

Minutes of the Special Town Meeting – November 13, 2017

The meeting was called to order by Moderator Edward Goddard at 7:30 PM at the King Philip High School auditorium. There were 82 voters in attendance.

The Pledge of Allegiance was led by Interim Town Administrator, James Anderson.

Tellers appointed were Leo Immonen and Barry Kassler. Mr. Langley made a motion to waive the reading of the warrant. *Motion passed.*

The Moderator explained the rules of town meeting and verified with the Town Clerk that the warrant was posted properly and warrant articles were submitted on time. All non-registered voters were seated in the first ten rows on the left side of the auditorium and wore green “non-registered voter” stickers.

The Moderator thanked all Town employees, election/town meeting workers, and volunteers/committee members and the King Philip Regional High School.

The Moderator remembered Mr. Mel Gouthro for his years of service as an election/town meeting worker and being an inspiration for the movie “The Finest Hours” about the Pendleton Rescue off the coast of Chatham.

The Moderator recognized Chief James Anderson with a standing ovation for his last Town Meeting before retirement.

TOWN MEETING ARTICLES

Article 1 – Selectmen Langley and Selectmen Botaish recognized the Town of Wrentham 2017 Volunteers of the year. Kim and Bob Carr presented the Henry Carr Youth Wrentham Volunteer of the Year award to Krista Cepkauskas. Michelle Rouse was the recipient of the Adult Volunteer of the year.

Article 2 – Selectmen McGovern gave a Report on behalf of the Board of Selectmen.

Article 3 – Move that the Town vote to appropriate by transfer from available funds in the Treasury the sum of \$14,241 and to transfer from Water Retained Earnings the sum of \$140 for the payment of unpaid bills from prior fiscal year 2017. Such funds to be distributed as follows:

- To Department of Public Works-Expenses \$1,642
- To Department of Public Works-Salaries \$39
- To Department of Public Works-Water Expenses \$140
- To Police Department-Expenses \$943
- To Finance Department –Expenses \$7,149
- To Wrentham School Department-Salaries \$4,468

Motion passed unanimously.

Article 4 – Move that the Town vote to appropriate from funds in the Treasury or appropriate by transfer, as indicated below, the sum of \$289,175 to supplement the current Fiscal Year 2018 operating budgets and to be sourced and distributed as follows:

Expense	Amount
Board of Selectmen Personnel	\$56,000
COA Expenses	\$2,150
Conservation Department Personnel	\$1,700
Debt Interest	\$14,000
Department of Public Works Salaries	\$8,316
Finance Department Salaries	\$3,500
Fire Department Personnel	\$12,750
Health Insurance	\$41,000
Inspections Department Personnel	\$1,100
King Philip Regional School District	\$121,837
Planning Department Personnel	\$1,000
Recreation Department Personnel	\$250
Water Department Personnel Salaries	\$5,572
Water Department Salaries	\$20,000

Sources	Amount
Available Funds	\$52,750
Central Services Personnel	\$15,000
Fire Expense	\$15,000
DPW – Wastewater Expense	\$10,000
Fire Expense	\$12,750
Free Cash	\$190,784
Water Retained Earnings	\$25,572
Septic Loan Program Revenue	\$20,069
Total:	\$289,175

Motion passed unanimously.

Article 5 – Move that the town vote to appropriate by transfer from available funds in the Treasury the sum of \$18,422 to fund the Wrentham Municipal Clerical Employees Chapter Local 301 union contract. Such Funds to be distributed as follows:

Department	Amount
Board of Assessors Personnel	\$921
Communications Personnel	\$4,092
Conservation Personnel	\$371
Inspections Personnel	\$494
Council on Aging Personnel	\$770
Finance Personnel	\$3,545
Fire Department Personnel	\$771
Library Personnel	\$2,499
Public Health Nurses Personnel	\$2,338
Town Clerk Personnel	\$901
Planning and Development Personnel	\$887
Central Services Personnel	\$833
Total	\$18,422

Motion passed unanimously.

Article 6 – Move that the town vote to appropriate from available funds in the Treasury the sum of \$8,275 and to transfer from Water Retained Earnings the sum of \$10,180 to Wrentham Department of Public Works Personnel.

Motion passed unanimously.

Article 7 – Move that the town vote to appropriate from available funds in the Treasury the sum of \$11,000 to fund Wrentham Fire Department Personnel.

Motion passed unanimously.

Article 8 – Move that the town vote to appropriate by transfer from available funds in the Treasury the sum of \$91,000 to the Capital Stabilization Account.

Motion passed unanimously.

Article 9 – Move that the town vote, pursuant to Chapter 44, Section 53I of Massachusetts General Laws, to establish in its treasury, a fund to deposit such sums as may be appropriated by it under Section 53I and any and all sums received from the sale of commemorative items, admission charges or other monies received in connection with the town’s 350th anniversary.

Motion passed unanimously.

Article 10 – Move that the town vote to accept the provisions of M.G L. 40, Section 42A and 42B-42F, inclusive, to allow for the creation of a lien for delinquent water rates and charges, the certification of such delinquent rates and charges to the Town Assessor and the commitment of such delinquent rates and charges to the Tax collector for collection as part of the real estate tax on such properties to which the delinquent rates and charges relate.

Motion passed unanimously.

Article 11 – Move that the town vote to amend the Personnel By-Laws Salary ranges for the Town Administrator position from a minimum of \$100,000 to a minimum of \$135,000 and from a maximum of \$150,000 to a maximum of \$180,000 as recommended by the Personnel Board.

