

ANNUAL TOWN MEETING MINUTES

May 5, 2014

The Annual Town Meeting opened at 7:00 p.m. having met the quorum requirement of 28 registered voters (5% quorum; 544 registered voters in Warwick). 92 registered voters were present at the meeting.

The moderator asked for a motion, which was approved, to permit her to declare the result of a vote without requiring a vote. When a question is put, the sense of the meeting shall be determined by a voice vote or show of hands and the Moderator shall declare the vote as it appears to him/her. On matters requiring a 2/3 vote by statute, a count need not be taken unless the vote so declared is immediately questioned by seven voters, as provided in MGL Chapter 39, Section 15.

The Town Moderator asked for and received consent agenda to combine the "stock articles" and vote as one without the individual motions being read and voted: Articles 1-4.

ARTICLE 1: VOTED unanimously to accept the reports of Town Officers and Committees for 2013.

ARTICLE 2: VOTED unanimously to authorize the Town Treasurer / Tax Collector to enter into compensating balance agreements during Fiscal Year 2015 as permitted by General Laws Chapter 44:53F.

ARTICLE 3: VOTED unanimously to authorize the Board of Selectmen to apply for and accept private state and federal grants, and to expend any monies received as set forth in the appropriate grant application.

ARTICLE 4: VOTED unanimously to authorize the following revolving funds in accordance with Massachusetts General Law, Chapter 44, Section 53E ½.

A. Fees for Board of Health inspections will be deposited into a revolving fund and expended to pay the personnel performing the inspections and related expenses. The fund will be under the authority of the Board of Health and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

B. Fees collected for burials by the Cemetery Commission or Board of Selectmen will be deposited into a revolving fund to pay personnel for the purpose of preparing the burial lot(s). The fund will be under the authority of the Cemetery Commission, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

C. Fees and reimbursements for costs of public hearings held by the Selectboard will be deposited into a revolving fund and expended to pay the costs of advertising, recording fees, and expenses related to the hearings. The fund will be under the authority of the Board of Selectmen, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Three Thousand Dollars (\$3,000).

D. Fees for inspections conducted by the Plumbing and Gas Inspector will be deposited into a revolving fund and expended to pay the Inspector for performing said inspections. The fund will be under the authority of the Board of Selectmen, and total expenditures for the fiscal year commencing on July 1, 2013, will be limited to Two Thousand Dollars. (\$2,000) If this fund is not reauthorized for the fiscal year commencing July 1, 2014, the balance will close out to surplus revenue at the close of Fiscal Year 2015.

E. Cleaning deposit fees retained by the Town, related to the use of Town Hall, will be deposited into a revolving fund and expended to pay the Town Hall Janitor for extra cleaning required after the use of Town Hall by any person or group which forfeits its cleaning deposit. The fund will be under the authority of the Board of Selectmen, and expenditures shall not exceed Two Thousand Dollars (\$2,000) for the fiscal year commencing July 1, 2014.

F. Funds received from the sale of timber from Town owned land will be deposited into a revolving fund and expended to pay the costs of professional forestry management services and related expenses. The fund will be under the authority of the Forestry Committee and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

G. Funds received from sale of dog licenses or from loose dog fees collected will be deposited into a revolving fund to pay for expenses incurred for licensing expenses, and the care and kenneling of animals in the custody of the Animal Control Officer. The fund will be under the authority of the Chief of Police and the total expenditures in the fiscal year commencing July 1, 2014, shall not exceed Seven Hundred Fifty (\$750).

H. Fees collected for Fire Department inspections will be deposited into a revolving fund and expended to pay the personnel performing the inspections and related expenses. The fund will be under the authority of the Fire Department and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

I. Fees collected by the Planning Board's Zoning Program will be deposited into a revolving fund and expended to pay costs associated with the Planning Board's Zoning Program such as zoning related hearings, zoning public notification, and zoning training of board members. The fund will be under the control of the Planning Board, total expenditures for the fiscal year commencing July 1, 2014, will be limited to one thousand dollars (\$1,000).

J. Fees from Highway department equipment sharing and inter-municipal rentals, Chapter 90 equipment use, and other highway machinery reimbursement will be deposited into a revolving fund and expended to fund highway machinery repairs, upkeep and replacement. The fund will be under the authority of the Selectboard and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to ten thousand dollars (\$10,000).

K. Fees for inspections conducted by the Electrical Inspector will be deposited into a revolving fund and expended to pay the Inspector for performing said inspections. The fund will be under the authority of the Selectboard, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2000).

