

**WARRANT FOR THE ANNUAL TOWN MEETING
JUNE 15, 2020**

THE COMMONWEALTH OF MASSACHUSETTS

WORCESTER: SS

BOYLSTON

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

GREETING:

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

1. ANNUAL TOWN MEETING – JUNE 15, 2020

RESCHEDULED TO JUNE 29, 2020

on the third (3rd) Monday, of June AD, 2020 at seven-ten (7:10) P.M., at the Tahanto Regional High School Auditorium or another location on the grounds thereof, 1001 Main Street, Boylston MA, to take any action relative to the business of the Town as set forth in Articles one (1) through thirty-one (31) of this Warrant; and at its adjournment, which shall be upon completion of Town Meeting action upon all articles listed on the Warrant.

NOTE: The Town's Board of Selectmen voted to schedule the date of the Annual Town Meeting pursuant to its authority set forth in Section 9 of Chapter 39 of the general laws, as amended by Chapter 53 of the Massachusetts Acts of 2020.

2. ELECTION AND BALLOT – JUNE 22, 2020

on **Monday, the twenty-second (22nd) of May AD, 2020**, to vote by ballot at the Town's annual election, at the Boylston Town Hall, at the Hillside Municipal Complex located at 221 Main Street within the Town of Boylston, with polls opening at twelve o'clock (12:00) noon and closing at eight o'clock (8:00) p.m. on the following:

NOTE: The Town's Board of Selectmen voted to schedule the date of the Town Election pursuant to its authority set forth in Chapter 45 of the Massachusetts Acts of 2020.

***ARTICLE 31.** To vote by official ballot for the necessary Town Officers, namely:

One Selectmen for three (3) years; One Town Clerk for three (3) years; One Assessor for three (3) years; One Board of Health Member for three (3) years; One Planning Board Member for five (5) years; One Municipal Light Board Member for three (3) years; Two Library Trustees for three (3) years; One Cemetery Commissioner for three (3) years; Three Parks and Recreation Members, two for three (3) years; and one for one (1) year of an unexpired term.

Town Moderator Kimberly Kohler clarified that as Town Elections had already taken place there would be no action necessary for Article 31.

MOTION was made by Ms. Kohler to waive the reading of the Warrant. Motion seconded. Vote was taken on MOTION. MOTION passes.

MOTION was made by Ms. Kohler to take Article 30 out of order. Second was made by Mr. David Butler. Vote was taken on MOTION. MOTION passes.

ARTICLE 30. To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, or otherwise provide the sum of \$17,486,536 (Seventeen million four hundred eighty-six thousand five hundred thirty-six and zero cents), or any other amount, as set forth in the budget for the purpose of operating and maintaining the various departments of the Town, and to meet such appropriation:

- The sum of \$70,000 (Seventy thousand and zero cents) to be transferred from the Ambulance Receipts Reserve Fund for Appropriation to be applied to the Ambulance Department Budget;
- The sum of \$280,000 (Two hundred eighty thousand dollars and zero cents) or any other amount, to be transferred from Free Cash
 - \$250,000 (Two hundred fifty thousand and zero cents) to reduce the tax rate
 - \$30,000 (Thirty thousand and zero cents)
- The sum of \$72,000 (Seventy-two thousand) for the purpose of reducing the FY21 Regional School District Assessment; and to meet this appropriation,
 - the sum of \$22.15 be transferred from unexpended funds from the BES Boiler, as previously appropriated by Article 32 of the May, 2017 Annual Town Meeting,
 - the sum of \$4,000 be transferred from unexpended funds from the School Fire Safety Equipment, as previously appropriated by Article 24 of the May, 2018 Annual Town Meeting,
 - the sum of \$410 be transferred from unexpended funds from the BES Walk-in Cooler, as previously appropriated by Article 33 of the May, 2017 Annual Town Meeting,
 - the sum of \$2,101 be transferred from unexpended funds from the School Exterior Repairs, as previously appropriated by Article 25 of the May, 2018 Annual Town Meeting,
 - the sum of \$6,455.50 be transferred from unexpended funds from the BES Door Mechanism, as previously appropriated by Article 41 of the May, 2016 Annual Town Meeting,
 - the sum of \$408 be transferred from unexpended funds from the BES Windows Phase 1, as previously appropriated by Article 34 of the May, 2017 Annual Town Meeting,
 - the sum of \$2,365.32 be transferred from unexpended funds from the School Driveway, as previously appropriated by Article 26 of the May, 2018 Annual Town Meeting,
 - and to transfer and appropriate from the available funds in the treasury to fund a sum of \$56,238.03

such sums as may be necessary to defray and pay all Town debts and charges and appropriate the same as the Town sees fit for the fiscal year beginning on July 1, 2020, and to fix the compensation and salaries of all Town Officers, as may be shown in whole or in part by the Town Budget, so-called, as shown in the Fiscal Year 2021 Report of the Finance Committee; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

