

TOWN OF BLACKSTONE
RESULTS OF ANNUAL TOWN MEETING
MAY 31, 2016

The meeting was called to order at 7:45 p.m. by Moderator Frederick J. Stone, who declared a quorum. There were 209 registered voters in attendance.

A motion was duly made and seconded to dispense with the reading of the warrant for the Annual Town Meeting.

UNANIMOUS VOICE VOTE

A motion was duly made and seconded to waive Chapter 5, Section 8, of the Town Bylaws to allow the following nonresidents to participate in discussion at the Annual Town Meeting: Patrick J. Costello, Esq., Louison, Costello, Condon & Pfaff LLP; Long & DiPietro, LLP; Julie Hebert, Esq., Town Accountant; Patricia Salamone, Assistant Assessor; Lisa Cheever, Library Director; Kyle Gibbons, Police IT; Gino Carlucci, TGC Associates, Franklin, MA; Shawna Schiller, Casella Waste Systems; Mark Evans, Casella Waste Systems; Colleen Strapponi, Building/Recycling Center; Dr. Michael F. Fitzpatrick, Superintendent-Director, Blackstone Valley Vocational Regional School District; Allen W. Himmelberger, Superintendent of Schools; and the Millville Representatives of the B-M Regional School District.

UNANIMOUS VOICE VOTE

A motion was duly made and seconded to take all votes requiring a two-thirds majority in the same manner as when a majority vote is required (as permitted by G. L. Ch. 39, Section 15, as amended by Acts of 1996, Ch. 448, Section 2).

UNANIMOUS VOICE VOTE

ARTICLE 1. Upon motion duly made and seconded, it was voted that the Town vote to authorize the Collector to use all means of collecting taxes that a Treasurer may use when appointed Collector.

UNANIMOUS VOICE VOTE

ARTICLE 2. Upon motion duly made and seconded, it was voted that the Town vote to authorize the Board of Selectmen to dispose of various obsolete and/or inoperative equipment, scrap materials, etc., or to auction or sell any excess equipment that may be on hand in any Town Department.

UNANIMOUS VOICE VOTE

ARTICLE 3. Upon motion duly made and seconded, it was voted that the Town vote to accept the Blackstone-Millville Regional School Committee's proposed amendment to the Regional School District Agreement, as submitted to the member towns' Boards of Selectmen in accordance with Section VI of the Regional Agreement, by amending Section XII - Assumption of Jurisdiction by Member Towns over Grades Kindergarten through Five, Inclusive, by deleting sub sections (A) (B) and (C) and replacing said sections with the following language: All students in Grades Pre-K through Five of all member towns, regardless of which member town they live in, will attend the assigned elementary school regardless of where it is located, based on

grade level, beginning with the 2017-2018 school year; and, further, to delete Sub-section (A) and (C) from Article XIII - Miscellaneous Provisions.

139 YES 46 NO

MAJORITY HAND-COUNT VOTE TO APPROVE ARTICLE 3

ARTICLE 4. Upon motion duly made and seconded, it was voted that the Town vote to transfer and appropriate from the Capital Investment Trust the sum of \$431,239 for purposes of funding the following capital debt payments: BMRSD – Sewer Note - \$102,995; BMRSD – Roof Project Note - \$254,014; Recycling Fund – 3 Phase Electric Debt - \$26,155; Recycling Fund – Sorting Facility Equipment Debt - \$48,075, *for the life of the bond or obligations.*

SECRET BALLOT

145 YES 21 NO

TWO-THIRDS MAJORITY VOTE TO APPROVE

Finance Committee Chair James P. Belisle asked that Article 26 be taken out of order.

After Article 26 was read, Selectman Daniel Keefe motioned that the article be indefinitely postponed. The Moderator indicated it was a debatable motion. The following people spoke on the issue: Elaine Connors, Town Administrator Daniel Keyes, John Eldridge, William Walsh, Selectman Keefe, John Wozniak, Constance Perrault, Mark Poirier, Warren Pisani, James Watson, and Patrick Costello, Esq.

A motion was made and seconded to move the question.

MAJORITY VOICE VOTE TO MOVE THE QUESTION

MAJORITY VOICE VOTE **NOT** TO POSTPONE INDEFINITELY

ARTICLE 26. Upon motion duly made and seconded, it was voted that the Town vote to *rescind* Chapter 44, Section 53F ½ of the Massachusetts General Laws establishing the “Blackstone Valley Recycling Center Enterprise Fund.”

MAJORITY VOICE VOTE TO RESCIND

ARTICLE 5. Upon motion duly made and seconded, it was voted that the Town vote to raise and appropriate \$23,873,323 to fix the salaries of all elected and appointed Town officers and to defray Town expenses for all departments including the Reserve Fund for the fiscal year beginning July 1, 2016, and ending June 30, 2017 and to determine how such sums of money should be raised, whether from the current tax levy, by transfer from available funds, by borrowing or otherwise.

