

ANNUAL TOWN MEETING MAY 6, 2016-PROCEEDINGS

The meeting was called to order by the Moderator, Jay Byer at 7:00pm, he recessed the meeting to allow people to come in. The meeting was called to order again at 7:05pm.

Kevin Rudden announced the coming events for the 350th Anniversary of the Town. The Moderator noted that the warrant had been duly posted and properly served and dispensed with the reading of the warrant.

- Non Residents were allowed into the meeting:
- Dr. Joseph Maruszczak, MURSD Superintendent
- Brandon Moss, Town Counsel
- Dr. Michael Fitzpatrick, BVT Superintendent
- Michelle Sanford, Town Crier
- Brad Petrishen, Telegram & Gazette
- Kimberly Newman, Town Administrator
- Bill McHenry, Affordable Housing Coordinator
- Anore Malenfant, non voter
- Ginette Malenfant, non voter
- Jean Berthold, Principal Assessor
- Coin Cook, Milford Daily News
- Dillon Elliot, student
- Kayla Salgueiro, student
- Madison Chase, student
- Mike Evans, student
- Jon Mancini, non voter
- Mike Zarella, Fire Dept.
- Evan Turner, Solar Bylaw
- Gene Pettinelli, property owner

The Moderator led the meeting in the Pledge of Allegiance. Mark Reil, Chairman of the Board of Selectman read the Dedication of the Town Report and the Selectmen’s Report. Finance Committee’s report wasn’t read by the Finance Committee.

ARTICLE 1 Voted that any motion or amendment to increase any monetary articles or line items as proposed by the Finance Committee, presented at this Town Meeting Shall be OUT OF ORDER unless such motion, or amendment, states the source of funding as being from available free cash, or the line item or article that will be reduced by the same amount.
UNANIMOUS VOICE VOTE

ARTICLE 15 Voted that the Town authorize the Board of Assessors, pursuant to Massachusetts General Laws Chapter 268A, Section 21A, to appoint one of its members to perform designated field agent/data lister duties, with said duties to be compensated from the stipend paid to said Board of Assessors.
UNANIMOUS VOICE VOTE

ARTICLE 3 To fix the salaries and compensations of the elected officials of the Town, as follows:

- Moderator \$0**
- Board of Selectmen, Chairman \$2,200.00**
- Board of Selectmen, Member \$2,000.00**
- Board of Assessors, Member 1 \$7,400.00**
- Board of Assessors, Member 2 \$ 200.00**
- Board of Assessors, Member 3 \$ 200.00**
- Town Clerk \$54,666**
- Highway Surveyor \$95,068**
- Board of Health, Chairman \$225**
- Board of Health, Member \$175**
- Planning Board, Chairman \$225**
- Planning Board, Member \$175**
- Tree Warden \$12.10 per hour \$3,334**

UNANIMOUS VOICE VOTE

ARTICLE 4 Voted to raise and appropriate the sums of money as read under Article 4 to defray charges and expenses of the Town including debt and interest and to provide for a reserve fund for the ensuing fiscal year, with the exception of Line Item 199A2.
UNANIMOUS VOICE VOTE

Defeated a Motion to amend Line Item 199A2 by striking the words \$117,742 and by substituting the words \$90,000.
Secret Ballot was held due to more than 10 voters standing in place.

YES 77
NO 97

Voted that the town raise and appropriate \$117,742 for Line Item 199A2.

MAJORITY VOICE VOTE

The following articles were voted through the consent calendar, 2, 5, 6, 10, 11, 12, 13, 14, and 20.

