

## Minutes of the Annual Town Meeting – June 8, 2015

The meeting was called to order by Moderator Keith Billian at 7:30 PM at the King Philip High School auditorium. There were 342 voters in attendance.

The Pledge of Allegiance was led by Town Clerk, Cynthia Thompson.

Tellers appointed for the evening were Jeff Hall, Leo Immonen, Steve Nickerson, and John Caruso.

Mr. Keilan made a motion to waive the reading of the warrant. Passed.

The Moderator then explained the rules of town meeting and advised that if a second is needed, the town meeting would be continued to June 9, 2015.

The Moderator recognized Mr. Keilan for his 31 years of service on the Finance Committee and welcomed the recently elected Town Clerk, Cynthia Thompson, Selectman, Jerome McGovern, and newly appointed Dwayne Hancock to the Finance Committee

### **TOWN MEETING ARTICLES**

Article 1 – Reports. Move that the Town consider the reports of the Town Officers of any committee or commission and act thereon.

*Passed.*

Mr. Botaish reviewed a PowerPoint Presentation from the Capital Budget Planning Committee and Ms. Sweed reviewed a PowerPoint Presentation from the Finance Committee.

Move that the Town accept the 2014 Annual Town Report.

*Passed.*

Article 2 – Move that the Town vote to fix the salary and the compensation of elected officials as provided by Chapter 41, Section 108, of the Massachusetts General Laws per the following:

|            |             |
|------------|-------------|
| Town Clerk | \$61,936.00 |
|------------|-------------|

*Passed.*

Article 3 – Move that the Town vote to appropriate by transfer from unappropriated funds in the treasury the sum of \$991.24 for the payment of unpaid bills from prior fiscal year 2014. Such funds to be distributed as follows:

- To Sturdy Memorial Hospital \$627.24
- To Animal Control Inspector \$363.00

*Passed unanimously.*

Article 4 – Move that the Town vote to appropriate by transfer the sum of \$421,046 to supplement the current Fiscal Year 2015 operating budgets to be sourced and distributed as follows:

| Source                               | Expense                   | Amount    |
|--------------------------------------|---------------------------|-----------|
| Unappropriated Funds in the Treasury | To Snow and Ice Personnel | \$73,426  |
| Unappropriated Funds in the Treasury | To Snow and Ice Expenses  | \$197,620 |
| From the Reserve Fund                | To Snow and Ice Expenses  | \$150,000 |

Said sum to be expended under the direction of the Board of Selectmen.

*Passed.*

Article 5 – Move that the Town vote to approve the Town of Wrentham’s Water Enterprise Fiscal Year 2016 budget for the sum of \$1,948,847 as shown in the Wrentham Finance Committee’s Recommendations under Table B-1. The appropriation will be allocated as follows:

|   |             |
|---|-------------|
| To direct expenses the sum of   | \$1,558,965 |
| By transfer to the general fund for indirect expenses the sum of  | \$389,882   |
| <b>Said sum is to be sourced as follows:</b>  |             |
| From Water Enterprise Fund Revenue the sum of   | \$1,873,847 |
| By transfer from the Water Enterprise Retained Earnings to the Water Enterprise Operating Capital Budget the sum of | \$75,000    |

TABLE B-1  
WATER ENTERPRISE

|         | FY2015 BUDGET | FY2016 FINCOM RECOMMENDED | CHANGE \$ | CHANGE % |
|---------|---------------|---------------------------|-----------|----------|
| Salary  | 577,235       | 632,710                   | 55,475    | 9.61%    |
| Expense | 423,490       | 490,316                   | 66,826    | 15.78%   |

|                |             |             |            |        |
|----------------|-------------|-------------|------------|--------|
| Debt Services  | 381,525     | 360,939     | (20,586)   | -5.40% |
| Water Capital  | 75,000      | 75,000      | -          | 0.00%  |
| Total Direct   | 1,457,250   | 1,558,965   | 101,715    | 6.98%  |
| Total Indirect | 353,106     | 389,882     | 36,776     | 10.42% |
|                | \$1,810,356 | \$1,948,847 | \$ 138,491 | 7.65%  |

*Passed.*

Article 6 – Move that the Town vote to approve the Town of Wrentham's Fiscal Year 2016 operating expense budget in the amount of \$38,548,986 as shown in the Wrentham Finance Committee's Recommendations "Table B-2", and to fund the budget from the following sources:

|   |              |
|---|--------------|
| Raise and Appropriate the sum of  | \$36,559,694 |
| Appropriate by transfer from the Ambulance Receipts Reserve Account to the Fire Department's Salary Accounts the sum of | \$400,000    |
| Appropriate by transfer from the Cemetery Receipts Reserve Account the sum of   | \$20,000     |
| Appropriate by transfer from the MWPAT the sum of   | \$20,088     |
| Appropriate by transfer from the Water Enterprise Fund the sum of   | \$389,882    |
| Appropriate by transfer from unappropriated funds in the treasury the sum of  | \$999,322    |
| Appropriate by transfer from the Overlay Surplus Account the sum of   | \$160,000    |

The Moderator then read Table B-2 as follows:

|     |                          |           |
|-----|--------------------------|-----------|
| 114 | MODERATOR                |           |
|     | Payroll Services         | \$1       |
|     | Expenses                 | \$1       |
|     | Total                    | \$2       |
|     |                          |           |
| 122 | SELECTMEN/ADMINISTRATION |           |
|     | Payroll Services         | \$169,427 |
|     | Expenses                 | \$23,150  |
|     | Total                    | \$192,577 |
|     |                          |           |

|     |                         |           |
|-----|-------------------------|-----------|
| 131 | FINANCE COMMITTEE       |           |
|     | Payroll Services        | \$1       |
|     | Expenses                | \$499     |
|     | Total                   | \$500     |
|     |                         |           |
| 140 | FINANCE DEPARTMENT      |           |
|     | Payroll Services        | \$356,293 |
|     | Expenses                | \$71,452  |
|     | Total                   | \$427,745 |
|     |                         |           |
| 141 | ASSESSORS               |           |
|     | Payroll Services        | \$159,259 |
|     | Expenses                | \$60,401  |
|     | Total                   | \$219,660 |
|     |                         |           |
| 151 | LEGAL                   |           |
|     | Expenses                | \$95,000  |
|     | Total                   | \$95,000  |
|     |                         |           |
| 155 | TECHNOLOGY              |           |
|     | Payroll Services        | \$135,594 |
|     | Expenses                | \$132,000 |
|     | Total                   | \$267,594 |
|     |                         |           |
| 161 | TOWN CLERK              |           |
|     | Payroll Services        | \$118,435 |
|     | Expenses                | \$22,930  |
|     | Total                   | \$141,365 |
|     |                         |           |
| 171 | CONSERVATION COMMISSION |           |
|     | Payroll Services        | \$49,195  |
|     | Expenses                | \$5,477   |
|     | Total                   | \$54,672  |
|     |                         |           |
| 175 | PLANNING BOARD          |           |
|     | Payroll Services        | \$73,900  |
|     | Expenses                | \$2,750   |
|     | Total                   | \$76,650  |
|     |                         |           |

|     |                              |             |
|-----|------------------------------|-------------|
| 176 | APPEALS BOARD                |             |
|     | Payroll Services             | \$8,146     |
|     | Expenses                     | \$1,480     |
|     | Total                        | \$9,626     |
|     |                              |             |
| 180 | MUNICIPAL COMMITTEES         |             |
|     | Payroll Services             | \$0         |
|     | Expenses                     | \$200       |
|     | Total                        | \$200       |
|     |                              |             |
| 196 | CENTRAL SERVICES             |             |
|     | Payroll Services             | \$29,868    |
|     | Expenses                     | \$50,840    |
|     | Total                        | \$80,708    |
|     |                              |             |
| 197 | AQUATIC PROPERTY MAINTENANCE |             |
|     | Expenses                     | \$17,200    |
|     | Total                        | \$17,200    |
|     |                              |             |
| 210 | POLICE                       |             |
|     | Payroll Services             | \$2,018,855 |
|     | Expenses                     | \$146,300   |
|     | Total                        | \$2,165,155 |
|     |                              |             |
| 220 | FIRE                         |             |
|     | Payroll Services             | \$2,009,527 |
|     | Expenses                     | \$175,300   |
|     | Total                        | \$2,184,827 |
|     |                              |             |
| 241 | INSPECTION SERVICES          |             |
|     | Payroll Services             | \$190,760   |
|     | Expenses                     | \$13,106    |
|     | Total                        | \$203,866   |
|     |                              |             |
| 291 | EMERGENCY MANAGEMENT         |             |
|     | Payroll Services             | \$0         |
|     | Expenses                     | \$2,000     |
|     | Total                        | \$2,000     |
|     |                              |             |

