

WARRANT FOR THE ANNUAL TOWN MEETING

June 7, 2021

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:

ANNUAL TOWN MEETING – June 7, 2021

on the First (1st) Monday, of June AD, 2021 at seven o'clock (7:00) 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 forty-two (42) of this Warrant; and at its adjournment, which shall be upon completion of Town Meeting action upon all articles listed on the Warrant.

Voters of the Town of Boylston met on the athletic field inside the track at Tahanto Regional Middle/High School according to legal notice on June 7th, 2021. 124 legal voters and 6 guests were present. Calling of the meeting and officer's return of service were in order as required.

Town Moderator Kimberly Kohler began the 2021 Annual Town Meeting at 7:16 p.m. by saying that the Town Clerk had indicated that a quorum had been reached and that the Warrant was returned. She made a MOTION to waive the reading of the Warrant, which was seconded. Vote was taken on MOTION. MOTION passed.

Ms. Kohler then called for a moment of silence in honor of fallen Worcester Police Officer Emmanuel "Manny" Familia.

Chair of the Board of Selectmen, Matthew Mecum, spoke about Boylston's first ever outdoor Town Meeting that took place a year ago on the same grounds. Instead of heat, last year Boylston voters fought through the rain, and no one really knew what lay ahead during the COVID-19 pandemic. This year, the sun is shining, a disease that at times seemed insurmountable is now waning, and a sense of normalcy is returning. Matt stressed that townspeople should not minimize what they have gone through and should recognize how much they have accomplished as a community. From keeping each other safe, helping our neighbors, and volunteering when called upon... the list goes on and on. Make no mistake, it is our residents' resiliency and determination that carried Boylston through the pandemic. What the town has accomplished as a community is truly inspiring.

Next, after the Pledge of Allegiance, Ms. Kohler introduced Selectmen Matt Mecum, Seth Ridinger and Jamie Underwood, Town Counsel Brian Falk, Town Administrator April Steward, and Town Clerk Dawn Porter. She then reviewed ground rules for the meeting.

Ms. Kohler called for a MOTION for Town Meeting to continue its tradition of entering into a consent calendar to group Articles 1-10 together for voting purposes. Mr. Mecum made a MOTION for the Town Meeting to consider and vote on Articles 1-10, inclusive, as a group. Second was made. Vote 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.

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

***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.

***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, 2021 and ending June 30, 2022, 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.

***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, 2021, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

***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, 2021, 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.

***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, 2021, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

***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.

***ARTICLE 9.** To see if the Town will vote 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 Light Plant, the whole to be expensed by the Manager of the Municipal Light 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 year beginning July 1, 2021, 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.

***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, 2021, 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.

Mr. Mecum made a MOTION that Town Meeting approve Articles 1-10 as printed in the Warrant. Second was made. Finance Committee recommends approval. Vote on MOTION. MOTION passed unanimously.

Mr. Ridinger made a MOTION to take Articles 27 and 42 out of order. MOTION was seconded. Vote on MOTION. MOTION passed unanimously.

ARTICLE 27. To see if the Town will vote to appropriate, transfer from available funds in the Treasury, or borrow the sum of Nine Hundred Eighty Thousand Dollars (\$980,000.00) for the purchase of land generally known as 85 Sewall Street, Boylston, Massachusetts, containing approximately 30.4499 acres, more particularly shown as Lot B on the plan recorded with the Worcester South District Registry of Deeds in Plan Book 938, Plan 118 and described in a Deed recorded with the Worcester South District Registry of Deeds in Book 60034, Page 136; or act in any other way thereon.

Mr. Mecum read the article in full and made a MOTION. Mr. Ridinger made a second. Ms. Kohler indicated that the MOTION requires a 2/3 majority to pass.

Voter comments in support of the Article were made by Jennifer Warren-Dymont, 889 Main Street, Rebecca Dono Healy, 25 Sewall Street, and Jean Langley, 609 Edgebrook Drive. Voter comments in opposition of the Article were made by Kris Cloyd, 38 Warren Street, Jeff Walsh, 35 Glazier Street, and Jim Spencer, 439 School Street. Paul Dexter, 19 Fox Tail Way, asked if the purchase of 85 Sewall Street could affect or delay the purchase of the Camp Harrington property. Mr. Mecum clarified that the Camp Harrington property would be presented as an opportunity to voters at the 2022 Annual Town Meeting, just as 85 Sewall Street was being presented in 2021.