L. Fees for capture, transport and boarding of livestock conducted by the Field Driver will be deposited into a revolving fund and expended to compensate the Field Driver for service rendered. The fund will be under the authority of the Selectboard and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

M. Fees collected by the Zoning Board of Appeals for hearings, applications, and filings will be deposited into a revolving fund and expended to pay costs associated with the

Zoning Board of Appeal's Zoning Program expenses such as appeals; cost of expert witnesses; consultants; special permit and variance applications; permit and variance hearings; public notification; and training of ZBA board members and alternates. The fund will be under the control of the Zoning Board of Appeals, total expenditures for the fiscal year commencing July 1, 2014, will be limited to ten thousand dollars (\$10,000).

ARTICLE 5: VOTED to raise and appropriate such sums of money as may be necessary to defray expenses, the amount estimated by the Board of Selectmen and the Finance Committee for the Fiscal Year commencing July 1, 2014, for the purposes designated in the budget that follows, or any other amounts for such purposes, which shall not exceed the amounts stated in the column designated "FY 2015 requested". This article shall also act to fix the salaries and compensation of elected officials as required by Massachusetts General Law, Chapter 41, Section 108.

Requested salaries and compensation for elected officials:

Moderator	\$125	Selectboard	\$1200
Assessors	\$1500	Town Clerk	\$5989
Tree Warden	\$500	Board of Health	\$1500
Cemetery Commission	\$600		

NOTE: **Amendment PASSES** to increase PVRs budget assessment (Line 381) to \$752,594, original amount voted by PVRs School Committee.

YES - 46

NO -- 30

ARTICLE 6: VOTED unanimously to adopt the following bylaw, as provided in MGL Chapter 39, Section 15: If a two thirds vote of a town meeting is required by statute and the vote is unanimous, a count need not be taken, and the clerk shall record the vote as unanimous. This provision does not apply to town meeting votes requiring a four fifths or nine tenths vote.

ARTICLE 7: VOTED unanimously to transfer from Capital Stabilization Fund \$6,100.00 to purchase a new snow plow. (2/3 vote required for Stabilization Fund)

ARTICLE 8: VOTED unanimously to transfer from Capital Stabilization Fund \$10,000 to make repairs to the entryway of the Free Public Library. (2/3 vote required for Stabilization Fund)

ARTICLE 9: AMENDMENT PASSES to postpone indefinitely action on this article to disapprove the debt authorized for technology by the Pioneer Regional School District Committee by their vote on March 27, 2014.

ARTICLE 10: VOTED unanimously to transfer from Capital Stabilization Fund \$3,800 to replace four firearms, acquire an evidence / gun safe and purchase portable radios for the Police Department? (2/3 vote required for Stabilization Fund)

ARTICLE 11: VOTED to authorize Warwick's share (\$4500) of PVRs central office capital project funds which were raised, appropriated and paid in a prior year to the District be used instead for a feasibility study to develop options for renovation or replacement of the District Central Office.

ARTICLE 12: VOTED unanimously to transfer from Capital Stabilization Fund \$5150 to fund PVRs capital projects. (2/3 vote required for Stabilization Fund)

ARTICLE 13: VOTED unanimously to borrow \$155,000 to replace the WCS roof and related expenses, contingent on a Prop 2 ½ debt exclusion override. (2/3 vote required for borrowing)

ARTICLE 14: VOTED to approve payment of a prior year bill for well repair at WCS in the amount of \$2,407 from the FY14 Warwick Community School Improvement Account. (Prior-year bill requires 80% vote) YES—69, NO--0

ARTICLE 15: VOTED unanimously to raise and appropriate the sum of \$18,000 to fund the Warwick Community School Improvement Account established by vote of the Annual Town Meeting held May 3, 2004.

ARTICLE 16: VOTED unanimously to raise and appropriate the sum of \$2,500 to the Revaluation Account.

ARTICLE 17: VOTED unanimously to appropriate \$104,000 to the Broadband Enterprise Fund effective July 1, 2014.

ARTICLE 18: VOTED unanimously to raise and appropriate \$3925 to pay for post closure monitoring at Warwick's closed landfill.

ARTICLE 19: VOTED unanimously to appropriate available Solid Waste funds certified in the amount of \$956 to the operation of the FY '15 Transfer Station Enterprise Fund.

ARTICLE 20: VOTED to appropriate a total budget of \$38,000 (inclusive of funds appropriated in Article 19) to the operation of the Transfer Station Enterprise Fund effective July 1, 2014.

ARTICLE 21: VOTED unanimously to raise and appropriate \$502 to the workers compensation assessment.