|     |                                     |              |
|-----|-------------------------------------|--------------|
| 292 | ANIMAL CONTROL                      |              |
|     | Expenses                            | \$19,200     |
|     | Total                               | \$19,200     |
|     |                                     |              |
| 299 | COMMUNICATIONS                      |              |
|     | Payroll Services                    | \$245,247    |
|     | Expenses                            | \$57,400     |
|     | Total                               | \$302,647    |
|     |                                     |              |
| 300 | WRENTHAM PUBLIC SCHOOLS             |              |
|     | Payroll Services                    | \$8,536,305  |
|     | Expenses                            | \$2,253,270  |
|     | Total                               | \$10,789,575 |
|     |                                     |              |
| 306 | NORFOLK AGRICULTURAL HS             | \$24,000     |
|     | Total                               | \$24,000     |
|     |                                     |              |
| 307 | KING PHILIP REGIONAL (Operating)    | \$8,351,347  |
| 307 | KING PHILIP REGIONAL (Capital)      | \$0          |
| 307 | KING PHILIP REGIONAL (Debt Service) | \$941,709    |
|     | Total                               | \$9,293,056  |
|     |                                     |              |
| 308 | TRI-COUNTY REGIONAL                 | \$939,391    |
|     | Total                               | \$939,391    |
|     |                                     |              |
| 410 | DEPARTMENT OF PUBLIC WORKS          |              |
|     | Payroll Services                    | \$599,438    |
|     | Expenses                            | \$345,378    |
|     | Total                               | \$944,816    |
|     |                                     |              |
| 410 | SOLID and HAZARDOUS WASTE           |              |
|     | Expenses                            | \$849,555    |
|     | Total                               | \$849,555    |
|     |                                     |              |
| 410 | STREET LIGHTING                     |              |
|     | Expenses                            | \$68,100     |
|     | Total                               | \$68,100     |
|     |                                     |              |

|     |                              |           |
|-----|------------------------------|-----------|
| 410 | PUBLIC BUILDINGS MAINTENANCE |           |
|     | Expenses                     | \$396,375 |
|     | Total                        | \$396,375 |
|     |                              |           |
| 410 | WASTE WATER TREATMENT PLANT  |           |
|     | Expenses                     | \$98,500  |
|     | Total                        | \$98,500  |
|     |                              |           |
| 423 | SNOW AND ICE                 |           |
|     | Payroll Services             | \$50,000  |
|     | Expenses                     | 100,000   |
|     | Total                        | \$150,000 |
|     |                              |           |
| 424 | FUEL                         |           |
|     | Expenses                     | \$136,800 |
|     | Total                        | \$136,800 |
|     |                              |           |
| 510 | BOARD OF HEALTH              |           |
|     | Payroll Services             | \$18,275  |
|     | Expenses                     | \$40,428  |
|     | Total                        | \$58,703  |
|     |                              |           |
| 522 | PUBLIC HEALTH NURSES         |           |
|     | Payroll Services             | \$110,289 |
|     | Expenses                     | \$17,100  |
|     | Total                        | \$127,389 |
|     |                              |           |
| 541 | COUNCIL ON AGING             |           |
|     | Payroll Services             | \$109,231 |
|     | Expenses                     | \$13,157  |
|     | Total                        | \$122,388 |
|     |                              |           |
| 543 | VETERANS                     |           |
|     | Payroll Services             | \$5,464   |
|     | Expenses                     | \$45,950  |
|     | Total                        | \$51,414  |
|     |                              |           |

|     |                                   |                      |
|-----|-----------------------------------|----------------------|
| 610 | LIBRARY                           |                      |
|     | Payroll Services                  | \$229,997            |
|     | Expenses                          | \$84,420             |
|     | Total                             | \$314,417            |
|     |                                   |                      |
| 630 | RECREATION                        |                      |
|     | Payroll Services                  | \$141,387            |
|     | Expenses                          | \$11,500             |
|     | Total                             | \$152,887            |
|     |                                   |                      |
| 691 | HISTORICAL COMMISSION             |                      |
|     | Expenses                          | \$466                |
|     | Total                             | \$466                |
|     |                                   |                      |
| 692 | MEMORIAL DAY                      |                      |
|     | Expenses                          | \$4,100              |
|     | Total                             | \$4,100              |
|     |                                   |                      |
| 710 | DEBT - PRINCIPAL                  | \$1,524,972          |
| 750 | DEBT – INTEREST and ADMIN CHARGES | \$264,532            |
|     | Total                             | \$1,789,504          |
|     |                                   |                      |
| 910 | INSURANCE AND EMPLOYEE BENEFITS   | \$5,576,356          |
| 132 | RESERVE FUND (Appropriated)       | \$200,000            |
|     | Total                             | \$5,776,356          |
|     |                                   |                      |
|     | <b>TOTAL GENERAL FUND</b>         | <b>\$38, 548,986</b> |

A hold was placed on line item 196 – Central Services Personnel. The voter asked what this line item was being used for. The line item will be used for 2 part-time (19 hour) department secretary positions for office coverage.

No other questions followed.

*Passed.*

Article 7 – Move that the town vote to appropriate by transfer of \$10,000 from available funds in the treasury and by transfer of \$10,000 from the Water Enterprise Retained Earnings the sum of \$20,000 to fund the Wrentham Department of Public Works union contract.

*Passed.*



Article 8 – Move that the Town vote to indefinitely postpone action on Article 8.

*Passed.*

Article 9 – Move that the Town vote to appropriate by transfer from unappropriated funds in the treasury the sum of \$13,000 to fund an Actuarial Analysis of the Postretirement Benefit Liability to meet the requirements of GASB45. Said sum to be expended under the direction of the Board of Selectmen.

*Passed.*

Article 10 – Capital - this article was divided into two (2) motions:

Article 10a – Move that the Town vote to appropriate from unappropriated funds in the treasury the sum of \$408,282 to be allocated for the following items:

| <b>Amount</b> | <b>Item</b>  | <b>Justification</b>   |
|---------------|--|--|
| \$22,000      | Assessors Vehicle                                      | The funding is required to replace a 2004 vehicle (former police car). A \$15,000 grant has been obtained for the purchase of an electric vehicle and charging station. The charging station would be available to the public.   |
| \$200,000     | Radio Communications for Police, Fire, DPW and Schools | The funding is required to place new repeaters and antennas for the police, fire, emergency management, and public works radio frequencies on the new tower being constructed by Verizon by the town water tank on Knuck Up Hill. It also will provide new radio equipment, provide inter-operability between departments and state mandated connection of Wrentham Elementary personnel via radio to public safety. |
| \$73,072      | Fire Engine Lease                                      | Annual lease payment for the Fire Engine approved at the June 2014 ATM.  |
| \$74,000      | Police Cruisers  | The funding is required to replace two cruisers with mileage of 127,000 and 90,000.  |
| \$39,210      | Elementary School Technology                           | The funding is required to upgrade wiring, routers and a generator to support state mandated on-line assessment program (PARCC).   |

And further move that the Town vote to appropriate the sum of \$100,000 from the Water Enterprise Retained Earnings for the retro fitting two Public Works trucks.

Said sums to be expended under the direction of the Board of Selectmen.

*Passed.*

Article 10b – Move that the Town vote to appropriate by transfer from the Capital Stabilization fund the amount of \$125,000 to be allocated to the following items with said sum to be expanded under the direction of the Wrentham School Committee:

| Amount   | Item   |
|----------|--|
| \$75,000 | Wrentham Public School Public Address System |
| \$50,000 | Roderick School Vestibule Security           |

This transfer from Capital Stabilization required a 2/3 vote. Vote was 190 – Yes, 84 – No.

*Passed.*

Article 11 – Move that the Town indefinitely postpone action on Article 11.

*Failed.*

Move to appropriate by borrowing, the sum of \$450,000 for the following capital expenditures: (a) \$225,000 for the Design and Construction of restrooms/office/food concession building at the Rice Field Recreation complex; (b) \$75,000 for a public address system at the Wrentham Elementary School; (c) \$50,000 for a controlled access vestibule at the Roderick School; and (d) \$100,000 for planning and construction for storm-water regulation compliance.

The motion on the Town Meeting floor was amended.

Move to amend the motion by deleting clauses (b) and (c).

This borrowing article required a 2/3 vote. Vote was 292 – Yes, 10 – No.

*Passed.*

Ms. Holly May made a motion to move to the discussion on Article 27.

*Passed.*

Article 27 - Move that the Town vote to approve the indebtedness authorized by the Regional District School Committee of the King Philip Regional School District for the purpose of paying costs of designing and constructing an artificial turf athletic field, including the payment of all other costs incidental and related thereto.