SEVENTEEN MILLION, FOUR HUNDRED EIGHT-SIX THOUSAND, FIVE HUNDRED THIRTY-SIX DOLLARS AND ZERO CENTS

to pay all Town debts and charges and to fix the compensation and salaries of all Town offices, all as shown in the Town Budget, so called, under the column "Proposed FY 2021 Budget" in the Report of the Finance Committee;

AND TO MEET THIS APPROPRIATION, THE TOWN:

- 1) *Transfer \$70,000 from the Ambulance Receipts Reserve Fund to be applied to the Ambulance Department Budget;*
- 2) *Transfer \$280,000 from Free Cash available in the Treasury;*
- 3) *Transfer \$72,000 to meet a portion of the FY21 Regional School District Assessment, from the following sources:*
 - *\$22.15 from unexpended funds from the BES Boiler Project, as previously appropriated under Article 32 at the May, 2017 Annual Town Meeting,*
 - *\$4,000 from unexpended funds from the School Fire Safety Equipment, as previously appropriated under Article 24 at the May, 2018 Annual Town Meeting,*
 - *\$410 from unexpended funds from the BES Walk-in Cooler Project, as previously appropriated under Article 33 at the May, 2017 Annual Town Meeting,*
 - *\$2,101 from unexpended funds from the School Exterior Repairs Project, as previously appropriated under Article 25 at the May, 2018 Annual Town Meeting,*
 - *\$6,455.50 from unexpended funds from the BES Door Mechanism Project, as previously appropriated under Article 41 at the May, 2016 Annual Town Meeting,*
 - *\$408 from unexpended funds from the BES Windows Phase 1 Project, as previously appropriated under Article 34 at the May, 2017 Annual Town Meeting,*
 - *\$2,365.32 from unexpended funds from the School Driveway Project, as previously appropriated under Article 26 at the May, 2018 Annual Town Meeting, and*
 - *\$56,238.03 from the available funds in the Treasury.*
- 4) *And to RAISE AND APPROPRIATE THE BALANCE FROM TAXATION;*

thereby approving the Town Budget for Fiscal Year 2021.

MOTION made by Mr. David Butler, who stated that numbers had decreased in the Vocational Education Line to \$580,109 and, as a result, the \$17,435,294 total is different than what was originally in the Warrant.

Mr. Butler spoke to the Article stating that this is the first year that the Finance Committee has worked within the regionalization agreement and that they had no input. Mr. Butler stated that it is an aggressive budget increase, but it is what was passed along by the School Committee. He said that the Finance Committee worked to try to decrease the number. His best estimate is that the budget will result in a \$1.16 per thousand tax increase.

MOTION was seconded by Ms. Karen McGahie. Vote was taken. MOTION passes.

MOTION was made by Ms. Kimberly Kohler that Town Meeting consider and vote on Articles 1 – 10, inclusive, as a group. Ms. Kohler explained that these are routine articles that are necessary to run the Town and are approved on an annual basis. She requested that the Town continue its tradition of entering into a consent calendar to group Articles 1-10 together. Second was made. Vote was taken on MOTION. MOTION passed unanimously.

***ARTICLE 1.** To see if the Town will vote to authorize the Board of Selectmen to choose all necessary Town officers; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 2.** To hear and act upon the reports of Town officials and committees; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 3.** To see if the Town will vote to authorize the Board of Selectmen to employ Counsel where, in their judgment, it may be necessary; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 4.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of revenue of the financial fiscal year beginning July 1, 2020 and ending June 30, 2021, and to issue a note or notes therefor and to renew any note or notes as may be given for a period of less than one (1) year in accordance with Chapter 44 of the General Laws; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 5.** To see if the Town will vote to authorize the Trustees of the Public Library to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2020, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Library Trustees

***ARTICLE 6.** To see if the Town will vote to authorize the Board of Cemetery Commissioners to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2020, including the appointment of a Cemetery Superintendent, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Board of Cemetery Commissioners

***ARTICLE 7.** To see if the Town will vote to authorize the Planning Board to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2020, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Planning Board

***ARTICLE 8.** To see if the Town will vote to appropriate the money received from the Commonwealth of Massachusetts as a Library grant-in-aid for the purpose of purchasing books and other items at the discretion of the Library Trustees; or act in any other way thereon.