That	\$ 16,868,998	raised from FY’17 Taxation net Estimated Overlay (Abatements & Exemptions)
That	\$ 1,582,632	raised from FY’17 Projected State Revenue net State Offsets and State Charges
That	\$ 1,430,000	raised from FY’17 Estimated Local Receipts
That	\$ 1,814,327	transferred from Capital Trust
That	\$ 300,000	transferred from The Ambulance Receipts Reserved Fund
That	\$ 2,776	transferred from the Septic Loan Betterment Receipts Reserved Fund
That	\$ 1,816,318	raised from FY’17 Water/Sewer Enterprise Fund Revenues

That \$ - transferred from the Water/Sewer Enterprise Fund Certified Retained Earnings
 That \$ - raised from FY'16 Recycling Center Enterprise Fund Revenues
 That \$ - transferred from Stabilization
 That \$ 58,272 use of Free Cash
 That \$ - use of Overlay

UNANIMOUS VOICE VOTE

01114 MODERATOR		
SALARIES	\$550	
EXPENSES	0	
TOTAL	\$550	UNANIMOUS VOICE VOTE
01122 SELECTMEN		
SALARIES	\$20,510	
EXPENSES	\$50,850	
TOTAL	\$71,360	UNANIMOUS VOICE VOTE
01123 ADMINISTRATION		
SALARIES	\$161,915	
EXPENSES	\$13,500	
TOTAL	\$175,415	UNANIMOUS VOICE VOTE
01131 FINANCE COMMITTEE		
SALARIES	\$3,000	
EXPENSES	\$6,300	
TOTAL	\$9,300	UNANIMOUS VOICE VOTE
01132 RESERVE FUND		
TRANSFER TO GENERAL FUND	\$75,000	
TOTAL	\$75,000	UNANIMOUS VOICE VOTE
01133 CAPITAL OUTLAY COMMITTEE		
SALARIES	\$1,500	
EXPENSES	\$1,600	
TOTAL	\$3,100	UNANIMOUS VOICE VOTE
01135 TOWN ACCOUNTANT		
SALARIES	\$112,363	
EXPENSES	\$15,260	
TOTAL	\$127,623	UNANIMOUS VOICE VOTE
01141 ASSESSORS		
SALARIES	\$103,926	
EXPENSES	\$73,375	
TOTAL	\$177,301	UNANIMOUS VOICE VOTE
01145 COLLECTOR/TREASURER		
SALARIES	\$120,844	
EXPENSES	\$29,250	
TOTAL	\$150,094	UNANIMOUS VOICE VOTE
01151 TOWN COUNSEL		
EXPENSES	\$100,000	

TOTAL	\$100,000	UNANIMOUS VOICE VOTE
01155 DATA PROCESSING		
EXPENSES	\$140,000	
TOTAL	\$140,000	UNANIMOUS VOICE VOTE
01158 COPIER		
EXPENSES	\$20,987	
TOTAL	\$20,987	UNANIMOUS VOICE VOTE
01159 BONDS & INSURANCE		
EXPENSES	\$202,890	
TOTAL	\$202,890	UNANIMOUS VOICE VOTE
01161 TOWN CLERK		
SALARIES	\$123,658	
EXPENSES	\$20,400	
TOTAL	\$144,058	UNANIMOUS VOICE VOTE
01162 ELECTIONS		
SALARIES	\$9,400	
EXPENSES	\$24,410	
TOTAL	\$33,810	UNANIMOUS VOICE VOTE
01163 BOARD OF REGISTRARS		
SALARIES	\$2,250	
EXPENSES	\$4,250	
TOTAL	\$6,500	UNANIMOUS VOICE VOTE
01171 CONSERVATION COMMISSION		
SALARIES	\$3,745	
EXPENSES	\$480	
TOTAL	\$4,225	UNANIMOUS VOICE VOTE
01175 PLANNING BOARD		
SALARIES	\$8,320	
EXPENSES	\$18,011	
TOTAL	\$26,331	UNANIMOUS VOICE VOTE
01176 ZONING BOARD		
SALARIES	\$4,682	
EXPENSES	\$3,707	
TOTAL	\$8,389	UNANIMOUS VOICE VOTE
01182 ECONOMIC DEVELOPMENT		
SALARIES	\$1,500	
EXPENSES	\$3,500	
TOTAL	\$5,000	UNANIMOUS VOICE VOTE
01184 CENTRAL MASS PLANNING		

EXPENSES	\$2,401	
TOTAL	\$2,401	UNANIMOUS VOICE VOTE

A discussion was held regarding the gasoline line item under the General budget.