The Finance Committee recommended disapproval of Article 27. Several residents were in attendance to show support. The Moderator asked the KPRHS Superintendent, Elizabeth Zielinski to verify that this article did not exceed 2 million dollars. Ms. Zielinski confirmed.

*Passed.*

Many residents left Town Meeting floor after this article was voted on.

Article 12 – Move that the Town vote to amend Article 5 of the April 25, 2011 Special Town Meeting which appropriated funds for a Communication Tower to allow for the use of said funds for the Emergency Management expense budget.

*Passed.*

Article 13 – Move that the Town vote to amend Article 6 of the November 14, 2011 Special Town Meeting which appropriated funds for 775 South Street to allow for use of the remaining balance for Environmental Remediation, said sum to be expended under the direction of the Board of Selectmen.

*Passed.*

Article 14 – Move that the Town vote to approve a certain Tax Increment Financing Agreement (“TIF Agreement”), pursuant to MGL, Chapter 40, Section 59, as negotiated by the Board of Selectmen to submit a Certified Project Application to the Massachusetts Economic Assistance Coordinating Council for approval, and to authorize the Board of Selectmen to sign the TIF Agreement and any other related documents and to take such other actions as may be necessary to fulfill obtain approval of the Certified Project Application.

*Passed.*

Article 15 - Move that the Town vote to reauthorize the following revolving accounts pursuant to M.G.L. c. 44, § 53E ½, sixth paragraph, subject to the following limits on expenditures regarding each such account in Fiscal Year 2016:

| <b>Department/Purpose/Authorization</b>                       | <b>Source of Funds</b>   | <b>Use of Funds</b>  | <b>FY16 Limit</b> |
|---|--|--|-------------------|
| Police:<br>Vehicle Revolving Fund<br>05/19/97 STM, Article 12 | Chelsea GCA<br>Premium Outlet<br>Center for Police<br>equipment provided<br>at Outlet site | Police equipment<br>replacement, including<br>but not limited to<br>cruisers                 | \$50,000          |
| Police Firearms Licenses<br>06/19/00 ATM, Article 9           | Applicants for<br>Firearms Licensing   | Expenses/fees payable to<br>Commonwealth of Mass<br>Firearms Bureau for<br>permit processing | \$25,000          |

|  |  |   |          |
|--|--|---|----------|
| Planning Board:<br>Earth Removal<br>06/19/00 ATM, Article 10   | Earth removal permit applicants  | Costs for expert engineering and consulting services deemed necessary by the Planning Board         | \$25,000 |
| Conservation Commission:<br>Wetlands Revolving<br>06/23/97 STM, Article 5  | Wetlands application review fees   | To defray local administrative costs in connection with the Wetlands Protection Act                 | \$10,000 |
| Recycling Committee:<br>Revolving Account -<br>Composting Program,<br>Recycle Bins, Kitchen Scrap<br>Buckets, Water Barrels<br>04/25/2005 ATM, Article 7 | Sale of composting bins, recycle bins, kitchen scrap buckets and water barrels | Purchase additional composting bins, recycle bins, kitchen scrap buckets and water barrels for sale | \$10,000 |
| Wrentham Cultural Council  | Artist Application Fees  | Wrentham Cultural Council Community Events  | \$10,000 |

*Passed.*

Article 16 – Move that the Town vote to accept and authorize the Board of Selectmen to enter into contracts for the expenditure of Chapter 90 funds certified at \$421,761 for FY16 and an additional \$212,133 for FY15 by the Commonwealth, upon the passage of the Transportation Bond Bill, for the construction, reconstruction, or improvements of public roads and other improvements within the Town, as requested by the Selectmen, and to authorize the Treasurer to borrow or bond, pursuant to any applicable statute in anticipation of reimbursement.

*Passed.*

Article 17 – Move that the Town vote to authorize the Library Trustees to dispose of books and materials in the best interest of the Town.

*Passed.*

Article 18 – Move that the Town vote to grant the Board of Selectmen permission to sell surplus property or materials of the Town, exclusive of buildings and land, no longer needed by the Town.

*Failed.*

Article 19 – Move that the Town vote to appropriate by transfer from unappropriated funds in the treasury the sum of \$1,000 to Insurance and Employee Benefits, said sum to be used for Fire and Police Retiree prescription co-pays.

*Passed.*

Article 20 – Move that the town vote to authorize the Board of Selectmen to lease a 3.56 acre portion of the property shown on the Town’s Assessors Maps as Map L-08, Block 4 Parcel 31 from the Pioneer Engine Company for the purpose of operating and maintaining a parking facility supporting the adjacent recreational fields for a term of three years.

*Passed unanimous.*

Article 21 – Move that the Town vote to authorize the Board of Selectmen to grant an easement to Verizon New England, Inc., or any affiliated entity, for the placement of poles, overhead wires, and related equipment between Taunton Street and the Building Department at 350 Taunton Street, in, on or over the property shown on the Wrentham Assessors Maps as Map 07, Block 1, Parcel 1, and described in the deed recorded at the Norfolk County Registry of Deeds at Book 1061, Page 568.

*Passed unanimous.*

Article 22 – Move that the Town vote to accept the alteration of the layout of Madison Street by including therein a parcel of land situated on its southerly side containing an area of 1,766 square feet, more or less, said parcel being shown as the “Proposed Taking for Roadway Purposes #1, area = 1,766 ± S.F.” on a plan entitled “Proposed Roadway Takings Madison Street, Wrentham, MA” dated 02/11/15 by Allen & Major Associates, Inc., as revised or amended, a copy of which will be delivered to and be made available at the Town Clerk’s Office at least seven (7) days before the date of the Town Meeting; and further to authorize the Board of Selectmen to acquire said parcel by voluntary transfer, or take it by eminent domain, and to raise and appropriate a sum of money to fund said purchase or taking along with all legal costs associated therewith.

*Passed unanimous.*

Article 23 – Move that the Town vote to appropriate by transfer from unappropriated funds in the treasury the sum of \$30,000 to fund a Feasibility Study to determine if the Town may be eligible for a grant from the Massachusetts School Building Authority for the repair and replacement of the Delaney School Roof, said sum to be expended under the direction of the Wrentham School Committee.

*Passed.*

Article 24 – Move that the Town vote to indefinitely postpone action on Article 24.

*Passed.*

Article 25 – Move that the Town vote to authorize the King Philip Regional School District to expend the sum of \$19,855, from the District’s Excess and Deficiency Fund, or from any other currently available source, to fund the total cost of a sewer improvement repair project at the King Philip Regional Middle School, (the Town’s share of said total cost being approximately 40.9% of that sum, or \$61,350), said sum to be expended at the direction of the King Philip Regional School District School Committee.

*Passed.*

Article 26 – Move that the Town vote to approve an amendment to the King Philip School District Agreement so as to change the date on which the District Committee must prepare a tentative budget and submit copies thereof to the Finance Committee of the member Towns from the first regular school committee meeting in February to March 15. This provision is to take effect with fiscal year 2017 (tentative budget for that fiscal year) to be submitted on or before March 15, 2016.

There was no motion submitted on Town Meeting floor and no action was taken.

Article 28 – There was no motion submitted to Town Clerk, no motion submitted on Town Meeting floor, no action was taken on this article.

Article 29 – Move that the Town waive the reading of the motion.

*Passed.*

Move the Town vote to amend Article 2 (Definitions) of the Wrentham Zoning Bylaws by inserting a new definition for SWIMMING POOL, as follows:

SWIMMING POOL: Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.

*And further*

Amend Article 6.9 of the Wrentham Zoning Bylaws by adding a new paragraph at the end of the section, to read as follows:

Swimming Pools shall be located no less than 40 feet from the front LOT line and not less than ten (10) feet from the side or rear LOT lines. Measurement shall be from the water’s edge.

Michael McKnight read the Planning Board Recommendation.

*Passed. Unanimous.*

Article 30 – Move that the Town waive the reading of the motion. *Passed.*

Move the Town vote to amend Article 3.1 (Establishment of Districts) of the Wrentham Zoning Bylaws by inserting a line item for the Highway Commercial District (HC) in the list of districts, after Commercial – Industrial 3, to read as follows:

Highway Commercial DISTRICT (see Article 19).....HC

*And further*

Amend Article 3.2 (Zoning Map) of the Wrentham Zoning Bylaws by replacing the words “AECOM, Concord, MA” with “PeopleGIS, Woburn, Mass” and changing the map date from “July 2009” to “June, 2014” so the article would now read:

Said DISTRICTS are located and bounded as shown on a map entitled "TOWN OF WRENTHAM, MASSACHUSETTS, ZONING DISTRICTS," dated June 2014, and prepared by PeopleGIS, Woburn, Mass, and as most recently amended, and on file with the OFFICE of the Town Clerk. The ZONING MAP, with all explanatory matter thereon, is hereby made part of this bylaw.

