COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON

MINUTES - SPECIAL TOWN MEETING June 3, 2014 HUBBARDSTON CENTER SCHOOL

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, Daniel Galante and Jeffrey Williams; Town Clerk Joyce Green; Finance Committee members Raeanne Siegel(Chair), Faye Zukowski, Benjamin Prentiss, Philip Churchill and Patrick Girouard; Town Administrator Anita Scheipers; and representative for Town Counsel, Joel Bard.

A total of 100 registered voters were checked in by Marcia Howlett and Shonna Larson. Lynn Wilkinson assisted with the check-in process. A quorum of 50 voters was present throughout the meeting.

Moderator Leonard called the meeting to order at 7:01pm. The following actions were taken on the articles presented in the aforesaid warrant:

ARTICLE 1. **Motion, Matt Castriotta,** that the Town vote to amend the Hubbardston General Bylaws as follows:

***Chapter 1: General Provisions, Section 7**

- **Amend** by removing requirement to publish bylaws every 5 years in booklet form and change to requiring an up-to-date copy be posted on the Town website and available at the Town Clerk's office.

Chapter IV: Financial Year & Finances, Sections 1 and 4

- Update frequency of authorizing expenditures to reflect current practice of twice each month.
- **Change** "*Selectmen, or a majority of them*" in Section 1 and "*Board of Selectmen*" in Section 4 to Town Administrator. [Town Charter 5-3-1 gives authority to sign warrant for expenditure of Town funds to Town Administrator]

Chapter VI: Town Clerk, Section 4 and 5

- **Delete** Section 4 regarding notification to committees who have not submitted a report for the Annual Report and **move to** Chapter XIII Annual Reports
- ***Clarification:** (add underlined words) Section 5 "*The Town Clerk shall provide and have in readiness a sufficient supply of "YES and "NO" ballots at every Town Meeting.*"

Chapter VII: Board of Selectmen, Section 6

- **Add** underlined words: The Board of Selectmen shall hold open at the start of each regularly scheduled meeting a minimum of 30 minutes for any resident to present a non-agenda item. [Voted by BOS on Jan. 27, 2014]

Chapter X: Board of Health, Section 2, Hazardous Materials

- Upon recommendation from Board of Health, **delete** Section 2 Hazardous Materials and **move to** Chapter XXIV Public Safety.

Chapter XIII: Annual Reports

- **Add** Section 5 regarding notification to committees who have not submitted a report for the Annual Report (moved from Chapter VI Town Clerk)

Chapter XVI: Streets and Sidewalks

- **Change** references to Superintendent of Streets/Highway Superintendent/superintendent of highways in 4 places **to** Department of Public Works Director. [Town Charter 4-6-1]

Chapter XVIII: Driveways

- **Change** references to Highway Department/Highway Superintendent **to** Department of Public Works/DPW Director in 2 places. [Town Charter 4-6-1]
- Section 1: **Change** authority to issue driveway permit from Board of Selectmen **to** Department of Public Works to reflect current practice.

***Chapter XX: Intoxicating Beverages, Section 2**

- **Change** fine for consuming intoxicating beverages on public property from "not less than $100" **to** $100.

***Chapter XXII: Regulation of Dogs** [to make consistent with MGL Ch.140, §139A-174E]

- Section 1 (f): **Change** definition of Kennel **from** "*collection of 4 dogs or more*" **to** more than 4 dogs. [Ch140, §136A]
- *****Section 1 (g): **Change** date that $25 late fee is assessed **from** July 1 **to** May 1 [requested by Animal Control Officer]
- Section 2: **Add** $50 Failure to License fine for dogs licensed on or after June 1 to be collected in addition to regular license fee. [Ch140, §141]
- *****Section 2: **Add** notation that kennels (excluding kennels of 4 dogs or less) require a Special Permit [Hubbardston Zoning Bylaws, Article 4]
- *Section 3: **Change** "*dog officer*" **to** Animal Control Officer and **remove** "*Kennel inspections to start in FY95.*"
- Section 6: **Change** fee to claim impounded dog **from** $5.00 per day **to** $10.00 per day. **Change** pick-up fee **from** $25.00 **to** $15.00. [Current practice at Animal Shelter]