An initial vote was taken on the MOTION, but a 2/3 majority could not be discerned by voice. Vote was re-taken on MOTION and results were recorded by teller count. MOTION does not pass, with a count of 60 opposed, 41 in favor, and 23 abstaining.

ARTICLE 42. To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, or otherwise provide the sum of \$18,203,089 (Eighteen Million Two Hundred Three Thousand Eighty-nine Dollars 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:

1. The sum of \$ 85,000 be transferred from the Ambulance Receipts Reserved and appropriated to the Fire Department budget;
2. The sum of \$ 131,872.32 or any other amount, be transferred from the Overlay Reserve Account;
3. The sum of \$ 250,000 be transferred from available Free Cash; and

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, 2021, 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 2022 Report of the Finance Committee; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made as written by Mr. David Butler, Finance Committee, with one change – on the last page of the Warrant (page 20), the third item down, “Sewall Street Property, Year 1 of 10: \$115,625” is now zero (0). MOTION received a second. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 11. To see if the Town will vote to amend Article I, Section 5, of the Town’s General By-Laws, entitled “Departmental Revolving Funds”, by deleting the revolving fund entitled “Building Inspection Fund” from all places listed therein, or act in any other way thereon.

MOTION was made as written by Mr. Underwood. Motion was seconded. Finance Committee recommends approval. Vote was taken on MOTION. 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	\$1,679	2 members each at \$ 1,398
Town Clerk	\$37,635	plus fees
Town Moderator	\$20	
Assessors, Chair	\$1,738	2 members each at \$ 1,160
Board of Health, Chair	\$341	2 members each at \$ 228
Cemetery Commission, Chair	\$261	2 members each at \$ 198
Planning Board, Chair	\$431	4 members each at \$ 69
Planning Board, Vice-Chair	\$68	
Planning Board Clerk	\$70	

Or act in any way thereon.

MOTION was made as written by Mr. Ridinger. MOTION received a second. Finance Committee recommends approval. Vote was taken on MOTION. 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 May 2021 - Effective July 1, 2021

<u>Classification</u>	<u>Position Status</u>	<u>Grade</u>
Library Page	Hourly	1
Election Worker	Hourly	1
Town Meeting Checker	Hourly	1
Election Clerk	Hourly	1
Election Warden	Hourly	1
Clerical	Special Temp	1
Library Housekeeper	Special Part Time	1
Council on Aging Van Driver	Reg. Part Time	1
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
Senior Library Assistant	Reg. Part Time	4
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
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
COA Co-ord./Community Outreach	Reg. Part 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	\$13.50	\$14.81	\$17.00
2	\$13.70	\$16.21	\$18.68
3	\$14.85	\$17.52	\$20.17
4	\$15.98	\$18.85	\$21.70
5	\$17.29	\$20.34	\$23.38
6	\$18.69	\$21.99	\$25.29
7	\$20.22	\$23.75	\$27.28
8	\$21.79	\$25.64	\$29.47
9	\$23.58	\$27.69	\$31.78
10	\$25.46	\$29.91	\$34.39
11	\$27.54	\$32.33	\$37.12

12	\$29.67	\$34.86	\$40.06
13	\$32.04	\$37.66	\$43.27
14	\$34.57	\$40.65	\$46.71
15	\$37.39	\$43.92	\$50.44
16	\$40.36	\$47.42	\$54.47
17	\$43.58	\$51.23	\$58.87
18	\$46.98	\$55.27	\$63.54

Schedule C: Salary Compensation Schedule-

<u>Job Title</u>	<u>Annual Salary</u>
Chairman, Registrar of Voters	\$853
Director of Veteran's Services	\$247
Electrical Inspector	\$18,893
Assistant Electrical Inspector	\$1,300
Plumbing Inspector	\$13,930
Assistant Plumbing Inspector	\$1,157
Gas Inspector	\$6,878
Assistant Gas Inspector	\$589
Registrar of Voters	\$331
Health Agent	\$47,499
Dog Officer	\$2,672
Animal Inspector	\$1,704
Nurse	\$10,000
Vital Stat Clerk	\$200
Tree Warden	\$1,442

MOTION was made as written by Mr. Mecum. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 14. To see if the Town will vote to transfer from available funds in the Treasury and appropriate the sum of \$9,053 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; or act in any other way thereon.

MOTION was made as written by Fire Chief Joe Flanagan. Ms. Kohler clarified that the money for this Article was coming from Free Cash. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 15. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$25,000 to the Other Post-Employment Benefits (OPEB) Liability Trust Fund; or act in any other way thereon.