- ARTICLE 2** Voted to appropriate funds provided to the Town by the Commonwealth under so-called Chapter 90 type money and such other funds as the Commonwealth of Massachusetts Department of Transportation (including its Highway Division) may provide, and to authorize the Board of Selectmen to enter into contracts with the Massachusetts Department of Transportation (including its Highway Division) for so-called Chapter 90 type money and such other funds allocated to the Town.
- ARTICLE 5** Voted to raise and appropriate \$6,500 to fund the FY2017 portion of the Assessor's Cyclical Inspection Program.
- ARTICLE 6** Voted to raise and appropriate \$10,000 to fund the FY2017 portion of the Update Valuation Account.
- ARTICLE 10** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Taft Public Library in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to replace items lost or damaged by those who borrow materials and to purchase new materials. Receipts to this fund shall be monies paid by borrowers for lost or damaged materials and for overdue fines. The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than six thousand dollars.
- ARTICLE 11** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Planning Board in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold deposits made by applicants before the Planning Board for engineering and other applicable fees incurred by the Planning Board for processing the requests of said applicants. The Planning Board Chair, with the approval of the Planning Board, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than thirty thousand dollars.
- ARTICLE 12** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Highway Department in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold all monies related to recycling materials including, but not limited to, metal, tires, light bulbs, batteries, etc. collected at the recycling center located at the Highway Department to maintain and improve the recycling facility. The Highway Surveyor, with approval of the Board of Selectmen, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than twenty-five thousand dollars.
- ARTICLE 13** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Conservation Commission in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold deposits made by applicants before the Conservation Commission for engineering and other applicable fees incurred by the Conservation Commission for processing the requests of said applicants. The Conservation Commission Chair, with approval of the Conservation Commission, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than twenty-five thousand dollars.
- ARTICLE 14** Voted to raise and appropriate \$2,500 for Police Department State/Federal General Matching Grants.
- ARTICLE 20** Voted to approve the Mendon Land Use Committee's Five Year Land Use Program, copies of which are available in the Town Clerk's office and on the Town website.
UNANIMOUS VOICE VOTE
- ARTICLE 7** Voted to Passover this article.
UNANIMOUS VOICE VOTE
- ARTICLE 8** Vote to passover this article.
UNANIMOUS VOICE VOTE
- ARTICLE 9** Voted to transfer \$34,750 from free cash to replace and/or retrofit water meters.
MAJORITY VOICE VOTE

- ARTICLE 16** Voted to increase the amount of qualifying maximum gross receipts to \$40,000 pursuant to M.G.L. Chapter 59, Section 5, Clause 41A.
UNANIMOUS VOICE VOTE
- ARTICLE 17** Voted to accept the provision of M.G.L. c.60A, Section 1 that allows cities and towns to exempt from excise taxation a motor vehicle owned and registered by or leased to a Massachusetts resident who is on active and fulltime military service as a member in the armed forces of the United States or the National Guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the Commonwealth for a period of at least 45 days in the calendar year of exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed.
UNANIMOUS VOICE VOTE
- ARTICLE 18** Voted to accept, pursuant to Clause 56 of Section 5 of General Laws Chapter 59, to extend the authority of the Assessors to grant abatements to members of the Massachusetts National Guard or Military reservists who are on active duty in foreign countries with respect to all or part of their real estate and personal property taxes for the fiscal year in which they performed such service, subject to eligibility criteria to be established by the Board of Assessors, effective Fiscal Year 2017, with said authority to expire after two years of acceptance unless extended by a vote of the Town.
UNANIMOUS VOICE VOTE
- ARTICLE 19** Voted to accept, pursuant to Section 3(e)1 of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, the following exemption from the surcharge on real property permitted by said Act, to commence in Fiscal Year 2017: property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in Mendon.
UNANIMOUS VOICE VOTE
- ARTICLE 21** Voted to transfer \$2,400 from the Mendon Land Bank and \$9,000 being contributed from the Trustees of Reservations, to fund the removal of the non-native invasive water chestnut weeds in the Inman Pond on the Meadow Brook Woods property in the spring/summer of 2016.
MAJORITY VOICE VOTE
- ARTICLE 22** Voted to transfer \$20,000 from the Community Preservation Affordable Housing Account to renew the position of the part-time Affordable Housing Coordinator for FY17.
MAJORITY VOICE VOTE
- ARTICLE 23** Voted to Passover this article.
UNANIMOUS VOICE VOTE
- ARTICLE 24** Voted to transfer \$1,000 from the Community Preservation Historical Account to restore the 1967 Town of Mendon 300th Anniversary 16mm film.
UNANIMOUS VOICE VOTE
- ARTICLE 25** Voted to transfer \$40,000 from the CPA Open Space and \$58,397 from CPA Budgeted Reserve to fund the FY 17 Fino Land Debt Exclusion.
UNANIMOUS VOICE VOTE
- ARTICLE 26** Voted, pursuant to Massachusetts General Laws Chapter 59, Section 38H, and/or any other enabling authority, to ratify and approve, and/or to authorize the Board of Selectmen to negotiate and enter into on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, a so-called Payment in Lieu of Taxes (PILOT) Agreement with BWC Wading River, LLC, or its affiliate, with respect to payments for a sum certain in lieu of real and/or personal property taxes owed to the Town over a twenty (20) year period relative to a proposed solar electric generating facility at 128 Providence Street, 67 Bates Street, and 72 Thayer Road, Mendon, MA 01756, with an option for extension coterminous with the lease of said parcel; and to authorize the Board of Selectmen to take such actions and execute any necessary documents relating thereto.
UNANIMOUS VOICE VOTE
- ARTICLE 27** Voted to authorize the Board of Selectmen to execute a so-called Assent Agreement, by whatever name called, for the property at 36 Milford Street, Mendon, MA 01756, on such terms and conditions as the Board of Selectmen deems in the best interests of the