01190 GENERAL		
EXPENSES	\$152,860	
TOTAL	\$152,860	UNANIMOUS VOICE VOTE
01192 PUBLIC BUILDING MAINT		
EXPENSES	\$320,025	
TOTAL	\$320,025	UNANIMOUS VOICE VOTE
01195 TOWN REPORT		
EXPENSES	\$3,000	
TOTAL	\$3,000	UNANIMOUS VOICE VOTE
01210 POLICE DEPARTMENT		
SALARIES	\$1,424,647	
EXPENSES	\$156,180	
TOTAL	\$1,580,827	UNANIMOUS VOICE VOTE
01211 POLICE DISPATCHERS		
SALARIES	\$230,750	
EXPENSES	\$2,200	
TOTAL	\$232,950	UNANIMOUS VOICE VOTE
01220 FIRE DEPARTMENT		
SALARIES	\$835,938	
EXPENSES	\$37,550	
TOTAL	\$873,488	UNANIMOUS VOICE VOTE
01231 AMBULANCE SERVICE		
SALARIES	\$5,665	
EXPENSES	\$50,000	
TOTAL	\$55,665	UNANIMOUS VOICE VOTE
01241 MUNICIPAL INSPECTOR		
SALARIES	\$64,126	
EXPENSES	\$3,500	
TOTAL	\$67,626	UNANIMOUS VOICE VOTE
01243 PLUMBING/GAS INSPECTOR		
SALARIES	\$15,100	
EXPENSES	\$1,133	
TOTAL	\$16,233	UNANIMOUS VOICE VOTE
01244 SEALER WEIGHTS/MEASURES		
EXPENSES	\$2,000	
TOTAL	\$2,000	UNANIMOUS VOICE VOTE

01245 ELECTRICAL INSPECTOR		
SALARIES	\$9,010	
EXPENSES	\$650	
TOTAL	\$9,660	UNANIMOUS VOICE VOTE
01291 EMERGENCY MANAGEMENT		
SALARIES	\$500	
EXPENSES	\$22,750	
TOTAL	\$23,250	UNANIMOUS VOICE VOTE
01292 ANIMAL CONTROL		
SALARIES	\$17,396	
EXPENSES	\$7,800	
TOTAL	\$25,196	UNANIMOUS VOICE VOTE
01294 FORESTRY		
SALARIES	\$5,902	
EXPENSES	\$18,200	
TOTAL	\$24,102	UNANIMOUS VOICE VOTE

A discussion was held regarding the Education – BMR budget. Speakers included John Eldridge, Superintendent Himmelberger, Warren Pisani, and Tammy Lemieux.

01300 EDUCATION – B. M. R.		
EXPENSES	\$8,473,130	
TOTAL	\$8,473,130	UNANIMOUS VOICE VOTE
01301 BLACKSTONE VALLEY VOC		
SALARIES	\$1,500	
EXPENSES	\$799,530	
TOTAL	\$801,030	UNANIMOUS VOICE VOTE
01303 VOCATIONAL TUITION		
EXPENSES	\$524,192	
TOTAL	\$524,192	UNANIMOUS VOICE VOTE
01412 ENGINEERING		
EXPENSES	\$15,000	
TOTAL	\$15,000	UNANIMOUS VOICE VOTE
01420 PUBLIC WORKS SUPT		
SALARIES	\$28,877	
EXPENSES	\$0	
TOTAL	\$28,877	UNANIMOUS VOICE VOTE
01421 HIGHWAY LABOR		
SALARIES	\$246,866	
TOTAL	\$246,866	UNANIMOUS VOICE VOTE
01422 HIGHWAY OPERATIONAL		

EXPENSES	\$37,148	
TOTAL	\$37,148	UNANIMOUS VOICE VOTE
01423 SNOW & ICE REMOVAL		
SALARIES	\$27,500	
EXPENSES	83,170	
TOTAL	\$110,670	UNANIMOUS VOICE VOTE
01424 STREET LIGHTING		
EXPENSES	\$109,375	
TOTAL	\$109,375	UNANIMOUS VOICE VOTE
01428 MECHANICAL REPAIRS		
EXPENSES	\$71,500	
TOTAL	\$71,500	UNANIMOUS VOICE VOTE
01429 CONSTRUCTION & MAINTENANCE		
EXPENSES	\$308,000	
TOTAL	\$308,000	UNANIMOUS VOICE VOTE
01432 STREET CLEANING		
EXPENSES	\$3,000	
TOTAL	\$3,000	UNANIMOUS VOICE VOTE
01433 WASTE COLLECTION		
SALARIES	\$0	
EXPENSES	\$553,964	
TOTAL	\$553,964	UNANIMOUS VOICE VOTE

A discussion was held regarding the Recycling budget. Speakers included Paul Muller, Constance Perrault, and Patricia Salamone, Assistant Assessor.

