of recyclables | Costs associated with programs and facilities needed to recycle materials, including employee wages | \$ 5,000 |
| Grave Fund | Cemetery Commissioners | Payments for grave openings | Payment to party hired to open grave | \$ 3,000 |
| Haz Mat Fund | Fire Chief | Service charges for clean-up and disposal of hazardous materials | Expenditures related to clean-up and disposal of hazardous materials | \$ 3,000 |
| Septic Fund | Board of Health | Fees for septic system plan review, agent inspections, and perc tests | Payments to septic system plan review engineers and to agents witnessing perc tests or performing inspections | \$ 20,000 |

| | | | | |
|---------------------------|-------------------------|---|--|------------------|
| Con Com Fund | Conservation Commission | Receipts from fees for site inspections and plan review | Payment to member performing site inspection and expenses relating to such inspections or plan review | \$ 3,000 |
| Open Burn Fund | Fire Chief | Receipts for fees for open burning | Payment of expenses related to fighting brush fires in town, including payment of part-time wages, forest fire fighting equipment and other costs of fighting such fires | \$ 10,000 |
| Late fee Dog License Fund | Town Clerk | Fees for late licensing of dogs and kennels | Payment of costs associated with the regulation of dogs, including ACO capital expense. | \$ 10,000 |

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 7. Motion, Matt Castriotta, that the Town vote **to raise \$6,536,790.09** to defray Town charges and expenses for the year ensuing (July 1, 2010 through June 30, 2011) and to fix the salary and compensation for all the elected officers of the Town, as provided by MGL Ch. 41 §108, as amended, and to make appropriations therefor. (Fin Com Recommends)

Second: Michael Stauder

Matt Castriotta, Board of Selectmen Chair, stated that we are presenting a balanced budget tonight. Edward Blanchard, Finance Committee Chair, gave an overview of the budget process and departmental challenges faced in presenting a balanced budget. He noted that the total Quabbin Regional School District budget is less that last year, however, Hubbardston's assessment has increased 4.88%. The budget presented tonight is balanced and covers the operational needs of the town but it does not allow funding for capital needs. These are being requested through debt exclusions, borrowing, and 2-1/2 overrides. The Town still owes approximately \$89,000 from December 2008 ice storm clean-up that may be offset by additional state reimbursements and any remaining balance will be funded from Free Cash.

The Line Item Budget (attached) was read line-by-line by the Moderator with questions taken on line items as requested by voters.

Motion: Karen Chick [Town Accountant], to **amend Line Item #300-5805 Quabbin Construction Assessment to \$112,369.68.**

Second: Michael Stauder

Note: The amount had been left out because the town will be receiving a reimbursement to cover that amount; however, the accountant indicated that a payment must be made from that line item first.

Vote To Amend: Motion Carries; Majority Affirmative Vote

Vote on Total Operating Budget of \$6,536,790.09: Motion Carries; Unanimous Affirmative Vote

