

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HUBBARDSTON**



**MINUTES ANNUAL TOWN MEETING    Tuesday, June 2, 2015                    CENTER SCHOOL**

**STABILIZATION: \$220,506.38**

**MUNICIPAL CAPITAL STABILIZATION: \$346,744.51**

**FREE CASH: \$236,143.00**

**AMBULANCE RETAINED EARNING: \$49,569**

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 Michael Stauder (Chair), Daniel Galante, Raeanne Siegel and Jeffrey Williams; Town Clerk Joyce Green; Finance Committee members Philip Churchill (Chair), Benjamin Prentiss, Richard Haddad and Patrick Girouard; Town Administrator Anita Scheipers; and representative for Town Counsel, Carolyn Murray. Absent was Selectman David W. Simmerer.

A total of 190 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 7:30pm. The following actions were taken on the articles presented in the aforesaid warrant:

**ARTICLE 1.** Officers will be chosen next Tuesday, June 9, 2015 at the Annual Town Election.

**ARTICLE 2.** Reports of the Town Officers and Committees will be printed in the Annual Town Report.

**Statement from the Chairman of the Board of Selectmen:**

Chairman of the Board of Selectmen Michael Stauder welcomed residents to Town Meeting and offered condolences to Selectman Dave Simmerer and his family in the loss of his wife this past weekend.

Dr. Stauder reviewed several items related to Town business. He stated that a lean budget was being presented with the biggest increases in schools, veterans' benefits, Worcester County Retirement and health insurance. In response to inquiries he has been getting, Chairman Stauder related that the District Attorney is still investigating activity in the tax collector's office and until their office releases their findings, we are not able to disclose any further information.

There are 3 debt exclusions questions on tonight's warrant and next week's Town Election ballot that if passed will increase taxes but only for the term of the borrowings. Through the efforts of the Town Administrator and financial team the Town has recently been given a Bond Rating of AA+ which will result in lower interest rates on any borrowing.

Plans for road work for the coming year include completion by the state of Burnshirt Road, many roads in Pinecrest, repair of Healdville Road bridge, gravelling many of our dirt roads and cracksealing. The Route 68 paving project by the state is scheduled for either FY2016 or FY2017.

Dr. Stauder thanked the DPW, Fire/EMS and Police for their hard work keeping us safe during the severe winter weather. He thanked the Senior Center Building Committee and the Long Range Facilities Planning Committee for their work initiating the land swap with DCR and coming up with a plan for our town buildings. The next step is to form a Town Center Committee comprised of town employees, residents and businesses on Main Street to come up with a plan for the center of Hubbardston.

**ARTICLE 3. Motion, Raeanne Siegel,** that the Town 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, 2015.

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 4. Motion, Daniel Galante,** that the Town authorize the Board of Selectmen to make application for and to accept educational grants and aid for Fiscal Year 2016, to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District.

**ARTICLE 5. Motion, Jeffrey Williams,** that the Town authorize the continuation of the following Holden Hospital Account #220-512-5580-0000 for Fiscal Year 2016;

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 appropriate board, and 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 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 Town Administrator.

b. Education and Training - 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 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: Raeanne Siegel**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 6. Motion, Raeanne Siegel,** that the Town authorize the Revolving Accounts for Fiscal 2016 under MGL Ch. 44 §53E ½, as detailed in the following chart;

Fund	Authorization By	Revenue Source	Use of Fund	FY2016 Spending Limit
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	COA Director	MART Reimbursement	Payment of costs associated with the supervision and operation of the MART Transportation	\$35,000
Hubbardston 250 <sup>th</sup> Anniversary Fund	250 <sup>th</sup> Anniversary Committee	Donations, sale of promotional items and other sources	Payment of the costs associated with the 250 <sup>th</sup> Anniversary Celebration of Hubbardston's Founding	\$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, Special Permit & Subdivision and Application fees.	Expenses related to Site Plan Review, Special permit, Subdivision Applications and Zoning Bylaw & Subdivision Regulations revisions	\$10,000
			Total of all Revolving Funds:	\$236,000
LIMIT OF FY16 REVOLVING FUND TOTAL = 10% of FY16 Tax Levy \$6,176,841 which = \$617,684			LIMIT FOR EACH REVOLVING FUND ** Single department authorization may not exceed 1% of Tax Levy which = \$61,768	

**Second: Jeffrey Williams**

**Vote: Motion Carries, Unanimous in Favor**

**ARTICLE 7. Motion, Michael Stauder**, that the Town approve the funds required to fulfill year 1 of the collective bargaining agreements between the Town and the Teamsters Local 170 (DPW) and the New

England Police Benevolent Association, Inc. Local 092 effective July 1, 2015; with said funds already included in the FY16 operating budgets for these departments, provided further that the funds for the police agreement may not be expended until such agreement is ratified by the Police Union.