Michael McKnight read the Planning Board Recommendation.

*Passed. Unanimous.*

Article 31 – Move that the Town waive the reading of the motion. *Passed.*

Move that the Town vote to amend Article 4.2 (Use Regulation Schedule) of the Wrentham Zoning Bylaws by correcting the numbering for a use currently listed under C. COMMERCIAL USES. The use, “PRIVATELY OWNED WASTEWATER TREATMENT FACILITY (PWTF) designed and approved in accordance with 314 CMR 5.00, as amended”, was originally to be numbered 27, however this resulted in two uses identified as 27. The new numbering for the use PRIVATELY OWNED WASTEWATER TREATMENT FACILITY (PWTF) is now 29, so that the item would be numbered and read as follows:

- 29. PRIVATELY OWNED WASTEWATER TREATMENT FACILITY (PWTF) designed and approved in accordance with 314 CMR 5.00, as amended.

*And further*

Amend Article 4.2 (Use Regulation Schedule) of the Wrentham Zoning Bylaws, C. Commercial Use 29 (formerly 27), by adding “(PB)” under SPA/SP in the B-1, B-2, C-1, C-2 and C-3 zoning districts so that the Use Regulation Schedule, item C.29, would read as follows:

|   | R-30 <sup>1</sup> | R-43 <sup>1</sup> | R-87 <sup>1</sup> | B-1         | B-2 <sup>3</sup> | C-1 <sup>2</sup> | C-2         | C-3         | CRSP |
|---|-------------------|-------------------|-------------------|-------------|------------------|------------------|-------------|-------------|------|
| 29. PRIVATELY OWNED WASTEWATER TREATMENT FACILITY (PWTF) designed and approved in accordance with 314 CMR 5.00, as amended. | N                 | N                 | N                 | SPA/SP (PB) | SPA/SP (PB)      | SPA/SP (PB)      | SPA/SP (PB) | SPA/SP (PB) | N    |

*And further*

Amend Article 4.2 (Use Regulation Schedule) of the Wrentham Zoning Bylaws, F. Industrial Use 11 by adding “(PB)” under SPA/SP in the B-1, B-2, C-1, C-2 and C-3 zoning districts so that the Use Regulation Schedule, item F.11, would read as follows:

|   | R-30 <sup>1</sup> | R-43 <sup>1</sup> | R-87 <sup>1</sup> | B-1         | B-2 <sup>3</sup> | C-1 <sup>2</sup> | C-2         | C-3         | CRSP |
|---|-------------------|-------------------|-------------------|-------------|------------------|------------------|-------------|-------------|------|
| 11. PRIVATELY OWNED WASTEWATER TREATMENT FACILITY (PWTF) designed and approved in accordance with 314 CMR 5.00, as amended. | N                 | N                 | N                 | SPA/SP (PB) | SPA/SP (PB)      | SPA/SP (PB)      | SPA/SP (PB) | SPA/SP (PB) | N    |

Michael McKnight read the Planning Board Recommendation.

*Passed. Unanimous.*



Article 32 – Move that the Town waive the reading of the motion. *Passed.*

Move the Town vote to amend the Wrentham Zoning Bylaws by creating a new section entitled 4.10 Drive Through Restaurant Windows, to read as follows:

#### **4.10 Drive Through Restaurant Windows**

The intent of this section of the bylaw is to recognize that this use produces unique traffic generation and visual concerns. This bylaw is intended to carefully regulate the establishment of restaurant drive through windows to ensure a higher visual quality of development as well as safe operation of the use both on the parcel and in relation to abutting ways.

The Board may waive strict compliance with any provision of this bylaw if it deems it in the public interest and determines that the intent of the bylaw has been maintained. Written record must be kept of such waivers including the reasons for them.

- 4.10.1 All restaurant establishments with a drive through window shall be located on a parcel containing at least four (4) acres.
- 4.10.2 Minimum drive through queue on site shall accommodate a minimum of 10 cars. The Planning Board shall have the right to require more than the stipulated minimum queue space if they find that a proposed user would exceed the specified queue during peak periods.
- 4.10.3 Each queue space shall be a minimum of twenty (20) feet in length and ten (10) feet in width along straight portions. Queue spaces and lanes shall be a minimum of twelve (12) feet in width along curved segments.
- 4.10.4 Queue lines may not pass through and/or divide parking areas.
- 4.10.5 A by-pass lane a minimum of twelve (12) feet wide shall be provided. Subject to Planning Board approval, a by-pass lane may not be required if the queuing lane is adjacent to a parking lot drive aisle which could function sufficiently as a by-pass lane. If required, the by-pass lane shall be clearly designated and distinct from the queuing area.
- 4.10.6 All buildings, parking and circulation areas shall be set back a minimum of 50 feet off the roadway. This area shall remain undisturbed except for where the Planning Board gives permission for alterations.
- 4.10.7 Landscaping and other aesthetic means shall be utilized to contain and screen the queue line.
- 4.10.8 On site circulation plans shall carefully minimize conflicts between drive through customers and walk in customers as well as deliveries to the site.
- 4.10.9 For stand-alone businesses, a minimum 50 foot buffer shall be maintained along all side and rear lot lines. This area shall remain undisturbed except for where the Planning Board gives permission for alterations. A larger buffer may be required in areas abutting residential uses to further reduce visual and audible impacts.

4.10.10 Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within 100 feet of any residential property line

*And further*

Amend Article 4.2 (Use Regulation Schedule) of the Wrentham Zoning Bylaws by amending footnote 6 by adding “, except in compliance with Article 4.10.” to the end of footnote 6, so the footnote will read as follows:

<sup>6</sup>Any and all DRIVE-UP WINDOWS are not allowed, except in compliance with Article 4.10.

Michael McKnight read the Planning Board Recommendation.

A few residents had questions on the article which Paige Duncan, Town Planner addressed.

*Vote was 54 – Yes, 3 – No. Passed.*

Article 33 – Move that the Town waive the reading of the motion. *Passed.*

Moved that the Town vote to amend the General By-Laws to conform to the provisions of the Wrentham Home Rule Charter, and recodify contiguous sections, sub-sections, and paragraphs as necessary, as recommended by the General By-Law Review Committee, including:

Note: The comments are not included in the motion and are shown for only informational purposes. Paragraphs that are not proposed to be amended are not shown and are intended to not be deleted unless such action is specifically stated or shown in this motion.

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## **ARTICLE 1.10. Definitions and Rules of Interpretation**

- B. “*Charter*”: The Wrentham Home Rule Charter established by Chapter 116 of the Acts of 2014.

## **ARTICLE 2.20. Town Meeting**

### **ART. 2.20. SECTION 2. Notice**

Attested copies of every town meeting warrant shall be posted in not less than two public places in the town in accordance with Charter Section 2.7 (c) and Charter Section 2.7 (d) at least fourteen (14) days prior to the day appointed for the meeting.

Notice for every adjourned Town Meeting shall be posted by the Town Clerk by placing a notice on the Town bulletin board as soon as practicable after adjournment, stating briefly the business to come before such adjourned meeting.

### **ART. 2.20. SECTION 3. Warrant**

Whenever a town meeting warrant is opened in accordance with Charter Section 2.7 the Board of Selectmen shall strive to conduct the process in an open, public, and simple manner that facilitates participation by Wrentham's citizens and encourages their interest in Town government.

## **ARTICLE 2.40. Committees**

### **ART. 2.40. SECTION 3. Removal**

- A.** The appointing authority for any *committee* established or appointed under these By-laws may remove an appointee to such *committee* for good cause before his/her term expires. Good cause may include illegal activities, lack of meeting attendance, or refusal to call meetings or conduct unbecoming of the office, as well as those reasons that are specified in Charter Section 7.5. Lack of meeting attendance shall mean missing four (4) or more consecutive meetings, or ½ of all of the meetings of the committee held in one (1) calendar year. Conduct inappropriate to the office shall relate to egregious or unprofessional behavior and/or the appointee's treatment of other town officials and the public, and may not be related to any vote or votes cast by the appointee or his/her opinion or position on any issue.
- B.** The appointing authority shall notify the appointee and the Chairman of said *committee* first verbally and then in writing by hand or by certified mail, with a copy to the Town Clerk, of his/her removal from office. If a Chairman is removed, then the appointing authority shall also notify the Co-Chairman, Vice-Chairman or the Secretary of said *committee*. If none exist, then notification shall be given to the remaining *committee* members. The removal shall be valid upon the U.S. Certified mail postmark date of the written notification.
- C.** An appointee removed under Paragraph B<sub>2</sub> above may appeal his/her removal within five (5) days of receipt of such notification by requesting a hearing in writing to the appointing authority who shall notify the appointee of the hearing date, time and location within fourteen (14) days of receipt of the written appeal hearing request. The appeal hearing shall take place within thirty (30) days of the written request. The appeal shall be held in Executive Session only upon request from the appointee and a secretary shall be present to take minutes. The ruling rendered shall be final and made within four (14) days of the hearing. Written notice of the ruling shall be given to the appointee, appointing authority, Town Clerk and said *committee*. Where a joint

appointment is made such as the Personnel Board, the removal shall be made jointly by the Board of Selectmen Chairman and the Finance Committee Chairman and the appeal shall be heard by the Moderator.