ARTICLE 22: VOTED as AMENDED to transfer \$40,000 from Pass Thru Grant account 24-5-440-002 to reduce the FY 15 tax levy.

Amendment passes: YES – 44, NO -- 26

ARTICLE 23: VOTED unanimously to raise and appropriate \$5,000 to audit town accounts.

ARTICLE 24: VOTED unanimously to transfer \$429.75 from MRF recycling proceeds account 29 5 433 201 to reduce the levy.

ARTICLE 25: VOTED unanimously to transfer "Free Cash" in the amount of \$35,922 to reduce the FY 2015 tax levy.

ARTICLE 26: VOTED unanimously to transfer \$2000 from account 24-5-550-001 (Internet CPE grants) to reduce the FY 2015 tax levy.

ARTICLE 27: VOTED unanimously to transfer \$12,585 from account 27-4-122-000 (FEMA storm damage proceeds) to reduce the FY 2015 tax levy.

ARTICLE 28: VOTED unanimously to transfer \$5,599 from Overlay Surplus to reduce the FY 2015 tax levy.

ARTICLE 29: VOTED unanimously to agree to widen the scope of its vote in Article 28 of the May 6, 2013 Annual Town Meeting to approve the purchase of astorage shed as an allowable expense of the Highway Department Equipment Garage insulation project. (2/3 vote required)

ARTICLE 30: VOTED unanimously to transfer \$5000 from Capital Stabilization to purchase Fire Department turn out gear.(2/3 vote required)

ARTICLE 31: VOTED unanimously to vote to establish an SCBA (air pack) account and transfer \$2800 from Capital Stabilization to replace or recertify Fire Department SCBA gear. (2/3 vote required)

ARTICLE 32: VOTED unanimously to transfer \$2100 from Capital Stabilization to purchase new Fire Department ladders. (2/3 vote required)

ARTICLE 33: VOTED unanimously to transfer \$2000 from Capital Stabilization to purchase new Fire Department tires and chains for the GMC fire truck.(2/3 vote required)

ARTICLE 34: VOTED unanimously to transfer \$1000 from Capital Stabilization to purchase new Fire Department hose and a "turbo-draft" unit. (2/3 vote required)

ARTICLE 35: VOTED unanimously to transfer from Capital Stabilization \$10,000 to the Town Hall improvement account. (2/3 vote required)

ARTICLE 36: VOTED unanimously (2/3 vote required) to amend the Town of Warwick Zoning By-laws by deleting paragraph 1.of subsection C. DRIVEWAYS of SECTION 8: PARTICULAR USES and replacing it with the following:

A new driveway requires a permit issued by the Highway Superintendent. A driveway is defined as motor vehicle access onto a town-maintained public way or a private way approved by the Planning Board. A new driveway is defined as a newly created access onto the public way or onto a private way approved by the Planning Board, or an existing driveway serving a new dwelling unit, or a modification of any access determined by the Highway Superintendent (such as an upgrade in use of the driveway, for example a driveway to a camp upgraded to handle heavy equipment associated with a logging job). A new driveway may be temporary or permanent.

A temporary driveway is access to the public way for a limited time which shall not exceed 3 years, but the permit may be extended for cause in increments not exceeding one year by the Highway Superintendent. A cash bond of \$300 shall be posted by the owner or the owner's agent to assure compliance. The Highway Superintendent may waive driveway requirements of this bylaw for temporary driveways. Upon expiration of the permit or completion of the project, the access shall be blocked, any culvert removed, any damage to the road or its edges shall be repaired and any drainage ditch adjacent to the public way restored to the satisfaction of the Highway Superintendent. When the temporary access is no longer needed or the temporary

driveway permit has expired the Highway Superintendent shall notify the owner of actions required to restore the site. If four weeks elapse and no action has been taken to restore the site, or no plan has been agreed to with the Highway Superintendent, the Town of Warwick may restore the site and all associated costs shall be paid from the bond. If the bond does not cover all costs, any additional costs shall be billed to the owner and failure to pay these costs shall result in a lien on the property for the amount owed plus town costs associated with the lien. The owner shall also be responsible for, and take measures to prevent, and shall clean up any water and mud coming onto the way from the driveway, and shall be responsible for town costs of cleanup from the date of issuance of the permit until the bond is released.

A permanent driveway shall meet all the requirements of this bylaw, except the requirements of this by-law specifically applicable to temporary driveways, unless relief is granted by a special permit issued by the Zoning Board of Appeals.

