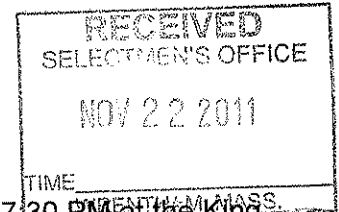


CAROL A. MOLLICA, CMC, CMMC
Town Clerk

COMMONWEALTH OF MASSACHUSETTS
TOWN OF WRENTHAM
OFFICE OF THE TOWN CLERK
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MINUTES OF THE
SPECIAL TOWN MEETING
NOVEMBER 14, 2011



The Special Town Meeting was called to order by Moderator Keith Billian at 7:30 PM at the King Philip High School Auditorium.

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

Tellers appointed for the evening were Bob Bogardus, Jeff Plympton, John Caruso, and Gerry Aube.

The Pledge of Allegiance was led by Town Planner Paige Duncan.

The Moderator thanked Mr. Ferrara and his crew for setting up the hall and working on the lights and speakers. There continues to be problems with the lights in the auditorium because of the last storm.

The Moderator appointed Edward (Jay) Scollins to the Personnel Board.

He then gave an explanation of the capital budget items and discussed the quorum of the Capital Budget Committee. Joseph Heck let the Moderator know that he did not want to be re-appointed next year to the Committee, and the Moderator thanked him for his time served.

Article 1 – Selectman Chairman Botaish gave an overview of the “State of the Town.”

Article 2 – Volunteers of the Year: The Board of Selectmen recognized Patricia Fogg as being this year’s Volunteer of the Year. Ms. Fogg was picked because of her dedication to the Town, especially in the area of conservation and clean up of Birchwold Farm.

Also recognized were Samantha McPhee and Eddy Cullinane as this year’s Youth Volunteers of the Year. Samantha and Eddy were recognized for the work with Special Education students in the Mentor Program.

Article 3 – Move that the Town vote, pursuant to the provisions of Massachusetts General Laws Chapter 41, Section 1B, to change the Board of Health from an elected board to a board appointed by the Board of Selectmen, provided that:

- (a) such change would become effective only upon its approval by the voters at the annual town election in 2012; and

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- (b) any incumbent of such board serving at the time of such acceptance by the voters shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected, or until said individual otherwise vacates such office; provided, however, that any individual elected to that office at the annual town election in 2012 shall hold such office and perform the duties thereof only until his or her successor is appointed.

Selectman Langley presented this article and explained the reasoning behind the article. Many voters were heard, both pro and con. A standing vote was called by the Moderator, and the results are as follows: Yes – 57; No – 86. Motion failed.

Article 4 – The zoning article was presented by Leo Immonen, and an amendment was attempted by Donald Jordan, but was not accepted by the Moderator.

Voted that the Town amend Section 15.6 of the Town of Wrentham Zoning Bylaws by revising Paragraphs a. and b. as follows:

15.6 Procedures for Issuance of a SPECIAL PERMIT

Procedures for issuance of a SPECIAL PERMIT are as follows:

- a. The SPECIAL PERMIT Granting Authority (SPGA) under this section shall be the Planning Board *unless the applicant is applying for a Special Permit under Section 3.4, NON-CONFORMING LOTS, STRUCTURES and USES, in which case the SPGA shall be the Zoning Board of Appeals.*
- b. The SPGA shall refer copies of the application to the Board of Health, *Board of Appeals or the Planning Board as appropriate*, Conservation Commission and Department of PUBLIC Works, which shall review the application and shall submit their recommendations to the SPGA within thirty-five days.

Motion passed – Unanimous.

Article 5 – General Bylaw amendment presented by Selectman Carroll:

To see if the Town will vote to amend the General Bylaws by inserting the following after Article 1, or take any other action relative thereto:

Article 1A: The purpose of the Town of Wrentham is to maintain and enhance the quality of life of all Wrentham residents by providing the highest quality of public services that meet the citizens' needs in the most efficient manner.

The Board of Selectmen, School Committee, members of the Regional School Committee, and Finance Committee shall strive together to fulfill this purpose by meeting and conferring prior to and during the budget process, while the warrant for the annual town meeting is open, and at any other time. Other elected and appointed officials and employees may be invited to participate in any such meeting, as

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appropriate to the objectives of the agenda, and contribute to managing the operation of the Town of Wrentham and planning its future in the best interest of its citizens.

Not less often than semi-annually the Board of Selectmen will schedule a forum of all boards and committees to address strategic communication necessary to provide the highest quality of public services.

