

ANNUAL TOWN MEETING MINUTES

May 2, 2016

The Annual Town Meeting opened at 7:30 p.m. having met the quorum requirement of 28 registered voters (5% quorum; 555 registered voters in Warwick). 108 registered voters were present at the meeting.

ARTICLE 1: VOTED unanimously to accept the reports of Town Officers and Committees for 2015.

ARTICLE 2: VOTED unanimously to authorize the Town Treasurer / Tax Collector to enter into compensating balance agreements during Fiscal Year 2017 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 allow town boards and commissions to appoint one of its members to a position under their supervision as allowed by MGL Chapter 268A, section 21A.

ARTICLE 5: VOTED unanimously to authorize the following revolving funds in accordance with Massachusetts General Law, Chapter 44, Section 53E ½, or take any other action related thereto?

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, 2016, 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, 2016, 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, 2016, 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, 2016, will be limited to Three Thousand Dollars. (\$3,000).

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, 2016.

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, 2016, will be limited to Two Thousand Dollars (\$2,000).

G. Funds received from the sale of dog licenses, collection of late fees on dog licenses, or from loose dog fees collected will be deposited into a revolving account 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, 2016, shall not exceed Two Thousand (\$2,000.00).

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, 2016, 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, 2016, will be limited to two thousand dollars (\$2,000).

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, 2016, will be limited to fifteen thousand dollars (\$15,000).

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, 2016, will be limited to Three Thousand Dollars (\$3000).

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, 2016, 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, 2016, will be limited to ten thousand dollars (\$10,000).

N. Fees collected under the Public Shade Tree Law, or the Scenic Roads By-law shall be deposited into the Tree Warden Revolving Fund and used to maintain and enhance public shade trees, to include dealing with sick or dying trees and planting new trees, and providing training related to public shade trees. The fund will be under the control of the Tree Warden and total expenditures for the fiscal year commencing July 1, 2016 shall not exceed Two Thousand Dollars (\$2,000).

O. Fees collected by the Recreation Committee shall be deposited into the Recreation Revolving Fund and used to support the Town's recreation program. The fund will be under the control of the Recreation Committee and total expenditures for the fiscal year commencing July 1, 2016 shall not exceed Five Thousand Dollars (\$5,000).

ARTICLE 6: 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, 2016, 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 2017 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	\$6247
Tree Warden	\$500	Board of Health	\$1500
Cemetery Commission	\$600		

NOTE: Amendment VOTED unanimously to increase the Total Fire Department to \$32,545
Amendment VOTED by voice to increase the PVRs Assessment to \$843,647

The total amount voted was \$1,895,044.00.

ARTICLE 7: VOTED unanimously to transfer "Free Cash" in the amount of \$97,712 to reduce the FY 2017 tax levy.

ARTICLE 8: VOTED unanimously to transfer \$6,412 from Overlay Surplus to reduce the FY 2017 tax levy.

ARTICLE 9: VOTED unanimously to transfer the negotiated settlement received from an energy services contract, in the amount of \$22,000, to reduce the FY 2017 tax levy.

ARTICLE 10: VOTED unanimously to appropriate \$30,400 to operate the Transfer Station Enterprise Fund effective July 1, 2016 and that \$30,400 be raised from departmental receipts.

ARTICLE 11: VOTED unanimously to appropriate \$104,400 to operate the Broadband Enterprise Fund effective July 1, 2016 and that \$104,400 be raised from departmental receipts.

ARTICLE 12: VOTED by voice to borrow a sum of money and appropriate \$240,000 to Broadband capital outlay. (Two thirds vote required) The Moderator declared the Article as Passed.

ARTICLE 13: VOTED unanimously to raise and appropriate \$25,000 to the Capital Stabilization Fund. (Two thirds vote required)

ARTICLE 14: VOTED unanimously to transfer from Capital Stabilization Fund the sum of \$2,800 to provide for SCBA (fire fighter air packs). (Two thirds vote required)

ARTICLE 15: VOTED unanimously to transfer from Capital Stabilization Fund the sum of \$2,000 to provide grant match for purchase of public safety communication equipment. (Two thirds vote required)

ARTICLE 16: VOTED unanimously to transfer from Capital Stabilization Fund \$5000 for Fire Department Turn Out Gear. (Two thirds vote required)

ARTICLE 17: VOTED unanimously to transfer from Capital Stabilization \$5,000 to the Town Hall improvement account. (Two thirds vote required)

ARTICLE 18: VOTED unanimously to appropriate from Capital Stabilization \$2,750 to provide 50% match to a grant to replace the town hall kitchen range. (Two thirds vote required)

ARTICLE 19: VOTED unanimously to raise and appropriate the sum of \$15,000 to fund the Warwick Community School Improvement Account established by vote of the Annual Town Meeting held May 3, 2004.

