



COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HUBBARDSTON

**MINUTES-ANNUAL TOWN MEETING**      **Tuesday, June 5, 2018**      **CENTER SCHOOL**  
**STABILIZATION: \$ 324,830**      **FREE CASH: \$495,561**  
**MUNICIPAL CAPITAL STABILIZATION: \$156,759**

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 Daniel Galante (Chair), Michael Stauder, Jeffrey Williams, Patrick Girouard and Richard (Jamie) Haddad; Town Clerk Joyce Green; Finance Committee members Susan Rayne (Chair), Timothy Hart and Shannon Erb; Town Administrator Ryan McLane; and representative for Town Counsel, Carolyn Murray.

A total of 179 registered voters were checked in by Marcia Howlett and Shonna Larson. A quorum of 50 voters was present throughout the meeting.

Moderator Leonard called the meeting to order at 7:52pm and noted that the late start was due to the desire of the meeting to complete voting on the articles in Special Town Meeting.

Chairman of the Board of Selectmen, Daniel Galante, gave a "State of the Town" address, welcoming our new Town Administrator, Ryan McLane, thanking Acting Town Administrator Brian Bullock for his service, and thanking Travis Brown and the DPW workers for their fine work keeping the roads clear this past winter. Chairman Galante also discussed the upcoming reconstruction of Route 68 from the Rutland line to Main Street, the schedule for the northern section of Route 68 being moved up the list to FY2019, the work of the Town Center Committee on the engineering for the Main Street project, a 2-year roads plan by our DPW Director, and grants received for the Quabbin Educational & Municipal Partnership (QEMP) and creation of a Regional Economic Development Management position.

Town Administrator Ryan McLane said a few words to introduce himself and thanked the staff for their work in bringing him up to speed in his new position. His decision-making is driven by a dedication to professionalism, communication, fiscal responsibility, and strong policies and procedures. He asked for residents' help in filling the open positions on our boards and committees.

Beginning at 8:04pm, 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 12, 2018.

**ARTICLE 2.** The Annual Reports of the Town Officers and Committees are currently at the printer and will be available in approximately one week and will be posted on the Town website.

**ARTICLE 3.** **Motion, Daniel Galante,** that the Town vote to authorize the Board of Selectmen to enter into agreements with the Commonwealth of Massachusetts Department of Transportation for the construction and maintenance of public highways for the twelve month period beginning July 1, 2018..

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 4.** **Motion, Daniel Galante,** that the Town vote to accept educational grants and aid for Fiscal Year 2019, to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District.

**Second: Michael Stauder**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 5.** **Motion, Daniel Galante,** that the Town vote to authorize the continuation of the following Holden Hospital Account #220-512-5580-0000 for Fiscal Year 2019:

The Holden Hospital Account is funded by monies received from the establishment of a \$2,500,000 trust fund under a settlement between the Medical Center of Central Massachusetts (MCCM) and the eleven

communities formerly served by Holden Hospital. Any purchases to be presented for payment from this account shall be authorized by the appropriate board, and shall only be used for the following:

a. Vehicle Replacement Assistance - This fund would be used to assist in funding the replacement of a rescue vehicle and medical equipment for the Town of Hubbardston. This 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 Town Administrator.

b. Education and Training - This fund would be used to reimburse and/or off set a portion of the cost for members of the Hubbardston Fire Department in good standing who successfully completed EMT training and receive EMT certification from the State of Massachusetts. This 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 Town Administrator.

c. Health Related - 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.

d. Excess Investment Surplus - 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 Town Administrator.

**Second: Michael Stauder**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 6. Motion, Daniel Galante**, that the Town vote pursuant to MGL Ch. 44 §53E ½ and 53F ¾, to re-authorize the use of existing revolving fund accounts in Fiscal Year 2019; to determine whether such revolving fund accounts shall be credited with the following receipts; to determine which boards, departments or officers shall be authorized to expend amounts from such revolving fund accounts; and to determine whether the maximum amounts that may be expended from such revolving fund accounts in Fiscal Year 2019 shall be the following amounts or any other amounts shown on the following chart.

