

The following is a list of warrant articles and the recommendations of the Board of Selectmen, the Advisory Board and the Capital Planning Committee for the May 4, 2013 Annual Town Meeting.

		Selectmen Recomm.	Capital Plan. Recomm.	Advisory Recomm.	Tax Rate Increase
	<b>CONSENT AGENDA – Articles 1 thru 8</b>				
<b>Art. 1</b>	<b>Accept reports of Town Officers and Committees</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 2</b>	<b>Light Department PILOT payment</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 3</b>	<b>Tax Anticipation Note Authority for Treasurer</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 4</b>	<b>Authority for Town Administrator to Contract with Mass. Highway</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 5</b>	<b>Authority to Expend Ch. 90 Road Repair Money</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 6</b>	<b>Transfer of Cushing Academy Trust Fund Income</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 7</b>	<b>Transfer Title V receipts to pay principal and interest on septic loans</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	
<b>Art. 8</b>	<b>Offset receipt account for Waterways Improvement Fund</b>	<b>Yes</b>	<b>N/A</b>	<b>Yes</b>	

Art. 9	FY14 Budget	No	N/A	Yes	<b>\$.55</b>
Art. 10	AWRSD Operating Budget Override	Yes	N/A	Yes	
Art. 11	FY14 Water Enterprise Budget	Yes	N/A	Yes	
Art. 12	FY14 Sewer Enterprise Budget	Yes	N/A	Yes	
Art. 13	Payment of prior year invoice transfer overlay surplus	Yes	N/A	Yes	
Art. 14	Capital Planning Committee recommended expenditures	Yes	Yes	Yes	
Art. 15	Capital items for AWRSD	No	Yes	Yes	
Art. 16	Purchase Police replacement weapons	Yes	N/A	Yes	
Art. 17	Purchase F150 Truck for Water/Sewer	Yes	Yes	Yes	
Art. 18	Demolish the Veterans Memorial School Building	Yes	Yes	Yes	
Art. 19	Veterans Memorial on land behind Town Hall	Yes	N/A	Yes	
Art. 20	Retiree Health care – citizen petition	No	N/A	No	
Art. 21	Stabilization Fund for Monty Tech	Yes	N/A	Yes	
Art. 22	Approval of PILOT Agreement	Yes	N/A	Yes	
Art. 23	Donation of property	Yes	N/A	Yes	
Art. 24	Corporation money does not equate to free speech – citizen petition	N/A	N/A	Yes	
Art. 25	Move money into Capital Fund	Yes	N/A	Yes	
	<b>Total Estimated increase for tax rate if all passes:</b>				<b>\$.55</b>

**Current Tax Rate for FY13 is \$18.85**  
**Estimated Tax Rate for FY14 is \$19.40**

**PROCEEDINGS OF  
ANNUAL TOWN MEETING  
HELD ON MAY 4, 2013**

Pursuant to the foregoing warrant, the legal voters of the Town of Ashburnham met at Oakmont Regional High School Auditorium, 9 Oakmont Drive, Ashburnham on May 4, 2013. Moderator Donald “Jeff” Lawrence presided at the meeting which was called to order at 10:00 A.M. The veterans present were recognized for their service to their country with a moment of silence. The Pledge of Allegiance was led by veterans Dennis Driscoll and Bob McGowan. A moment of silence was observed for Al Hart, Jim Whidden, Dotty Stiles and John Reilly. Ed Vitone was thanked for his service to the town as Chairman of the Board of Selectmen.

**CONSENT CALENDAR**

On motion of Richard Sicard it was moved that Articles **1 through 8** be approved by consent.