ARTICLE 20: VOTED unanimously to raise and appropriate the sum of \$2,500 to the Revaluation Account.

ARTICLE 21: VOTED unanimously to raise and appropriate \$2000 to the Landfill Monitoring Fund established May 4, 2015, to pay for post closure monitoring at Warwick's former landfill.

ARTICLE 22: VOTED unanimously to raise and appropriate \$5,000 to audit town accounts.

ARTICLE 23: VOTED to in the event that the Pioneer Assessment is voted by Town Meeting in the amount of the requested assessment, raise and appropriate \$13,600 to provide 4.5% wage increases to hourly and salaried town employees, this amount in addition to Article 6 omnibus budget. AYE: 36 NAY: 32; the Moderator declared the Article as Passed.

ARTICLE 24: PASSED OVER to adopt the attached article submitted by petition of 13 residents.

NOTE: Amendment Voted by voice to remove the words "is retroactive from the date that the Town of Warwick was incorporated into the Commonwealth of Massachusetts"

Motion to Pass Over made and Seconded; VOTED by voice

ARTICLE 25: VOTED unanimously to accept MGL: Chapter 39 Section 23 D, which provides that a board member may miss one session of an adjudicatory hearing and still vote, provided the member certifies in writing that they have reviewed all evidence from the missed session.

ARTICLE 26: VOTED by voice to accept Paul Road as a statutory private way, privately maintained, and discontinue it as a public way. The Moderator declared the Article as Passed.

ARTICLE 27: VOTED unanimously to accept Stevens Place Road as a statutory private way, privately maintained, and discontinue it as a public way.

ARTICLE 28: VOTED by voice to adopt the following bylaw pursuant to the provisions of the Scenic Roads Act (MGL: Chapter 40, Section 15 C.) that a fine of \$300 is established for each violation of its provisions. The Moderator declared the Article as Passed.

1. A scenic tree shall be any tree six (6) inches in diameter or larger at four (4) feet above ground line, or any branch or root four inches in diameter or larger at one foot from the trunk of the tree, that meets the definition of a shade tree in the Shade Tree Law (MGL Chapter 87: Section 1.).

2. A scenic stone wall is any man made set of carefully placed rocks at least eight (8) feet long and eighteen (18) inches above ground level on the border of or within a town maintained road right of way. If there is doubt as to whether a stone wall is in within the right of way, it shall be taken to be within it until the contrary is shown.

A violation is cutting any scenic tree or applicable part of a tree, or tearing down of a wall, defacing a wall, or removal of more than five (5) feet of wall involving one (1) cubic foot or more of wall material above existing ground line. Each tree cut or applicable part thereof and each five (5) feet of wall removed is a separate offense. Violations of this bylaw shall be enforced in the manner provided in MGL Chapter 40, Section 21D (Non-Criminal Disposition for By-law Enforcement) by the Planning Board, Tree Warden or any police officer.

Temporary removal and repair of a wall is not covered by this bylaw provided native stone is used. Cutting for normal maintenance of electric and telephone lines is not covered by this bylaw, but tree cutting for installation of new poles or wires is covered and should be addressed by a hearing. Cutting of trees in the case of calamity, storm, act of God, motor vehicle accident or other emergency is exempt from this bylaw. The cutting of tree limbs over roads that may endanger vehicles, including limbs that may bend down to create a hazard when weighted with snow or ice, are exempt from this bylaw. Written Memoranda of Understanding to deal with gray areas among the Highway Department, Tree Warden and the Planning Board is encouraged and a

copy of any agreement shall go to the Selectboard. Any such agreement may be rescinded by either party with notice.

All monies generated by enforcement of this bylaw shall go into a revolving fund under the control of the Tree Warden.

(Note: Town Meeting in 1990 approved using MGL Chapter 40, Section 21D)

The meeting was dissolved at 10:40 p.m. A true record of the action taken.

Rosa Fratangelo
Town Clerk