ARTICLE 8. Motion, Matt Castriotta, that the Town vote **to transfer a sum not to exceed \$93,594.00** (Ninety Three Thousand Five Hundred Ninety-Four and 00/100 Dollars) from the **Ambulance Receipts Reserved Account (#28-000-5200) to the Ambulance Wage Account (#01-220-5104)** and **a sum not to exceed \$72,890.00** (Seventy Two Thousand Eight Hundred Ninety and 00/100 Dollars) to the **Ambulance Expense Account (#01-220-5201)** to cover costs of operating the ambulance service for Fiscal Year 2011, **with any unused portion from transfer reverting back to said Ambulance Receipts Reserved Account at year end.** (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 9. Motion, Matt Castriotta, that the Town vote **to transfer a sum not to exceed \$35,000.00** (Thirty-five and 00/100 Dollars) **from the Ambulance Receipts Reserved Account (#28-000-5200) to the Unemployment line item** (Account #913-5100) **with any unused portion from transfer reverting back to said Ambulance Receipts Reserved Account at year end.** (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 10. Motion, Matt Castriotta, that the Town vote **to transfer a sum not to exceed \$675.00** (Six Hundred Seventy-Five and 00/100 Dollars) **from the Library Dog Fund (#24-210-5200) to the Library Books and Materials Account** (#610-5400). (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 11. Motion, Matt Castriotta, that the Town vote **to raise and appropriate a sum not to exceed \$500.00** (Five Hundred and 00/100 Dollars) for the care and expenses of Evergreen Cemetery, **with any unused portion to close out at year end.** (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 12. Motion, Matt Castriotta, that the Town vote **to raise and appropriate a sum not to exceed \$2,500.00** (Two Thousand Five Hundred and 00/100 Dollars) **to the Landfill Capping and Monitoring account** (#01-510-5700). (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 13. Motion, Matt Castriotta, that the Town vote **to transfer a sum not to exceed \$10,000.00** (Ten Thousand and 00/100 Dollars) **from the Town's General Stabilization Account (#000-2210-0000) and from Municipal Facilities Stabilization Account** (#000-2214-0000) **a sum not to exceed \$5,000.00** (Five Thousand and 00/100 Dollars) **for a total of \$15,000.00** (Fifteen Thousand and 00/100 Dollars) to refurbish the water tank at the Hubbardston Center School and provide services for town buildings related to shutoff during repair. **2/3 Vote Required** (CIPC & Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 14. Motion, Matt Castriotta, that the Town vote **to affirm the \$4,000,000 borrowing authorized by the Quabbin Regional School District Committee at its May 13, 2010 meeting**, for the purpose of paying costs of making extraordinary repairs to the District's Regional Middle/High School located at 800 South Street, Barre, Massachusetts, specifically the replacement of the cafeteria atrium skylight and metal panel system, including the payment of all costs incidental and related thereto, said sum to be expended at the direction of the School Building Committee. The Massachusetts School Building Authority's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs of the Project that the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District, and the total amount of the borrowing authorized by this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 15. Motion, Matt Castriotta, that the Town vote **to raise and appropriate a sum not to exceed \$2,200.00** (Two thousand Two Hundred and 00/100 Dollars) to purchase an exterior message board to comply with new provisions of the Open Meeting Law (MGL Ch. 30A, §18-25) effective July 1, 2010, which will allow meeting notices to be posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 16. Motion, Matt Castriotta, that the Town vote **to transfer from Highway Equipment & Capital Stabilization Account** (#000-2213-0000) **a sum not to exceed \$4,600.00** (Four Thousand Six Hundred and 00/100 Dollars) **and** authorize the Treasurer, with the approval of the Board of Selectmen, the

authority **to borrow a sum not to exceed \$150,400.00** (One Hundred Fifty Thousand Four Hundred and 00/100 Dollars) pursuant to Chapter 44, §8(9) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor for a period of up to ten years to purchase a new or used Dump Truck for the Highway Department, said purchase to be **contingent upon a debt exclusion ballot vote.**

2/3 Vote Required (CIPC & Fin Com Recommends)

Second: Michael Stauder

A presentation was made by Finance Committee member Jamie Pitney on the need for the 2 trucks for the Highway Department presented in Articles 16 and 17.

Vote: Motion Carries; Yes-68, No-10, Abstain-2

Note: At the Annual Town Election held on June 8, 2010, the proposed debt exclusion for funding of Article 16 was presented to voters under Question #2. The ballot question failed 178-335.

ARTICLE 17. Motion, Matt Castriotta, that the Town vote to authorize the Treasurer, with the approval of the Board of Selectmen, to **borrow a sum not to exceed \$65,000.00** (Sixty-Five Thousand and 00/100 Dollars) pursuant to Chapter 44, §8(9) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor for a period of up to ten years to purchase a new or used F450 (or equivalent) Pickup Truck for the Highway Department, **contingent on a Debt Exclusion ballot vote.**

2/3 Vote Required (CIPC & Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Yes-55, No-14, Abstain-0

Note: At the Annual Town Election held on June 8, 2010, the proposed debt exclusion for funding of Article 17 was presented to voters under Question #1. The ballot question failed 155-357.