Sponsor: Library Trustees

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 9.** To see if the Town will vote that the income from sales of electricity to private consumers, or for electricity supplied to municipal buildings or for municipal power, and from jobbing during the current fiscal year, be appropriated for the Municipal Lighting Plant, the whole to be expensed by the manager of the Municipal Lighting Plant, under the direction and control of the Municipal Light Board, for the expense of the plant for said fiscal year, as defined in Section 57 of Chapter 164 of the General Laws; and for the purchase, sale, installation and servicing of merchandise and equipment in accordance with the provisions of Chapter 235 of the Acts of 1937; and for any out of state travel expense in accordance with the provisions of Section 5 of Chapter 40 of the General Laws, and if said sum and income shall exceed said expense for the fiscal year, such excess shall be transferred to the Construction Fund of said plant and appropriated and used for such additions thereto as may thereafter be authorized by the Municipal Light Board; and fix the compensation of the Municipal Light Board members for the fiscal year beginning July 1, 2020, as provided by Section 4A of Chapter 41 of the General Laws, as follows: Chairman - \$1,000.00 and two (2) members - \$1,000.00 each, a total of \$3,000.00, and such compensation to be paid from the operating account of the Municipal Light Plant; or act in any other way thereon.

Sponsor: Municipal Light Board

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 10.** To see if the Town will vote to accept any highway funds from State or Federal agencies, to authorize the Board of Selectmen to enter into agreements with MassDOT – Highway Division, so-called, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow from time to time during the fiscal year beginning July 1, 2020, in anticipation of reimbursement of said highway assistance, in conformity with the provisions of Section 6A of Chapter 44 of the General Laws, for maintenance, repair, construction of Town roads and programs consistent with Chapter 90 funds, to be expended by the Highway Department; or act in any other way thereon.

Sponsor: Highway Superintendent

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Seth Ridinger that Town Meeting approve Articles 1 – 10, as printed in the Warrant. MOTION was seconded. Vote was taken and MOTION passed unanimously.

ARTICLE 11. To see if the Town will vote as follows:

1. To amend Article I of the Town's General By-Laws, entitled "General Provisions", Section 5, "Departmental Revolving Funds", as follows:
 - (a) In Section 5.02, in the Table of Authorized Revolving Funds, insert a new revolving fund, to be entitled "Multi-Family & Commercial Building Inspection Fund" after the Senior Van fund, to read as follows:

A. Revolving Fund	B. Department , Board, Committee, Agency or Officer Authorized to Spend from Fund	C. Fees, Charges or Other Receipts Credited to Fund	D. Program or Activity Expenses Payable From Fund	E. Restrictions or Conditions on Expenses Payable From Fund	F. Other Requirements / Reports	G. Fiscal Years
Multi Family & Commercial Building Inspection Fund	Building Department	50% of fees and charges received by the Building Department from applications and fees for the review of plans, documents and inspection(s) of proposed and/or permitted Plumbing, Gas, and Electrical systems.	To pay costs inspections or review services as deemed necessary by the Building Department in reviewing or inspecting proposed or existing plumbing, gas, and/or electrical systems.	None, other than as set forth in this Bylaw.	None, other than as set forth in this Bylaw and by Town Meeting vote.	Fiscal Year 2021 and subsequent years

2. In Section 5.05 of Article I of the General By-laws, insert a new fund in the Table therein, to read "Multi-Family & Commercial Building Inspection Fund" and to set the limits on the total amounts that may be expended from each of the Town's revolving funds in Fiscal Year 2021, pursuant to M.G.L. Chapter 44, Section 53E1/2, as follows:

Fund:	Maximum Amount Expendable:
Cemetery	\$30,000.00
Conservation Commission	\$10,000.00

Vaccine Clinics	\$3,000.00
Planning Board Filing Fees	\$20,000.00
Senior Van	\$3,500.00
Multi Family & Commercial Building Inspection Fund	\$30,000.00
Septic System Inspection Fund	\$12,000

Or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Matt Mecum that the Town approve Article 11, as printed in the Warrant.

Mr. John Stoffel asked why the article was necessary and why does the Town need to appropriate \$30,000 to it. Mr. Mecum summarized the article by explaining that it was requested by the Inspectors of the Town due to the increase in the number of commercial inspections. Fifty percent (50%) of commercial permit fees deposited into the new revolving fund will be available to pay compensation for the Inspectors' time and fifty percent (50%) will available for deposit into the Town's general fund at the end of every fiscal year. Mr. Underwood further explained that it is a revolving fund, so that money doesn't have to be transferred out all the time. Mr. Mecum said that the account will not be preloaded; \$30,000 is the maximum the fund can hold at any one time.

MOTION was seconded. Vote was taken. MOTION passed unanimously.