The goals of these public officials by communicating and collaborating are to:

- (a) Assure the long-term financial stability of the Town by: reviewing the Town's financial condition and developing coordinated revenue and expenditure policies; developing coordinated collective bargaining strategies; updating the long-term capital outlay plan and related debt management program; and any other related topic.
- (b) Assure that the Town of Wrentham delivers services that are responsive to community issues and concerns by establishing strategic plans based on: assessing the impact of growth and development of the Town on the current and foreseeable demand for services; evaluating the impact of current and pending legal requirements on the scope and extent of municipal services, and creating a unified position for advocating for Wrentham; considering the effect of regional and national events and trends on Wrentham; and any other related topic.

The Board of Selectmen will coordinate the time and location and facilitate the agenda and discussion. However it may defer these responsibilities to another board or committee if requested and if it serves the intent of the forum.

After much discussion, a voice vote was called and the motion failed.

Article 6 – Voted that the Town appropriate from unappropriated funds in the treasury the sum of \$194,647.00 to supplement current Fiscal Year 2012 operating budgets. Said sum to be distributed as follows:

Library Expenses	\$ 6,950
Public Health Nurses Expenses	1,946
Planning Salary	9,950
Police Expenses	10,000
Norfolk County Agricultural School Assessment (Charter School Assessments)	12,000
Marra Site Professional Services	42,000
Fire Department Salaries	51,801
Legal Expenses	60,000

Motion passed – voice vote.

Article 7 – Voted that the Town appropriate from unappropriated funds in the treasury the sum of \$27,000 to be used for inspectional services required for the FY2013 Assessors Recertification. Said sum to be expended under the direction of the Board of Assessors.

Motion passed – voice vote.
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Article 8A - Fund capital requirements. Selectman Botaish presented an amendment and then withdrew it on the Senior Center portion of the motion. He then presented a new amendment to set the sum to \$0.00 for the Senior Center generator. Amendment failed.

Voted that the Town appropriate from unappropriated funds in the treasury the sum of \$201,500 to fund FY2012 capital requirements. Said sum to be allocated as follows:

Requirement	Cost
Repairs for the Town Waste Water Treatment Facility	\$30,000.00
Replacement of two Police Cruisers	64,000.00
Replacement of Fire Car #2	31,000.00
Replacement of Fire Life Packs	60,000.00
Purchase of a Generator for the Senior Center	16,500.00

Motion passed.– voice vote.

Article 8B – Fund capital requirements.

Voted that the Town appropriate by transfer from Water Enterprise Retained Earnings Unreserved the sum of \$170,000.00 to fund capital requirements. Said sum to be allocated as follows:

Requirement	Cost
Replacement of DPW Truck #29	\$75,000.00
Replacement of DPW Backhoe #11	95,000.00

Motion passed – voice vote.

Article 9 – To see if the Town will vote to appropriate a sum of \$1.6 million to design and construct a new water main in a portion of Madison Street from the existing 12-inch water main to Washington Street. Said sum to be expended under the direction of the Board of Selectmen and to be appropriated from the following sources:

- From Water Enterprise Retained Earnings Unreserved: \$150,000 for design
- From borrowing: \$1.45 million for construction.

A two-thirds majority vote was needed to pass this article. Motion failed: Yes – 65; No – 50.

Article 10 – Voted that the Town authorize the Board of Selectmen to purchase, or take by eminent domain, temporary construction easements or permanent easements related to the Taunton Street Reconstruction project as shown and identified on a plan entitled "Commonwealth of Massachusetts Highway Department Taunton Street Roadway Improvement in the Town of Wrentham, Norfolk County, 25% Submission" dated August 18, 2009 prepared by BETA Group, Inc., as revised or amended, which will be delivered to and be made available

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at the Town Clerk's Office fourteen (14) days before the date of the Town Meeting; or take any other action relative thereto.

Motion passed – Unanimous.

Article 11 – Voted that the Town authorize the Board of Selectmen to accept or take by eminent domain, an easement on parcel F-04-1-05AH for the purpose of installing roadway drainage.

Motion passed – Unanimous.

Article 12 - Voted that the Town amend the Wrentham Zoning Bylaws Article 4.2 (Use Regulation Schedule) by deleting item C.20 in its entirety and moving the current C.21 up to C.20.

Motion passed – Unanimous.