## **ARTICLE 3.20. Town Administrator**

### **ART. 3.20. SECTION 1. Duties and Responsibilities**

The Town Administrator shall be appointed by the Board of Selectmen, and shall act for the Board of Selectmen in any matter they delegate to the Town Administrator relating to the administration of the affairs of the Town or of any office or department under their supervision. When doing so, the Town Administrator acts as the agent for and with the authority of the Board of Selectmen. The Town Administrator shall be responsible to the Board of Selectmen for the proper management and administration of the functions, officials, and departments under the jurisdiction of the Board of Selectmen. The duties and responsibilities of the Town Administrator shall include, in addition to those duties and responsibilities that are specified in the *Charter*, but shall not be limited to the following:

- ~~B. C.~~
- A. Perform all functions of Risk Manager, as advised by the Insurance Committee, and administer the municipal insurance program;
  - B. Supervise the issuance and renewal of all licenses and permits that may be issued by the Board of Selectmen;
  - ~~F.~~
  - C. The Town Administrator shall report directly to the Chairman of the Board.
  - D. Fulfill such other and further specific duties and delegations as may from time to time be assigned to the Town Administrator by the Board of Selectmen.

### **ART. 3.20. SECTION 2. Shall Not be the Town Accountant**

The Town Administrator shall not, during his term of office, hold or be appointed to the office of town accountant.

## **ARTICLE 3.30. Procurement and Chief Procurement Officer**

### **ART. 3.30. SECTION 1. Contracts with Town Officers and Employees**

No town officer and no salaried employee of the town or any agent of any officer or employee shall sell materials or supplies or furnish labor to the town, by contract or otherwise, without permission of the Chief Procurement Officer or other board authorized to purchase or otherwise secure materials, supplies and labor for the town, expressed in a vote which shall appear on the records of such board with the reason therefore. All such contracts or agreements shall be made or awarded, as far as is practicable, in such a manner as to secure reasonable competition.

**ART. 3.30. SECTION 3. Disposal of Town Property**

**A. Scrap Metal**

*The Superintendent of the Department of Public Works or his designee, with the prior approval of the Town Administrator, shall be authorized to dispose of scrap metals in the best interest of the town.*

**ARTICLE 4.30. Finance Director (reserved)**

**ARTICLE 4.35. Town Accountant**

**ART. 4.35. SECTION 1. Appointment**

The Finance Director may appoint a town accountant, who shall keep the financial records of the town, according to the system of accounting adopted by the town. Said accountant may fill such other positions as the town shall determine, consistently with the statutes, and shall furnish for publication, in the annual town report, a detailed account of the receipts and expenditures of the town for the preceding financial year; also a statement of the town's indebtedness, and a list of bills outstanding at the close of the financial year.

**ARTICLE 4.70. Capital Budget Planning Committee**

**ART. 4.70. SECTION 2. Role and Responsibility**

In fulfilling the responsibilities that are specified in the *Charter* the Committee is charged with the following:

- B.** The Committee shall consider the relative need, timing, and cost of each requested Capital Expenditure and the effect that each will have on the financial position of the Town.

- C. The Capital improvement plan that is required by Charter Section 6.2 (c) shall be presented at the annual town meeting together with all articles seeking appropriations for Capital Expenditures for the upcoming fiscal year. However, nothing shall prevent the inclusion of an article seeking an appropriation for a Capital Expenditure in a warrant for a special town meeting.

**ARTICLE 4.80. Budget (reserved)**

**ARTICLE 5.10. Police Department**

**ART. 5.10. SECTION 1. General**

- A. The Town Administrator shall appoint a Chief of Police who shall appoint such Regular or Special Police Officers as required, who, in addition to the duties required by the laws of the Commonwealth, shall make complaints for violation of these By-laws.

**ARTICLE 5.20. Animal Control**

**ART. 5.20. SECTION 1. Definitions**

- B. Animal Control Officer: Any officer appointed by the Town Administrator to enforce this by-law.

**ART. 5.20. SECTION 5. Violations/Penalties and Complaints as to Dogs**

The Animal Control Officer, any Police Officer of the Town of Wrentham, or any other person so appointed by the Town Administrator may assess fines upon the owner or keeper of any dog found to be a public nuisance, or found to be in violation of Section 4. The fines are as follows:

|                                       |  |
|---------------------------------------|--|
| First and Second Offense              | \$25.00 fine per dog; plus<br>\$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and released) |
| Third, Fourth and Subsequent Offenses | \$50.00 fine per dog; plus<br>\$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and released) |

**ART. 5.20. SECTION 6. Impoundment**

Additionally, the Animal Control Officer or any other person appointed by the Town Administrator may apprehend any dog that is found at large, and impound such animal at an authorized animal shelter, such animal to be held, adopted, or euthanized as described in M.G.L. c.140, 151A.

**ARTICLE 6.40. DPW. Buildings and Facilities**

**ART. 6.40. SECTION 1. Control of Town Buildings**

The Town Administrator shall have control of the town buildings, including the land on which the same are erected, and the plants by which the buildings are heated and ventilated, except for school buildings, which shall be under the control of the School Committee, and of the Fiske Public Library, which shall be under the control of the trustees of the Fiske Public Library.

**ARTICLE 6.50. DPW. Solid Waste and Recycling**

**ART. 6.50. SECTION 1. Mandatory Recycling**

**D. Waste Haulers**

3. Every non-municipal waste hauler, upon request, shall provide the Town Administrator with an updated customer list which includes the names and address of customers within the Town, the degree of service, and pick-up schedule. Upon request, every waste hauler shall also provide educational

material to customers.

**G. Enforcement and Penalties**

1. Enforcement of mandatory recycling is at the discretion of the Town Administrator or his/her designated agent/assignee, who may elect to apply the provisions of this section as follows:
  
3. The Town Administrator or his/her agent may further decide to suspend a violator's municipal trash and recyclables pickup in response to repeated violations.

**ARTICLE 7.31. Wetlands Protection**

**ART. 7.31. SECTION 12. Enforcement**

*Upon request of the Commission, the Town Administrator and the Town Counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law.*

**ARTICLE 7.60. Building Inspector**

**ART. 7.60. SECTION 1. Appointment of Inspectors**

- A. The Town Administrator shall appoint an inspector of gas piping, and gas appliances in buildings who shall be a licensed plumber or licensed gas fitter. The Town Administrator shall also appoint one or more plumbing inspectors (or assistant plumbing inspectors), who shall be licensed plumbers having practical experience in that trade. Said appointments shall be for a period of three years. The duties of the plumbing inspectors and the inspector of gas piping shall be those outlined in M.G.L. chapter 142, section 11 and 12.
  
- B. The Town Administrator shall also appoint an Inspector of Wires (to be known locally by the title "Electrical Inspector") and may also appoint an Assistant Inspector. Said appointments shall be for a period of three years. The duties of said Electrical Inspector outlined in M.G.L. chapter 166, section 32 and 32A.



**ART. 7.60. SECTION 2. Demolition of Historically Significant Properties**

**B. Definitions**

- 3. Inspector: The Wrentham Building Commissioner.

*Passed.*

Article 34 – Move that the Town waive the reading of the motion. *Passed.*

MOVED that the town vote to amend the general by-laws by inserting a new section, ART. 4.10. SECTION 7. Fees, Fines and Other Charges that will specify the dollar amount of the fees, fines and other charges that appear in various articles in the General By-Laws, and amend the articles listed below by deleting the specific dollar amount and inserting in place thereof a reference to the new ART. 4.10, SECTION 7, and recodify contiguous sections, sub-sections, and paragraphs as necessary, as recommended by the General By-Law Review Committee, including:

Note: The comments are not included in the motion and are shown for only informational purposes. Paragraphs that are not proposed to be amended are not shown and are intended to not be deleted unless such action is specifically stated or shown in this motion.