ARTICLE 12. To see if the Town will vote to fix the compensation for the following Town Officers: three (3) Selectmen, Town Clerk, Moderator, three (3) Assessors, three (3) School Committee members, three (3) Board of Health members, three (3) Cemetery Commissioners, five (5) Planning Board members, all in accordance with the recommendations of the Finance Committee, and to instruct the Selectmen or other boards to fix a given compensation for the persons hired or appointed by such boards;

Selectmen, Chair	\$1,638	2 members each at \$ 1,364
Town Clerk	\$36,717	plus fees
Town Moderator	\$20	
Assessors, Chair	\$1,696	2 members each at \$ 1,132
Board of Health, Chair	\$333	2 members each at \$ 222
Cemetery Commission, Chair	\$255	2 members each at \$ 193
Planning Board, Chair	\$420	4 members each at \$ 67
Planning Board, Vice-Chair	\$66	
Planning Board Clerk	\$68	

Or act in any way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

Mr. James Underwood made a MOTION that the Town approve the changes in the compensation of Town Officers as printed in the Warrant. MOTION was seconded. Vote was taken and MOTION passed unanimously.

ARTICLE 13. To see if the Town will vote to amend the Town's Personnel Plan and By-laws by replacing Schedules A, B and C with the following; or act in any other way thereon.: (proposed changes are in **bold**)

Section 15: Classification Schedule Amended June 2020 - Effective July 1, 2020

<u>Classification</u>	<u>Position Status</u>	<u>Grade</u>	<u>Hourly</u> <u>Min.</u>	<u>Rates</u> <u>Max.</u>
Library Page	Hourly		12.75	13.25
Election Worker	Hourly		12.75	13.25
Town Meeting Checker	Hourly		12.75	13.25
Election Clerk	Hourly		12.75	13.25
Election Warden	Hourly		12.75	13.25
Clerical	Special Temp		12.75	13.25
Library Housekeeper	Special Part Time		12.75	13.25
Council on Aging Van Scheduler	Reg. Part Time	2		
Asst. Laborer	Special Hourly	2		
Library Asst./Sr. Technician	Reg. Part Time	3		
Laborer/Custodian	Reg. Full Time	3		
On Call Emergency Medical Technician	Hourly	3		
On Call Firefighter	Hourly	3		
Deputy Chief	Hourly	3 + \$500		
Asst. Town Clerk	Special Part Time	5		
Police Service Aide	Hourly	5		
Asst. Inspector/Electrician	Hourly	5		
Assessor's Clerk	Reg. Part Time	5		
Children's Librarian	Reg. Part Time	5		
COA Co-ord./Community Outreach	Reg. Part Time	5		
P&R Program Coordinator	Reg. Full Time	5		
Equipment Operator/Laborer I	Reg. Full Time	6		
Assistant Treasurer/Collector	Reg. Part Time	6		
Assistant Library Director	Reg. Part Time	7		
Admin Asst. to Board of Assessors	Reg. Part Time	7		
Admin Asst. to Highway Superintendent	Reg. Part Time	7		
Admin Asst. to Chief of Police	Reg. Part Time	7		
Admin Asst. to Planning Board	Reg. Part Time	7		
Admin Asst. to Board of Selectmen	Reg. Part Time	7		
Equipment Operator/Mechanic I	Reg. Full Time	7		
Equipment Operator/Laborer II	Reg. Full Time	8		
Working Foreman	Reg. Full Time	8		
Full Time Firefighter/EMT	Reg. Full Time	8		
Admin Asst. to Health & Conservation	Reg. Part Time	8		
Human Resources Administrator	Reg. Part Time	8		
Town Treasurer/Collector	Reg. Full Time	9		
Foreman	Reg. Full Time	9		
Building Inspector	Salaried	10		
Library Director	Salaried	11		
Fire Lieutenant	Reg. Full Time	11		
Fire Captain	Reg. Full Time	12		
Highway/Cemetery Superintendent	Salaried	12 + \$845		
Facilities Technician	Reg. Full Time	13		
Fire Chief	Salaried	Contract		
Police Chief	Salaried	Contract		
Town Administrator	Salaried	Contract		

Schedule B: Salary Compensation Schedule

Grade	Min	Mid	Max
1	\$12.75	\$14.45	\$16.59
2	\$13.37	\$15.81	\$18.22
3	\$14.49	\$17.09	\$19.68
4	\$15.59	\$18.39	\$21.17
5	\$16.87	\$19.84	\$22.81
6	\$18.23	\$21.45	\$24.67
7	\$19.73	\$23.17	\$26.61
8	\$21.26	\$25.01	\$28.75
9	\$23.00	\$27.01	\$31.00
10	\$24.84	\$29.18	\$33.55
11	\$26.87	\$31.54	\$36.21
12	\$28.95	\$34.01	\$39.08
13	\$31.26	\$36.74	\$42.21
14	\$33.73	\$39.66	\$45.57
15	\$36.48	\$42.85	\$49.21
16	\$39.38	\$46.26	\$53.14
17	\$42.52	\$49.98	\$57.43
18	\$45.83	\$53.92	\$61.99