**Second: Raeanne Siegel**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 8. Motion, Daniel Galante**, that the Town raise and appropriate from taxation 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, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2016 (July 1, 2015 through June 30, 2016), and further, to accept and expend Federal and State Funds to offset certain salaries or expenses and outlay;

*[The Moderator read through each line item with opportunity given for discussion on any given line item as requested by voters. No changes were made on the floor except to lower the amount in Acct #001-300-5700-0000 Quabbin Regional School Assessment from \$4,119,504 to \$4,034,784 based on final budget figures provided by the School District Committee.]*

**Motion:** Daniel Galante, to approve the total for General Government \$616,154.60;

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Motion:** Daniel Galante, to approve the total for Public Safety \$1,022,392.60

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Motion:** Daniel Galante, to approve the new total for Education \$4,572,291.00

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Motion:** Daniel Galante, to approve the total for Public Works \$794,132.00

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Motion:** Daniel Galante, to approve the total for Human Services, Culture and Recreation \$139,400.00

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Motion:** Daniel Galante, to approve the total for Unclassified \$541,680.00

**Second: Jeffrey Williams**

**Motion Carries, Majority Affirmative Vote**

**Second on Main Motion: Jeffrey Williams**, to approve the TOTAL FY16 OPERATING BUDGET in the amount of **\$7,686,050.20**.

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 9. Motion, Michael Stauder**, that the Town raise and appropriate and transfer from available funds the following sums of money to operate the Ambulance Enterprise as follows:

That the following sums be appropriated for the Ambulance Enterprise.

Salaries	\$168,523
Expenses	<u>\$ 68,530</u>
Total	\$237,053

And that the \$237,053 to be raised as follows:

Department Receipts	\$148,000
Retained Earnings	\$ 41,797
Raise and Appropriate from Taxation	<u>\$ 47,256</u>
Total	\$237,053

**Second: Raeanne Siegel**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 10. Motion, Raeanne Siegel,** that the Town transfer from Free Cash the sum of \$15,000 (Fifteen Thousand Dollars and Zero Cents) to fund the Senior Citizen Work-off Tax Abatement Program Account # 001-141-5120-0000 for Fiscal Year 2016.

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 11. Motion, Jeffrey Williams,** that the Town transfer from Free Cash the sum of \$20,000.00 (Twenty Thousand and 00/100 Dollars) to the General Stabilization Account # 250-000-4970-0000.

2/3 Vote Required

**Second: Raeanne Siegel**

**Vote: Motion Carries, Unanimous in Favor**

**ARTICLE 12. Motion, Raeanne Siegel,** that the Town transfer from Specialized Audit Account # 001-135-5300-0003 \$22,000 (Twenty Two Thousand and 00/100 Dollars), to the General Stabilization Account # 250-000-4870-0000.

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries, Unanimous in Favor**

**ARTICLE 13. Motion, Jeffrey Williams,** that the Town transfer from Free Cash \$140,000.00 (One Hundred Forty Thousand and 00/100 Dollars) to the Municipal Capital Stabilization Account # 251-000-4970-0000.

2/3 Vote Required

**Second: Raeanne Siegel**

**Vote: Motion Carries; Yes-189, No-1, Abstain-0**

**ARTICLE 14. Motion, Raeanne Siegel,** that the Town transfer from the following accounts the following sums to the Municipal Capital Stabilization Account # 251-000-4970-0000:

Transferring Remaining Account balances Back Into the MCSA Acct # 251-000-5961-0000					
	Authorized Project	Date of Original Vote	Article #	Amount to Transfer back	Current Account #
A	Engine 4 Rehabilitation	5/4/2013	17	\$42,000	001-220-5870-0001
B	Cruiser # 1	6/5/2012	18	\$8,500	001-210-5870-2011
C	Slade Building Insulation	6/3/2014	20	\$610.49	001-122-5430-0001
D	Bonding Costs	6/3/2014	20	\$3,097.30	001-145-5300-0001
E	Med Duty Truck w' Plow	6/4/2013	17	\$3,285.90	001-422-5850-2014
F	Used Backhoe	6/3/2014	20	\$500.00	001-422-5850-0000
Total:				\$57,994	

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries; Unanimous in Favor**

**ARTICLE 15. Motion, Michael Stauder,** that the Town transfer from the Municipal Capital Stabilization Account # 251-000-5961-0000, the following sums to pay for the following capital expenses:

*Note: The table below reflects the reduced FY16 amounts owed for the Road Project, the Rt. 68 Engineering, the Dump Truck and the Cruiser, because 2014 ATM already voted some funds to apply to the Year 1 Principal and Interest. The table below shows the net amount needed to pay the FY16 Principal and Interest costs.*

FY16 Capital Article Table			
Item	\$ Amt	Funding Mechanism	Year First Authorized
<b>Existing/Prior Obligations</b>			
Fire Engine # 3 - Principal and Interest	\$ 50,857	Borrowing - Yr 7 of 10	STM 2005
2013 Road Paving Project	\$ 20,887	Borrowing - Yr 1 of 13	ATM 2011
2013 Road Paving Project *	\$ 165,000	Acct# 001-710-5910-0003	ATM 2011
Rt. 68 Engineering*	\$ 52,164	Borrowing - Yr 1 of 2	Nov STM 2014
QRSD Roof - Green Repair	\$ 39,194	Borrowing - Yr 3 of 14	ATM 2010
Fire SCBA Tanks	\$ 47,000	Lease - Yr 3 of 3	ATM 2013
Police Cruiser (SUV)*	\$ 4,741	Borrowing - Yr 1 of 5	ATM 2014
DPW Dump Truck w Plow*	\$ 9,214	Borrowing - Yr 1 of 10	ATM 2014
* Note: The annual cost for these items are reduced by the funds voted at the 2014 Town Meeting under Article 20.			
<b>Existing Obligations Total</b>	<b>\$ 389,057</b>		
<b>New Obligations</b>			
To fund the cost of borrowing and short-term interest for FY16 - including all costs incidental and related thereto.	\$ 5,000	Cash Allocation	
To fund the purchase of a heavy duty vehicle lift, and any related equipment, for the DPW, including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$ 20,000	Cash Allocation	
To fund the purchase of a used forestry truck for the Fire Department, including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$ 25,000	Cash Allocation	
<b>New Obligations Total</b>	<b>\$ 50,000</b>		
<b>Total FY16</b>	<b>\$ 439,057</b>		

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries; Yes-189, No-1, Abstain-0**

**ARTICLE 16. Motion, Daniel Galante**, that the Town appropriate the sum of \$250,000.00 (Two Hundred Fifty Thousand and 00/100 Dollars) by borrowing to purchase a new ambulance and any related equipment, including all costs incidental and related thereto, for the Fire Department; and to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law or other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bond or notes from the provisions of Proposition 2 ½, so called.

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries; Yes-182, No-8, Abstain-0**

**ARTICLE 17. Motion, Jeffrey Williams**, that the Town appropriate the sum of \$400,000.00 (Four Hundred Thousand and 00/100 Dollars) by borrowing to purchase a fire truck and any related equipment, including all costs incidental and related thereto, for the Fire Department; and to meet said appropriation the

Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law or other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bond or notes from the provisions of Proposition 2 ½, so called.

2/3 Vote Required

**Second: Raeanne Siegel**

**Vote: Motion Carries; Yes-176, No-13, Abstain-1**

**ARTICLE 18. Motion, Jeffrey Williams,** that the Town appropriate \$15,250.00 (Fifteen Thousand Two Hundred Fifty and 00/100 Dollars) from the Community Preservation Budgeted Reserve to cover the principal and interest of year two (of three) for the borrowing associated with the Hubbardston Center School Playground Committee Project approved at the Special Town Meeting of April 23, 2013

**Second: Raeanne Siegel**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 19. Motion, Raeanne Siegel,** that the Town appropriate \$26,138.89 (Twenty Six Thousand One Hundred Thirty Eight and 89/100 Dollars) from the Community Preservation Budgeted Reserve to cover the principal and interest of year one (of two) for the permanent borrowing associated with the Hubbardston Parks Committee Project approved at the Annual Town Meeting of June 4, 2013

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 20. Motion, Raeanne Siegel,** that the Town appropriate or reserve from the Community Preservation annual revenues in the amounts recommended as shown below, by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2016, with each item to be considered a separate appropriation:

Appropriations:

From FY 2016 estimated revenues for Committee Administrative Expenses (5%) \$2706.88

Reserves:

From FY 2016 estimated revenues for Historic Resources Reserve (10%)	\$5,412.77
From FY 2016 estimated revenues for Community Housing Reserve (10%)	\$5,412.77
From FY 2016 estimated revenues for Open Space Reserve (10%)	\$5,412.77
From FY 2016 estimated revenues for Budgeted Reserve (65%)	\$35,188.49

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 21. Motion, Raeanne Siegel,** that the Town appropriate \$10,500.00 (Ten Thousand Five Hundred and 00/100 Dollars) from the Community Preservation Historic Reserve Account to cover the cost of an architectural analysis of the historic Hubbardston Library Roof, estimate scope and materials needed to replace the roof, prepare bid documents for the project, and provide oversight of the project, including all costs incidental and related thereto.