Unanimous “YES”

**ARTICLE 1:** To accept the reports of several town officers and all outstanding committees, or act in relation thereto. *(Requested by the Board of Selectmen)*

<u>SELECTMEN</u> RECOMMEND: YES	<u>CAPITAL PLAN. COMM.</u> RECOMMEND: N/A	<u>ADVISORY BD.</u> RECOMMEND: YES	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *Annual article to accept the reports of Town officials and boards.*

**ARTICLE 1 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 2:** To see if the Town will vote to authorize a PILOT payment based on the annual kilowatt sales of the Light Department multiplied by a per kilowatt value. from the Municipal Light Plant Funds, to the town treasury, as authorized by its Light Board in accordance with Chapter 164 of the General Laws of the Commonwealth, or act in relation thereto. *(Requested by the Municipal Light Department)*

<u>SELECTMEN</u> RECOMMEND: YES	<u>CAPITAL PLAN. COMM.</u> RECOMMEND: N/A	<u>ADVISORY BD.</u> RECOMMEND: YES	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *The PILOT agreement is tied to the Pilot payment in the annual kilowatt sales of the light department multiplied by a per kilowatt value. This was put in place for FY13 to ease the calculation and establish a standard process for future years. In FY13 it is estimated we will receive \$66,345.*

**ARTICLE 2 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 3:** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2013, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with the Massachusetts General Laws, Chapter 44, Section 17, or act in relation thereto. *(Requested by the Town Treasurer)*

<u>SELECTMEN</u> RECOMMEND: YES	<u>CAPITAL PLAN. COMM.</u> RECOMMEND: N/A	<u>ADVISORY BD.</u> RECOMMEND: YES	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *Precautionary article allowing the Treasurer to borrow operating funds for the Town if it becomes necessary due to cash flow shortages. Since the passage of quarterly tax billing we have not needed to make TAN borrowings.*

**ARTICLE 3 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 4:** To see if the Town will vote to authorize the Town Administrator to enter into a contract or contracts with the Massachusetts Highway Department for the construction and maintenance of town roads in conformance with the Massachusetts General Laws, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *This article allows the Town Administrator to contract with the State to do road repairs in Ashburnham. Roads such as Route 12, Rindge Turnpike, and Rt. 101 North have been done in the past few years.*

**ARTICLE 4 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 5:** To see if the Town will vote to appropriate all funds which become available in the Fiscal Year 2014 from the Commonwealth of Massachusetts Department of Highways, Chapter 90 Bond Issue proceeds, to be used by the DPW for the repair and maintenance of town roads in conformance with Massachusetts General Laws, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *This annual article allows the Town to expend its Chapter 90 state funds. For fiscal year 2014 the amount of those funds is estimated to be \$ 520,641.*

**ARTICLE 5 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 6:** To see if the Town will vote to authorize the transfer of trust fund income not to exceed \$2,500 from the Cushing Academy Trust Fund to pay for the fiscal year 2014 secondary school expenses, or act in relation thereto. *(Requested by Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *This is the transfer of funds (interest) from the Cushing Academy Trust fund (\$116,000). When the Town students were removed from Cushing Academy it was required to deposit \$114,000 into the Town’s funds and the interest earned on these monies were to be used to offset the cost to the Town for secondary education in public schools.*

**ARTICLE 6 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

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**ARTICLE 7:** To see if the Town will vote to transfer \$25,873 from special assessments Title V Receipts Account (septic system loan program) to pay principal and interest due on notes payable to the Water Pollution Abatement Trust, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The Town established a Septic System Loan Program where the cost was established as betterments. Each year charges are levied on the tax bills, and the revenue required is reserved or appropriated. We then must transfer monies required to cover the loan payment.*

**ARTICLE 7 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

**ARTICLE 8:** To see if the Town will vote to transfer a sum of money not to exceed \$3,500 from the Waterways Improvement Fund for the purpose of waterway improvement, maintenance, and safety, or act in relation thereto. *(Requested by the Ashburnham Lakes Coalition)*

SELECTMEN                      CAPITAL PLAN. COMM.                      ADVISORY BD.                      TAX RATE  
RECOMMEND: YES                      RECOMMEND: N/A                      RECOMMEND: YES                      IMPACT: N/A