**ARTICLE 3.50. Town Clerk**

**ART. 3.50. SECTION 3. Public Notices**

Any notice posted under the seal of the Town Clerk or any notice date stamped and posted by the Town Clerk on the principal official bulletin board of the Town or in a public place so designated for such posting shall not be removed. Removal of such notices shall be punishable by a fine in the amount specified in ART. 4.10, SECTION 7.B., and shall be enforced by the Chief of Police.

**ART. 4.10. SECTION 7. Fees, Fines and Other Charges**

**A. Fees:**

- i. Flammables, original fee (ART. 5.30, SECTION 1.) \$500.00
- ii. Flammables, renewal fee (ART 5.30, SECTION 1.) \$250.00
- iii. Excavating in public ways, application fee (ART. 6.20, SECTION 2.C.) \$50.00
- iv. Test of any testable backflow prevention device (ART. 6.30, SECTION 3.) \$50.00

**B. Fines:**

- i. Removal of public notices (ART. 3.50, SECTION 3) \$100.00
- ii. Failure to affix numbering to buildings (ART. 4.50, SECTION G):
  - 1. first offense \$100.00
  - 2. second offense \$500.00
  - 3. third offense \$1000.00
- iii. False alarms (ART. 5.10, SECTION 4.B.):
  - 1. fifth and sixth alarms \$25.00
  - 2. seventh and subsequent alarms \$50.00
- iv. Incessant continuation of audible alarm (ART. 5.10 SECTION 4.C.) \$50.00
- v. Unauthorized use of off-road vehicle (ART. 5.10, SECTION 7.C.) \$250.00
- vi. Unauthorized consumption of alcoholic beverages by a patron (ART. 5.10, SECTION 8.B.) \$300.00
- vii. Public consumption of marijuana (ART. 5.10, SECTION 9) \$300.00
- viii. Failure to license dog (ART. 5.20, SECTION 2.) \$50.00
- ix. Complaints as to dogs (ART. 5.20, SECTION 5):
  - 1. first and second offense \$25.00 per dog plus \$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and released)
  - 2. third and subsequent offense \$50.00 per dog plus \$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and released)
- x. Failure to obtain a kennel license (ART 5.20, SECTION 7) \$50.00
- xi. Excavating in public ways (ART. 6.20, SECTION 2.I.) \$50.00
- xii. Violation of mandatory recycling (ART. 6.50, SECTION 1.G.):
  - 1. First violation Written Warning
  - 2. Second violation \$35.00
  - 3. Third and subsequent violations \$75.00
- x.iii. Destruction of stone walls or cutting trees on a scenic road (ART. 7.12, SECTION 5.1.):
  - 1. First violation Written Warning
  - 2. Second violation \$35.00
  - 3. Third and subsequent violations \$75.00
- xiv. Violation of wetland protection by-law (ART. 7.31, SECTION 12.)

**C. Other Charges:**

- i. Additional collection fee, failure to license dog (ART. 5.20, SECTION 2.) \$100.00
- ii. Excavation in public way, guarantee proper replacement (ART. 6.20, SECTION 2.E.):
  - 1. Bituminous concrete Streets/Sidewalks \$50.00 per square yard
  - 2. Bituminous concrete berm \$10.00 per lineal foot
  - 3. Vertical granite curbing (Remove & rest) \$15.00 per lineal foot
  - 4. Grass plot \$10.00 per square yard
  - 5. Gravel shoulder \$10.00 per square yard

- |      |   |                          |
|------|---|--------------------------|
| 6.   | Cement concrete sidewalks   | \$70.00 per square yard  |
| iii. | Earth removal review consultant expenses (ART. 7.11, SECTION 6.B.2.): |                          |
| 1.   | earth removal of 5,000 cubic yards or less                            | not to exceed \$2,500.00 |
| 2.   | earth removal of more than 5,000 cubic yards                          | not to exceed \$5,000.00 |

**ARTICLE 4.50. Board of Assessors**

**ART. 4.50. SECTION 1. Numbering of Buildings**

*G. Structures which do not meet the conditions of this by-law will not be issued an occupancy permit, or other permits under the purview of the Town of Wrentham and its associated elected boards, committees or departments. Penalties for compliance failure may include fines as prescribed in M.G.L. 149A and in the amount specified in ART. 4.7, SECTION 7.B: The Fire Chief shall issue a written warning of violation, then fines for first offense, second offense, and third offense, after the third offense a civil violation will be pursued in District Court.*

**ART. 5.10. SECTION 4. False Alarms**

**B. False Alarms**

After the Police Department has recorded four (4) separate false alarms within the fiscal year, the alarm user shall be assessed following fines in the amount specified in ART. 4.7, SECTION 7.B.

Failure to pay the fine within 45 days from the billing date will result in court action for violation of a town by-law or a municipal charges lien being placed on real property pursuant to M.G.L. Chapter 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid.

**C. Audible Alarm**

All alarm systems that emit an audible signal shall be equipped with a device for limiting the length of the audible signal to ten (10) minutes. Any user of an alarm system that either does not have such a device nor has a malfunction that allows the audible signal to continue for more than ten (10) minutes shall be assessed a fine in the amount specified in ART. 4.7, SECTION 7.B. . Failure to pay such fine within forty-five (45) days of the billing date will result in either court action of a violation or a town by-law or the placement of a municipal charges lien on the real property pursuant to M.G.L. 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid.

**ART. 5.10. SECTION 7. Off-Road Vehicles**

C. Violators of this bylaw will be subject to a fine in the amount specified in ART. 4.7,

SECTION 7.B. for a first offense and for a second and any subsequent offenses.

**ART. 5.10. SECTION 8. Alcohol**

- B. No person or entity holding a common victualler's license shall permit any patron to bring alcoholic beverages onto the licensed premises, or to consume alcoholic beverages on the licensed premises. However, a person or entity holding a common victualler's license may permit any patron to bring beer or wine onto the licensed premises, or to consume said beverage on said licensed premises subject to regulations promulgated by the Board of Selectmen. Any violation of this provision shall be punishable by a fine in the amount specified in ART. 4.7, SECTION 7.B., or by suspension, modification or revocation of the said common victualler's license.

**ART. 5.10. SECTION 9. Public Consumption of Marijuana and Tetrahydrocannabinol (THC)**

- D. This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by non-criminal disposition pursuant to G.L. c. 40, § 21D, by any police officer. Any person found to be in violation of this by-law, or who refuses to give the above-noted information or if any information proves false, shall be liable to a fine in the amount specified in ART. 4.7, SECTION 7.B. for each such violation. Any penalty imposed under this ordinance shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

**ARTICLE 5.20. Animal Control**

**ART. 5.20. SECTION 2. Licenses and Tags**

Whoever violates the provisions of this by-law subsection, or fails to license their dog before April 1<sup>st</sup> of the licensing period, shall be subject to a fine in the amount specified in ART. 4.10, SECTION 7. B. of these by-laws. An owner, who does not register their dog by June 1<sup>st</sup> of the licensing period, shall be charged an additional collection fee in the amount specified in ART. 4.10, SECTION 7. C. of these by-laws.

**ART. 5.20. SECTION 5. Violations/Penalties and Complaints as to Dogs**

*The Animal Control Officer, any Police Officer of the Town of Wrentham, or any other person so appointed by the Town Administrator may assess fines upon the owner or keeper of any dog found to be a public nuisance, or found to be in violation of Section 4, in the amount specified in ART. 4.7, SECTION 7.B..*

**ART. 5.20. SECTION 7. Kennel License**

Whoever violates any provision of this by-law subsection shall be punished by a fine in the amount specified in ART. 4.7, SECTION 7.B., payable to the Town of Wrentham.

## **ARTICLE 5.30. Fire Department**

### **ART. 5.30. SECTION 1. Licenses and Registration Fees for Flammables**

The fee to be charged for any license or registration as required by Chapter 148, Section 13 of the Mass. General Laws applicable to the keeping, storage, manufacture or sale of gunpowder, dynamite, crude petroleum or any of its' products, or explosive or inflammable fluids or compounds or other articles covered by Chapter 148, Section 9 of the Mass. General Laws in the amount specified in ART 4.70, SECTION 7. A.

## **ARTICLE 6.20. DPW, Highways**

### **ART. 6.20. SECTION 2. Excavating in Public Ways**

- C. The excavation permit fee to be submitted with the application shall be in the amount specified in ART. 4.7, SECTION 7.A..
- E. To guarantee proper replacement of the excavation including surface treatment, applicants for excavation permits shall be required to post a cash deposit or certified check based upon the amounts specified in ART. 4.7, SECTION 7.C..

