

SPECIAL TOWN MEETING MARCH 21, 2016-PROCEEDINGS

The Moderator Jay Byer called the meeting to order at 7:00pm. The Moderator noted that the warrant had been duly posted and properly served. Non Residents were allowed into the meeting:

Brandon Moss, Town Counsel
Sam Aubut, Child
Kimberly Newman, Town Administrator
Corin Cook, Milford Daily News
Ian Smith, non-voter
Jean Berthold, Principal Assessor
Gail Wellman, Town Employee
Michelle Sanford, Town Crier
Mike Zarella, Fire Dept.
Andrew Fino, child

The Moderator requested a moment of silence in honor of Howard Phipps who passed away last week.
The Moderator went over the rules and procedures for the meeting.

ARTICLE 1 Voted to transfer \$23,400 from Free Cash to Town Accountant Expenses (Line Item 135B1).
UNANIMOUS VOICE VOTE

ARTICLE 2 Voted to transfer \$4,504 from Free Cash to Town Hall Services Salaries (Line Item 199A1).
MAJORITY VOICE VOTE

ARTICLE 3 Voted to transfer \$3,713 from Reserve for Salary Negotiations to the following Line Items:
\$172 to Conservation Salaries (Line Item 171A)
\$303 to Treasurer Collector Salaries (Line Item 145A1)
\$837 to Police Administrative Assistant Salary (Line Item 210A3)
\$2,401 to Highway Construction & Maintenance Salaries (Line Item 422A1)

And to transfer \$17,743 from Reserve for General Expenses (Line Item 131C) to the following :
\$1,795 to Highway Construction & Maintenance Salaries (Line Item 422A1)
\$15,948 to Quinn Bill Wages (Line Item 200A2).
Line Items 199A1, 199A2 and Line Item 200A were all held for questions
UNANIMOUS VOICE VOTE

Voted to transfer \$902 from Reserve for Salary Negotiations (Line Item 131D) to Town Hall Service Salaries (Line Item 199A1)
UNANIMOUS VOICE VOTE

Motion to amend Article 3, Line Item 199A2 to (0) zero. A Secret ballot was requested, ten voters stood in place to request a secret ballot.
SECRET BALLOT
YES 59
NO 38

Voted to transfer \$2,217 from Reserve for Salary Negotiations (Line Item 131D) to Public Safety Director Salary (Line Item 200A).
UNANIMOUS VOICE VOTE

Voted to amend the main motion of Line Item 199A2 from \$14,768 to zero. A secret ballot is requested again, ten voters stood in place to request the secret ballot:
SECRET BALLOT
YES 63
NO 33

ARTICLE 4 Voted to transfer \$8,123 from Free Cash to Police Department Overtime Wages (Line item 210A2).
UNANIMOUS VOICE VOTE

ARTICLE 5 Voted to transfer \$3,200 from Free Cash to Police Department Expenses (Line Item 210B).
UNANIMOUS VOICE VOTE

ARTICLE 6 Voted to transfer \$10,000 from Free Cash to Fire Department Overtime Wages (Line Item 220A3).
UNANIMOUS VOICE VOTE

ARTICLE 7 Voted to transfer 4,400 from Free Cash to Road Machinery Equipment Maintenance (Line Item 421B2).
UNANIMOUS VOICE VOTE

ARTICLE 8 Voted to transfer \$4,200 from Free Cash to Road Machinery Expenses Diesel (Line Item 421B4).
UNANIMOUS VOICE VOTE

ARTICLE 9 Voted to transfer \$11,700 from Free Cash to Highway Construction Maintenance Police Overtime Wages (Line Item 422A4).
UNANIMOUS VOICE VOTE

ARTICLE 10 Vote to transfer \$8,200 from Free Cash to Highway Construction and Maintenance Road Materials Expenses (Line Item 422B1).

UNANIMOUS VOICE VOTE

ARTICLE 11 Voted to Passover this article.

UNANIMOUS VOICE VOTE

ARTICLE 12 Voted to transfer \$10,000 from Free Cash to Veteran's Benefits Aid to Veterans (Line Item 543C).

UNANIMOUS VOICE VOTE

ARTICLE 13 Voted to transfer \$3,983 from Free Cash to Worker's Compensation Expenses (Line Item 912B).

UNANIMOUS VOICE VOTE

ARTICLE 14 Voted to transfer \$42,985 from the Community Preservation Historical Preservation Account to fund restoration of the Taft Public Library, 18 Main Street, for re-roofing the entire roof and repairing and re-shingling the belfry.

UNANIMOUS VOICE VOTE

ARTICLE 15 Voted to transfer \$2,500 from the Mendon Land Bank to fund an environmental assessment on the area where the barn was destroyed by a fire at 34 George Street.