Article 13 – Voted that the Town will amend the Wrentham Zoning Bylaws Article 2 (Definitions) by deleting the current definition of KENNEL and replacing it with two new definitions (1) KENNEL, Commercial; and (2) KENNEL, Private:

KENNEL, Commercial: Any building, structure, or land area used for the boarding, breeding, grooming, training, showing, protection or raising of dogs, cats or other small animals primarily for sale or profit, or for humane purposes. Pet shops, private kennels, and veterinary hospitals shall be exempt from the definition of commercial kennel.

KENNEL, Private: Any structure or premises on which more than three dogs greater than or equal to four months of age are kept in or adjoining a private residence for private-enjoyment and not for monetary gain, with the exception of occasional breeding of household pets. No more than two of the dogs shall be used for breeding and the frequency and scope of said activity shall be subject to the grant of a Special Permit from the Planning Board.

and voted that the Town amend the Wrentham Zoning Bylaws Article 4.2 (Use Regulation Schedule) by deleting current item C.22 and creating two new Kennel Use Classifications to be numbered C.21 and C.22, as follows:

C. COMMERCIAL USES	R-30 ¹	R-43 ¹	R-87 ¹	B-1	B-2 ³	C-1 ²	C-2	CRSP
21. KENNEL, Commercial	N	N	N	N	N	SP/SPA (PB)	SP/SPA (PB)	SP/SPA (PB)
22. KENNEL, Private	SPA/SP (PB)	SPA/SP (PB)	SPA/SP (PB)	N	N	N	N	N

Motion passed – Unanimous.

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Article 14 – Voted that the Town amend the Wrentham Zoning Bylaws Article 4.2 (Use Regulation Schedule) item F.5 by requiring a Special Permit from the Planning Board (in addition to Site Plan Approval already required). As amended, the Use Regulation Schedule would read as follows:

F. INDUSTRIAL USES	R-30¹	R-43¹	R-87¹	B-1	B-2³	C-1²	C-2	CRSP
5. Oil, coal, gas, or propane FUEL BUSINESS	N	N	N	N	N	SP/SPA (PB)	SP/SPA (PB)	N

Motion passed – Unanimous.

Article 15 – Landowner’s Request: Voted that the Town amend "Town of Wrentham Zoning Districts Map (dated June 2010)" by rezoning the following properties: All or portions of parcels K-03-2-2, K-03-2-3, K-03-2-4, K-03-2-5, K-03-2-6, K-03-2-7, K-03-2-8, K-03-2-9 and K-03-2-10 as shown on the Town of Wrentham Assessors Map beginning with the southern end of the existing B-2 Zone through to the Wrentham-Plainville town line that lie within 1000 feet of the Eastern edge of the right of way of South Street to District C-2.

Motion passed: Yes – 95; No – 18.

Article 16 – Note: In the warrant, the parcel number for this zoning article was incorrect. The listed parcel number actually does not exist. The proposed parcel for re-zoning does not have any Wrentham abutters, and ultimately the Attorney General will still have to approve or disapprove if this motion passes. Therefore, the Moderator asked the voters, "Is there anybody at town meeting that was misled by the article in the warrant?" "Shall we go forward or not?" One voter stated that when he looked it up online, he figured it out.

A motion was then presented to indefinitely postpone this article. It failed: Yes – 33; No – 62. A vote was then taken on the motion as presented (with correct parcel number):

Voted that the Town amend the "Town of Wrentham Zoning Districts Map (dated June 2010" by rezoning the following parcel: K-02-02-01-0-R as shown on the Town of Wrentham Assessors Map totaling 2.610 acres to District C-2.

Motion passed: Yes – 67; No – 21.

Article 17 – No action on this article. (Rezone parcel M-09-7-4 from CRSP to B1)

Article 18 – Voted that the Town accept Heaton Place as a public way, pursuant to M.G.L. Chapter 82, Section 23, said road being shown on a plan entitled "Definitive Subdivision Plans, ASH STREET SUBDIVISION in Wrentham, Massachusetts," dated August 27, 2000, revised September 26, 2000 and December 13, 2000, drawn by Landmark Engineering of New England, Inc., and recorded at the Norfolk Registry of Deeds as Plan No. 34 of 2001 in Plan Book 482, and to authorize the Board of Selectmen to acquire the land within the layout of such

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way, and any easements appurtenant thereto or necessary for the maintenance of such way, by voluntary conveyance. Motion passed – majority.