**Brief Explanation:** *The Waterways Improvement Fund is funded by a portion of the boat excise tax to be used for waterways maintenance, access, law enforcement or fire prevention. The Lakes Association has been given the charge of recommending uses of these monies to the Board of Selectmen who then approve or disapprove expenditures. In the past these monies have been used for Police boat patrols, lifesaving courses, purchase of a Police boat and other water related expenditures.*

**ARTICLE 8 VOTED:** On motion of Richard Sicard it was moved that articles **1 through 8** be approved by consent.

Unanimous “YES”

**ARTICLE 9:** To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds such sums of money as may be necessary to defray the expenses of the Town for the fiscal year commencing July 1, 2013 and to set the salaries of elected officials; or act in relation thereto. *(Requested by the Board of Selectmen and Advisory Board)*

SELECTMEN                      CAPITAL PLAN. COMM.                      ADVISORY BD.                      TAX RATE  
RECOMMEND: YES                      RECOMMEND: N/A                      RECOMMEND: YES                      IMPACT: \$18.98

LINE	DEPARTMENT	FY12 SPENT	FY13 ACTUAL	FY14 SELECTMEN RECOMMEND 4/24/13	FY14 ADVISORY BOARD RECOMMEND
1	Moderator	100	100	100	100
2	Board of Selectmen	3,685	6,473	6,625	6,625
3	Town Administrator	174,266	186,527	184,838	184,838
4	Advisory Board	173	75,500	50,500	50,500
5	Town Accountant	71,926	78,438	75,936	75,936
6	Board of Assessors	100,402	96,275	100,377	100,377
7	Treasurer	81,756	81,927	99,893	99,893
8	Tax Collector	64,032	67,959	69,014	69,014
9	Information Technology	111,702	145,534	163,777	163,777
10	Town Clerk	46,536	52,860	48,062	48,062
11	Land Use	25,494	28,132	27,632	27,632
12	Town Hall	38,237	40,132	41,145	41,145
13	Town Buildings	164,096	141,072	143,408	143,408
14	Non-Departmental	96,081	88,187	88,849	88,849
15	Police	842,226	1,014,774	1,066,416	1,066,416
16	Emergency Dispatch	213,836	245,286	255,453	255,453
17	Fire	499,520	515,249	595,464	595,464
18	Inspections	43,412	119,506	81,148	81,148
19	Animal Control	32,885	42,250	30,600	30,600
20	Monty Tech	329,892	380,964	444,495	444,495
21	AWRSD	6,339,405	6,322,438	6,432,648	6,432,648
22	DPW	636,160	632,601	668,702	668,702
23	Snow and Ice	187,428	180,000	180,000	180,000
24	Board of Health	16,025	19,311	18,586	18,586
25	Conservation Commission	20,378	39,865	28,520	28,520
26	Council on Aging	22,937	20,740	21,061	21,061
27	Veterans' Services	50,402	57,687	97,883	97,883
28	Library	149,256	185,045	190,229	190,229
29	Agricultural Commission	-	300	300	300
30	Parks & Recreation Committee	-	8,730	8,430	8,430
31	Historical Commission	-	2,000	2,000	2,000

32	Debt Service	851,634	841,911	930,471	930,471
33	Employee Ins. Benefits	1,039,084	1,126,097	1,183,502	1,183,502
	<b>ARTICLE 9 TOTAL</b>	<b>\$12,252,966</b>	<b>\$12,843,868</b>	<b>\$13,336,064</b>	<b>\$13,336,064</b>

Setting of Elected Salaries under Article 9:

- a. Town Moderator: \$100
- b. Board of Selectmen: Chairman - \$1,300; Clerk - \$1,100; Member - \$1,100
- c. Board of Health: \$140 per member

**Brief Explanation:** *Annual operating budget article as noted. The revenues to offset the cost of the proposed budget come from the following sources:*

<i>Taxes</i>	<i>\$11,148,344</i>
<i>State Aid</i>	<i>\$ 814,663</i>
<i>Local Receipts</i>	<i>\$ 1,373,057</i>

**ARTICLE 9 VOTED:** On motion of Bill Johnson it was voted to raise and appropriate the sum of \$13,336,064 for the Departments and purposes noted in the warrant and to set the salary for all Elected Officials as printed in the Warrant.