Motion passed unanimously.

Article 12 – Move that the Town vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2018:

Appropriations:

From FY 2018 estimated revenues for committee administrative expenses:	\$12,100
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Reserves:

From FY 2018 estimated revenues for Historic Preservation Reserve:	\$24,200
From FY 2018 estimated revenues for Community Housing Reserve:	\$24,200
From FY 2018 estimated revenues for Open Space Reserve:	\$24,200
From FY 2018 estimated revenues for Budgeted Reserve:	\$145,200

Motion passed unanimously.

Article 13 – Move that the Town vote to amend Article 6.30, Section 4 (Water Use Restriction), Paragraph L (Penalties) to read:

The Town through its Water Commissioners or its designee including the Public Works Superintendent, Building Inspector and/or Local Police may enforce this bylaw. Any person violating this bylaw shall be liable to the Town in the amounts listed in ART 4.10, SECTION 7.A.

Ms. Thompson, Town Clerk read the General Bylaw Review Committee's Recommendation.

Motion passed unanimously.

Article 14 – Move that the Town vote to amend the General Bylaws of the Town of Wrentham by inserting the following new Article 5.10, Section 13 (Marijuana Establishments Prohibited) as follows:

Section 13. Marijuana Establishments Prohibited

The operation of any commercial or recreational marijuana establishment, as defined in G.L. c. 94G, Section 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.

Ms. Thompson, Town Clerk read the General Bylaw Review Committee’s Recommendation.

There were some questions in the audience on Articles 14 and 17. Selectmen Kennedy, Town Planner, John Charbonneau and Town Counsel Mina Makarious clarified the definitions and the need for both articles.

Motion passed unanimously.

Article 17, Article 16, and Article 15 were taken out of order.

Article 17 – Move that the Town vote to amend the Wrentham Zoning By-Laws by adding the following as Article 21:

Article 21
Temporary Moratorium on Recreation Marijuana Establishments and
Marijuana Retailers

4.1 PURPOSE

By vote of the State election on November 8, 2016, the voters of the Commonwealth of Massachusetts approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue initial regulations regarding the licensing of commercial activities by March 15, 2018, to begin accepting applications for licenses of April 1, 2018. Regulations promulgated by the Cannabis Control Commission are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers. As such, the Town of Wrentham needs time to examine the legal, planning and public safety issues attendant to regulations of recreational marijuana as well as to address the potential impact of State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-Laws regarding regulation of recreational marijuana establishments.

4.2 DEFINITION

Marijuana Establishment as defined by M.G.L. c 94G

4.3 TEMPORARY MORATORIUM

For reasons set forth herein, notwithstanding any other provision of the Zoning By-Law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for recreational marijuana establishments and other uses related to recreational marijuana. The moratorium shall be in effect through November 30, 2018 or until such time as the Town adopts Zoning By-Law amendments that regulate recreational marijuana establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town and consider the Cannabis Control Commission regulations regarding recreational marijuana establishments, which are to be finalized by July 1, 2018 and shall consider adopting new Zoning By-Laws in response to these issues on or before the expiration of the moratorium period.

4.4 SEVERABILITY

The provisions of this By-Law are severable. If any provision, paragraph, sentence, or clause of this By-Law or application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions of application of this By-Law.

The Planning Board made an amendment to the motion on the floor due to a clerical error. Paragraphs 4.1, 4.2, 4.3 and 4.4 should be renumbered to 21.1, 21.2, 21.3 and 21.4. The Town Planner presented the favorable Planning Board Report.

Motion passed unanimously with the amendment.

Article 16 – Move that the Town vote to amend the Zoning Map of the Wrentham Zoning By-Laws by combining the existing Medical Marijuana Special Use Overlay District and Adult Entertainment Overlay District, as shown on the map entitled “Proposed Revision to MMOD/Adult Entertainment Overlay District” produced by the Metropolitan Area Planning Council dated July 2017, a copy of which is on file in the Planning Department.

The Town Planner outlined the proposed changes to the Zoning Map which combines both districts and also presented the favorable Planning Board Report.

Motion passed unanimously.

Article 15 – Move that the Town vote to amend Article 4.2 of the Wrentham Zoning Bylaws by allowing A.5 SENIOR LIVING COMMUNITY to be allowed in the C-1 district by site plan approval/special permit (SPA/SP).

Mr. Scott Cohen of Hawthorne Partners spoke on this amendment and described the potential proposed project that would be developed on land off of Route 1/A should this Zoning Bylaw pass. The Town Planner presented the favorable Planning Board Report.

Motion passed unanimously.

Article 18 – No action was taken.

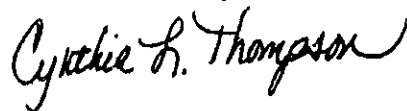
Article 19 – Move that the Town vote to amend Article 2 – DEFINITIONS of the Wrentham Zoning By-Laws by adding a new definition “RECONSTRUCTION: The demolition of a structure and the rebuilding of a new structure on the same lot”.

The Town Planner said the present version of the Zoning Bylaws were lacking the definition “reconstruction”. He read a favorable Planning Board Report.

Motion passed unanimously.

Chief James Anderson made a motion to adjourn sine die at 8:41 PM. *Motion passed.*

A True Copy, Attest: _____



Cynthia L. Thompson, Town Clerk