ARTICLE 18. Motion, Matt Castriotta, that the Town vote **to transfer from Highway Department Equipment and Capital Purchase Stabilization Account** (#83-000-2213-0000) **a sum not to exceed \$7,000.00** (Seven Thousand and 00/100 Dollars) **and from funds previously appropriated to refurbish the 2004 Mack** (#01-422-5808) Article 15 of the June 2, 2009 Annual Town Meeting **a sum not to exceed \$1,029.50** (One Thousand Twenty-Nine and 50/100 Dollars), **for a total of \$8,029.50** (Eight Thousand Twenty-Nine and 50/100 Dollars) to fund the refurbishment of the 1993 Ford, sander, transmission and six snow blades. **2/3 Vote Required** (CIPC & Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Yes-68, No-1, Abstain-0

ARTICLE 19. Motion, Matt Castriotta, that the Town vote **to transfer from Fire Department Equipment and Capital Stabilization Account** (#000-2212-0000) **a sum not to exceed \$10,000.00** (Ten Thousand and 00/100 Dollars) for an SCBA Fill System for the Fire Department. **2/3 Vote Required** (CIPC & Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Yes-68, No-1, Abstain-0

ARTICLE 20. Motion, Matt Castriotta, that the Town vote **to transfer from the Library Capital Costs Stabilization** (Account #000-1045-0000) **a sum not to exceed \$5,353.50** (Five Thousand Three Hundred Fifty-Three and 50/100 Dollars) to upgrade or replace the existing electric heating in the library basement offices that house the Building Inspector and Board of Health offices. **2/3 Vote Required** (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Yes-63, No-5, Abstain-1

ARTICLE 21. Motion, Matt Castriotta, that the Town vote **to transfer the balances of funds totaling the sum of \$10,936.73** (Ten Thousand Nine Hundred Thirty-Six and 73/100 Dollars) **currently held in separate special purpose targeted stabilization accounts** for capital equipment purchase for police, fire, highway, libraries and municipal facilities **to a new municipal capital stabilization account.**

2/3 Vote Required (CIPC & Fin Com Recommends)

Second: Michael Stauder

A new total of the current balance of funds in the separate special purpose targeted stabilization accounts was put forth by the Town Administrator in the amount of \$15,936.73. The maker and seconder of the motion approved the change without objection from the meeting.

***Vote on Article 21 as Amended:** Motion Carries; Yes-56, No-4, Abstain-0

[Note: See reconsideration of Article 21 below.]

ARTICLE 22. Motion, Matt Castriotta, that the Town vote **to raise and appropriate a sum not to exceed \$36,000.00** (Thirty-Six Thousand and 00/100 Dollars) to be deposited into the new municipal capital stabilization account to fund the ten year capital plan for all departments for the fiscal year beginning July 1, 2010, the full amount of the appropriation to be **contingent on a stabilization override ballot vote.**

2/3 Vote Required

(CIPC & Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Yes-49, No-8, Abstain-2

Note: At the Annual Town Election held on June 8, 2010, the proposed debt exclusion for funding of Article 22 was presented to voters under Question #3. The ballot question failed 146-363.

ARTICLE 23. Motion, Matt Castriotta, that the Town vote **to appropriate and/or reserve from the Community Preservation annual revenues** in the amounts recommended by the Committee Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2011, with each item to be considered a separate appropriation:

Appropriations:

From FY 2011 estimated revenues for Committee Administrative Expenses (5%) \$3,102.74

Reserves:

From FY 2011 estimated revenues for Historic Resources Reserve (10%) \$6,205.74

From FY 2011 estimated revenues for Community Housing Reserve (10%) \$6,205.74

From FY 2011 estimated revenues for Open Space Reserve (10%) \$6,205.74

From FY 2011 estimated revenues for Budgeted Reserve (65%) \$40,335.56

(Fin Com Recommends)

Chairman of the Community Preservation Committee, Catherine Galbreath, gave the Annual Report for the Committee as required by law.

