



COMMONWEALTH OF MASSACHUSETTS
TOWN OF WRENTHAM

OFFICE OF THE TOWN CLERK
79 SOUTH STREET, WRENTHAM, MA 02093

CAROL A. MOLLICA, CMC/CMMC
Town Clerk

Tel. (508) 384-5415
Fax (508) 384-5434

**MINUTES OF THE
SPECIAL TOWN MEETING
APRIL 26, 2010**

The meeting was called to order at 7:30 PM by Moderator Keith Billian at the King Philip Regional High School. There were 487 voters in attendance. The Pledge of Allegiance was led by Town Planner Paige Duncan.

Tellers appointed for the evening were: Jeff Hall, James O'Brien, Joe Heck, and Gerard Aube.

The Moderator asked if the warrant was posted and motions submitted correctly. The Town Clerk responded yes.

A motion was made and passed to waive the reading of the warrant.

The Moderator then adjourned the Special Town Meeting until after this evening's portion of the Annual Town Meeting.

The Special Town Meeting was reopened at 8:58 PM.

The Board of Selectmen Chairman, Stephen Langley, recognized Fire Chief Mark Pare. Chief Pare is leaving Wrentham for a new job with the Fire Academy. He served the Town for approximately two years and was given a citation.

Article 1 – **Voted** that the Town amend Article 3.2 of the Wrentham Zoning Bylaws by changing the date reference and engineering company name shown on the Town's current zoning map, so that Article 3.2 reads:

3.2 ZONING MAP

Said DISTRICTS are located and bounded as shown on a map entitled TOWN OF WRENTHAM, MASSACHUSETTS, ZONING DISTRICTS," dated July 2009, and prepared by AECOM, Concord, MA, and as most recently amended, and on file with the OFFICE of the Town Clerk. The ZONING MAP, will all explanatory matter thereon, is hereby made part of this bylaw (Paragraph Revised April 26, 2010). Voted unanimous.

Article 2 – **Voted** that the Town amend the Wrentham Zoning Bylaws by changing section number referenced in Article 4.2.A.3 from 13.4 to 13.3 so that the section reads:

MULTIPLE ATTACHED DWELLING, pursuant to Article 13.3. Voted unanimous.

Article 3 – **Voted** that the Town amend the Wrentham Zoning Bylaws by changing section number referenced in Article 4.2.A.4 from 13.5 to 13.4 so that the section reads:

Conversion of a SINGLE DETACHED DWELLING to DOUBLE ATTACHED DWELLING, pursuant to Article 13.4. Voted unanimous.

Article 4 – **Voted** that the Town amend the Wrentham Zoning Bylaws by changing section number referenced in Article 4.2.A.5 from 13.6 to 13.5 so that the section reads:

SENIOR LIVING COMMUNITY, pursuant to Article 13.5. Voted unanimous.

Article 5 – **Move** that the Town vote to amend the Zoning Bylaws by adding a new Article 9.5 as follows:

9.5 Planning Board as Special Permit Granting Authority

When the Planning Board acts as Special Permit Granting Authority (SPGA):

1. Vote: Approval of a special permit application, or approval with modifications or conditions, shall require an affirmative vote of at least five (5) of seven (7) members of the Planning Board
2. Associate Members: There shall be two Associate Members of the Planning Board in cases where the Planning Board acts as the SPGA. The position of Associate Member shall be subject to the following:
 - a. An Associate Member shall serve two-year non-co-terminus terms by appointment made jointly by the Planning Board and the Board of Selectmen.
 - b. In the event of a vacancy in the position of Associate Member, the position shall be filled in the same manner as in the case of the original appointment.
 - c. The Chairperson of the Planning Board ~~may require said Associate Members to be in attendance at special permit hearings, and~~ may designate said Associate Members to sit on the Board for the purpose of acting on a special permit application in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board, or in the event of a vacancy on the Board.

There was a great deal of discussion on town floor concerning the creation of these positions. Many voters thought there should not be associate members, while thought there should be and that they should be elected. It was also mentioned that there could be cronyism if created as suggested, and it was asked why should they be at every meeting.

The question was then moved and a standing vote was taken: Yes – 101, No – 224. The motion **failed**.