<b>Fund</b>	<b>Authorization By</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>FY2019 Spending Limit</b>
Wiring Fund	Wiring Inspector	Electrical Permit Fees and Applications	Pay inspector for inspection services and clerical wages	\$50,000
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 firefighting 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
MART Transportation Management Fund	Executive Administrative Assistant to the Board of Selectmen	MART Reimbursement	Payment of costs associated with the supervision and operation of the MART Transportation	\$35,000
Hubbardston Special Events Fund	Town Administrator	Donations, sale of promotional items and other sources	Payment of expenses associated with organizing and hosting various special community celebratory events throughout the year.	\$50,000
Hazardous Building Demolition Fund	Board of Health and the Building Department	Reimbursement from property owners for demolition of hazardous buildings	Payment of expenses associated with the demolition of hazardous buildings and related clean-up of underlying property	\$20,000

Planning Board Fund	Planning Board	Site Plan Review, Site Inspection Fees, Special Permit & Subdivision and Application fees.	Expenses related to Site Plan Review, Special permit, Subdivision Applications and Zoning Bylaw & Subdivision Regulations revisions, Training, Consultants, and Administrative support.	\$10,000
Tax Title Collection Fund	Treasurer/Collector	Charges and fees collected upon redemption of tax titles or sales of property	Expenses associated with making a tax taking and to pay out of pocket expenses incurred in connection with a redemption or tax title foreclosure proceeding.	\$10,000
DPW Temporary Driveway Fund	DPW Director	Charges and fees collected by the DPW upon payment of permit fees for temporary driveway applications	Expenses associated with road repairs made necessary by the temporary driveway installation.	\$2,500
PEG Access	Cable Advisory Committee	License Fees from Cable TV providers	Expenses associated with providing recording and broadcasting of town meetings, events, and other costs associated with cable access.	\$25,000
Public Records	Town Clerk	Charges and fees collected upon payment of public records fees	Expenses associated with providing public records, and other costs associated with public records requests	\$5,000
			Total of all Revolving Funds:	\$278, 500

**Second: Michael Stauder**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 7. Motion, Daniel Galante**, that the Town vote to raise and appropriate from taxation, transfer from available funds, or otherwise provide the following sums of money to meet the salaries and compensation of Town Employees, and Town Officers, as provided by MGL Ch. 41 §108, expense, and outlays of the Town Departments, including the incremental cost of the first year of collective bargaining agreements between the Town and Teamsters Local 170 (DPW) and the New England Police Benevolent Association, Inc. Local 092 effective July 1, 2018, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2019 (July 1, 2018 through June 30, 2019) as printed in the attached Appendix A, and further, to accept and expend Federal and State Funds to offset certain salaries or expenses and outlay.

**Second: Jeffrey Williams**

*[The Moderator read each line item account number to provide voters the opportunity for discussion on any given line item. The total for each section as noted below was voted separately.]*

**Motion: Vincent Ritchie**, to amend Account #001-175-5110-0000 Planning Board Clerk (new) from \$3,040 to the requested amount of \$11,500.

**Second: Thomas Bratko**

**Vote on Motion to Amend: Motion Carries, Majority Affirmative Vote**

**Motion: Laura Foley**, to increase Account #001-541-5700-0000 Council on Aging Expense from \$3,000 to \$5,000.

**Second: Barbara Hubbard. Vote on Motion to Amend: Motion Carries, Majority Affirmative Vote**

**Motion: Jamie Pitney**, that the 2 previously voted amended amounts (\$8,460 + \$2,000) be taken from Free Cash.

**Second: Susan Flagg Vote: Motion Carries, Majority Affirmative Vote**

The following section totals as amended were voted separately along with the FY2019 budget total.

General Government	\$ 627,762	Carries
Public Safety	\$ 1,274,830	Carries
Growth Management	\$ 83,576	Carries as amended
Education	\$ 5,184,843	Carries
Public Works and Cemeteries	\$ 812,780	Carries
Resident Services	\$ 179,773	Carries as amended
Unclassified	\$ 860,392	Carries

**Vote on TOTAL GENERAL FUND OPERATING BUDGET EXPENSES as Amended \$9,023,956**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 8. Motion, Daniel Galante**, that the Town vote to transfer from Free Cash the sum of \$15,000 (Fifteen Thousand Dollars and 00/100 Dollars) to fund the Senior Citizen Work-off Tax Abatement Program Account # 001-141-5120-0000 for Fiscal Year 2019.

**Second: Michael Stauder**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 9. Motion, Daniel Galante**, that the Town vote to transfer from Free Cash, the following sums to pay for the following Fiscal Year 2019 cash capital expenses.