MOTION was made as written by Mr. Underwood. A second was made. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 16. To see if the Town will vote to:

- (i) *rescind* the vote under Article 19 at the 2020 Annual Town Meeting to transfer \$75,000 from the Town's sale of real estate fund to appropriate to a Radio Communications Project for the Police

Department, Fire Department, Highway Department, and the Light Department, due to a lack of funds in the account; and

- (ii) transfer from available funds in the Treasury and appropriate the sum of \$100,000 for the Radio Communications Project for the Police Department, Fire Department, Highway Department, and the Light Department; or act in any other way thereon.

MOTION was made as written by Mr. Ridinger. A second was made. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 17. To see if the Town will vote to

- (i) *rescind* the vote under Article 24 at the 2020 Annual Town Meeting to transfer \$80,000 from the Town's sale of real estate fund to continued renovations to the Flagg Estate, due to a lack of funds in the account; and
- (ii) transfer from available funds in the Treasury 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

MOTION was made as written by Mr. Mecum. MOTION was seconded. Finance Committee recommends approval. Voter Bonnie Johnson, 5 Pine Street, asked for clarification of the property known as the Flagg Estate. Mr. Mecum responded with the property's general location: The building Y.O.U., Inc., had previously rented, behind the Highway Barn. Voter Theresa Prunier, 25 Coderre Road, asked if the rent from Y.O.U., Inc. was being held in an escrow account. David Butler, Finance Committee, explained that the rent was placed into the Hillside Revolving Fund. All rental income from Hillside properties is placed in the Hillside Revolving Fund and those monies are used to run Hillside. Ms. Prunier asked if there had been any damage done to the property by Y.O.U., Inc.. Mr. Butler responded that there was no damage done, but mechanical improvements were necessary for the HVAC. Vote was taken on MOTION. Vote passed unanimously.

ARTICLE 18. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$21,300 for the purpose of updating year two of the Town's Master Plan; or act in any other way thereon.

MOTION was made as written by Mr. Underwood. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed with slight opposition.

ARTICLE 19. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$50,000.00 for the purpose of procuring a Mack 6-wheeled dump truck with plow, sander, wing; or act in any other way thereon.

MOTION was made as written by Highway Superintendent Steve Mero. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 20. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$17,000 for the purpose of procuring a commercial Zero Turn mower; or act in any other way thereon.

MOTION was made as written by Mr. Mero. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 21. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$25,000 for the purpose of formalizing a Records Management and Retention System and renovating the Record Retention Room for the Town of Boylston; or act in any other way thereon.

MOTION was made as written by Town Clerk Dawn Porter. A second was made. Finance Committee recommends approval. Several residents (Jim Benson, 363 Mile Hill Road, Bruce Filgate, 149 Stiles Road, Michelle Joyal, 442 Main Street, Lisa Johnson, 4 Underwood Avenue, and Kris Cloyd, 38 Warren Street) asked questions about the details of the project. In response to one of the questions, Fire Chief Joe Flanagan noted that there was no sprinkler system in Town Hall. Mrs. Porter spoke to the article and answered the remaining questions that were posed by voters. Vote was taken on MOTION. 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 \$25,000 for the purpose of renovating the lower level of the Town Hall; or act in any other way thereon.

MOTION was made as written by Mr. Ridinger. A second was made. Finance Committee recommends approval. Voter Theresa Prunier, 25 Coderre Road, asked what the renovations were for. Mr. Underwood explained that a handicap accessible bathroom would be installed, renovations would be made so that the Parks and Recreation Commission could be housed in the lower level, potentially along with Council on Aging. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 23. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$8,835.81 for the purpose of paying the following prior fiscal year bills; or act in any other way thereon.

- Automated Business Solutions, Inv. INV476009 February 28, 2021, Boylston Public Library, \$239.66
- Ace Temperature Control, Inc., Inv. 11888-101 April 5, 2020, Town of Boylston, \$2,068.50
- Mirick O'Connell, Town of Boylston, Inv. 481342 June 12, 2020, \$6,273.00
- Thompson Reuters, Town of Boylston, Inv. 842010892 April 3, 2020, \$254.65
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Ms. Kohler recused herself from the reading of Article 23, as she is employed by Mirick O'Connell. Town Clerk Dawn Porter stepped in as moderator and asked for a MOTION on the article as written. Mr. Mecum made a MOTION. MOTION was seconded. Finance Committee recommends approval. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 24. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$25,000 for the purpose of renovating the Historic Society Building; or act in any other way thereon.