Schedule C: Salary Compensation Schedule-

Job Title	Annual Salary
Chairman, Registrar of Voters	\$832
Director of Veteran's Services	\$241
Electrical Inspector	\$9,893
Assistant Electrical Inspector	\$681
Plumbing Inspector	\$10,615
Assistant Plumbing Inspector	\$883
Gas Inspector	\$3,193
Assistant Gas Inspector	\$274
Registrar of Voters	\$323
Health Agent	\$46,340
Dog Officer	\$2,607
Animal Inspector	\$1,662
Nurse	\$3,000
Vital Stat Clerk	\$200
Tree Warden	\$1,407

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Seth Ridinger that the Town amend the Town's Personnel Plan and By-laws as printed in the Warrant. A second was made. Vote was taken. MOTION passed unanimously.

ARTICLE 14. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$25,000.00 to the Other Post-Employment Benefits (OPEB) Liability Trust Fund; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Ridnger that the Town transfer \$25,000 from free cash to the Other Post-Employment Benefits (OPEB) Liability Trust Fund. MOTION seconded. Vote was taken. MOTION passes.

ARTICLE 15. To see if the Town will vote to approve revisions to the Rules and Regulations of the Pine Grove Cemetery, as shown on a document entitled “Rules and Regulations of the Pine Grove Cemetery, Approved by the Cemetery Commissioners March 16, 2020”, on file in the office of the Town Clerk and available for review on the Town’s website.

Sponsor: Board of Cemetery Commissioners

MOTION was made by Mr. Don Parker, Chairman of the Board of Cemetery Commissioners, that the Town vote to approve the revisions to the Rules and Regulations of the Pine Grove Cemetery as presented in the document entitled “Rules and Regulations of the Pine Grove Cemetery, Approved by the Cemetery Commissioners March 16, 2020”.

Ms. Rebecca Dono-Healy thanked the Cemetery Commission for being very thorough and a job well done in laying out the new section of the cemetery, but indicated that she disliked the restrictions on height and size of monuments. Mr. Parker said that the height and size restrictions were a carryover regulation as previously written years ago. He indicated that consideration could be given to a change in these requirements during discussion at a future meeting of the Cemetery Commission. Ms. Kimberly Kohler moved that the MOTION be voted on as written with possible discussion of revisions at a later date. MOTION was seconded. Vote was taken. With some opposition, MOTION passed.

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Town’s 5% matching portion of the FEMA Assistance to Firefighters Grant for the purchase of new self-contained breathing apparatus for the Fire Department; and to meet this appropriation,

- The sum of \$9,486 to be transferred from unexpended funds from the Grant Match, as previously appropriated by Article 16 of the May, 2019 Annual Town Meeting; or act in any other way thereon.

Sponsor: Fire Department

Finance Committee comments: Finance Committee recommends approval.

MOTION made by Fire Chief Joseph Flanagan that the Town transfer \$9,486 from unexpended funds from the Grant Match, as previously appropriated under Article 16 at the May, 2019 Annual Town Meeting, to fund the Town’s 5% matching portion of the FEMA Assistance to Firefighters Grant for the purchase of new self-contained breathing apparatus and an air compressor/fill station for the Fire Department. MOTION seconded by Ms. Kimberly Kohler. Vote was taken. MOTION passed unanimously.

ARTICLE 17. To see if the Town will vote to transfer from the Ambulance Receipts Reserved Account and appropriate a sum of money for the purchase of two laptop computers, one for each ambulance, to be used for patient care reports; or act in any other way thereon.

Sponsor: Fire Department

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Fire Chief Joseph Flanagan that the Town transfer \$4,400 from the Ambulance Receipts Reserved Account to fund the purchase of two laptop computers to support ambulance services.

Mr. Mel Martinez asked that the cost of the article be clarified. Mr. Flanagan said that the cost was \$2,200 per laptop for a total of \$4,400. Ms. Sheryl Tessier asked if there would be a cost to run the laptops remotely. Mr. Flanagan said that patient care reports are transmitted straight to the hospital and connectivity would not be part of the cost as it runs through the Town's WiFi.

A second was made. Vote was taken. MOTION passed unanimously.