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 22. Motion, Raeanne Siegel,** that the Town will vote to: (1) Authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise for open space and passive recreation purposes certain parcels of land located on Mt. Jefferson Road and Malone Road, adjacent to the existing Malone Road Conservation Area, being described as follows:

Assessor's Map 5, Lot 6.3; Map 5, Lot 158; Map 5, Lot 6.5; Map 5, Lot 6.6 and a portion of Map 5, Lot 6, all as shown on the plan entitled "Plan of Land Located on Mt. Jefferson Road & Malone Road," dated July 26, 2012, shown as Lots 1E, 2E, 3E, 4E, 5E, 6E and 7E on the aforesaid plan, said plan on file with the Town Clerk; with such land to be held under the care, custody management and control of the Conservation Commission under G.L. c.40, §8C or any other applicable law;

(2) Appropriate the sum of \$467,000 (Four hundred and sixty-seven thousand dollars) for such acquisition and related costs, and to meet said appropriation, to transfer the sum of \$39,950 (Thirty-nine thousand nine

hundred and fifty dollars) from the Community Preservation Fund FY2015 Budgeted Reserve, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$427,050 (Four hundred and twenty-seven thousand and fifty dollars) 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

(3) Authorize the Board of Selectmen, Conservation Commission and/or other appropriate Town officials to apply for, accept and expend funds received by the Town for such purposes, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under G.L. c.132A, §11, the Local Acquisitions for Natural Diversity (LAND) grant program, and to enter into all agreements and execute any and all instruments as may be necessary to effect said acquisition or purchase; provided, however, that expenditure of the funds appropriated hereunder shall be contingent upon the Town receiving or being allotted a LAND grant for the purposes provided herein.

2/3 Vote Required

**Second: Jeffrey Williams**

**Vote: Motion Carries; Yes-153, No-31, Abstain-6**

**ARTICLE 23. Motion, Michael Stauder,** that the Town appropriate the sum of \$7,500,000.00 (Seven Million, Five Hundred Thousand and 00/100 Dollars) by borrowing to construct a new Senior Center facility and a new combined police/fire Public safety facility, and any related equipment, including all costs incidental and related thereto; and to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law or other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bond or notes issued for such projects from the provisions of Proposition 2 ½, so called. 2/3 Vote Required

**Second: Raeanne Siegel**

**Vote: Motion Carries; Yes-166, No-24, Abstain-0**

**ARTICLE 24. Motion, Raeanne Siegel,** that the Town authorize the purchase of new financial software modules for the Tax Collector's office, including all costs incidental and related thereto; with the purchase price to be paid in three annual installments, and to transfer from Free Cash the sum of \$15,290.00 (Fifteen Thousand Two Hundred and Ninety Dollars and Zero Cents) to Account # 001-145-5380-0000 to fund the FY16 Year 1 costs.

**Second: Jeffrey Williams**

**Vote: Motion Carries, Majority Affirmative Vote**

**ARTICLE 25. Motion, Jeffrey Williams,** that the Town authorize the Board of Selectmen to convey the fee interest in a parcel of Town-owned land, containing 5.09 acres, more or less, located on Ragged Hill Road (Map 2, Lot 33), described in a deed recorded with the Worcester Registry of Deeds in Book 4420, Page 244, on such terms and conditions as the Board of Selectmen shall determine to be in the best interest of the Town, which may be in consideration for the exchange of the land hereinafter described; and further authorize the Board of Selectmen, in consideration for the parcel the Town is to convey, to acquire by gift, purchase or eminent domain, for general municipal purposes the fee interest in and accept a deed for land containing approximately 4.82 acres, more or less, located on Gardner Road (Map 5C, Lot 125), described in a deed recorded with the Worcester Registry of Deeds in Book 42669, Page 1, and to authorize the Board of Selectmen to submit a petition to the General Court seeking approval of the foregoing transfers and/or conveyances, provided that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the aforesaid petition.

2/3 Vote Required

**Second: Raeanne Siegel**

**Vote: Motion Carries; Yes-135, No-5, Abstain-0**

**ARTICLE 26. Motion, Michael Stauder,** that the Town, pursuant to Massachusetts General Laws Chapter 268A, Section 21A, authorize the Board of Health to appoint Hayden Duggan, a member of the Board of Health, to the position of Kitchen Inspector.