01434 RECYCLING		
SALARIES	\$268,242	
EXPENSES	\$57,800	
TOTAL	\$326,042	UNANIMOUS VOICE VOTE
01510 BOARD OF HEALTH		
SALARIES	\$20,047	
EXPENSES	\$71,138	
TOTAL	\$91,185	UNANIMOUS VOICE VOTE
01541 COUNCIL ON AGING		
SALARIES	\$178,207	
EXPENSES	\$11,920	
TOTAL	\$190,127	UNANIMOUS VOICE VOTE
01543 VETERANS		
SALARIES	\$5,517	

EXPENSES	\$136,170	
TOTAL	\$141,687	UNANIMOUS VOICE VOTE
01610 LIBRARY DEPARTMENT		
SALARIES	\$230,265	
EXPENSES	\$200,275	
TOTAL	\$430,540	UNANIMOUS VOICE VOTE
01650 PARKS		
SALARIES	\$71,662	
EXPENSES	\$52,688	
TOTAL	\$124,350	UNANIMOUS VOICE VOTE
01691 HISTORICAL COMMISSION		
EXPENSES	\$2,000	
TOTAL	\$2,000	UNANIMOUS VOICE VOTE
01692 MEMORIAL DAY/INDEPENDENCE DAY		
SALARIES	\$1,800	
EXPENSES	\$8,300	
TOTAL	\$10,100	UNANIMOUS VOICE VOTE
01710 RETIREMENT OF DEBT		
EXPENSES	\$984,948	
TOTAL	\$984,948	UNANIMOUS VOICE VOTE
01751 LONG TERM DEBT/INTEREST		
EXPENSES	\$330,398	
TOTAL	\$330,398	UNANIMOUS VOICE VOTE
01752 SHORT TERM DEBT/INTEREST		
EXPENSES	\$5,000	
TOTAL	\$5,000	UNANIMOUS VOICE VOTE
01810 CHERRY SHEET ASSESSMENTS		
EXPENSES	\$44,238	
TOTAL	\$44,238	UNANIMOUS VOICE VOTE
01910 SPECIAL RETIREMENT		
EXPENSES	-	
TOTAL	-	UNANIMOUS VOICE VOTE
01911 COUNTY RETIREMENT		
EXPENSES	\$584,744	
TOTAL	\$584,744	UNANIMOUS VOICE VOTE
01913 UNEMPLOYMENT COMP		
EXPENSES	\$50,000	
TOTAL	\$50,000	UNANIMOUS VOICE VOTE
01914 HEALTH INSURANCE		
EXPENSES	\$572,236	
TOTAL	\$572,236	UNANIMOUS VOICE VOTE

01915 LIFE INSURANCE		
EXPENSES	\$3,000	
TOTAL	\$3,000	UNANIMOUS VOICE VOTE
01916 MATCHING MEDICARE		
EXPENSES	\$65,000	
TOTAL	\$65,000	UNANIMOUS VOICE VOTE
01918 COMPENSATED BALANCES		
EXPENSES	\$10,000	
TOTAL	\$10,000	UNANIMOUS VOICE VOTE
01919 COMPENSATED ABSENCES		
EXPENSES	\$7,500	
TOTAL	\$7,500	UNANIMOUS VOICE VOTE
01960 CAPITAL TRUST		
TRANSFER TO CAPITAL TRUST	\$1,929,942	
TOTAL	\$1,929,942	UNANIMOUS VOICE VOTE
GENERAL FUND TOTAL	\$22,057,005	
WATER AND SEWER ENTERPRISE		

60132 SEWER RESERVE FUND		
59610 SEWER RESERVE FUND	\$50,000	
TOTAL TRANSFER	\$50,000	UNANIMOUS VOICE VOTE
60441 SEWER SALARIES		
SALARIES	\$162,218	
TOTAL SALARIES	\$162,218	UNANIMOUS VOICE VOTE
60442 SEWER MAINTENANCE		
EXPENSES	\$189,426	
TOTAL	\$189,426	UNANIMOUS VOICE VOTE
60443 SEWER WOONSOCKET REGIONAL		
EXPENSES	\$425,450	
TOTAL	\$425,450	UNANIMOUS VOICE VOTE
TOTAL SEWER	\$827,094	
61132 WATER RESERVE FUND		
59610 WATER RESERVE FUND	\$50,000	
TOTAL TRANSFER	\$50,000	UNANIMOUS VOICE VOTE
61450 WATER DEPARTMENT LABOR		