***Chapter XXIV: Public Safety**

- **Add** numbering and title for Section 1. Wells
- Section 2 (4): **Add** responsibility for assigning street numbers to Building Department and adds an appeal process.
- Section 3: Alarm Systems [These changes are recommended by the Police Chief]
    - **Add** section to define purpose of bylaw
    - **Change** "*Hubbardston Communications Center*" and "*Police or Fire Department*" **to** Rutland Regional Dispatch Center in 2 places.
    - **Add** Section 3 (II) General Regulations (B): specifying that automatically dialed alarms must use the telephone number provided by the Police Chief or Fire Chief.
    - Section IV (F) False Alarms: **Change** time frame to file an appeal **from** 10 days **to** 30 days [regarding notice of violation for false alarms]
    - **Add** Section V (4): **$100 fine** for second and subsequent use of 911 by automatically dialed alarms.
    - **Add** Section VI Enforcement and Appeal: bylaw to be enforced by Police Chief or Fire Chief or his/her designee. Appeals made to Board of Selectmen within 30 days.
- **Add** Section 4. Hazardous Materials [moved from Chapter X Board of Health and renumbered]

Chapter XXVIII: Personnel [Town Charter 6-7-3]

- **Change** "Personnel Board" **to** Human Resources Advisory Board or Board in 13 places.
- **Change** composition **from** 3 **to** 5 persons with 3 members needed for a quorum and 3 members voting in the affirmative for any official act of the Board.
- Section 3(B): At end of sentence **add** and Section 6-7-3 of the Town Charter.
- **Delete** Section 7. EFFECTIVE DATE this bylaw shall take effect on July 1, 2001.

Note: These changes are recommended to make the General Bylaws consistent with the Town Charter and/or to reflect current practice. Exceptions are marked with an asterisk. A full copy of the current*

bylaws and a marked up version showing the changes are available at www.hubbardstonma.us and at the Town Clerk's office.

Second: Daniel Galante

Discussion: Bylaw Review Committee member Paul Sweeney reviewed the process the committee followed and pointed out one correction to be made under Chapter XXVII Personnel Section 5(B), that being the removal of the words "of Selectmen" in the second sentence. The Moderator asked and received approval from the maker and second of the motion for the change.

Vote on Article 1 as amended: Motion Carries, Majority Affirmative Vote

ARTICLE 2. Motion, Matt Castriotta, that the Town vote to approve the spending of funds necessary to meet the Town's obligations under the new fire union contract, with no additional appropriation being necessary for the first year of the contract, FY14, and year 2 costs included in the FY15 operating budget and ambulance enterprise fund budget.

Second: Daniel Galante **Vote: Motion Carries, Majority Affirmative Vote**

ARTICLE 3. Motion, Matt Castriotta, that the Town vote to amend appropriations for the fiscal year 2014, Article 22, June 4, 2013 Annual Town Meeting to read, based on final local assessments;

Appropriations:

From FY14 estimated revenues for Committee Administrative Expenses (5%) $4,051.25

Reserves:

From FY14 estimated revenues for Historic Resources Reserve (10%)	$8,102.50
From FY14 estimated revenues for Community Housing Reserve (10%)	$8,102.50
From FY14 estimated revenues for Open Space Reserve (10%)	$8,102.50
From FY14 estimated revenues for Budgeted Reserve (65%)	$52,666.25

Second: Michael Stauder **Vote: Motion Carries, Majority Affirmative Vote**

ARTICLE 4. Motion, Matt Castriotta, that the Town vote to transfer from the General Stabilization Account # 250-000-5961-0000, an amount not to exceed $55,000 (Fifty Five Thousand Dollars and Zero Cents), for the purpose of funding necessary specialized auditing services. **2/3 Vote Required**

Second: Michael Stauder **Vote: Motion Carries, Declared Majority; Yes-99, No-1, Abstain-0**

ARTICLE 5. Motion, Matt Castriotta, that the Town vote to transfer the use of property and to authorize the Board of Selectmen to enter into an agreement with Massachusetts Department of Conservation and Recreation for the purpose of conveying and swapping a 46+/- acre land-locked parcel of town-owned land located off Natty Pond Drive (Map 7 Lot 35) , along with a previously authorized 17 acre town-owned parcel located on Mile Road (Map 1, Lot47), with a 12 acre portion of state-owned land located at Gardner Road (Map 5C, Lot 134), to be used for general municipal purposes such as the siting of future municipal buildings including but not limited to a new senior center, and to authorize the Board of Selectmen to accept said parcel. **2/3 Vote Required**

Second: Michael Stauder **Vote: Motion Carries; Yes-97, No-3, Abstain-0**

The Moderator declared adjournment at 7:10pm and called for a recess until 7:30pm at which time the Annual Town Meeting will begin.

Respectfully Submitted,

Joyce E. Green, Town Clerk

(Town Seal)