<b>FY19 Capital Article Table</b>			
	<b>New Obligations</b>	<b>Amount</b>	<b>Funding Mechanism</b>
A	To fund the purchase of an exhaust mitigation system for the Hubbardston Fire Department	\$57,300	Free Cash Allocation
B	To fund structural firefighting gear for the Hubbardston Fire Department	\$16,800	Free Cash Allocation
C	To fund engineering costs for Town Center Reconstruction Project	\$150,000	Free Cash Allocation
D	To fund various maintenance projects for the Hubbardston Library	\$6,000	Free Cash Allocation
	<b>New Obligations Total</b>	<b>\$230,100</b>	

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 10. Motion, Daniel Galante**, that the Town vote to authorize the Board of Selectmen to enter into renewable energy purchase and/or net metering credit purchase agreements, including solar energy and related new metering credits, for terms of more than three years and on such other terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town, and to take all actions necessary to implement and administer such agreements.

**Second: Jeffrey Williams**

A friendly amendment was proposed by Tom Robinson to require 3 bids for such agreements. The friendly amendment was rejected by the maker and second of the motion.

Michael Stauder explained that this is a special case that required a time-sensitive vote by the Board of Selectmen to enter into the agreement at a very advantageous rate for the town. The agreement was signed by the Board of Selectmen and is contingent upon passage of this article.

**Vote on Article 10: Motion Carries; Majority Affirmative Vote**

**ARTICLE 11. Motion, Daniel Galante**, that the Town transfer from Free Cash the sum of \$3,000 for the purpose of funding an updated wage and job classification study in Fiscal Year 2019.

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 12. NO ACTION TAKEN**

[To see if the Town will vote to transfer from Free Cash the sum of \$7,834 for the purpose of funding a cafeteria steamer and kettle with a CombiOven for the Hubbardston Center School; or take any other action relative thereto.]

**ARTICLE 13. Motion, Daniel Galante**, that the Town vote to appropriate or reserve from the Community Preservation annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2019, with each item to be considered a separate appropriation:

Appropriations:

From FY 2019 estimated revenues for Committee Administrative Expenses (5%) \$3,276.94

Reserves:

From FY 2019 estimated revenues for Historic Resources Reserve (10%) \$6,553.88

From FY 2019 estimated revenues for Community Housing Reserve (10%) \$6,553.88

From FY 2019 estimated revenues for Open Space Reserve (10%) \$6,553.88

From FY 2019 estimated revenues for Budgeted Reserve (65%) \$42,600.25

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 14. Motion, Daniel Galante**, that the Town vote to appropriate \$133,000 to fund the cost of replacing the Hubbardston Public Library roof, including all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$33,000 from the Community Preservation Act Undesignated Reserve Fund, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$100,000 pursuant to G.L. c.44B, §11, G.L. c.44, §7 or any other enabling authority, and to issue bonds and notes therefor, with the understanding that although such bonds shall be general obligation bonds of the Town, it is anticipated that the principal and interest thereon shall be paid from the Community Preservation Fund, and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payments of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries; Unanimous Affirmative Vote**

**ARTICLE 15. Motion, Daniel Galante**, that the Town vote to appropriate \$100,000 to fund the cost of exterior painting and exterior repair work to siding, sills, venting and trim to preserve and restore the historic Evangelical Congregational Church (dba Day Spring Church), including all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$50,000 from the Community Preservation Act Undesignated Reserve, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$50,000 pursuant to G.L. c.44B, §11, G.L. c.44, §7 or any other enabling authority, and to issue bonds and notes therefor, with the understanding that although such bonds shall be general obligation bonds of the Town, it is anticipated that the principal and interest thereon shall be paid from the Community Preservation Fund; further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payments of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; to authorize the Board of Selectmen to enter into a grant agreement with the Evangelical Congregational Church setting forth

the terms and conditions thereof; and to authorize the Board of Selectmen to acquire an historic preservation restriction from said Church; provided further that the town shall not enter into any grant agreement or disburse any funds for this project until the Community Preservation Committee makes a determination that said grant is eligible for funding under the standards established in the decision issued by the Massachusetts Supreme Judicial Court in Caplan v. Town of Acton, issued on March 9, 2018.

**Second: Jeffrey Williams**

Discussion: Several voters expressed their support and several expressed their opposition.

Objections were raised regarding Government supporting religious organizations.

There were concerns voiced about the church being sold and becoming a flea market or other storefront. The Moderator allowed a member of the church to speak (Mary Bilotti) who clarified that the building has a deed restriction on it stipulating that it must always remain a church.