ARTICLE 18. To see if the Town will vote to transfer from the Town's sale of real estate fund and appropriate a sum not to exceed \$20,000 for the purpose of repairing/replacing the roof of the Carriage House located on the Town-owned property known as Hillside, 221 Main Street; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. James Underwood that the Town transfer and appropriate \$20,000 from the Town's sale of real estate fund for the purpose of repairing/replacing the roof of the Carriage House located on the Town-owned property known as Hillside, 221 Main Street. Mr. Underwood described the location of the building to be to the left of the Hillside Gymnasium and stated that the roof was in total disrepair. MOTION was seconded by Mr. David Butler. Vote was taken. MOTION passed unanimously.

ARTICLE 19. To see if the Town will vote to transfer from the Town's sale of real estate fund and appropriate a sum of money towards a Radio Communications Project for the Police Department, Fire Department, Highway Department, and the Light Department; or act in any other way thereon.

Sponsor: Board of Selectmen:

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Matt Mecum that the Town transfer and appropriate \$75,000 from the Town's sale of real estate fund for the purpose of funding the Radio Communications Project for the Police Department, Fire Department, Highway Department, and the Light Department. MOTION was seconded. Vote was taken. MOTION passed unanimously.

ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury and appropriate the sum of \$150,000 for the purchase of software for the Police Department's Dispatch system; and to meet this appropriation,

- the sum of \$7,524.96 be transferred from unexpended funds from the Fingerprint Machine, as previously appropriated by Article 5 of the November, 2018 Special Town Meeting,
- the sum of \$830 be transferred from unexpended funds from the Police Speed Trailer, as previously appropriated by Article 25 of the May, 2019 Annual Town Meeting,
- and to transfer and appropriate from the Town's sale of real estate fund a sum of \$141,645.04;

or act in any other way thereon.

Sponsor: Police Department

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. James Underwood that the Town appropriate \$150,000 for the purchase of software for the Police Department's Dispatch system and to meet this appropriation the Town:

- Transfer \$7,524.96 of unexpended funds from a previous appropriation under Article 5 at the November 2018 Special Town Meeting for the purchase of a Fingerprint Machine;

- Transfer \$830 of unexpended funds from a previous appropriation under Article 25 at the May 2019 Annual Town Meeting for the purchase of a Speed Trailer; and
- Transfer \$141,645.04 from the Town's sale of real estate fund.

Mr. Underwood clarified that the dispatchers' current software system will no longer be supported at the end of the year and that this article will fund the cost of upgrading to a new system required to perform day to day operations.

Ms. Kimberly Kohler seconded the MOTION. Vote was taken. With no opposition, the MOTION passed.

ARTICLE 21. To see if the Town will vote to authorize the Board of Selectmen to make available for lease portions of Town-owned land, known as and identified on the Assessors Map 6, Parcel 5, on file at the office of the Town Clerk and available for inspection on the Town's website, for the purpose of locating wireless communications facilities, for lease terms of up to fifty (50) years each and subject to any additional terms and conditions that the Board of Selectmen deem to be in the best interest of the Town; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. James Underwood that the Town authorize the Board of Selectmen to make available for lease portions of the Town-owned land known as and identified on the Assessors Map 6, Parcel 5, for the purpose of locating wireless communications facilities, for lease terms of up to fifty (50) years each and subject to any additional terms and conditions that the Board of Selectmen deem to be in the best interest of the Town.

Mr. Underwood clarified that this article pertains to the cell tower needing a new lease. Ms. Kimberly Kohler indicated that this article requires a two-thirds (2/3) vote.

MOTION was seconded. Vote was taken. MOTION passed unanimously.

ARTICLE 22. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$44,725 for the purpose of updating year one of the Town's Master Plan; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Matt Mecum that the Town transfer and appropriate \$44,725 from free cash for the cost of year one updates to the Town's Master Plan;

Mr. Mecum summarized the article by saying that the Town has a contract with Central Mass Regional Planning Commission to update the Town's Master Plan. Year one cost is \$44,725, year two cost is \$61,300. The Town's Master Plan was last updated approximately 15 years ago and is out of date. This Article is to fund Year One. Year Two's cost is \$61,300, but the Town has applied for a grant that will hopefully cover \$50,000.

Mr. David Butler made a second. Vote was taken. MOTION passed unanimously.

ARTICLE 23. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum of money for the purpose of funding the end of contract obligations with the Police Chief's contract; or act in any other way thereon.

Sponsor: Board of Selectmen

MOTION was made by Mr. Seth Ridinger that the Town transfer and appropriate \$20,000 from free cash to fund end of contract obligations with the Police Chief's contract.

Mr. Matt Mecum clarified that the Police Chief legislation is before the State and is awaiting the Governor's signature. The Article was left on the Warrant just in case, though the expectation is that it will not be needed. Money that is left in the budget will be put back into free cash.