*The deposit is to be determined by the public works superintendent. A minimum deposit of two hundred dollars (\$200.00) shall be required to be submitted with the permit application. The Town of Wrentham Public Works Department shall be exempt from the permit fee and deposit. If based upon the price schedule in 4A, the deposit will exceed three thousand dollars (\$3,000.00), a cash deposit of three thousand (\$3,000.00) and a bond for the balance will be acceptable. Should the applicant anticipate a number of street openings for utility services or repairs during the course of a calendar year, the public works superintendent may at his discretion accept a blanket deposit of three thousand dollars (\$3,000.00).*

- I. The superintendent of public works shall have the authority to enforce the provisions of this article. Any person who violates any provision of this article shall be subject to a penalty in the amount specified in ART. 4.7, SECTION 7.B.. Each day such violation continues shall be a separate offense and the permittee will no longer be allowed to excavate in a public way. The superintendent, upon taking cognizance of a violation of any provision of this article, as an alternative to initiating criminal proceedings, may give to the offender a written notice to appear before the Clerk of the Wrentham District Court not later than twenty-one days after the date of such notice. Said notice shall be served

in the form and manner prescribed by GLC 40, Section 21D and shall be subject to the procedure for disposition set forth therein.

## **ARTICLE 6.30. DPW, Water**

### **ART. 6.30. SECTION 3. Backflow Prevention**

*In order to comply with the Drinking Water Regulations of Massachusetts, 310 CMR, Section 22, the Town of Wrentham shall charge a fee in the amount specified in ART. 4.7, SECTION 7.A., or such other fee as the Commonwealth may prescribe, for each test of any testable backflow prevention device required by said regulations.*

## **ARTICLE 6.50. DPW. Solid Waste and Recycling**

### **ART. 6.50. SECTION 1. Mandatory Recycling**

#### **G. Enforcement and Penalties**

2. Any person or entity who violates the provisions of this bylaw may be penalized by a non-criminal disposition as provided in M.G.L. C.40, Section 21D. The penalty for each violation shall be in the amount specified in ART. 4.7, SECTION 7.B..

## **ARTICLE. 7.11. Earth Removal**

### **ART. 7.11. SECTION 6. Earth Removal Permit Requirements**

#### **B. Fees**

#### **2. Consultant's Fees**

The Planning Board is authorized to require the applicant to pay the reasonable costs and expenses borne by the Planning Board for specific expert engineering and consultant services deemed necessary by the Planning Board to review any permit application, or permit renewal application, up to a maximum amount specified in ART. 4.7, SECTION 7.C... In cases where the Earth Removal project will exceed 5,000 cubic yards, the maximum consultant fee shall be in the amount specified in ART. 4.7, SECTION 7.A... Such services may include, without limitation, the delineation and survey of wetland resource areas, the delineation and survey of surface contours, analysis of resource area values, hydrogeological and drainage analyses, and legal services. The Planning Board is authorized to charge the applicant for said fee based upon its reasonable finding that the additional information it may acquire through outside consultants will be helpful for the making of an objective decision and the formulation of appropriate conditions. Said fee may be requested of the applicant within thirty (30) days of the filing of the application, or from the last amendment thereto. In its request, the Planning Board shall identify the consultant it has selected, include an

estimate of the charges for the proposed services, and state the amount due as an initial deposit. The applicant may appeal from the selection of the consultant to the Board of Selectmen within ten (10) days of receiving notice from the Planning Board of the same. The Selectmen may set aside the selection of the consultant only if the consultant lacks sufficient qualifications to perform the work or has a conflict of interest. Subject to this right of appeal, all deposits requested by the Planning Board shall be delivered to the Town Treasurer within ten (10) days of the Planning Board's request.

**ARTICLE. 7.12. Scenic Roads**

**ART. 7.12. SECTION 5. Enforcement**

1. Any violation of this bylaw, whether for the tearing down or destruction of stone walls or the cutting or removal of trees, shall result in a fine levied against the offending property owner, in the amount specified in ART. 4.7, SECTION 7.B.. Each day, or portion thereof, that a violation of this bylaw continues shall be deemed a separate offense.

**ARTICLE. 7.31. Wetlands Protection**

**ART. 7.31. SECTION 12. Enforcement**

Any person who violates any provision of this by-law, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine in the amount specified in ART. 4.70, SECTION 7.B.. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the by-law regulations, permits, or administrative orders violated shall constitute a separate offense.

*Motion withdrawn.*

The exact motion was resubmitted with an amendment to correct an omission to ART. 4.10. SECTION 7. Fees, Fines and Other Charges – B. Fines:

|  |          |
|--|----------|
| xiv. Violation of wetland protection by-law (ART. 7.31, SECTION 12.) |          |
| 1. First violation   | \$100.00 |
| 2. Second violation  | \$200.00 |
| 3. Third violations  | \$300.00 |

It was pointed out that the words “and subsequent” was missing from the amendment.

*Motion withdrawn.*



The exact motion was resubmitted with an amendment to correct an omission to ART. 4.10.  
SECTION 7. Fees, Fines and Other Charges – B. Fines:

|  |                 |
|--|-----------------|
| xiv. Violation of wetland protection by-law (ART. 7.31, SECTION 12.) |                 |
| 1. First violation   | \$100.00        |
| 2. Second violation  | \$200.00        |
| 3. <u>Third and subsequent violations</u>                            | <u>\$300.00</u> |

*Passed.*

Article 35 – Move that the Town waive the reading of the motion. *Passed.*

MOVED that the Town vote to make corrective amendments to the following General By-Laws that define the title, membership, or role and responsibilities of several of the Town’s agencies or officers errors, and recodify contiguous sections, sub-sections, and paragraphs as necessary, as recommended by the General By-Law Review Committee, including:

Note: The comments are not included in the motion and are shown for only informational purposes. Paragraphs that are not proposed to be amended are not shown and are intended to not be deleted unless such action is specifically stated or shown in this motion.

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## **ARTICLE 2.40. Committees**

### **ART. 2.40. SECTION 2. Membership, Appointment and Organization**

#### **A. MEMBERSHIP**

No person whose principal residence is not within the Town of Wrentham and who is not a registered voter of the Town of Wrentham may be appointed by the Board of Selectmen or the Moderator to serve on any town *committee*. Any member of a *committee*, or of an *elected board* who removes from the town shall be deemed to have vacated his/her office. The provisions of this section shall not apply to any *ex-officio* positions or those specifically provided for by town bylaw. Any person appointed to any *committee* must be duly sworn in by the Wrentham Town Clerk or any other state authorized authority within sixty (60) days of the date of the appointment or the appointing authority may consider that the person has declined the appointment and may appoint someone else.

## **ARTICLE 3.30. Procurement and Chief Procurement Officer**

### **ART. 3.30. SECTION 2. Competitive Public Bidding**

*The Town of Wrentham shall use competitive bidding procedures as specified in M.G.L. c. 30B for any contract. Section 1 (b) of Chapter 30B, the exemptions from 30B, shall continue to apply except that the designer exception in Section (15) will be revoked.*

When the actual or estimated amount of a proposed contract amounts to ten thousand dollars or more, such contract shall be awarded in accordance with the terms specified under Chapter 30B, of the General Laws, as amended.

The bids shall be sealed, properly endorsed, and kept under lock and key until opened at the time stated, in the presence of board, *committee* or officer authorized by the town to make the contract. No bids shall be received after the time advertised for opening. Any or all bids may be rejected.

#### **ARTICLE 4.10. Financial Affairs**

##### **ART. 4.10. SECTION 6. Departmental Fees**

- C. Each year while preparing the Town's annual operating budget for the ensuing fiscal year, each officer, *elected board, committee* and department that is authorized to charge a fee for service shall analyze the cost of providing such service and recommend any appropriate revisions to the Board of Selectmen or other *elected board* that is the appointing authority.

#### **ARTICLE 4.60. Finance Committee**

##### **ART. 4.60. SECTION 1. General**

- B. The Committee shall consist of seven (7) members who shall be appointed by the Moderator. No member of the Committee shall be an elected official, paid committee member or town employee. An employee of the Town shall be deemed to mean one whose position or employment has not been expressly classified as that of a special employee under the provisions of General Laws, Chapter 268A, Section 1.

#### **ARTICLE 4.70. Capital Budget Planning Committee**

##### **ART. 4.70. SECTION 1. General**

- B. The Committee shall be composed of nine (9) members. The Town Moderator with the cooperation of the *committee* or *elected board* chair shall appoint the following members: one member of the Board of Selectman, one member of the Planning

Board, one member of the Finance Committee, one member of the Wrentham Elementary School Committee, one member of the King Philip Regional School Committee who shall be a resident of Wrentham as well as a registered voter, and two (2) residents-at-large who hold no public office. The Town Administrator or his/her designee, and the Finance Director or his/her designee shall serve as *ex-officio*, non-voting members.