MOTION was made as written by Mr. Ridinger. A second was made. Finance Committee recommends approval. Voter Theresa Prunier asked if the cost of renovations could exceed \$25,000. Town Administrator April Steward said there were heating/cooling issues at Historic Town Hall and that the money was being put aside for anticipated future renovations/repairs. The repairs could involve anything from the furnace to the roof or frozen pipes or any future necessity. She explained that there was no access for money after Town Meeting and there is anticipation that there could be upcoming repairs that might need to be moved on quickly. Ms. Prunier then asked a question about the Flagg Estate, Article 17. Town Moderator Kimberly Kohler stated that Town Meeting could not revisit previous articles. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 25. To see if the Town will vote to transfer to the Board of Selectmen for the purpose of disposal by sale a parcel of Town-owned land located on Cross Street, containing approximately 1.7471 acres, shown on Assessors Map 9 Parcel 14, and Assessors Map 9 Parcel 19, and shown as Parcel 14 on a plan on file with

the Worcester District Registry of Deeds in Plan Book 940, Plan 24, said parcel originally acquired for public roadway purposes and the Board of Selectmen, as Road Commissioners, having determined that the parcel is no longer needed for said purposes; or act in any other way thereon.

MOTION was read by Mr. Underwood. Mr. Underwood stated that when the land was originally purchased for the new four-way intersection, it was the Board of Selectmen's understanding that any land not used for that purpose would be put up for sale to offset the cost of the roadwork. The Board is fulfilling their duties as promised at the time of the purchase. A second was made. Finance Committee recommends approval. Article needs a 2/3 majority.

Voter Bonnie Johnson, 5 Pine Street, asked if this was the land at the "H" intersection. Mr. Underwood said no and provided the location and zoning of the parcel. Voter Michael May, 603 Cross Street, said that he understood that the acreage was committed to offset the cost of the roadway project, but he noted that the intersection was already challenging. He said that it might make more sense to preserve the parcel, as future development and increased traffic load may affect the intersection. Voter Jay Groccia, 116 School Street, commented that the new intersection was a major improvement, but he echoed Mr. May's comments that the Town may need to widen the road or make other improvements to the intersection. Mr. Underwood stated that the traffic study showed the way the turn was designed is necessary to ensure that vehicles come to a full stop, and that the intersection should stay as is. Voter Jim Spencer, 439 School Street, noted that it was confusing that the Town would consider spending a million dollars to stop development on Sewall Street, but would also consider selling town land for potential development.

Vote was taken on MOTION. MOTION did not generate a 2/3 majority and did not pass.

ARTICLE 26. To see if the Town will vote to transfer to the Board of Selectmen for the purpose of disposal by sale a parcel of Town-owned land located on Cross Street, containing approximately 0.8973 acres, shown on Assessors Map 9 Parcel 14, and Assessors Map 9 Parcel 19, and shown as Parcel 13 on a plan on file with the Worcester District Registry of Deeds in Plan Book 940, Plan 24, said parcel originally acquired for public roadway purpose and the Board of Selectmen, as Road Commissioners, having determined that the parcel is no longer needed for said purposes; or act in any other way thereon.

MOTION was read by Mr. Mecum. A second was made. Finance Committee recommends approval. Vote was taken on MOTION. MOTION did not generate a 2/3 majority and did not pass.

ARTICLE 28. To see if the Town will accept the provisions of the Acts of 1989, Chapter 653, Section 40, which amends the first paragraph of subsection (a) of section 2A of Chapter 59 of Massachusetts General Laws, as so appearing: "buildings and other things erected on or affixed to land during the period beginning on January second and ending on June thirtieth of the fiscal year preceding that to which the tax relates shall be deemed part of such real property as of January first."; or act in any other way thereon.

Assessor Clerk Paul O'Connor read the article. Ms. Kohler reminded that the reading of articles had been waived; all that was required was a motion. MOTION was made by Van Baker, Board of Assessors, 285 Green Street. MOTION was seconded. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 29. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 17D, which section changes the asset qualifications for exemptions granted to senior citizens, surviving spouses, and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17. The whole estate asset limit under Clause 17D is \$40,000, excluding the whole value of the subject property for which the exemption is to be applied. If the subject property is classified as an income-producing mixed-use class, the income-producing portion of the property is included in the whole estate assets. If the subject property is classified as containing more than three dwellings, the portion of the property that exceeds three dwellings is included in the whole estate assets; or act in any other way thereon.

