



COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON

ANNUAL TOWN MEETING

MINUTES

June 7, 2011

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), Michael Stauder, and Ernest Newcomb; Town Clerk Joyce Green; Finance Committee members Edward Blanchard (Chair), David Simmerer, Benjamin Prentiss, Patrick Girouard, James Pitney, and Chris Norcross; Interim Town Administrator Brian Bullock; and representative for Town Counsel, Joel Bard. Assisting with the PowerPoint presentation was Albert Afonso.

A total of 253 registered voters were checked in by Marcia Howlett and Kellianne Becker. A quorum of 50 voters was present throughout the meeting. Two voters, Allan Olly and Dennis O'Donnell, were selected as counters by the Moderator.

Chairman of the Historical Commission, Gary Kangas, unveiled a gift to the town of an etched stone marker commemorating the invention of the backhoe in Hubbardston by Wain-Roy Manufacturing. The stone was etched by Bella Kaldera of Simond Hill Road and will be prominently displayed near the former location of the Wain-Roy building.

Chairman of the Board of Selectmen, Matt Castriotta, dedicated the 2010 Annual Town Report to Council on Aging Director Claudia Provencal who was given a standing ovation for her endless energy, enthusiasm, and dedication to our seniors, the center, and the Town.

Moderator Leonard called the meeting to order at 7:30pm. 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 14, 2011.

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

ARTICLE 3. Motion, Ernest Newcomb, 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, 2011.

(FinCom Recommends)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

ARTICLE 4. Motion, Ernest Newcomb, that the Town vote **to accept educational grants and aid for Fiscal Year 2012**, 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; Majority Affirmative Vote

ARTICLE 5. Motion, Ernest Newcomb, that the Town vote **to authorize the continuation of the following Holden Hospital Accounts for Fiscal Year 2012:**

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; Majority Affirmative Vote

ARTICLE 6. Motion, Ernest Newcomb, that the Town vote **to authorize the following Revolving Accounts for Fiscal 2012** 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	\$ 5,000
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

Vaccine Administration Account	Board of Health	Fees, health insurance reimbursements and receipts for vaccine related services	Payments for vaccine, supplies, and services deemed necessary by the Board of Health	\$ 5,000
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	\$ 11,000
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; Majority Affirmative Vote

BUDGET ARTICLE

ARTICLE 7. Motion, Ernest Newcomb, that the Town vote **to raise \$6,711,267.00** to defray Town charges and expenses for the year ensuing (July 1, 2011 through June 30, 2012) 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

The Moderator explained the process for voting each line item and providing the opportunity for residents to speak on a particular line item by placing a “hold” on the line item as it is read. At the end of each section of the budget, opportunity to speak will be given to those who have placed a hold on a line item.

Brian Bullock, Interim Town Administrator, thanked the Board of Selectmen and Finance Committee for their work to present a balanced budget tonight and discussed the roads plan that will be presented.

Budget Discussion: Questions were raised on several line items including Town Administrator Salary, Assessors’ Property Update, Legal Services, Police Chief Salary, Police Wages, Administrative Clerks for Board of Health and Planning, Conservation, Building Dept, Quabbin Required Net School Spending, Highway Superintendent Salary, Highway Wages, Highway Foreman Wages, and Highway Dept. Secretary Wages.

Motion: Vincent Ritchie, to amend the un-numbered account for Administrative Clerk (BOH) by reducing it to \$0.00 (Zero Dollars) and to reinstate 510-5102 Board of Health Clerk Wages at FY11 level of \$10,325. **Second:** Tom Bratko **Vote on motion to amend:** Motion fails; Majority Negative Vote

Motion: Tom Bratko, to amend 421-5100 Highway Superintendent Salary by increasing to \$63,551. **Second:** Kathy Derzius. **Vote on motion to amend:** Motion fails; Majority Negative Vote

Vote on total Article 7 to raise & appropriate \$6,711,267.00: Motion Carries; Majority Affirmative Vote

DEPARTMENTAL ARTICLES

ARTICLE 8. Motion, Ernest Newcomb, that the Town vote **to transfer a sum not to exceed \$650.00** (Six Hundred Fifty 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 in favor

ARTICLE 9. Motion, Ernest Newcomb, that the town vote **to transfer from Overlay Surplus (#01-00-3130-000) the sum of \$25,903.77** (Twenty-Five Thousand Nine Hundred Three and 77/100 Dollars) **to the 2009 Overlay Account (#01-000-1230-2009).** (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous in favor

ARTICLE 10. Motion, Ernest Newcomb, that the Town vote **to transfer a sum not to exceed \$92,426.00** (Ninety-Two Thousand Four Hundred Twenty-Six 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 \$46,290.00** (Forty-Six Thousand Two Hundred Ninety and 00/100 Dollars) from the **Ambulance Receipts Reserved Account (#28-000-5200) to the Ambulance Expense Account (#01-220-5201)** to cover costs of operating the ambulance service for Fiscal Year 2012, **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 11. Motion, Sanda Barry, the Community Preservation Committee recommends and I move that the Town vote to acquire under the Community Preservation Act and to authorize the sum of \$60,000 to **purchase a parcel of land** for open space and active recreation purposes on High Street further identified as Assessors Map 5C, Parcel 48 and that the funding for this purchase come from the Community Preservation Committee's Undesignated Fund and further, that the Town authorize the Board of Selectmen to acquire said land under such terms and conditions as the Board deems to be in the best interests of the Town.