Unanimous “YES”

**ARTICLE 10:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the operating budget of the Ashburnham-Westminster Regional School District, in addition to the sum voted under Article 9 for said operating budget, provided that no funds shall be expended and no bonds shall be issued unless the Town has first voted at an election to exempt this expenditure from the provisions of Proposition 2½, so called, and further provided that the Town of Westminster also votes to approve and fund its proportional share of such additional appropriations, or act in relation thereto. (*Requested by the Board of Selectmen*)

<u>SELECTMEN</u>	<u>CAPITAL PLAN. COMM.</u>	<u>ADVISORY BD.</u>	<u>TAX RATE</u>
RECOMMEND: YES	RECOMMEND: N/A	RECOMMEND: YES	IMPACT: .42

**Brief Explanation:** *This article if passed with a subsequent ballot question will add monies to the AWRSD budget to support their assessment request.*

**ARTICLE 10 VOTED:** On motion of Bill Johnson, it was voted to raise and appropriate the sum of \$238,883 to be added to the sum in line 21 of the budget approved under Article 9 for the Ashburnham-Westminster Regional School District, provided that no funds shall be spent and no bonds shall be issued unless the Town has voted at an election to exempt this expenditure from the provisions of Proposition 2½, so called, and further provided that the Town of Westminster also votes to approve and fund its proportional share of such additional appropriation.

Majority “YES”

**ARTICLE 11:** To see if the Town will vote to raise and appropriate a sum of money to operate the Water Department for the fiscal year beginning July 1, 2013, or act in relation thereto. (*Requested by the Town Administrator*)

<u>SELECTMEN</u>	<u>CAPITAL PLAN. COMM.</u>	<u>ADVISORY BD.</u>	<u>TAX RATE</u>
RECOMMEND: YES	RECOMMEND: N/A	RECOMMEND: YES	IMPACT: N/A

**Brief Explanation:** *Annual budget article for the Water Department. This budget is an increase of \$18,457 from the FY13 budget, which includes a 2% wage increase, debt service on the Water Tank temporary loan. Indirect costs will be appropriated in the General Funds so there is no need to do it here. The funding for the indirect charges will come from the enterprise funds to be paid back to the General Fund. The revenue source for this article comes from Water revenues.*

**ARTICLE 11 VOTED:** On the motion of Bill Johnson it was voted to appropriate a sum of \$713,497, to operate the Water Department for the fiscal year beginning July 1, 2013, as set forth in the Advisory Board recommendation.

ADVISORY BOARD RECOMMENDATION

**Direct Cost**

**\$588,497**

Salaries	\$145,522
Expense	\$ 77,263
Water Filtration Plant	\$160,800
Debt Service	<u>\$204,912</u>
Total	\$588,497

**Indirect Cost**

**\$125,000**

Employee Health Insurance	\$ 14,700
Employee Life Insurance/Medicare	\$ 7,250
Worcester County Retirement	\$ 15,895
Property Liability Ins/Workers Comp	\$ 5,900
Administrative Costs	<u>\$ 81,255</u>
Total	\$125,000

And that said sum be raised as follow:

Department Receipts: \$588,487

\$125,000 for indirect cost having been raised and appropriated in Article 9 within the General Fund Operating Budget.

Unanimous “YES”

**ARTICLE 12:** To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Department for fiscal year beginning July 1, 2013, or act in relation thereto. (Requested by the Town Administrator)

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** Annual budget article for the Sewer Department. This budget is a decrease of \$23,909 from the FY13 budget, which includes a 2% wage increase. Indirect costs will be appropriated in the General Funds so there is no need to do it here. The funding for the indirect charges will come from the enterprise funds to be paid back to the General Fund. The revenues for this article comes from Sewer Receipts

**ARTICLE 12 VOTED:** On motion of Bill Johnson it was voted to appropriate a sum of \$901,359 to operate the Sewer Department for the fiscal year beginning July 1, 2013, as set forth in the Advisory Board recommendation.