Town, and to further authorize the Board of Selectmen to take such actions and execute any necessary agreements relating to a proposed solar electric generating facility at said property.

UNANIMOUS VOICE VOTE

ARTICLE 28 Voted to accept as public ways within the Town of Mendon, the streets known as **Warfield Road, Russell Court, Haywood Circle and a portion of Puffer Drive** in Cobbler’s Knoll subdivision, as laid out by the Board of Selectmen, provided, however, that the owner(s) of the properties comprising such streets provide(s) to the Town a deed or certificate of title acceptable to the Board of Selectmen with respect to the fee, easement, interest and/or rights in the roadways to be conveyed to the Town, and pay(s) all costs and recording expenses related hereto, and provided that all of the requirements of the Planning Board have been met.

UNANIMOUS VOICE VOTE

ARTICLE 29 Defeated a motion to amend the Mendon Zoning By-Laws as follows:

1. Article III, Use Regulations, Section 3.01 Table A, Table of Uses to appear as follows:

		GB	HB	RR	GR
67. a.	Roof Mounted Accessory Residential and Accessory Non-Residential Solar Voltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	Y	Y	Y	Y
67. b.	Ground- mounted Accessory Non-Residential and Accessory Residential Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-laws, Section 6.02	SPR	SPR	SPR	SPR
67. c.	Non-accessory Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	SPR/PB	SPR/PB	SPR/PB N	SPR/PB

2. Article VI, Special Provisions, Section 6.02(G)(i)(6) “Solar Photovoltaic Facilities” to appear as follows:

Commercial uses are generally discouraged in residential districts. In lieu of prohibiting such uses all together, the following restrictions shall apply: (i) no non-accessory SPF shall be permitted on any parcel of land located within ~~a residential subdivision~~ five-hundred (500) feet of a residential subdivision approved in accordance with the Subdivision Control Laws by the Planning Board; and (ii) no Large Scale Ground Mounted Solar Photovoltaic Facility shall be located within one (1) radius mile of another LSGM SPF in a residential district, ~~the Residential Rural District~~.

MAJORITY VOICE VOTE

ARTICLE 30 Voted to Passover this article.

UNANIMOUS VOICE VOTE

The warrant was dissolved at 9:35pm. There were 175 voters in attendance. The tellers for the meeting were Kathryn Rich and Nancy Fleury. The officer on duty was Guy Kloczkowski.

A true copy. Attest:

Margaret Bonderenko

Town Clerk