MOTION was made as written by Mr. Baker. MOTION was seconded. Vote was taken on MOTION. MOTION passed with slight opposition.

ARTICLE 30. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 17E, which section authorizes an annual increase in the whole estate asset limit for exemptions granted to senior citizens, surviving spouses, and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D, by the percentage increase in the U. S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Massachusetts Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2021; or act in any other way thereon.

MOTION was made as written by Mr. Baker. MOTION was seconded. Vote was taken on MOTION. MOTION passed with slight opposition.

ARTICLE 31. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 17F, which section authorizes an annual increase in the exemption amount granted to senior citizens, surviving spouses, and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D, by the percentage increase in the U. S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Massachusetts Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2021; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 32. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 22G, which section states that real estate that is the domicile of a veteran or surviving spouse but is owned by a trustee, conservator, or other fiduciary for that person's benefit, would be eligible for exemption under Clauses 22, 22A, 22B, 22C, 22D, 22E, or 22F; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 33. To see if the Town will accept the provisions of the Acts of 1993, Chapter 110, Section 110 which section provides that the exemptions available under Massachusetts General Laws, Chapter 59, Section 5, Clauses 22, 22A, 22B, 22C, 22D, 22E, and 22F, may be granted to otherwise eligible veteran or surviving spouse who have resided in the Commonwealth for one year prior to the date of filing for exemptions pursuant to the applicable clause; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 34. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 37A, which section authorizes an increase to exemptions granted to blind persons under Massachusetts General Laws, Chapter 59, Section 5, Clause 37 to an annual amount of \$500.00; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 35. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 41C, which section provides an exemption for certain senior citizens with annual incomes up to \$13,000 if single and \$15,000 if married, and whole estate assets up to \$28,000 if single and \$30,000 if married, excluding the first two dwellings of multi-dwelling property domiciles.

AND to amend by local option the eligibility age from 70 years old to 65 years old for Clause 41C

AND to amend by local option the annual income limit to \$20,000 if single and \$30,000 if married

AND to amend by local option the whole estate asset limit to \$40,000 if single and \$55,000 if married

AND to amend by local option the exemption amount granted to \$750.00 from \$500.00; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 36. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the annual income limit and whole estate asset limits for exemptions granted to senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C, by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2021; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 37 To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 54, which shall establish a minimum value of \$5,000 for personal property accounts to be subject to taxation; or act in any other way thereon.

MOTION was made as written by Mr. Baker. A second was made. Voters Dawn Porter, 6 Orient Street, and Michelle Joyal, 442 Main Street, asked questions about the article that were answered by Mr. Baker and Mr. O'Connor. Voter Patrick Healy, 25 Sewall Street, voiced support for the article. Vote was taken on MOTION. MOTION passed unanimously.

ARTICLE 38. To see if the Town will vote to amend Section 16 of the Zoning By-laws, entitled Inclusionary Zoning, by making revisions to Section 16 as shown on a document entitled "Revisions to Section 16 of the Zoning By-laws", on file and available for public inspection in the office of the Town Clerk, or act in any other way thereon.

MOTION was read by Dr. Richard Baker, Planning Board. A second was made. Dr. Baker explained that a 2/3 majority was necessary for approval. He stated that the Planning Board had previously held a public hearing in regard to the Article and the Planning Board recommended approval. Voter Bonnie Johnson, 5 Pine Street, asked for an explanation of the article. Dr. Baker explained that Inclusionary Zoning was passed by a significant majority in October 2004. Developers building eight (8) housing units or more are required to offer 10% affordable units so that the Town doesn't fall further behind in its 10% affordable housing goal. In recent years at least three big subdivisions have been built in town, but all were applied for prior to 2004. Administration of inclusionary zoning has not been optimal in Boylston and Town Counsel had recommended re-wording the inclusionary zoning by-law to make implementation clearer for builders and town departments. Dr. Baker stated that there were no real changes to the by-law, the Article just sets forth the timing and the requirements for applications under the by-law. It is really just an administrative change. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 39. To see if the Town will vote to amend the Zoning By-laws by revising the Schedule of Use Regulations to allow for Outdoor Dining in certain Commercial Districts, as listed in Section 4.02.03, or act in any other way thereon.