**Second: Jeffrey Williams**

**Vote: Motion FAILS, Majority Negative Vote**



**ARTICLE 27. Motion, Michael Stauder**, that the Town amend Zoning Bylaw Article 18, WIRELESS COMMUNICATION FACILITY, as follows:

Sect. 18.4.1 Structure Type

Subsection a) - Delete first sentence of subsection a), and add the words **“or FCC for any wireless communication tower”** to the second sentence so that Subsection a) shall read as follows: **“If artificial lighting is required by the FAA or FCC for any wireless communication tower, it shall be constructed and installed in such a manner that lighting will be shielded from view from any point on the ground within the Town of Hubbardston.”**

Subsection b) - Amend the first sentence to read as follows: **“New structures may be of the monopole or lattice type, no greater than 150’ in height, designed for maximum co-location.”**

**Second: Jeffrey Williams**

**2/3 Vote Required**

Vincent Ritchie, Planning Board Chairman, gave a brief explanation on the need for Articles 27, 28, and 29 and stated that the Planning Board recommended their passage.

**Vote: Motion Carries, Yes-135, No-1, Abstain-0**

**ARTICLE 28. Motion, Raeanne Siegel**, that the Town amend Zoning Bylaw Article 4, USE REGULATION, as follows:

Section. 4.2. Uses Permitted by Special Permit in Residential Districts

Subsection f) Radio, Television and Communication Transmission Towers

Add: **“with a maximum height of 150’”** so that subsection (f) reads as follows: Radio, Television and Communication Transmission Towers with a maximum height of 150’.

**2/3 Vote Required**

**Second: Michael Stauder**

**Vote: Motion Carries, Yes-134, No-2, Abstain-0**

**ARTICLE 29. Motion, Raeanne Siegel**, that the Town amend Zoning Bylaw Article 20, the USE OF LARGE – SCALE SOLAR PHOTOVOLTAIC INSTALLATIONS, as follows:

Section 20.2.0 Definitions

Sect. 20.2.1 As of Right Siting – Delete existing Subsection 20.2.1 and replace with the following language: **“Sect. 20.2.1 Siting, Construction, Regulation, Development, Generating and Distribution of Large Scale Photovoltaic Installations. All installations shall be regulated by the Planning Board through Article 7 – Special Permits, Article 8 – Environmental and Community Impact Analysis, and Article 9 – Site Plan Approval of the Town of Hubbardston Zoning Bylaws.”**

Sect. 20.3.3.2 – Delete existing Subsection 20.3.3.2 and replace with the following language: **“The large Scale Solar Photovoltaic Installation Fee shall be \$2,000.00 which shall include the fees for the Special Permit and Site Plan Review applications.”**

Sect. 20.3.4.2 - Required Documents - Add a new item: **(g) Decommissioning Plan**

Sect. 20.3.12.3 – Financial Surety: amend to read as follows:

**“Proponents of large-scale ground mounted solar photovoltaic projects shall provide surety in the form of cash or certified bank check, held by and for the Town of Hubbardston in an interest bearing account to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. This surety will be due and payable at the issuance of the building permit. Proof of both payments in the form of a receipt from the Town Treasurer will be shown to the Building Inspector before the permits are**

**issued.** Such surety will not be required for municipally-or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. As a condition of approval, an applicant shall bind itself to grant the necessary license or easement to the Town to allow entry to remove the structure. The Town shall have the right, but not the obligation, to remove the facility.”

**ADD A NEW SECTION: 20.4.0 – Certificate To Generate**

**“No solar facility may sell or distribute generated power until all conditions of the issued permit and requirements of this bylaw are approved and certified at a meeting of the Planning Board, and the “Certificate to Generate” is issued and recorded in the Worcester Registry of Deeds.”**

**2/3 Vote Required**

**Second: Jeffrey Williams**

A friendly amendment was proposed by Planning Board Chairman, Vincent Ritchie, to correct the wording in Sentence 3 of Section 20.3.12.3 Financial Surety as shown above by striking out the word “both” and the “s” on the word “payments” as there is only one payment to be made. The corrected sentence would read “Proof of payment in the form.....” The maker and second of the original motion accepted those changes.

**Vote on Article 29 as Amended: Motion Carries, 132-0, Unanimous in Favor**

Seeing no further business, the Moderator adjourned the meeting at 9:38pm.

Respectfully Submitted,

Joyce E. Green, Town Clerk

(Town Seal)