(Fin Com Recommends)

Second: Karen Chick

Discussion followed with 11 residents speaking against the article, 1 noting that by town bylaw purchases of over \$10,000 must come before the Capital Improvement Planning Committee and this project has not, 3 residents with questions of a general nature, and 3 residents spoke in favor.

Vote: Motion fails; Yes-72, No-144, Abstain-0

MCSA ARTICLES

ARTICLE 12. Motion, Ernest Newcomb, that the Town vote **to transfer the balance of funds currently held in the Property Value Update Account** so called (**approximately \$125,000**), for the purposes of triennial revaluations, **to the Municipal Capital Stabilization Account.** (Fin Com Recommends)

Second: Michael Stauder

2/3 Vote Required

Explanation: Brian Bullock reviewed the roads plan in more depth that is being proposed from funds within the levy and requires the passage of Articles 12 -15 tonight in order to move forward with improving our roads.

Vote: Motion Carries; Yes-213, No-3, Abstain-0

ARTICLE 13. Motion, Ernest Newcomb, that the Town vote to **transfer** from other funds in the hands of the Treasurer **\$204,123.00** (Two Hundred Four Thousand One Hundred Twenty-One and 00/100 Dollars) **to the Municipal Capital Stabilization Account.** (Fin Com Recommends) **2/3 Vote Required**

Second: Michael Stauder

Vote: Motion Carries; Yes-214, No-2, Abstain-0

ARTICLE 14. Motion, Ernest Newcomb, that the Town vote to **transfer** from the **Municipal Capital Stabilization Account**, a sum not to exceed **\$132,856.00** (One Hundred Thirty-Two Thousand Eight Hundred Fifty-Six and 00/100 Dollars) to pay for the following:

EXISTING OBLIGATIONS

Rehabilitation of 1998 Ford Truck	\$ 7,000.00
(Note: year of mfg was corrected at Town Meeting)	
HPD Police Cruiser #1	\$ 10,929.00

HPD Police Cruiser #2	\$ 8,500.00
Slade Building Rehabilitation Project	\$ 17,000.00
Hubbardston Fire Department Engine #3 Principal	\$ 50,078.00
Hubbardston Fire Department Engine #3 Interest	\$ 5,258.00
<u>Short Term Interest</u>	<u>\$ 9,000.00</u>
<i>Sub Total</i>	<i>\$107,765.00</i>

FY2012 OBLIGATIONS

Hubbardston Fire Department Forestry Unit	\$ 12,500.00
Parks Commission Lawn Cutting Equipment	\$ 5,000.00
HPD Police Computer Secure Server	\$ 5,875.00
<u>Tax Collection Printing Equipment</u>	<u>\$ 1,716.00</u>
<i>Sub Total</i>	<i>\$ 25,091.00</i>

TOTAL **\$ 132,856.00**

(CIPC & Fin Com Recommends)

2/3 Vote Required

Second: Michael Stauder

Vote: Motion Carries; Yes-212, No-4, Abstain-0

ARTICLE 15. Motion, Ernest Newcomb, that the Town **authorize the borrowing of \$1,300,000.00** (One Million Three Hundred Thousand and 00/100 Dollars) for a period of 10 years to be used for the engineering, design, Project Management, rehabilitation and construction (including the acquisition of any necessary easements) of the streets and roads within the Town of Hubbardston and **to appropriate from the Municipal Capital Stabilization Account** the amount of **\$165,000.00** (One Hundred, Sixty Five Thousand and 00/100 Dollars) to pay the first year's interest and principal. (CIPC & Fin Com Recommends)

2/3 Vote Required

Second: Michael Stauder

Vote: Motion Carries; Yes-205, No-11, Abstain-0

Motion: David Simmerer, Chairman of Economic Development Committee, to move Article 20 to be voted on now.

Second: Stacey Bellone

Moderator explained that to advance an article is upon vote of the meeting and requires a simple majority vote.