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

***Motion to Reconsider Article 21** was made by Matt Castriotta, after recommendation by Town Accountant Karen Chick.

Second: Michael Stauder **Vote to Reconsider Article 21:** Motion carries; Unanimous Affirmative Vote

Motion: Matt Castriotta to amend the amount voted in Article 21 to **\$10,936.73**

Second: Michael Stauder **Vote on Amended Article 21:** Motion Carries; Unanimous Affirmative Vote

ARTICLE 24. Motion, Matt Castriotta, that the Town vote **to appropriate \$4,253.60** (Forty Two Hundred Fifty Three and 60/100 Dollars) **from the Community Preservation Open Space Reserve Account** (#24-600-5030) and **\$10,746.40** (Ten Thousand Seven Hundred Forty Six and 40/100 Dollars) **from the Budgeted Reserve Account** (#24-600-5040) to cover year three (of five) for the borrowing associated with the Malone Road Project approved Article 8 at the Special Town Meeting December 4, 2007. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 25. Motion, Matt Castriotta, that the Town vote **to appropriate \$4,253.60** (Forty Two Hundred Fifty Three and 60/100 Dollars) from the **Community Preservation Historic Reserve Account** (#24-600-5010) and **\$6,746.40** (Sixty Seven Hundred and Forty Six and 40/100 Dollars) **from the Budgeted Reserve Account** (#24-600-5040) to cover year two (of five) for the borrowing associated with the Steeple, Bell Tower, Roof and for masonry work and painting of the First Parish Unitarian Church of Hubbardston approved Article 14 of the Annual Town Meeting June 3, 2008. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 26. Motion, Matt Castriotta, that the Town vote **to accept local option Section 110 of Chapter 110 of the Acts of 1993**, which amends MGL Chapter 59, Section 5, Clause 22, 22A, 22B, 22C, 22D, 22E to allow Veteran's Exemption Applications to be granted to otherwise eligible persons residing in the Commonwealth for one (1) year prior to the date of the filing for exemption under the applicable clause.

(Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

ARTICLE 27. Motion, Matt Castriotta, that the Town vote **to recognize "old cemeteries" as those that are over one hundred years of age** to include: Rural Glen, Pine Grove, Parish, Warren, Lovewell, Greenwood, Forest Hill, Clark, Mile Road, and Route 62 (a/k/a Miles or Pyramid) Cemetery, allowing old cemeteries line item appropriations to be used for the care and maintenance of these cemeteries.

(Fin Com Reserves Action)

Second: Michael Stauder

Representative for Town Counsel, Joel Bard, stated there could be a legal issue arising from this vote because some of the cemeteries included in the article are privately owned cemeteries and the private use of public funds is not allowed under Massachusetts state law. In his opinion, public funds could be used if the privately owned cemeteries were determined to be a historic resource. Attorney Bard recommended at a minimum that there be an agreement between the town and the owners of any private cemeteries if Town Meeting votes to approve the concept of this article.

Cemetery Commission Chairman Ernest Newcomb stated that there is Mass. General Law that allows maintenance of cemeteries that are abandoned or neglected and the Town has been taking care of them for many years. Matt Castriotta pointed out that Rural Glen Cemetery has an active association. More discussion ensued regarding Trust Funds for the cemeteries in question and whether there were sufficient funds in them to maintain the cemeteries.

Edward Blanchard, Finance Committee Chair, stated that the Finance Committee had reserved action on this article because they did not have enough information to make a recommendation.

Motion to Table Article 27: Edward Blanchard

Second: Michael Stauder

At the request of Ernest Newcomb, the Moderator asked Town Counsel for clarification on whether the vote had already been called on this article. Town Counsel stated that the motion to table would take precedence and noted a 2/3 vote is required to table.