**ADVISORY BOARD RECOMMENDATION**

**Direct Cost**

**\$776,359**

Salaries	\$145,798
Expense	\$ 94,812
Sewer transportation	\$260,000
Debt Service	<u>\$275,749</u>
Total	\$776,359

**Indirect Cost**

**\$125,000**

Employee Health Insurance	\$ 14,700
Employee Life Insurance/Medicare	\$ 7,250
Worcester County Retirement	\$ 15,895
Property Liability Ins./Workers comp	\$ 5,900
Administrative Costs	<u>\$ 81,255</u>
Total	\$125,000

And said sum be raised as follows:

Department Receipts \$776,359

\$125,000 for indirect cost having been raised and appropriated in Article 9 within the General Fund Operating budget.

Unanimous "YES"

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**ARTICLE 13:** To see if the Town will vote to transfer \$22,494.36 from overlay surplus to available funds to pay Verizon New England for an FY09 tax abatement with interest to settle an appeal pending at the Appellate Tax Board, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *This article is to transfer money to pay an abatement due to Verizon New England as a result of an appeal filed with the Appellate Tax Board for Fiscal Year 2009, which was stayed pending a decision by the courts on Verizon's similar Appeal against the City of Boston and the Town of Newton. A judgment in favor of Verizon issued in March of 2012 and the Appellate Tax Board lifted the stay in all the other pending appeals. As a result of the ruling, Ashburnham, and all other cities and towns in the same situation, is required to abate the FY09 overpayment. The sum Ashburnham owes is \$34,100.38, plus interest. \$17,378.88 was in the FY09 Overlay, but \$22,494.36 from FY08 and FY10 were already released to the overlay account so are not available to pay Verizon. We need to transfer \$16,721.50 to pay the balance of the abatement, plus \$5,772.86 in interest.*

**ARTICLE 13 VOTED:** On motion of Duncan Phyfe it was voted to transfer \$22,494.36 from overlay surplus to available funds to pay Verizon New England for an FY09 tax abatement with interest to settle an appeal pending at the Appellate Tax Board.

Unanimous "YES"

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**ARTICLE 14:** To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds the sum of \$399,500 to fund the recommendation of the Capital Planning Committee to include the following:

Line	Item	Amount
1	Repairs – 2003 Ford E450 Ambulance (200)	\$15,000
2	Fire Dept. Turnout Gear Replacement (5)	\$10,500
3	Fire Dept. All Radio Equipment Replacement	\$4,000
4	1983 Mack Fire Truck (L1) Upgrades	\$15,000
5	Roads Repair and Maintenance	\$125,000
6	Library Maintenance	\$15,000
7	Complete IT Project (connecting town buildings)	\$125,000
8	Replace 2009 Ford Crown Victoria – Car #1	\$40,000
9	VMS Bldg. Asbestos abatement & oil tank removal	\$50,000

And to authorize the Board of Selectmen to sell, trade in, or dispose of any equipment being replaced or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: YES

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The Capital Planning Committee has developed a sustainable capital plan that can be funded within the raise and appropriated tax levy. This year's plan includes spending \$399,500 which is within the proximity of the yearly \$450,000 budgeted. The Capital Planning Committee also supported the demolition of the VMS building (\$60,000), the purchase of truck for Water and Sewer (\$28,000) out of W&S revenues which will all be addressed in separate articles.*

*Revenue to offset cost for this article will come from Local receipts.*

**ARTICLE 14 VOTED:** On motion of Bill Johnson it was voted to raise and appropriate the sum of \$399,500 to fund the recommendation of the Capital Planning Committee as presented in the warrant.