MOTION was seconded by Mr. David Butler. Vote was taken. With no opposition, MOTION passed.

ARTICLE 24: To see if the Town will vote to transfer from the Town's sale of real estate fund and appropriate a sum not to exceed \$80,000.00 for the purpose of continuing renovations to the Flagg Estate; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION made by Mr. Matt Mecum that the Town transfer and appropriate \$80,000 from the Town's sale of real estate fund for continuing renovations to the Flagg Estate. Second was made. Vote was taken. MOTION passed unanimously.

ARTICLE 25. To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury a sum not to exceed \$80,000 for the purpose of purchasing a new dump truck for the Highway Department; and to meet this appropriation,

- the sum of \$50,000 be transferred from unexpended funds from the Truck for Tree work, as previously appropriated by Article 24 of the May, 2019 Annual Town Meeting,
- and to transfer and appropriate from available funds in the Treasury a sum not to exceed \$30,000;

or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. James Underwood that the Town appropriate \$80,000 for purchase of a new dump truck for the Highway Department and to meet this appropriation the Town: Transfer \$50,000 of unexpended funds from a previous appropriation under Article 24 at the May 2019 Annual Town Meeting for the purchase of a Truck for Tree work; and transfer \$30,000 from free cash.

MOTION was seconded. Vote was taken. With no opposition, MOTION passed.

ARTICLE 26. Citizen Petitioned Article:

Section 20 – Times/Hours of Construction to be amended as follows:

20.02 – The time for any construction activities within the Town shall be limited to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and between the hours of 8:00 A.M. to 12:00 P.M. (Noon) on Saturdays. There shall be no construction activities on Sundays or Massachusetts State and Federal Holidays, except in the circumstances of a bona fide emergency for which the Police Department, Fire Department, Building Inspector, or Highway Department may issue an emergency exemption to this bylaw. For purposes of this bylaw, the term "construction activities" shall be defined as "any work relating to, preparatory to or incidental to the mobilization of or implementation of construction activities and shall include all work activity including, but not limited to, erection, excavation, site preparation, demolition, or exterior alterations or repairs on any building or other structure.

EXCEPTIONS to authorized hours of construction:

1. Any work performed by the legal homeowner on or at their place of residence without contracted labor or contracted assistance,
2. any work by a contractor, hired by and for the benefit of a legal homeowner on or at their place of residence, that does not require a permit under any applicable law or regulation, and/or does not fall under work authorized by the town by a Special Permit, provided such work does not cause a disturbance of the peace and tranquility of the surrounding neighborhood.

Any person, company or property owner may seek a limited waiver from the time limitations for construction activity set forth herein by filing a written request for such a waiver with the Building Inspector. Any request for a waiver must be filed with the office of the Building Inspector at least five (5) business days prior to the proposed construction activity. Upon receipt of such a request the Building Inspector may, in his sole discretion, grant or deny a limited waiver from the time limitations for construction activity. The Building Inspector may grant a limited waiver, however, only upon a determination that either (i) there is no practical means or method for the requester to comply with the time limitations, and compliance with the same will result in an unreasonable and significant financial hardship to the requester, or (ii) a limited waiver from time limitations will have no detrimental impact upon the surrounding properties or neighborhood, due to the nature of the proposed construction activity, or the character of the neighborhood. Any limited waiver from the time limitations issued by the Building Inspector pursuant to this paragraph shall list the name of the requester, identify the property affected, define the proposed construction activity, include a specific date(s) or time period for the permitted construction activity to take place and include a date of expiration of the limited waiver. Under no circumstances will a limited waiver be issued for longer than 15 days. A copy of any limited waiver issued under this paragraph shall be filed with the office of the Town Clerk, with a copy to the Town Board of Selectmen, Town Planning Board and the Town Police Department.

The Building Inspector and the Police Department are empowered to enforce the provisions of this By-law and may seek enforcement actions in accordance with Section 18 herein. Any person who directly or indirectly engages in or allows construction activities in violation of this By-law will face a mandatory fine of Three Hundred Dollars (\$300) for every hour or portion thereof in which there is a violation, and will result in all work being immediately terminated.

Sponsor: Citizen's Petition

Mr. Gerry Quam (petitioner), 3 Smallwood Circle, spoke to the Article. Mr. Quam stated that current Town construction hours are 7 a.m. to 7 p.m. Monday through Saturday. He proposes that Town By-Laws be amended by revising construction hours to 7 a.m. to 6 p.m., Monday through Friday, and 8 a.m. to 12 noon, Saturday.

Much discussion ensued, with concerns brought forth by Mr. Steve Soucy, Mr. James Wood, Mr. Matt Mecum, Ms. Robin Quist, Mr. Jay Groccia, and Mr. James Underwood. Mr. Mel Martinez did state that construction noise is wearing on citizens in the part of town where most of the development is taking place.