SALARIES	\$150,416	
EXPENSES	\$0	
TOTAL	\$150,416	UNANIMOUS VOICE VOTE
61451 WATER ADMINISTRATION		
SALARIES	\$71,152	
TOTAL	\$71,152	UNANIMOUS VOICE VOTE
61452 WATER CONST & MAINTENANCE		
EXPENSES	\$524,818	
TOTAL	\$524,818	UNANIMOUS VOICE VOTE
61710 WATER RETIREMENT OF DEBT		
EXPENSES	\$162,000	
TOTAL	\$162,000	UNANIMOUS VOICE VOTE
61751 WATER LONG TERM DEBT INTEREST		
EXPENSES	\$28,838	
TOTAL	\$28,838	UNANIMOUS VOICE VOTE
61820 MASS FED SAFE DRINKING WTR ASSESSMENT		
EXPENSES	\$2,000	
TOTAL	\$2,000	UNANIMOUS VOICE VOTE
TOTAL WATER	\$989,224	
TOTAL WATER/SEWER ENTERPRISE	\$1,816,318	
TOTAL GENERAL FUND/WATER & SEWER & RECYCLING BUDGETS	\$23,873,323	

ARTICLE 6. Upon motion duly made and seconded, it was voted that the Town vote to authorize the members of Boards and Committees of the Town of Blackstone to be compensated for their services and to set the amount of said compensation; said compensation set by town meeting to be paid in four (4) equal installments provided, however, that no such installment shall be paid a) to a member who has not attended at least 60% of the meetings of the respective Boards and Committees (excluding, however, any meetings not attended by such member due to the provisions of Massachusetts General Laws Chapter 268A) in the twelve (12) month period prior to March, June, September and December, as the case may be, if such member has been a member for twelve (12) or more months prior to each of said dates; or b) to a member who has not attended at least 60% of the meetings of the various Boards and Committees (excluding, however, any meetings not attended by such member due to the provisions of Massachusetts General Laws Chapter 268A) in the period prior to each of said dates if such member has not been a member for twelve (12) or more months prior to each of said dates.

UNANIMOUS VOICE VOTE

At this point a motion was made and seconded to reconsider Article 26.

MAJORITY VOICE VOTE NOT TO RECONSIDER

ARTICLE 7. Upon motion duly made and seconded, it was voted that the Town vote to authorize the members of the Blackstone-Millville Regional District School Committee to be compensated for their services as such members and to set the amount of said compensation at \$1500.00 per member and \$1,800.00 for the Chairman, such compensation to be paid in three (3) equal installments in the months of July, November and March provided, however, that no such installment shall be paid a) to a member who has not attended at least 60% of the meetings of the District School Committee (excluding, however, any meetings not attended by such member due to the provisions of Massachusetts General Laws Chapter 268A) in the twelve (12) month period prior to July 1, November 1 or March 1, as the case may be, if such member has been a member for twelve (12) or more months prior to each of said dates; or b) to a member who has not attended at least 60% of the meetings of the District School Committee (excluding, however, any meetings not attended by such member due to the provisions of Massachusetts General Laws Chapter 268A) in the period prior to each of said dates.

UNANIMOUS VOICE VOTE

ARTICLE 8. Upon motion duly made and seconded, it was voted that the Town vote to raise and appropriate or transfer from available funds a sum of money to overlay town streets and roads to be determined by the Board of Selectmen, or for the construction, reconstruction and improvement of public ways and street drainage systems and to determine how such sums may be raised, whether by advancement from Town Treasury, or by borrowing in anticipation of reimbursement by the Commonwealth, or otherwise, by the Treasurer, with approval of the Board of Selectmen.

UNANIMOUS VOICE VOTE

ARTICLE 9. Upon motion duly made and seconded, it was voted that the Town vote to authorize the Board of Selectmen to enter into contracts for the construction, reconstruction and improvements of public ways, street drainage systems and sidewalks throughout the Town.

UNANIMOUS VOICE VOTE

ARTICLE 10. Upon motion duly made and seconded, it was voted that the Town vote to borrow the sum of \$500,000 to replace the roof, drainage, walkways and stairs, update exterior of building and other incidentals of the Municipal Center.

SECRET BALLOT

89 YES 31 NO

TWO-THIRDS MAJORITY VOTE TO APPROVE

ARTICLE 11. Upon motion duly made and seconded, it was voted that the Town vote to propose an amendment to the Blackstone Home Rule Charter for consideration by the voters of the Town to convert the office of Collector-Treasurer from an elected office to an appointed office by deleting the reference to the Collector-Treasurer in Article IV, Section 4-1A, and

adding a reference for the Collector-Treasurer to Article V, Section C5-2A, (1), with a Term of Appointment of 3 years.

49 YES 54 NO

MOTION FAILS

(TWO-THIRDS REQUIRED TO APPROVE)

ARTICLE 12. Upon motion duly made and seconded, it was voted that the Town vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement or easements for the purpose of construction, installation, maintenance and repair of municipal drainage, sewer water systems, and roadways, and to raise and appropriate or transfer from any available funds a sum of money to fund such acquisitions.