Unanimous "YES"

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**ARTICLE 15:** To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$13,956 (Ashburnham’s share) to be used to fund the following items in the Ashburnham-Westminster Regional School District Five Year Capital Plan:

- Replacement of a snow blower/mower at Oakmont Regional High School

Provided that the Town of Westminster also votes to approve and fund its share of the cost of the items in the article, or act in relation thereto. *(Requested by the Capital Planning Committee)*

<u>SELECTMEN</u> RECOMMEND: NO	<u>CAPITAL PLAN. COMM.</u> RECOMMEND:	<u>ADVISORY BD.</u> RECOMMEND: NO	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *The AWRSD submitted this article as a part of their Capital Improvement Plan, which, per the regional agreement meets the \$5,000 threshold. The \$13,956 expenditure is a result of dividing the total cost by the per pupil costs associated with the individual school. Revenue to offset cost for this article will come from Local receipts. The Board of Selectmen voted not to support this article, where the AWRSD has the option of requesting an article on the fall Special Town Meeting or vote to expend from their Capital Stabilization Fund.*

**ARTICLE 15 VOTED:** On motion of Bill Johnson it was voted that the meeting take no action on this article.

Majority “YES”

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**ARTICLE 16:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$11,502 to fund the purchase of Police weapons as follows:

1. (20) Smith & Wesson M&P 45 Caliber handguns (duty weapon)
2. (18) Smith & Wesson M&P 45 Caliber compact handguns.
3. (20) Safariland STX Duty Holster
4. (20) Safariland Double Magazine cases
5. (18) Blackhawk Serpa off-duty holsters
6. (18) STX off-duty mag cases

or act in relation thereto. *(Requested by Police Chief and Town Administrator)*

<u>SELECTMEN</u> RECOMMEND: YES	<u>CAPITAL PLAN. COMM.</u> RECOMMEND: N/A	<u>ADVISORY BD.</u> RECOMMEND: YES	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *The current weapons are over 18 years old and there is a need to purchase more. During the review instead of buying more of the same, it was decided to change over to the different style, which is easier to handle, more versatile, and in line with what other departments are using. Doing it now while the old weapons have more trade-in value lessens the financial impact. The 20 duty weapons, with holster and magazine allows for two back up sets. Revenue to offset cost for this article will come from Local receipts*

**ARTICLE 16 VOTED:** On motion of Nicholas Davis it was voted to raise and appropriate the sum of \$11,502 to fund the purchase of Police weapons as presented.

Unanimous “YES”

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**ARTICLE 17:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$27,420 to fund the purchase of a Ford F150 for the Water/Sewer Department, and to authorize the Selectmen to sell or trade the existing 2004 Ford F150 or act in relation thereto. *(Requested by the Town Administrator)*

<u>SELECTMEN</u> RECOMMEND: YES	<u>CAPITAL PLAN. COMM.</u> RECOMMEND: YES	<u>ADVISORY BD.</u> RECOMMEND: YES	<u>TAX RATE</u> IMPACT: N/A
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**Brief Explanation:** *This vehicle will replace the existing 2004 Ford F150 which has 112,000 miles and is in need of extensive repairs and will not pass inspection. Revenue to offset cost for this article will come from Water receipts.*

**ARTICLE 17 VOTED:** On motion of Bill Johnson it was voted to transfer from water sewer receipts 50% each of the total sum of \$27,420 to fund the purchase of a Ford F150 for the Water/Sewer Department, and to authorize the Selectmen to sell or trade the existing 2004 Ford F150.



Unanimous “YES”

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**ARTICLE 18:** To see if the Town will vote to transfer custody to the Board of Selectmen for purposes of demolishing, and to raise and appropriate or transfer from available funds a sum of money to demolish the Veterans Memorial School building, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: YES

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The VMS Building Use Committee studied the possible uses for the now vacant building. Their recommendation that the building be demolished was supported by the Board of Selectmen, Capital Planning Committee, as well as the Historical Commission who noted that there wasn't any historical value to the building. Revenue to offset cost for this article will come from Local receipts.*

**ARTICLE 18 VOTED:** This article failed. 89 YES – 57 NO This is not the 2/3 majority needed.

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**ARTICLE 19:** To see if the Town will vote to, allow a Veteran’s Memorial to be constructed on the grounds between the Fairbanks Memorial Town Hall and the current Veteran’s Memorial School, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *Since the VMS building is looking to be razed and, there is no physical monument dedicated to the veterans who served our community, the Town would like to designate a portion of land behind Town Hall which is a part of Winchester Park as an area where an appropriate memorial can be erected to honor our town’s veterans.*

**ARTICLE 19 VOTED:** On motion of Bill Johnson it was voted to allow a Veteran’s Memorial to be constructed on the grounds between the Fairbanks Memorial Town Hall and the current Veteran’s Memorial School building.