UNANIMOUS VOICE VOTE

ARTICLE 16 Voted to accept M.G.L. Chapter 60 Section 3D.

UNANIMOUS VOICE VOTE

ARTICLE 17 Voted to accept, on such terms and conditions as the Board of Selectmen may require and approve in the best interests of the Town, a parcel of land on the northerly side of George Street in Mendon containing 24.16+/- acres and shown as Parcel A on a plan entitled "Open Space Community Plan 'Pond Meadow Estates' Open Space Parcel 'A' Key Sheet Plan of Land in Mendon, MA Scale 80 feet to an inch Date: January 22, 2014" by Guerriere & Halnon, Inc. and recorded with the Worcester Registry of Deeds in Plan Book 906, Page 86 (the Plan), as a donation from F&D Central Realty Corporation. Said Parcel A to be accepted, subject to such approval by the Board of Selectmen, for the following purposes:

1) to subdivide a portion of said Parcel A to create a separate lot that complies with applicable zoning for the area where the existing house and sheds at 34 George Street, as shown on the Plan, are located, for the purposes of selling said new lot, house and sheds in conformity with M.G.L. c. 30B and all applicable law; as shown on the Plan, and

2) to use the remaining land comprising said Parcel A as open space.

Further, to authorize the Board of Selectmen to sell such new lot, house and sheds on such terms and conditions, and for such consideration, as it deems in the best interests of the Town, and to take such actions and execute such instruments and agreements as may be necessary or appropriate to effectuate the purpose of this motion.

UNANIMOUS VOICE VOTE

ARTICLE 18 Voted to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

AN ACT authorizing the town of Mendon to return a certain parcel in the town of Mendon to John D. Gannett, Jr. and Ute D. Gannett.

Be it enacted in the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 16 of chapter 30B of the General Laws, section 15A of chapter 40 of the General Laws, or any other general or special law to the contrary, the town of Mendon, acting by and through its board of selectmen, may convey by deed a certain parcel of real property consisting of 29.7 acres, more or less, located at 131 North Avenue, to John D. Gannett, Jr. and Ute D. Gannett, on such terms and conditions as the board of selectmen may determine. The board of selectmen may impose any conditions or restrictions, unlimited as to time, upon the said parcel, notwithstanding section 23 of chapter 184 of the General Laws, or any other general or special law to the contrary. The property is the parcel conveyed to the town of Mendon by a quitclaim deed of John D. Gannett, Jr. and Ute D. Gannett recorded with the Worcester South district registry of deeds at book 23337, page 345, as affected by an affidavit recorded with the Worcester South district registry of deeds at book 54429, page 23 and by a modification of restriction recorded with the Worcester South district registry of deeds at book 54429, page 30.

SECTION 2. This act shall take effect upon its passage and without further submission to a town meeting.

UNANIMOUS VOICE VOTE

ARTICLE 19 Voted that the Town the Board of Selectmen to convey, by gift or otherwise, on such terms and conditions, and for such consideration, as it may deem in the best interests of the Town, the right and easement to Massachusetts Electric Company and Verizon New England, Inc., and their respective affiliates, to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, over, across, under and upon Town-owned land off Milford Street, as shown on a Plan of Land recorded with the Worcester District Registry of Deeds in Plan Book 913, Plan 91 and being the premises acquired via deed to the Town dated August 9, 2005 and recorded with the Worcester District Registry of Deeds in Book 37146, Page 9, and to

further authorize the Board of Selectmen to take such actions and execute such other instruments and agreements as may be necessary or appropriate to effectuate such conveyance.

UNANIMOUS VOICE VOTE

ARTICLE 20 Voted to authorize the Board of Selectmen, pursuant to M.G.L. c. 40, § 4, and any other enabling law, to negotiate and enter into a power purchase and/or net metering agreement with BWC Mystic River, LLC, or its affiliate or another similar energy company, including for power and net metering credits generated by a solar photovoltaic system, on such terms and conditions, and for such consideration, as the Board of Selectmen deem in the best interests of the Town, and to authorize it to take such actions and execute such other instruments and agreements as may be necessary or appropriate to effectuate such agreement.

UNANIMOUS VOICE VOTE

Motion to dissolve that warrant at 9:03pm. There were 98 voters in attendance. The tellers for the meeting were Kathryn Rich and Nancy Fleury. The officer at the meeting was Stephen Sinko.

A true copy. Attest:

Margaret Bonderenko
Town Clerk

And you are directed to serve this Warrant, by posting up attested copies thereof at three or more public places in said Town, 14 days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 29th day of February, in the year of our lord two thousand sixteen.

_____ **Selectmen of Mendon**

A True copy. Attest:

_____ **Constable**

Worcester, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Mendon by posting up attested copies of the same at:

Town Hall; Town Hall Website; _____

_____ **days before the date of the meeting, as within directed.**

_____, **Constable**