UNANIMOUS VOICE VOTE

ARTICLE 13. Upon motion duly made and seconded, it was voted that the Town vote to establish a revolving fund pursuant to the provisions of G.L. c. 44, §53E1/2 for the purpose of maintaining Library copiers, printers and facsimile machines and purchasing supplies related thereto; the receipts from use of the Library copiers, printers and facsimile machines shall be deposited into said fund and expended under the direction of the Library Trustees up to the maximum amount of \$2,500 during Fiscal Year 2017.

MAJORITY VOICE VOTE

ARTICLE 14. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$15,000 for purposes of a lease and installation of a replacement colored copier and coin box, and the purchase of print management equipment and software.

MAJORITY VOICE VOTE

ARTICLE 15. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$45,500 for purposes of funding the replacement of one server and thirty-one computers and computer related equipment, software, and technical training for the Blackstone Public Library.

MAJORITY VOICE VOTE

ARTICLE 16. Upon motion duly made and seconded, it was voted that the Town vote to amend Chapter 5, Section 5-37, Review of contracts; required security to read as follows: Every contract involving the Town exceeding \$15,000 except in cases of emergency to be determined by the Board of Selectmen, shall be submitted to the Town Counsel for review prior to execution. The providing of bid bonds equal to 5% of the bid amount and performance bond is required for all construction or multiyear contracts or for the providing of services greater than \$10,000. The contractor must provide certificates of liability insurance in addition to certificates of workmen's compensation. (Proposed new language underlined.)

UNANIMOUS VOICE VOTE

ARTICLE 17. Upon motion duly made and seconded, it was voted that the Town vote to amend Chapter 5, Section 5-28A. Capital Outlay Committee, to read as follows: The Capital

Outlay Committee, as defined in Section 6-2 of the Blackstone Town Charter, shall make recommendations on all articles that fall within the classification of capital items. All articles on any Town Meeting Warrant regarding any expenditure in excess of \$35,000 on an item having a useful life of five years or more shall not be acted upon by the Town Meeting unless and until those articles have received a recommendation by the Capital Outlay Committee. (Proposed new language underlined.)

UNANIMOUS VOICE VOTE

ARTICLE 18. Upon motion duly made and seconded, it was voted that the Town vote to transfer from water/sewer retained earnings the sum of \$310,000 for the completion of the design and construction of Well #9.

SECRET BALLOT
90 YES 14 NO
MAJORITY VOTE TO APPROVE

ARTICLE 19. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$100,000 to fund implementation of the regulatory requirements of the Stormwater Permitting Program (MS4) which must be completed on a yearly basis.

MAJORITY VOICE VOTE

ARTICLE 20. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$100,000 to fund the inspection and a study of numerous Town bridges in need of repair.

UNANIMOUS VOICE VOTE

ARTICLE 21. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$50,000 to fund the Department of Public Works' disposal of debris such as road materials and concrete.

UNANIMOUS VOICE VOTE

ARTICLE 22. Upon motion duly made and seconded, it was voted that the Town vote to authorize the Collector/Treasurer to increase Motor Vehicle Excise, Real Estate and Personal Property Demand fee to **\$10**.

UNANIMOUS VOICE VOTE

ARTICLE 23. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$6,866 for the replacement of (5) currently inoperable roof exhaust fans at the Municipal Building.

UNANIMOUS VOICE VOTE

ARTICLE 24. Upon motion duly made and seconded, it was voted that the Town vote to adopt a General Bylaw to be designated Chapter 190 of the Town Code to adopt the Scenic Road Act as follows:

CHAPTER 190 Scenic Roads

190-1 Statutory Authority

The Scenic Roads Act, MGL Chapter 40, Section 15C, allows town meeting, upon recommendation or request of the Planning Board, Conservation Commission, or Historical Commission to designate any road within the town, other than a numbered route or state highway, as a scenic road.

After a road has been designated as a scenic road, any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with prior written consent of the Planning Board after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provisions of this section and under section three of Chapter Eighty-Seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the Tree Warden and the Planning Board, and notice of such consolidated public hearing shall be given by the Tree Warden or his deputy as provided in said section three of Chapter Eighty-Seven.

190-2 Purpose

The purposes of these regulations are the following:

- A. To maintain the natural beauty that currently exists along scenic roads in Blackstone.
- B. To maintain and enhance the rural character of the Town and encourage compatibility with existing roadside features.
- C. To implement more fully the provisions of the Scenic Road Act, with acknowledgement that roads serve a transportation function for pedestrians, equestrians and non-motorized as well as motorized vehicles.

190-3 Procedure To Designate Roads As A Scenic Road

A. Designation Process.

The Planning Board, the Board of Selectmen, the Conservation Commission, the Historical Commission, or by petition of citizens of the Town (consistent with petition requirements to place an article on the warrant) may propose "scenic road" status for any road in Blackstone other than a numbered route or state highway as a scenic road. The Planning Board shall hold a Public Hearing on the petition, notifying the Selectmen, the Tree Warden, the DPW Director, the Conservation Commission, and the Historical Commission, and advertising twice in a newspaper of general circulation, the first advertisement at least fourteen days prior to the date of the public hearing.