Unanimous “YES”

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**ARTICLE 20:** To see if the Town will vote, pursuant to the provisions of the Massachusetts General Law Chapter 32B, Section 9a to pay one-half the premium costs payable by a retired employee for group life insurance and for group general or other insurance as provided by the town under GL. C. 32B Sec. 9 first sentence, so that, the Town will provide such insurance for it’s retirees on a 50-50 contributory basis, or act in relation thereto. *(Requested by a Citizen Petition)*

SELECTMEN  
RECOMMEND: NO

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: NO

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The Town currently has not accepted MGL 32B, and as such offers no retiree benefits under this chapter. This citizen petition adds benefits to our retirement program. It has been estimated based on current laws by Edd Byrnes, our insurance advisor, that the approximate initial yearly cost could be \$25,000. The Board of Selectmen believes that this benefit in the private sector is going away as companies cannot afford its escalating cost.*

**ARTICLE 20 VOTED:** On motion of Joseph Olivari it was voted, pursuant to the provisions of the Massachusetts General Law Chapter 32B, Section 9a to pay one-half the premium costs payable by a retired employee for group life insurance and for group general or other insurance as provided by the town under GL. C. 32B Sec. 9 first sentence, so that, the Town will provide such insurance for it’s retirees on a 50-50 contributory basis.

77 YES – 36 NO

Majority “YES”

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**ARTICLE 21:** To see if the Town will vote to approve the establishment of a Stabilization Fund pursuant to Massachusetts General Laws c.71, §16 G ½ for the Montachusett Regional Vocational Technical School District, or act in relation thereto. *(Requested by the Superintendent/Director of Monty Tech)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *Monty Tech wishes to establish a Stabilization Fund in order to help address its many capital needs. Appropriations from such a fund require a two thirds vote of the school committee. The District maintains and regularly updates a Five-Year Capital Plan which identifies the major structural and equipment needs of our school district.*

**ARTICLE 21 VOTED:** On motion of Duncan Phyfe it was voted to approve the establishment of a Stabilization Fund according to Massachusetts General Laws c.71, §16 G ½ for the Montachusett Regional Vocational Technical School District.

Unanimous “YES”

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**ARTICLE 22:** To see if the Town will vote to authorize the Board of Selectmen to enter into a Payment In Lieu Of Taxes (PILOT) agreement pursuant to G.L. c. 59 §38H, with **tenK Energy** for approximately 89.73 acres of land located off Gardner Road, (Worcester Northern District Registry of Deeds Book 5974, Page 299) and to approve said PILOT Agreement under which tenK Energy shall make annual payments to the Town in the amount of twenty-five thousand (\$25,000) dollars per megawatt hour for twenty (20) years for the first two (2) MWh and (\$10,000) dollars per megawatt hour for twenty (20) years for the third (3<sup>rd</sup>) MWh in lieu of personal property taxes attributable to the project, subject to calculation adjustments for any increases and decreases in the project’s capacity as may occur over time, said PILOT Agreement being on file in the Town Clerk’s office, and further to authorize the Board of Selectmen to negotiate any amendments to the PILOT Agreement in compliance with the amendment provisions therein, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The Board of Selectmen is looking to enter into a 20 year PILOT agreement with tenK energy. The Town will receive \$60,000 a year in lieu of paying property tax on the fixtures and equipment associated with the 3MW solar panel project.*