RR	R	GR	VB	HB	NB	RB	C	H	IP	FBD	MUI	Notes
			SP#	SP#	SPR	SPR	SP#			SPR		Subject to Board of Health requirements.

Sponsor: Planning Board

MOTION was read by Dr. Baker. A second was made. Ms. Kohler reminded voters that a 2/3 majority was necessary for approval. Dr. Baker stated that the Planning Board had previously held a public hearing regarding the Article and that the Planning Board recommends approval. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 40. To see if the Town will vote to amend the Zoning By-laws by (i) inserting in Section 1.04 a new term and definition, to read “Common Driveway – A driveway serving more than two lots or properties in separate ownership” and (ii) inserting a new Section 17, to read as follows:

SECTION 17 – COMMON DRIVEWAYS

17.01 No person shall develop or construct a driveway serving two or more lots or properties unless without first obtaining a special permit from the Planning Board in accordance with this Section 17.

The Planning Board may issue a special permit to allow a common driveway upon a finding that the common driveway will promote efficient traffic flow, reduce traffic hazards from numerous individual driveways, consolidate access to lots across wetland resources, and otherwise where, in the Planning Board’s judgement, such an arrangement will be more advantageous to the neighborhood than separate driveways.

The design of common driveways shall assure adequate safety for emergency vehicles, water service, if available, including hydrants, and adequate drainage of surface waters and provision for turnaround for use in all seasons by emergency vehicles.

17.02 Common driveways shall meet the following standards:

17.02.1 Dimensional Standards in **Residential Districts:**

- Minimum pavement width 18 feet.
- Minimum easement width 24.
- Maximum grade 8%.
- Curb Cut No closer than 100 feet from the centerline intersections right-of-way.
- Maximum number of lots serviced by one common driveway: 3.
- Maximum length of common driveway: 300 feet.

17.02.2 Dimensional Standards in **Commercial/Business/Industrial Districts:**

- Minimum pavement width 22 feet.
- Minimum easement width 40 feet.
- Maximum grade 10%.
- Curb Cut No closer than 100 feet from the centerline intersections right-of-way.

- Maximum number of lots serviced by one common driveway: 5.
- Maximum length of common driveway: 1,500 feet.

The Planning Board shall have the discretion to require curbing or gravel shoulders where appropriate.

17.03 For commercial, business and industrial developments (i) turnarounds shall be located along the driveway, subject to Planning Board approval; and (ii) adequate lighting shall be provided along the common driveway subject to Planning Board approval.

17.04 A declaration of covenants, easements and restrictions for the use and maintenance of said common driveway may be required by the Planning Board and shall include arrangements satisfactory to the Board concerning: roadway maintenance, snowplowing, rubbish collection, utilities and potential future use as a public way.

17.05 Addresses of all buildings accessed off the common driveway shall be posted on a sign at the entrance of the driveway that is visible for residents, employees, visitors and public safety officials.

17.06 No occupancy permit for a building to be served by a common driveway shall be issued until the Planning Board certifies in writing that the common driveway has been completed in accordance with the standards of this section.

Or act in any other way thereon.

MOTION was made as written by Dr. Baker, with the exception that the definition should read “two or more lots, not more than two lots”. A second was made. Dr. Baker explained that a 2/3 majority was necessary for approval. He stated that the Planning Board had previously held a public hearing regarding the article and that the Planning Board recommended approval. Vote taken on MOTION. MOTION passed unanimously.

ARTICLE 41. To see if the Town will vote to amend Section 8 of the General By-Laws by revising subparts 8.1 and 8.11 as follows:

Section 8 Streets and Sidewalks

8.1 No person shall place, or cause to be placed in any public way, or in any other place in Town any obstruction, ashes, tin can, garbage, filth, offal, carrion, snow, grass, leaves, or any other kind of rubbish, or any junk machinery or vehicles, or any other equipment deemed by Selectmen to be unsightly or unhealthy.

8.11 Per diem non-criminal penalty for violation of Streets and Sidewalks By-Law \$100.00 ~~\$50.00~~; or act in any other way thereon.

MOTION was read by Highway Superintendent Steve Mero. A second was made. Vote taken on MOTION. MOTION passed unanimously.

MOTION was made by Ms. Kohler to adjourn the meeting with all business completed. A second was made. Vote taken on the MOTION. MOTION passed unanimously.

Meeting was adjourned at 8:38 p.m.

Respectfully Submitted,

Dawn A. Porter
Boylston Town Clerk