The Planning Board shall make a recommendation to the Town Meeting on the merits of designation of the proposed road as a scenic road.

A majority vote of Town Meeting is required for designation. Such designation shall be effective as of the date of Town Meeting action. Any work on any portion of the right-of-way of a scenic road which was not physically commenced at the time the road was designated as a scenic road shall conform to these regulations.

B. Criteria for Designation as a Scenic Road.

The Planning Board, Conservation Commission, or Historical Commission shall, in determining which roads or portions of roads should be recommended for designation as scenic roads, consider the following criteria:

1. Overall scenic beauty;
2. Contribution of trees to scenic beauty;
3. Contribution of stone walls to scenic beauty;
4. Age and historic significance of road, trees and stone walls.

C. Notification of Designation as Scenic Road.

Upon designation by Town Meeting of any road or portion thereof as a scenic road, the Planning Board shall take the following steps within 30 days of such designation:

1. Notify all municipal departments that may take action with respect to such road;
2. Notify the State Department of Public Works;
3. Notify the Commissioners of Worcester County;
4. Indicate such designation on maps currently in use by municipal departments, as appropriate; and
5. Notify all utility companies or other parties that may be working in or around such road.

In the absence of contrary meaning established through legislation or judicial action pursuant to MGL Chapter 40, Sec. 15C, these terms contained in that statute shall be construed as follows:

"Road" shall mean a vehicular traveled way plus its necessary appurtenances within the entire right-of-way, not just the paved surface, including bridge structures, drainage systems, retaining walls, traffic control devices, pedestrian facilities, and the air space above them, but not intersecting streets or driveways.

"Cutting or removal of trees" shall not be construed to include clearing of nuisance growth, routine or emergency tree maintenance which removes only permanently diseased or damaged limbs, trunks or roots and dead whole trees, or thinning out of overcrowded trees as determined by the Tree Warden, but shall mean removal of one or more trees, cutting of major branches or cutting of roots, including such cutting or removal done in contemplation of, or following, repair, maintenance, reconstruction or paving work for a road.

"Repair, Maintenance, Reconstruction, or Paving-work" shall mean any such work done within the right-of-way by any person or agency, public or private. Construction of new driveways, bicycle paths, roadside paths/sidewalks or alterations of existing ones, is also included to the extent such work takes place within the right-of-way. Except as allowed in the preceding paragraph, roadside cutting for clearance for vehicles or for improvement of line-of-sight shall also be included within this definition.

"Trees" shall mean any trees (not bushes) having a trunk diameter of 4 inches or larger at one foot above the ground. All trees within the right-of-way of a scenic road or on the boundaries thereof shall be subject to these regulations; if for whatever reason, it is uncertain whether the tree is within the right-of-way of the scenic road, it shall be taken to be within the coverage of these rules and regulations until the contrary is shown.

"Stone walls" shall not be construed to include assemblages of stone involving less than one cubic foot of wall material per linear foot nor totaling less than five feet in length. All stone walls within the entire right-of-way of a scenic road or on the boundaries thereof shall be subject to these regulations; if for whatever reason, it is uncertain whether the stone wall is within such right-of-way of the scenic road, it shall be taken to be within the coverage of these rules and regulations until the contrary is shown.

"Tearing down or destruction of stone walls" shall not be construed to include temporary removal and replacement within a reasonable period of time, not to exceed 60 days, at the same location with the same materials and consistent with the original character of the wall.

190-4 Filing Instructions

- A. Any person or organization seeking consent of the Planning Board under MGL Ch. 40, Sec. 15C (the Scenic Road Act) regarding the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, in connection with the Repair, Maintenance, Reconstruction or Paving-work (as defined in Section 5) on Scenic Roads, shall submit a request to the Planning Board together with the following:

1. A plan showing the location and the nature of the proposed action and a description of the proposed changes to trees and stone walls;
 2. A statement of the purpose(s) for the change;
 3. A statement of the feasible alternatives to the proposed action, together with an indication of the advantages and disadvantages of each alternative;
 4. A list of owners of property fronting in whole or in part on both sides of the scenic road within 500 feet of the proposed action;
 5. Except in the case of town agencies, a filing fee in an amount established by the Planning Board shall be paid; and
 6. Any further explanatory material useful to adequately inform the Planning Board of the nature and extent of the proposed action prior to the public hearing.
- B. Notice of submittal shall be filed with the Town Clerk and a copy of the submittal transmitted to the Tree Warden after it is accepted and signed for by the Planning Board or its staff.

190-5 Tree Warden

Planning Board hearings shall be held in conjunction with those held by the Tree Warden acting under MGL Ch. 87. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden or the reverse, nor shall execution of these rules and regulations in any way limit or restrict the Tree Warden's powers and duties under MGL Ch. 87.