2/3 Vote Required

**Vote: MOTION FAILS; Yes-88, No-54**

**ARTICLE 16. Motion, Daniel Galante**, that the Town vote to appropriate \$76,620 to fund the cost of repairing and replacing the roof, and thereby restoring and preserving the historic First Parish Unitarian Church of Hubbardston, including all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$35,000 from the Community Preservation Act Historic Reserves Fund and \$3,310 from the Community Preservation Act Undesignated Reserve Fund, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$35,000 pursuant to G.L. c.44B, §11, G.L. c.44, §7 or any other enabling authority, and to issue bonds and notes therefor, with the understanding that although such bonds shall be general obligation bonds of the Town, it is anticipated that the principal and interest thereon shall be paid from the Community Preservation Fund; further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payments of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; to authorize the Board of Selectmen to enter into a grant agreement with the First Parish Unitarian Church setting forth the terms and conditions thereof; and to authorize the Board of Selectmen to acquire an historic preservation restriction from said Church; provided further that the town shall not enter into any grant agreement or disburse any funds for this project until the Community Preservation Committee makes a determination that said grant is eligible for funding under the standards established in the decision issued by the Massachusetts Supreme Judicial Court in Caplan v. Town of Acton, issued on March 9, 2018.

**Second: Jeffrey Williams**

Discussion: Several of the same concerns brought up for Article 15 were reiterated for this article. It was noted that this church was the first meetinghouse in Hubbardston.

Matching grants will be applied for to help defray the cost of the roof but proof of the matching funds is required in order to be eligible for that grant.

It was noted that if this passes, we will have approved CPA funds twice for one church and denied CPA funds twice for another church.

A motion made by Jerry Whaland to revote Article 15 was ruled out of order by the Moderator.

2/3 Vote Required

**Vote: Motion Carries; Yes-100, No-39**

**ARTICLE 17. Motion, Daniel Galante**, that the Town vote to raise and appropriate the sum of \$100,000 by taxation for replacing the Hubbardston Public Library roof, including all costs incidental and related thereto; provided, however, that the appropriation of funds taken hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion ballot question under General Laws Chapter 59, Section 21C.

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 18. Motion, Daniel Galante**, that the Town accept the provisions of M.G.L Chapter 59, Section 5, Clause 56 such that the Board of Assessors may grant real and personal property tax abatements up to 100 percent of the total tax assessed to members of the Massachusetts National Guard and reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the board of assessors. The authority to grant abatements under this section shall expire after two (2) years of acceptance unless extended by a vote of the town.

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 19. Motion, Daniel Galante**, that the Town reduce the age of eligibility for qualification for exemption under MGL Chapter 59, Section 5, Clause 41c Minimum Age requirement from any person aged 70 or older to 65 years or older, and to increase the qualifying gross receipts limit to \$20,000 if single and \$30,000 if married and to increase the whole estate limit to \$40,000 if single and \$55,000 if married.

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 20. Motion, Daniel Galante**, that the Town increase the income (gross receipts) threshold of \$20,000 to the allowed income limit for the “circuit breaker” state income tax credit for single non-head of household filers under M.G.L. Chapter 59, Section 5, Clause 41A, and to reduce the interest on deferred taxes from 8 percent to five percent.

**Second: Jeffrey Williams**

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 21. Motion, Daniel Galante**, that the Town vote to amend the composition of the Open Space Committee by deleting one Conservation Commission member and deleting one at-large member. The remaining board composition will be seven at-large members appointed by the Board of Selectmen.

**Second: Jeffrey Williams**

**Motion to Amend: Robert Hatch**, to only delete one Conservation Commission member, so that the make-up of the Open Space Committee will be eight at-large members.

**Second on Motion to Amend: Barbara Hubbard**

**Vote on Motion to Amend: Motion Carries; Majority Affirmative Vote**

**Vote on Article 21 as amended: Motion Carries; Majority Affirmative Vote**

**ARTICLE 22. Motion, Daniel Galante**, that the Town vote to authorize the Board of Selectmen to negotiate and execute a tax agreement for payments-in-lieu of taxes (“PILOT”) with 978 Solar Development LLC, its successors and assigns pursuant to M.G.L. Chapter 59, Section 38H(b) and Chapter 164, Section 1, or any other enabling authority, upon the terms and conditions as said Board shall deem in the best interest of the Town, for both real property and personal property associated with a solar photovoltaic facility having a proposed nameplate capacity of approximately 4.95 megawatts DC and land (on a portion thereto) located on 147 Williamsville Road and described as Assessors Map 4 Block 127 upon which such facility is to be located, and to take all actions necessary to implement and effectuate the terms of such agreement.