Vote to advance Article 20: Motion passes; Yes-98, No-78

ZONING ARTICLE

ARTICLE 20. Motion, Sandra Knipe, that the Town vote **to amend the Town of Hubbardston Zoning Bylaws by adding Article 21 – IPOD Integrated Planning Overlay District and to amend Article 5.1 Table of Dimensional Requirements by inserting “Article 5.1.c. For development within an Integrated Planning Overlay District, the requirements of Section 21.C shall govern regarding Lot Area, Frontage, Front and Rear Side Yards, Lot coverage, and building dimensions, rather than those contained above in Section 5.1.”** Creation of the IPOD would allow an applicant to file for a Special Permit and Plan with the Hubbardston Planning Board for the development of land for multiple uses including residential, recreational, retail, service commercial, manufacturing or industrial use. Each proposed use would require a minimum of 10 acres of area. The IPOD District shall be defined as that area of Hubbardston that is on the West side of Gardner Road lying between the North side of both Pitcherville Road and Shady Lane and the Town boundaries with the Town of Templeton and the City of Gardner. **A complete text of this proposal and map is on file with the Town Clerk and available for viewing during normal office hours and is on the Town’s website at www.hubbardstonma.us.**

(Fin Com Offers No Opinion)

2/3 Vote Required

Second: Ronald Ruston

Discussion followed with 10 residents speaking against the article, 1 resident making general questions, and 1 resident speaking in favor. Permission was asked of the Moderator to allow a non-resident (owner of one of the properties within the area of proposed zoning change) to speak to the article. Seeing

objections from the meeting, the moderator called for a vote on whether to allow the non-resident to speak and a majority voted against allowing the non-resident to speak. Vincent Ritchie, Chairman of the Planning Board, read a report written by the Planning Board after their public hearing on the proposed zoning change. The Planning Board does not recommend the passage of Article 20.

Vote on Article 20: Motion fails; Yes-8, No-183, Abstain-1

ARTICLE 16. Motion, Ernest Newcomb, that the Town **authorize the four-year lease** of a 6-Wheel Dump Body Truck with the use of Chapter 90 State Aid Funds. (Fin Com Does Not Recommend)

Second: Michael Stauder

Vote: Motion Carries; Majority Affirmative Vote

CPA ARTICLES

ARTICLE 17. Motion, Ernest Newcomb, 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 2012, with each item to be considered a separate appropriation:

Appropriations:

From FY 2012 estimated revenues for Committee Administrative Expenses (5%) \$2,960.63

Reserves:

From FY 2012 estimated revenues for Historic Resources Reserve (10%) \$5,921.25

From FY 2012 estimated revenues for Community Housing Reserve (10%) \$5,921.25

From FY 2012 estimated revenues for Open Space Reserve (10%) \$5,921.25

From FY 2012 estimated revenues for Budgeted Reserve (65%) \$38,488.12

(FinCom Recommends)

Second: Michael Stauder

Jassy Bratko, Chair of the Community Preservation Committee, gave the annual report from the committee.

Vote: Motion Carries; Majority affirmative vote

ARTICLE 18. Motion, Ernest Newcomb, that the Town vote **to appropriate \$4,253.60** (Four Thousand 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 four (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 19. Motion, Ernest Newcomb, that the Town vote **to appropriate \$4,253.60** (Four Thousand, Two Hundred Fifty Three and 60/100 Dollars) from the **Community Preservation Historic Reserve Account** (#24-600-5010) and **\$6,746.40** (Six Thousand, Seven Hundred and 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 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 20. [Vote previously taken after Article 15]

ARTICLE 21. Motion, Ernest Newcomb, that the Town vote to accept by gift a parcel of land shown on Assessors Map 12W Lot 590 and further identified as located on Chicopee Drive in Hubbardston, Massachusetts. (Fin Com Recommends)

Second: Michael Stauder

Vote: Motion Carries; Unanimous in favor

PETITION ARTICLES

ARTICLE 22. Motion, Michael Stauder, that the Town vote **to 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.** (Fin Com Recommends)

Second: Ernest Newcomb

Vote: Motion Carries; Majority affirmative vote

ARTICLE 23. Motion, Ernest Newcomb, 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 **by accepting the provisions of M.G.L. Ch 32b Sec. 9e.** Further that the Town contribute to said insurance at the applicable premium rate offered to current employees. At age 65 the retiree (and spouse at age 65) must sign up for Medicare Part A & B.

(Fin Com Does NOT Recommend)

Second: Vincent Ritchie

Vote: Motion Fails; Majority negative vote

ARTICLE 24. Motion, Ernest Newcomb, that the Town vote **to amend the Hubbardston General Bylaws, Chapter XXIV – Public Safety, Section 2, Paragraph 4,** to add: *any property owner may appeal their change of number or address to the Town Building Inspector.* (Fin Com Offers No Opinion)

Second: Michael Stauder

Motion: Vincent Ritchie, to amend to include that numbers shall be assigned by the Building Inspector and requires the street number to be recorded at the Registry of Deeds and filed with the Town Clerk.

Second: William Murray

Discussion followed and ended with the motion being withdrawn by the maker. Subsequently, the original motion on Article 24 was withdrawn. No action taken on Article 24.

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

Respectfully Submitted,

Joyce E. Green
Town Clerk

(Town Seal)