190-6 Notice.

- A. The Planning Board shall, as required by statute, give notice of its public hearing by advertising twice in a newspaper of general circulation in the area. This notice shall contain a statement as to the time, date, place, and purpose of the hearing with a reasonable description of the action proposed by the applicant. Copies of this notice shall also be sent the Selectmen, the Conservation Commission, the Historical Commission, the DPW Director, the Tree Warden, and the assessed owners of property within 500 feet of the proposed action.
- B. The first publication of the notice shall be as soon as feasible after the Planning Board receives the request from the applicant, and shall in all cases be at least 14 days before the hearing. The last publication shall occur, as required by statute, at least seven days prior to the hearing.

190-7 Hearing and Decision

- A. The Planning Board shall hold a public hearing within 30 days after the Planning Board meeting at which receipt of a properly filed request is acknowledged.
- B. The Planning Board shall make a decision on the request within 21 days after the public hearing. If the Planning Board fails to mail or deliver to the applicant a copy of its decision within this time period the requested approval shall be deemed granted.

190-8 Considerations

In acting in regard to a Scenic Road request, the Planning Board shall consider the following:

- A. Scenic and aesthetic characteristics;
- B. Public safety;
- C. Accident history within 500 feet of tree(s) and stone walls at issue;
- D. Location and setback of utility poles in relation to the pavement, trees and stone walls;
- E. Traffic volume, congestion and posted speed limit;
- F. Preservation of natural resources;
- G. Environmental and historical values;
- H. Recreational uses of road, taking into account the nature and extent;
- I. Relationship of the road design to the standards of the Planning Board's Subdivision Rules and Regulations, but recognizing that a variance from standard should be allowed when a road has been designated scenic by the Townspeople;
- J. Compensatory actions proposed, such as replacement of trees or walls;
- K. Existence or absence of reasonable alternatives (including a no-build alternative);
- L. Consistency with articulated town policies;
- M. Financial and other consequences of design revision to avoid or reduce damage to trees or stone walls;
- N. Evidence contributed by abutters, town agencies, and other interested parties; and
- O. Other sound planning principles.

190-9. Public Shade Tree Act.

Whenever both the Scenic Road Act and the Public Shade Tree Act (MGL Ch. 87) apply, notice shall be given and the Planning Board hearing shall be held in conjunction with the hearing held by the Tree Warden acting under the Public Shade Tree Act. The consent of the Planning Board to a proposed action shall not be regarded as implying consent by the Tree Warden, or vice versa. The Planning Board decision shall contain a condition that no work may be done until all applicable provisions of MGL Ch. 87 have been complied with.

190-10 General

- A. Approval of Curb Cuts by Selectmen. The consent of the Planning Board to work involving a proposed curb cut shall not be deemed to indicate or imply consent or approval by the Selectmen to such curb cut, or vice versa.
- B. Emergency Work. In the event that the Selectman determine that emergency conditions require that work otherwise requiring Planning Board approval must proceed before such approval can be obtained, the Selectmen may authorize the work to proceed before Planning Board approval is obtained to the extent to which the Selectmen deem it necessary to protect public health and safety.

190-11 Designated Scenic Roads

The following roads within the Town of Blackstone have been designated as Scenic Roads under the Scenic Road Act, MGL Chapter 40, Section 15C, as of the date of the adoption of this Bylaw:

Milk Street

Union Street

Hill Street

Mendon Street (from Crestwood Drive to Mendon town line)

TWO-THIRDS MAJORITY VOICE VOTE

ARTICLE 25. Upon motion duly made and seconded, it was voted that the Town vote to transfer from free cash the sum of \$250,000 as the Town's investment into the SRBT Fund; all in consideration of the fact that the Town has established an Other Post-Employment Benefits Liability Trust Fund ("OPEB Trust Fund") in accordance with the provisions of M.G.L. Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, section 57 of the Acts of 2011 (the "Act") and that in accordance with the Act the Town has designated the Town Treasurer/Collector to serve as custodian of the Town's OPEB Trust Fund relative to establishment of an Other Post-Employment Benefits Liability Trust Fund.

UNANIMOUS VOICE VOTE

ARTICLE 27. Upon motion duly made and seconded, it was voted that the Town vote to transfer a sum of \$102,619.27 from free cash to the stabilization fund.

TWO-THIRDS MAJORITY VOICE VOTE

MODERATOR'S APPOINTMENTS
Finance Committee

<u>Name</u>	<u>Term</u>
James P. Belisle	3 yrs. Expiring ATM 2019
Stephen P. Goudreau	3 yrs. Expiring ATM 2019
James T. Watson III	3 yrs. Expiring ATM 2019

On a motion duly made and seconded, it was voted to dissolve the warrant and to adjourn the meeting at 10:20 p.m.

Claudette C. Dolinski
Town Clerk of Blackstone