1. Procedure: The Highway Superintendent shall approve or disapprove new driveway applications in accordance with the following procedures, may require changes in the design or construction of new driveways in accordance with the following provisions and may develop an appropriate form for new temporary or permanent driveway applications. All new dwellings require a new driveway permit from the Highway Superintendent before issuance of any applicable building permit and before any driveway construction.

ARTICLE 37: VOTED (majority voice vote; 2/3 vote required) the Town of Warwick Zoning By-laws be amended by adding the words "not used" to SECTION 3: PREEXISTING USES, so it reads as follows (note that added wording is in bold and italicized):

A. CONTINUATION AND RESTORATION: The lawful use of any building, structure or land may be continued, provided that such use was properly allowed when it began and has not been discontinued, ***not used***, or destroyed by fire or natural cause for a period of two or more consecutive years.

ARTICLE 38: VOTED unanimously to accept the provisions of MGL Chapter 60 Section 62A and grant authorization for payment agreements between the treasurer and persons entitled to redeem parcels in tax title; provided that such agreements shall be for a maximum term of no more than 5 years; the treasurer may waive not more than 50 per cent of the interest that has accrued on the amount of the tax title account; the provisions shall be applied uniformly for all classes of tax titles; and require a minimum payment at the inception of an agreement of 25 per cent of the amount needed to redeem the parcel. During the term of the agreement the treasurer may not bring an action to foreclose unless payments are not made in accordance with the schedule set out in the agreement or in the case where timely payments are not made on other amounts due to the Town that are a lien on the same parcel.

ARTICLE 39: VOTED to adopt the following RESOLUTION TO BAN "FRACKED GAS" PIPELINES AND TO CHAMPION SUSTAINABLE ENERGY.

Whereas a proposed High-Pressure Pipeline carrying natural gas obtained through hydraulic fracturing may come through Warwick or neighboring communities, bringing said fuel en route to Dracut, Massachusetts to be used for electricity generation; and

Whereas said pipeline goes against current Massachusetts commitments to renewable energies and combating global climate change; and

Whereas said pipeline would destroy unknowable amounts of forest, conservation land

and farmland; and

Whereas a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and

Whereas the cost of said pipeline would require Massachusetts citizens to pay a utility bill tariff as well as environmental costs not required by law for Tennessee Gas Pipeline Company, L.L.C. ("TGP", a subsidiary of Kinder Morgan Energy Partners, L.P.), making ratepayers bear financial risk for the endeavors of a private corporation; and

Whereas, we the citizens of Warwick, Massachusetts choose not to participate in such encumbrances to the life, vibrancy, economic stability, and general well being to our neighbors in New York and elsewhere, wherever hydraulic fracturing is occurring and the pressurized pipeline is running; now, therefore, be it Resolved, that the people of Warwick, Massachusetts:

1. Hereby call on our Selectboard to stand in opposition to TGP's high pressured pipeline and not allow it with in our town borders;
2. Oppose said pipeline, and any pipeline carrying natural gas obtained through hydraulic fracturing, within the borders of our Commonwealth or our Nation; and
3. Hereby instruct our state and federal legislators and executive branch officials to enact legislation and take such other actions as are necessary to disallow such projects that go against our commitments to life, the environment, our economic well being and our bodily safety, and, instead, to legislate more stringent energy efficiency and further exploration of and subsidies for renewable energy sources.

ARTICLE 40: ARTICLE FAILS to raise and appropriate \$2000 to fund a pilot project to make video and audio recordings of Town Meetings and Selectboard Meetings and streaming these meetings on the Internet.

YES - 20

NO - 36

The meeting was dissolved at 10:02 p.m. A true record of the action taken.