**ARTICLE 22 VOTED:** On motion of Leo Janssens II it was voted to authorize the Board of Selectmen to enter into a Payment In Lieu Of Taxes (PILOT) agreement pursuant to G.L. c. 59 §38H, with tenK Energy LLC for approximately 89.73 acres of land located off Gardner Road, (Worcester Northern District Registry of Deeds Book 5974, Page 299) and to approve said PILOT Agreement under which tenK Energy shall make annual payments to the Town in the amount of twenty-five thousand (\$25,000) dollars per megawatt for twenty (20) years for the first two (2) MW and (\$10,000) dollars per megawatt for twenty (20) years for the third (3<sup>rd</sup>) MW in lieu of personal property taxes attributable to the project, subject to calculation adjustments for any increases and decreases in the project’s capacity as may occur over time, said PILOT Agreement being on file in the Town Clerk’s office, and further to authorize the Board of Selectmen to negotiate any amendments to the PILOT Agreement in compliance with the amendment provisions therein.

Unanimous “YES”

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**ARTICLE 23:** To see if the Town will vote to accept a certain parcel of land consisting of 13,504 square feet (0.31 acres) and frontage on Lakeshore Drive, said parcel being the same one shown as Lot 1 on Assessors Map 56, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *This land is currently assessed at \$900. The current property owners wish to donate the above-referenced parcel, purchased decades ago and never developed, to the Town of Ashburnham. The parcel primarily consists of wetlands subject to regulation at the Federal, State and municipal levels. As such, future parcel development is unlikely, thus*

*making conservation the most appropriate use of the subject parcel. Accordingly, this Article seeks to grant the request of the current property owners via the Town's acceptance of the 0.31 acre Lakeshore Drive parcel, identified and referenced herein as Lot 1 on Assessor's Map 56.*

**ARTICLE 23 VOTED:** On motion of Marshall Dennis it was voted to accept a certain parcel of land consisting of 13,504 square feet (0.31 acres) located on Lakeshore Drive, Map 56, Parcel 1 (Worcester Northern District Registry of Deeds Book 2406, Page 21). If said parcel is accepted, that the land be placed under the care and control of the Conservation Commission.

Unanimous "YES"

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**ARTICLE 24:** "To see if the Town will vote to support the following resolution: That corporations are not natural people, and that money does not equate to free speech: (non-binding)

WHEREAS, The United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("natural persons"), and

WHEREAS, Corporations are not mentioned in the Constitution and The People have never granted Constitutional rights to corporations, and

WHEREAS, The United States Supreme Court's decision in *Citizens United v. Federal Election Commission* presents a serious threat to the democratic process by allowing unlimited and unidentified corporate spending to influence elections, and

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy,

NOW, THEREFORE, BE IT RESOLVED that we, the voters of Ashburnham, Massachusetts, hereby instruct the Senators representing the Commonwealth of Massachusetts and the member of the United States House of Representatives representing this congressional district to propose, and our state legislators to ratify, an amendment to the United States Constitution, to provide that corporations are not entitled to the constitutional rights of real people, and that money is not speech for purposes of campaign-related expenditures and contributions." (*Requested by Citizens Petition*)

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *Citizen Petition*

**ARTICLE 24 VOTED:** On motion of Pat Frederick it was voted to accept the resolution as read.

Unanimous "YES"

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**ARTICLE 25:** To see if the Town will vote to raise and appropriate or transfer a sum of money to the Capital Fund, or act in relation thereto. (*Requested by the Town Administrator*)

SELECTMEN  
RECOMMEND: YES

CAPITAL PLAN. COMM.  
RECOMMEND: N/A

ADVISORY BD.  
RECOMMEND: YES

TAX RATE  
IMPACT: N/A

**Brief Explanation:** *The Town has committed to appropriating \$450,000 to the capital Plan on a yearly basis. Those years when the Capital Plan is less this article will allow for monies to be put into the fund for subsequent years.*

**ARTICLE 25 VOTED:** On motion of Nicholas Davis it was voted to raise and appropriate \$60,000 to the Capital Fund.

Unanimous "YES"

Meeting adjourned at 12:26 P.M.

Respectfully submitted,  
Linda A. Ramsdell, CMMC  
Town Clerk