**Second: Jeffrey Williams**

Discussion: A friendly amendment was proposed by Vincent Ritchie to add that such agreement shall be signed contingent upon certification from the Planning Board that the applicant has fulfilled their obligations imposed upon them through their Special Permit. Assessor Diane Peterson (RRG) noted that the DOER (Department of Energy Resources) requires the agreement be negotiated before the applicant can submit an application to the DOER for the project. It was stated that Town Counsel will write this stipulation into any agreement that is drafted.

**Vote: Motion Carries; Majority Affirmative Vote**

**ARTICLE 23.** (Submitted by Citizen Petition) Motion, the abutters/residents of Hubbardston, that the Town vote to accept Streeter Road, Hubbardston, Massachusetts, as a public road, owned by the respective abutting land owners, and further to authorize the Board of Selectmen to acquire, after layout, by gift or eminent domain property interests in said way sufficient to use the way for all purposes for which public ways are used in the Town of Hubbardston; or take any action relative thereto.

Town Counsel stated that since this was submitted by Citizen Petition with the required, the Board of Selectmen are obligated to place this article on the warrant; however, that does not necessarily mean that the article is anything that Town Meeting can actually take action on or that in any way it could be binding. This petition seeks to have the town vote to accept Streeter road. Ms. Murray repeated the statutory process required to accept a public way and stated that none of these procedures has been taken with regard to Streeter Road and therefore a vote on Article 23 would have no effect on Streeter Road becoming a public way.

Selectman Michael Stauder stated that the Board has been in conversations with the residents of Streeter Road and they have engaged them. He felt that an affirmative vote on the article would empower the Board to go forward and spend the time and effort and money required to go through the statutory process.

Moderator Leonard stated that voting on the article would have no binding effect and as he has always tried to follow a procedure where people understand what they are voting on, he wants there to be no misunderstanding that voting on Article 23 would have any binding effect.

Deb Reed, resident of Streeter Road, stated that the signers of the petition were aware that any vote taken tonight would not be binding but their intention was to see if the townspeople had an appetite to accept Streeter Road in the future when the legal work was completed and whether they may be willing to expend the funds necessary to make Streeter Road a public way.

The Moderator proposed that the article be voted as follows:

**Motion: Debra Reed**

Be it Resolved that the sense of Hubbardston Town Meeting is in support of the acceptance of Streeter Road, Hubbardston, Massachusetts, as a public road, owned by the respective abutting land owners, and further to authorize the Board of Selectmen to acquire, after layout, by gift or eminent domain property interests in said way sufficient to use the way for all purposes for which public ways are used in the Town of Hubbardston.

**Second: Michael Stauder**

**Motion: Sharon Begley**, to pass over Article 23 as the statutory requirements have not been met.

Moderator stated that the motion to pass over is out of order.

Facts as stated by Streeter Road resident Debra Reed regarding Streeter Road:

- only private way in Hubbardston that is not a dead end; cross road between 2 public roads
- recent 5-day car count indicated an average of 87 cars travelled the North end of Streeter Road
- has been a gravel road since its inception and has been reasonably maintained since that time
- residents wish for Streeter Road to remain a gravel road
- PB agreed to waive the need to upgrade the road and has accepted it in its existing condition
- same standard as other gravel roads in town, namely Halfrey, Mt Jefferson, Mile
- 8/10ths of a mile in length and maintained by the town for decades by grading
- once accepted, the town will be eligible for an additional \$3182 in Chapter 90 funds
- for public safety there is a hydrant located on Lovewell Pond servicing Streeter and Grimes Rd
- 25 homes are located on Streeter Road and pay the same tax rate as those on public roads
- residents of Streeter Road will pay expenses required, including a surveyor to do the layout and legal counsel to draw up documents, either outright or through a betterment on their taxes

Donna Russell added that an approved plan recorded on August 13, 1986 indicated that Streeter Road is a private way and has no layout and that the center of the travelled way has been taken as the center of a 50 foot wide roadway. This road has been in existence for at least 50 years and falls within Section 2, Paragraph A of Hubbardston Subdivision Regulations. It also falls under section 81-P and 81-L, Paragraph C.

Sharon Begley wanted residents to know that there are places on Streeter Road that are not wide enough for 2 cars to pass and that drainage work would also need to be completed.

Tom Bratko added that his research shows that Streeter Road has been used as a public way for at least 82 years.

**The record will show that a vote on the motion to support Article 23 shows a majority of voters in favor with 7 voters opposed.**

Seeing no further business before the meeting, the Moderator adjourned at 10:08pm.

Respectfully Submitted,

Joyce Green, Town Clerk

(Town Seal)