Jeannette Fellows

Jeannette Fellows

Town Clerk

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154		
162	PUBLIC SAFETY	
163	Police	
164	Wages Patrol Officers	\$35,714
165	Wages On-call Officers	
166	Association Memberships	\$920
167	Cruiser Maintenance	\$2,700
168	Fuel	\$3,985
169	Radar / Video Recertification	\$360
170	Firearms Training Recertification	
171	Medical Recertification First Responder	
172	NESPIN membership (State Police Network)	
173	Other Training	\$3,211
174	Electricity / Heat	\$1,819
175	Alarm Monitoring	\$300
176	Building Maintenance	\$550
177	Telephone	\$396
178	Equipment	\$0
179	Uniforms and Equipment	\$2,200
180	CJIS Info Sys maintenance	1450
181	Stillman reporting software license	0
182	Community Policing Crime Prevention	0
183	Ammo	600
184	Outside instructors	975
185	AED (defib) supplies	400
186	Taser Supplies	600
187	Office supplies	850
188	Reporting Software	1650
189	Firearms Replacement	
190	Evidence / Gun Safe	
191	Portable Radios	
192	FRCOG Radio	775
193	Total Police	\$59,455
194		
195	Fire Department	
196	Officer and Firefighter Stipends	\$9,800
197	Electricity	\$850
198	Fuel Oil	\$2,350
199	Repairs/Maintenance	\$2,500
200	Telephone	\$750
201	Tri-state Dues	\$400
202	Turn out Gear	see article
203	Equipment and Supplies	\$5,200
204	Training and Travel	\$1,500
205	FRCOG Radio ac.	\$650
206	Gasoline	\$1,800
207	High band pagers	
208	Incident Reporting	\$750
209	Total Fire Department	\$26,550
210		
211	Ambulance	
212	Ambulance Donation	8819
213	Total Ambulance	\$8,819
214		
215	Building Department	
216	Plumbing Inspector	Fees
217	Wiring Inspector	Fees
218	Supplies	460
219	Building Inspector	9400
220	Course / test Fees	300
221	Total Building Inspectors	\$10,160
222		
223	Animal Control Officer	
224	Salary	1639
225	Sheriff Dept Services / DOCK	\$700
226	Animal / Barn Inspection Stipend	\$500
227	Expenses	\$600

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228	Total Animal Control Officer	\$3,439
229		
230	Emergency Management	
231	Expense	
232	Total Emergency Management	\$100
233		
234	Tree Warden	
235	Salary	\$500
236	Roadside cleanup	\$4,700
237	Expense	\$300
238	Total Tree Warden	\$5,500
239		
240	TOTAL PUBLIC SAFETY	\$114,023

110		
111		
112		
113		
114	Total Conservation Funds	400
115		
120	Zoning Board of Appeals	
121	Membership	0
122	Training	120
123	Refreshment Materials	0
124	Total Zoning Bd. Of Appeals	120
125		
130	Planning Board	
131	Membership	500
132	Refreshment Materials	50
133	Total Planning Board	550
134		
140	Town Hall Expense	
141	Outboard Salary	2,300
142	Outboard Salary	1,650
143	Refreshment and Parties	2,000
144	Post	27,000
145	Electric Service	11,000
146	Electricity	13,000
147	Telephone	17,000
148	Supplies	1,000
149	Total Town Hall	88,950
150		
151		
152		
153		
154		
155	Town Reports	2,000
156		
157		
158	ORCID Safety Assessment	2,034
159	Land Services	35,577
160	Delegation Handbook	1,800
161	Public Works Admin. & Services	22,200
162		
163	TOTAL GEN. GOVERNMENT	174,582

	A	R
228	Total Animal Control Officer	\$3,439
229		
230	Emergency Management	
231	Expense	
232	Total Emergency Management	\$100
233		
234	Tree Warden	
235	Salary	\$500
236	Roadside cleanup	\$4,700
237	Expense	\$300
238	Total Tree Warden	\$5,500
239		
240	TOTAL PUBLIC SAFETY	\$114,023

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338		
339	CULTURE/RECREATION	
340	Library	
341	Salary Librarian	19190
342	Cleaning	\$390
343	Hourly PT	\$400
344	Maintenance	\$350
345	Electricity	\$550
346	Fuel Oil	\$3,000
347	Telephone	\$350
348	Grounds	\$350
349	Supplies	\$550
350	Postage	\$75
351	Mileage	\$100
352	Dues	\$130
353	Online Auto.	\$1,600
354	Summer Reading	\$100
355	Materials, books	\$750
356	Total Library	\$27,885
357	Less State Aid to Library	0
358	Net Library	\$27,885
359		
360	Recreation Comm Expense	\$1,320
361		
362	Grounds Maintenance	
363	Fellows Memorial Field Maint	500
364	Fountains/Grounds Maint	400
365	Town Park	600
366	Total Grounds Maint	\$1,500
367		
368	Celebrations	
369	Celebration	3500
370	Memorial Day	600
371	Old Home Day	600
372	Total Celebrations	\$4,700
373	Total Recreation/Celebrations	\$7,520
374		
375	TOT. CULTURE/RECREATION	\$35,405
376		
377	EDUCATION	
378	Franklin Co. Tech Sch. Committee	500
379	PVRS Committee	600
380		
381	PVRS Assessment	\$752,594
382	PVRS Bond Debt	\$55,860
388	Franklin Co. Tech Assess	\$128,851
390	TOTAL: Education	\$938,406

Transfer Station Commission

Michael Mankowsky, chair

David Koester

Jim McRae