Vote on Motion to Table Article 27: Motion carries; Yes-64, No-5, Abstain-0

ARTICLE 28. Motion, Matt Castriotta, that the Town vote **to raise and appropriate a sum not to exceed \$225,000.00** (Two Hundred Twenty-Five Thousand and 00/100 Dollars) for support of the first year of a multi-year road upgrade plan with this expenditure to be **contingent on a Capital Exclusion Ballot Question**. (CIPC Recommends) (Fin Com Offers No Opinion)

Second: Michael Stauder

Vote: Motion Carries; Yes-63, No-5, Abstain-0

Note: At the Annual Town Election held on June 8, 2010, the proposed debt exclusion for funding of Article 28 was presented to voters under Question #4. The ballot question failed 225-291.

ARTICLE 29. Motion, Matt Castriotta, that the Town vote **to approve the borrowing for a ten year term of a sum not to exceed \$10,000.00** (Ten Thousand and 00/100 Dollars) for the purpose of purchasing mowers, weed wackers, blowers and half of the materials needed to complete construction of a storage shed for said equipment for care of the Town Parks, Recreation Field and town office properties, **contingent on a capital exclusion ballot vote. 2/3 vote required** (CIPC Does Not Recommend) (Fin Com Offers No Opinion)

Second: Michael Stauder

Vote: Motion Carries; Unanimous Affirmative Vote

Note: At the Annual Town Election held on June 8, 2010, the proposed debt exclusion for funding of Article 29 was presented to voters under Question #5. The ballot question failed 182-332.

ARTICLE 30. Motion, Dennis O'Donnell, that the Town vote **to allow retired full-time and part-time town employees** with benefits who have been employed by the Town for a minimum of ten years to continue to purchase health insurance through the Town at the applicable premium rate as offered to current employees. At age sixty-five the retiree (and spouse at age 65) must sign up for Medicare Part A & B. (Fin Com Does NOT Recommend)

Second: Pamela Fox

Representative for Town Counsel, Joel Bard, spoke to the article that had been submitted by a Resident Petition. Attorney Bard stated that in order for the Town to give the benefits that this article is requesting, the Town would have to adopt the provisions of a least two Mass. General Laws, Chapter 32b, Section 9a and 9e. In his opinion, this article as written would be a non-binding resolution from Town Meeting to the Selectmen requesting that they look into these benefits and bring it back to Town Meeting at another time. A proposed amendment to this article was brought forth prior to the start of Town Meeting that included the acceptance of the Mass. General Laws previously referred to. In his opinion, the amendment to accept the two General Laws is outside the scope of the original article, however, that would be up to the Moderator to decide.

Moderator Leonard stated that following the advice of Town Counsel, the vote on the article tonight would be as a resolution to the Board of Selectmen to pursue further information on this subject.

Finance Committee Chairman Edward Blanchard stated that if all employees eligible in the next 5-10 years chose to retire with a family health plan, the potential cost to the Town would be \$92,000 per year. Treasurer Jim Dunbar clarified that the cost is estimated to be \$40,000 - \$92,000 per year.

Vote: MOTION FAILS; Yes-19, No-49, Abstain-0

ARTICLE 31. Motion, Ernest Newcomb, that the Town vote **to direct the Town of Hubbardston Highway Department to go to a four-day workweek from April 1 to November 1** to comply with State and Federal requests to go to four day work weeks in state and municipal departments where possible to relieve fuel consumption and pollution due to commuting. Exceptions at the discretion of Highway Superintendent for special projects or emergency circumstances. (Fin Com Offers No Opinion)

Second: Vincent Ritchie

Representative for Town Counsel, Joel Bard, stated that this article that was presented by Resident Petition would be a non-binding resolution and that this type of request should be dealt with through administrative/executive means by the Board of Selectmen; Town Meeting cannot tell Highway or any other department what hours to work.

Vote: MOTION FAILS; Yes-9, No-59, Abstain-0

Seeing no further business before the Meeting, the Moderator adjourned the meeting at 10:25pm.

Respectfully Submitted,

Joyce E. Green
Town Clerk

(Town Seal)