#### **ARTICLE 5.10. Police Department**

##### **ART. 5.10. SECTION 11. Civil Fingerprinting**

###### **A. Criminal History Check Authorization**

The Board of Selectmen is authorized to promulgate regulations for the implementation of this by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

#### **ARTICLE 6.60. Town Common Landscape Memorial Committee**

##### **ART. 6.60. SECTION 1. General**

- B.** This committee shall be appointed by the Board of Selectmen and shall consist of: nine (9) members as follows: One (1) member of the Board of Selectmen to serve *ex-officio*; the DPW Superintendent to serve *ex-officio*, the Tree Warden to serve *ex-officio*; and six (6) citizens at large; and one (1) associate citizen at large who shall serve in the absence of any regular appointed member of the Town Common Landscape/Memorial Committee who is unable to attend meetings of said Committee.

#### **ARTICLE 7.80. Technical Review Committee**

##### **ART. 7.80. SECTION 1. General**

- A.** It is the intention of the Town that every department, board and *committee*, and their agents and employees, (boards) that are responsible for reviewing and/or acting on applications for the sub-division or development of land, especially within the business and commercial zoning districts, shall act expeditiously and in concert with those boards that are also reviewing and/or acting on the application.
- C.** The Boards shall accomplish these purposes by acting jointly, as the Technical Review Committee (TRC). The TRC shall consist of eight members, including the Town Planner, Health Agent, Conservation Agent, (or representatives of the Planning

Board, Board of Health, Conservation Commission if the appropriate staff member is not available), Police Department, Fire Department, Department of Public Works, Commission on Disabilities, and Building Inspection Department. The representatives shall be appointed by the Board of Selectmen on the recommendation of the Chairperson or head of the respective *elected board, committee* or department.

## **ARTICLE 7.100. Host Community Committee**

### **ART. 7.100. SECTION 1. General**

- B.** The Committee shall be appointed by the Moderator, and consist of:
- i.** Voting Members – a member of the Board of Selectmen, a member of the Finance Committee, two (2) citizens at-large, one (1) member of the Economic Development Committee, and two (2) alternate members from the citizens at-large to fill the seats of any member(s) who cannot act on a matter due to a conflict of interest, whether such conflict is personal or relates to the performance of inconsistent statutory duties.
  - ii.** *Ex-officio* Non-Voting Members – The Fire Chief, the Police Chief, the Building Inspector, the Superintendent of the Department of Public Works, the Superintendent of the Wrentham Public Schools, the Finance Director or his/her designee, and the Town Administrator.

### **ART. 7.100. SECTION 2. Role and Responsibility**

- C.** While fulfilling its responsibilities the Committee may request comments or information from any town official or employee who shall give the Committee their full cooperation to identify, evaluate and quantify the financial or other impact on the Town.

## **ARTICLE 8.30. Recreation Commission**

### **ART. 8.30. SECTION 1. General**

- A.** There shall be a standing *committee* known as the Recreation Commission as authorized by M.G.L. c. 45, s 14.

*Passed.*

Article 36 – Move that the Town vote to amend Section 3.1 of the Personnel Bylaws to conform to the Wrentham Charter as follows (additions are shown in ***bold italics*** / deletions are indicated by ~~strikethrough~~):

3.1 Appointing Authority – Any board or official authorized by **Town Charter**, General Law, or otherwise, to appoint employees to positions in Town service.

*And further, amend Section 3.21 of the Personnel Bylaws as follows (additions are shown in bold, italics):*

3.21 Town Administrator – The Town Administrator established by Article ~~IV 3A~~ of the **Town Charter**. ~~General By-laws, as amended.~~

*And further, amend Section 4.26 – Appointing Authorities of the Personnel Bylaws as follows (additions are shown in bold, italics):*

Appointing Authorities. The following Town ~~officers boards~~ are responsible for appointing, overseeing, managing, evaluating, disciplining and removing from employment those employees **indicated**. ~~whose salaries are appropriated within their respective budgets including the following positions.~~ In all other cases, the **Town Administrator** ~~Board of Selectmen~~ shall be considered the Appointing Authority.

| <u>Appointing Authority</u>   | <u>Position</u>  |
|-------------------------------|--|
| <b><i>Fire Chief</i></b>      | <b><i>Firefighters below the rank of Fire Chief</i></b>      |
| <b><i>Police Chief</i></b>    | <b><i>Police Officers below the rank of Police Chief</i></b> |
| <del>Board of Assessors</del> | <del>Town Appraiser</del>                                    |
| <del>Board of Health</del>    | <del>Health Agent</del>                                      |
| <del>Library Trustees</del>   | <del>Library Director</del>                                  |
| <del>Planning Board</del>     | <del>Town Planner</del>                                      |
| <del>Fire Chief</del>         | <del>All Fire Dept. Personnel</del>                          |

*And further, amend Section 7.4 of the Personnel Bylaws as follows (additions are shown in bold, italics):*

7.4 Temporary Appointments – ~~Department Heads or~~ Appointing Authorities may hire temporary employees for a period not to exceed six (6) months without obtaining the ~~prior~~ approval of the Personnel Board. Temporary appointments are subject to appropriation and, ~~only if a department involved is under the jurisdiction of the Board of Selectmen,~~ the prior approval of the Town Administrator. ~~Otherwise, the Appointing Authority shall provide prior notice to the Town Administrator.~~

*Passed.*

Article 37 - Move that the Town vote to approve the following changes to the Personnel By-Laws Salary Schedule:

| Salaried Positions-Annual Salary Ranges |  | Current Minimum | Current Maximum |
|---|--|-----------------|-----------------|
| A                                       | Town Administrator                           | \$100,000       | \$150,000       |
| B                                       | Finance Director                             | \$85,000        | \$125,000       |
| B                                       | Superintendent of Public Works               | \$85,000        | \$125,000       |
| B                                       | Police Chief*                                | \$85,000        | \$125,000       |
| B                                       | Fire Chief                                   | \$85,000        | \$125,000       |
| C                                       | Building Commissioner                        | \$65,000        | \$85,000        |
| C                                       | IT Director                                  | \$65,000        | \$95,000        |
| C                                       | Town Accountant                              | \$65,000        | \$95,000        |
| C                                       | Town Planner                                 | \$65,000        | \$95,000        |
| C                                       | Police Lieutenant*                           | \$65,000        | \$95,000        |
| C                                       | Deputy Police Chief*                         | \$65,000        | \$95,000        |
| C                                       | Assistant Superintendent of Public Works     | \$65,000        | \$95,000        |
| D                                       | Town Appraiser                               | \$55,000        | \$80,000        |
| D                                       | Director of Council on Aging                 | \$55,000        | \$80,000        |
| D                                       | Library Director                             | \$55,000        | \$80,000        |
| D                                       | Recreation Director                          | \$55,000        | \$80,000        |
| *not including education incentives     |  |                 |                 |
| E                                       | Executive Assistant to Town Administrator    | \$25.00         | \$32.50         |
| E                                       | Assistant Appraiser                          | \$25.00         | \$32.50         |
| E                                       | Conservation Agent                           | \$25.00         | \$32.50         |
| E                                       | IT Systems Administrator                     | \$25.00         | \$32.50         |
| F                                       | Assistant Recreation Director                | \$20.00         | \$26.00         |
| F                                       | Admin Assistant (BOS/Licensing)              | \$20.00         | \$26.00         |
| G                                       | Data Collector                               | \$18.00         | \$23.40         |
| G                                       | Administrative Assistant (Regulatory Boards) | \$18.00         | \$23.40         |
| G                                       | Administrative Assistant (Chief of Police)   | \$18.00         | \$23.40         |
| H                                       | Department Secretary                         | \$15.00         | \$19.50         |
| I                                       | Department Clerk                             | \$10.00         | \$19.50         |

It was pointed out that there was a 2<sup>nd</sup> table missing in the motion.

*Motion withdrawn.*

The exact motion was resubmitted with an amendment to correct the omission of the missing table below.

| Title                  | Minimum                            | Maximum         |
|------------------------|------------------------------------|-----------------|
| Election Warden        | State minimum wage plus \$.75/hour | Same as minimum |
| Deputy Election Warden | State minimum wage plus \$.25/hour | Same as minimum |

|                               |                    |                    |
|-------------------------------|--------------------|--------------------|
| Inspector                     | State minimum wage | State minimum wage |
| Board of Registrars – Members | State minimum wage | State minimum wage |
| Town Meeting Workers          | State minimum wage | State minimum wage |
| Election Clerks               | State minimum wage | State minimum wage |

*Passed.*

Mr. Keilan made a motion to adjourn sine die at 10:40 PM. *Passed.*

A True Copy, Attest: \_\_\_\_\_  
Cynthia L. Thompson, Town Clerk