Article 19 – Voted that the Town will accept as a public way a street identified as Smith House Road as shown on Roadway As-Built & Acceptance Plan entitled, “Smith House Estates, Wrentham, Massachusetts, for Wooding Development Corp. P.O. Box 339, Wrentham, Massachusetts”, prepared by “United Consultants Inc.”, dated “November 1, 2010”, copies of which are on file with the Office of the Town Clerk, Wrentham, MA. and to authorize the Board of Selectmen to acquire the land within in the layout of such way, and any easements appurtenant thereto or necessary for the maintenance of such way, by eminent domain or by voluntary conveyance.

Motion passed – Unanimous

Article 20 – Voted that the Town accept as public ways, streets identified as Ridge Road and Oak Hill Avenue STA. 0+00 – 30+02.2, as shown on a plan entitled, “Road Acceptance Plan of Ridge Road and Oak Hill Avenue STA 0+00 – 30+02.21 in Wrentham, Ma.” Dated September 23, 2011, drawn by Andrews Survey and Engineering, Inc., copies of which are on file with the Office of the Town Clerk, Wrentham, Ma., and to authorize the Board of Selectmen to acquire the land within the layout of such way, and any easements appurtenant thereto or necessary for the maintenance of such way, by eminent domain or by voluntary conveyance.

Motion passed – Unanimous

Article 21 – Voted that the Town accept MGL Chapter 200A, Section 9A, as amended by Chapter 188, Section 65 of the Acts of 2010 (Municipal Relief Act).

Motion passed – Majority

Article 22 – Voted that the Town adjust the income eligibility factor of the property tax exemption for senior citizens under MGL Chapter 59, Section 5, Clause 41A, increasing the allowable income for applicants to \$40,000 from \$20,000.

Motion passed – Majority

Article 23 – Motion to indefinitely postpone action on this article: Failed. (Amend Personnel Bylaws)

Voted that the Town amend the schedule titled “2011 Salary Ranges” as it appears in the Personnel Bylaws and Salary Schedule, as follows:

Position	Maximum - Current	Maximum – Amend To
Asst. Superintendent of Public Works	\$76,000	\$77,000
Conservation Agent	\$30.00/hour	\$33.00/hour
Computer Systems Administrator	\$50,000	\$55,000

Motion passed - Majority

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Article 24 – Voted that the Town will amend the Personnel Bylaws by revising Section 8.3.6 – Bereavement Leave as follows:

A. Each employee shall be granted leave without loss of pay in the event of a death in his/her immediate family. Such leave shall be up to **five (5)** calendars days, which, under normal circumstances, shall be consecutive with the day of death. For the purposes of this paragraph A, the term “immediate family” shall mean the following: Mother, Father, Grandparents, Brother, Sister, Spouse, Child, Grandchild, Mother-in-Law, Father-in-Law, and any other person, including a domestic partner, who was a resident in the household of the employee at the time of death.

Motion passed – Majority

Article 25 – Voted that the Town create a Municipal Capital Stabilization Fund under M.G.L. Chapter 40, Section 5B for the purpose of acquiring, replacing, or improving capital assets, such as buildings, land, vehicles and equipment, or performing significant repairs that would extend the useful life of capital assets.

Motion passed – Unanimous

Article 26 – Voted to indefinitely postpone action on this article. Passed. (Money to the Town’s Road Maintenance Fund)

Article 27A – Voted that the Town appropriate from unappropriated funds in the treasury the sum of \$150,000.00 to be allocated to the Town’s Stabilization Fund.

Motion passed – Unanimous.

Article 27B – Voted that the Town appropriate the sum of \$150,000.00 to be allocated to the Town’s Municipal Capital Stabilization Fund. Said sum to be appropriated from the following sources:

- From unappropriated funds in the treasury - \$100,000.00
- By available funding - \$50,000.00

Motion passed – Unanimous

Article 28 - Voted that the Town appropriate from unappropriated funds in the Treasury the sum of \$1,000.00 to be used for Fire and Police Retiree prescription co-pays.

Motion passed – Majority

Article 29 – Voted that the Town appropriate by transfer from unappropriated funds in the treasury, the sum of \$484.24 to pay for Fiscal Year 2011 unpaid bills. Said sum to be distributed as follows:

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- To Siemens Industry - \$421.80
- To Franklin Ford - \$33.44
- To Regional Tire and Service - \$29.00

Motion passed – Unanimous.

170 voters participated in town meeting.

Motion to adjourn sine die at 11:41 PM.

Attest: Carol A. Mollica
Town Clerk