Article 6 – As presented in the warrant:

To see if the Town will vote to amend the “Town of Wrentham Zoning Districts Map (dated April 2003)” by rezoning the following parcels:

N-04-1-1, N-04-1-2, N-04-1-3, N-04-1-4, O-05-1-1, O-05-1-2 and O-05-1-4

as shown on the Town of Wrentham Assessors Map totaling 47 acres to Commercial-INDUSTRIAL DISTRICT 2 (C-2) as illustrated on the attached plan entitled "Proposed Re-Zoning of Route 495 & Madison Street Properties Wrentham, MA (September 24, 2009). 37 acres (+-) of the land are currently zoned Residential DISTRICT (R-43) while 10 acres (+-) are currently zoned Commercial-INDUSTRIAL DISTRICT 1 (C-1), or to take any other action relative thereto. (Landowner's Request)

The Landowner was not present to present a motion.

There was discussion including many points of order and when and if this article could be brought back in two years or sooner.

A motion was made by Barry Kassler to indefinitely postpone this article. After discussion including the audience, Town Moderator, and Town Counsel, Mr. Kassler withdrew his motion.

A motion was then made and voted unanimously to suspend the rules.

Barry Kassler then brought forward a motion for Article 6 as presented in the warrant (above).

A favorable Planning Board report was then read by Patrick Moore, Chairman of the Planning Board.

Steven Marian then made a motion to indefinitely postpone, and then after discussion rescinded the motion.

The main motion of Mr. Kassler was back on the floor. The question was moved.

A standing vote was then taken on Article 6: Yes – 5, No – 245. The motion **failed**.

Article 7 – As presented in the warrant:

To see if the Town will amend "Town of Wrentham Zoning Districts Map (dated 2003)" by rezoning the following parcel: M-07-2-6 as shown on the Town of Wrentham Assessors Map totaling 6.31 acres to Commercial Industrial District 1 (C-1), or take any other action relative thereto. (Landowner's Request)

The motion was exactly the same as the warrant article except for the reference – the reference in the motion was Map O-07, Block 2, Lot 6. Because of the difference in the article and the motion, and after conferring with town counsel, the Moderator ruled the motion out of order.

Article 8 – **Voted** that the Town appropriate by transfer from unappropriated funds in the treasury the sum of \$162,700 to supplement the current Fiscal Year 2010 operating budgets and to be distributed as follows:

Snow and Ice	\$151,700
Town Clerk Expenses	1,000
Veterans Agent Expenses	10,000

Majority vote.

Article 9 – **Voted** that the Town amend the language approved under Article 20 of the November 9, 2009 Special Town Meeting from:

To see if the Town will vote to amend its local room occupancy excise under MGL c. 64G, accept MGL c. 64L, § 3A to the rate of 6%.

to

To see if the Town will vote to amend its local room occupancy excise under MGL c. 64G, § 3A to the rate of 6%. Majority vote.

Article 10 – **Voted** that the Town transfer from Police Department Expenses to Police Department Salary the sum of \$1,500.00. Majority vote.

Article 11 – **Voted** that the Town indefinitely postpone action on this article. Majority vote. (Live burn training session)

Article 12 – **Voted** that the Town appropriate by transfer from unappropriated funds in the treasury the sum of \$40,000.00 to fund the Town's share of the EPA Grant for the cleanup of property located at 775 South Street. Said sum to be expended under the direction of the Board of Selectmen. Majority vote.

Article 13 – **Voted** that the Town transfer from Assessors Department Expenses to Assessors Department Salary the sum of \$1,660.00. Majority vote.

Article 14 – **Voted** that the Town transfer \$20,020.00 from the account established under Article 25 of the Special Town Meeting of November 12, 2002 (septic system upgrade loan program) to the General Fund in order to offset the Town's payments to the Massachusetts Water Pollution Abatement Trust (MWPAT) in connection with that program. Majority vote.

Article 15 – **Voted** that the Town authorize the Board of Selectmen to enter into a Solid Waste and Recycling Hauling Contract for a term not to exceed six (6) years, subject to annual appropriation. Majority vote.

Article 16 – **Voted** that the Town appropriate by transfer from the Water Surplus Account to the Taunton Street Water Main Replacement project the sum of \$37,912.00 in order to cover additional costs associated with the project. Said sum to be expended under the direction of the Board of Selectmen. Majority vote.

Article 17 – **Voted** that the Town authorize the Board of Selectmen to enter into a Solid Waste Disposal contract for a term not to exceed fifteen (15) years. Majority vote.

Article 18 – **Move** that the Town vote to appropriate by transfer from the Water Surplus Account to Water Enterprise Expenses the sum of \$30,000.00 in order to complete a

Capital Efficiency Study of the Town of Wrentham Water System. Said sum to be expended under the direction of the Board of Selectmen. The motion **failed**: Yes – 59, No – 73.

Article 19 – **Voted** that the Town indefinitely postpone action on this article. Majority vote. (Replace boiler at Fire Station #2)

Attest: Carol A. Mollica
Carol A. Mollica, Town Clerk