MOTION was made by Ms. Kohler to move the article. There was slight opposition, but MOTION to move carried. MOTION was made to vote on Article 26. Second was made. Vote was taken. Nays carried. Motion does not pass.

ARTICLE 27. To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 270, Section 16, regarding enforcement actions that may be brought against persons who commit illegal dumping of trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or other material of any kind on a public highway or within 20 yards of a public highway, or on any other public land, and to designate the Town's Board of Health and its agent, in addition to the Town's police officers, as enforcement officers pursuant to said law; or act in any other way thereon.

Sponsor: Board of Selectmen

MOTION was made by Mr. James Underwood that the Town vote to accept the provisions of Massachusetts General Law Chapter 270, Section 16 and designate the Board of Health and its agent to serve as enforcement officers pursuant to said law, in addition to the Town's police officers.

Mr. Underwood spoke to the article by saying that this is an anti-dumping law and that it will allow the Board of Health and its agents to enforce actions against individuals who illegally dump trash.

MOTION was seconded by Mr. David Butler. Vote was taken. MOTION passed unanimously.

ARTICLE 28. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation, as follows, which will authorize the Town expend, without appropriation, insurance proceeds received for a police officer or firefighter injured in the line of duty, said proceeds to be applied to police or fire department salaries, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or act on anything relative thereto:

AN ACT RELATIVE TO INSURANCE PROCEEDS FOR INJURED POLICE AND FIRE PERSONNEL IN THE TOWN OF BOYLSTON.

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

SECTION 1. Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, insurance proceeds received by the town of Boylston or any officer or department thereof to compensate a police officer or firefighter injured in the line of duty may be made available by the town to the fire or police department without specific appropriation as an offset for payments made to a police officer or firefighter pursuant to section 111F of chapter 41 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by Mr. Ridinger that the town vote to authorize the Board of Selectmen to petition the General Court to adopt a special act, as generally set forth in Article 28 of the printed Warrant, to allow the Town to expend, without appropriation, insurance proceeds received for a police officer or firefighter injured in the line of duty, said proceeds to be applied to police or fire department salaries, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition.

Mr. Butler spoke to the article by explaining that State Workmans Compensation is different than private sector Workmans Compensation. Rather than an individual directly receiving a check, the State sends a check to the Town and the Town then pays the party. This article will allow insurance proceeds paid to the Town for employees who are out on Injured On Duty Leave to be put back into the appropriate salary line to offset the cost of filling the employee's position while he/she is out.

Ms. Kohler seconded the MOTION. Vote was taken. MOTION passed unanimously.

ARTICLE 29: To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury and appropriate a sum not to exceed \$20,000 for the purpose of completing additional renovations at the Town Hall; and to meet this appropriation,

- the sum of \$8,196.53 be transferred from unexpended funds from the Town House Renovations, as previously appropriated by Article 28 of the May, 2019 Annual Town Meeting,
- the sum of \$11,482.82 be transferred from unexpended funds from the Town House Renovations, as previously appropriated by Article 27 of the May, 2016 Annual Town Meeting,
- the sum of \$320.65 be transferred from unexpended funds from the Town House Renovations, as previously appropriated by Article 23 of the May, 2018 Annual Town Meeting

or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION made by Mr. Underwood that the Town appropriate \$20,000 for the purpose of completing additional renovations at the Town Hall and to meet this appropriation the Town:

- Transfer \$8,196.53 from unexpended funds as previously appropriated under Article 28 at the May, 2019 Annual Town Meeting for completing renovations to the Town House;
- Transfer \$320.65 from unexpended funds as previously appropriated under Article 23 at the May 2018 Annual Town Meeting for completing renovations to the Town House; and
- Transfer \$11,482.82 from unexpended funds as previously appropriated under Article 27 of the May 2016 Annual Town Meeting for completing renovations to the Town House.

Mr. Underwood spoke to the article by saying that these funds will be used to install a handicap accessible bathroom on the lower level of Town Hall.

Ms. Kohler made a second. Vote was taken. With no opposition, MOTION passed.

Town Moderator Ms. Kimberly Kohler thanked the Town's citizens for coming out and staying despite the inclement weather. She thanked Keith's Music House for their donation of audio equipment for the Meeting, and noted that extraordinary times call for a lot of patience.

Ms. Kohler made a MOTION to adjourn the Meeting with all business completed. MOTION was seconded by Mr. Roger Young. Vote was taken on the MOTION. MOTION passed.

Meeting adjourned at 8:01 p.m.

A True Copy Attest,

Dawn A. Porter
Boylston Town Clerk

