

**ANNUAL TOWN MEETING
TOWN OF WHATELY
June 15, 2021**

Pursuant to the recorded warrant the annual meeting of the Town of Whately held outside on the grounds of the Whately Elementary School due to the COVID-19 pandemic was called to order Tuesday, June 15, 2021 at 6:00 p.m. by Moderator Nathanael Fortune. Town Clerk, Lynn M. Sibley read the Constable's return of the warrant. Amy Schrader acted as checker and assigned voting placards to those voters attending the meeting. Maximum attendance was 85 checked voters. This meeting was being broadcast by FCAT as well.

Moderator Fortune recognized Frederick Orloski, former Chair of the Selectboard. Mr. Orloski recognized James Ross as the recipient of the 2020 Annual Town Report. Mr. Ross has served on numerous committees over the years including the Conservation Commission, FRCOG Inspection program representative and the Library Trustees. He is also a Veteran who has been working on the Veteran's Memorial Park committee. Mr. Orloski also recognized town staff for its diligent work throughout the COVID-19 pandemic and especially Town Administrator Brian Domina who managed the day-to-day work of the town as well as keeping projects going while working through the pandemic.

Moderator Fortune explained the set-up of the meeting by breaking down the various sections of the warrant. Once these explanations were complete the business of the meeting started.

ARTICLE 1. Upon motion made and seconded, it was

Voted that the Town accept the Annual Reports of the Officers of the Town, and to hear any other reports of the Boards and Committees.

Moderator declared article passed in the affirmative

ARTICLE 2. Upon motion made and seconded, it was

Voted that the Town authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning on July 1, 2021, in accordance with the provisions of G.L., c. 44, § 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of G.L. c. 44, § 17.

Moderator declared article passed in the affirmative

ARTICLE 3. Upon motion made and seconded, it was

Voted that the Town authorize the Selectboard to enter into contracts for goods and services with a duration in excess of three years, pursuant to the provisions of G.L. c. 30B, § 12 (b).

Moderator declared article passed in the affirmative

ARTICLE 4. Upon motion made and seconded, it was

Voted that the Town authorize the Town Treasurer, with the approval of the Selectboard, to enter into compensating balance agreements with banking institutions having their principal offices in the Commonwealth of Massachusetts during the fiscal year beginning on July 1, 2021, as permitted by G.L. c. 44, § 53F.

Moderator declared article passed in the affirmative

ARTICLE 5. Upon motion made and seconded, it was

Voted that the Town apply for, accept, and expend any federal, state or private grant monies on behalf of the Town and to authorize the Town Treasurer with approval of the Selectboard to borrow in anticipation of reimbursement.

Moderator declared article passed in the affirmative

ARTICLE 6. Upon motion made and seconded, it was

Voted that the Town establish spending limits for the Town's Revolving Funds as established by the Town's General Bylaws, Chapter 46 – Revolving Funds, for the fiscal year beginning on July 1, 2021 as follows:

Revolving Fund Name	FY22 Spending Limit
Dog Licensing and Control Revolving Fund	\$2,000
Recreation Revolving Fund	\$20,000
Library Revolving Fund	\$1,000
Public Hearing Revolving Fund	\$10,000
Cordwood Sales Revolving Fund	\$2,500
Cemetery Commissioners Revolving Fund	\$4,000
Trench Permit	\$1,000
Recycling and Solid Waste Revolving Fund	\$15,000

Moderator declared article passed in the affirmative

ARTICLE 7. Upon motion made and seconded, it was

Voted that the Town fix the salaries or compensation of the elected officers of the Town for the fiscal year beginning on July 1, 2021 as follows:

Position	Amount (2.0% COLA)
Moderator	\$134.76
Selectboard – Chair	\$2,055.04
Selectboard - Member	\$1,886.59
Town Clerk	\$31,064.68
Assessors – Chair	\$2,055.04
Assessors - Member	\$1,886.59
Water Commissioner	\$808.55
School Committee	\$389.56
Elector: Oliver Smith Will	\$11.60
Board of Health – Chair	\$976.98
Board of Health – Member	\$808.55
Constables	\$15.28 per hour
Cemetery Commissioners – Sextons	\$15.65 per hour
Opening Graves Fee	\$650 per opening

Moderator declared article passed in the affirmative

ARTICLE 8. Upon motion made and seconded, it was

Voted that the Town appropriate **\$406,909** or any other sum or sums of money from the Water Department Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning on July 1, 2021 as follows:

Enterprise Fund - Water Department (EF)	Fiscal Year 2021 Enterprise Fund	Fiscal Year 2022 Enterprise Fund	Change (\$) FY21 to FY22	Change (%) FY21 to FY22
I. Revenues (estimated)				
Water Receipts	\$170,000.00	\$189,000.00	\$19,000.00	11.18%
Hook-up Fees	\$225,000.00	\$225,000.00	\$0.00	0.00%
Other Fees & Charges	\$2,500.00	\$2,500.00	\$0.00	0.00%
Total Estimated Revenue	\$397,500.00	\$416,500.00	\$19,000.00	4.78%
II. Expenses				
Direct Expenses				
Salaries	\$52,037.00	\$52,999.00	\$962.00	1.85%
Operations	\$289,700.00	\$297,267.00	\$7,567.00	2.61%
Subtotal Direct Expenses	\$341,737.00	\$350,266.00	\$8,529.00	2.50%
Indirect Expenses				
Selectboard & Administration	\$2,430.00	\$2,476.00	\$46.00	1.89%
Legal Counsel/Financial Advisor	\$320.00	\$320.00	\$0.00	0.00%
Audit	\$0.00	\$225.00	\$225.00	#DIV/0!
Town Building Operations	\$2,464.00	\$2,604.00	\$140.00	5.68%
Town Accountant	\$756.00	\$810.00	\$54.00	7.14%
Harper's Payroll	\$107.00	\$107.00	\$0.00	0.00%
Treasurer/Collector	\$6,642.00	\$7,684.00	\$1,042.00	15.69%
Property/Liability Insurance	\$6,180.00	\$6,800.00	\$620.00	10.03%
Health Insurance	\$25,211.00	\$25,212.00	\$1.00	0.00%
Medicare & Social Security	\$1,540.00	\$1,540.00	\$0.00	0.00%
Workers Compensation Insurance	\$925.00	\$1,147.00	\$222.00	24.00%
Life Insurance	\$0.00	\$0.00	\$0.00	
Retirement	\$5,967.00	\$6,218.00	\$251.00	4.21%
Town Vehicles Fuel	\$1,400.00	\$1,500.00	\$100.00	7.14%
Subtotal Indirect Expenses <i>(appropriated to the General Fund)</i>	\$53,942.00	\$56,643.00	\$2,701.00	5.01%
Total Estimated Expenses	\$395,679.00	\$406,909.00	\$11,230.00	2.84%

Moderator declared article passed in the affirmative

ARTICLE 9. Upon motion made and seconded, it was

Voted that the Town act on the report of the Finance Committee on the Fiscal Year 2022 Town Operating Budget and raise and appropriate and/or transfer from available funds, money for the operation of the Town's departments, boards, committees, agencies and officers, for the payment of debt service and for all other necessary and proper expenses for the fiscal year beginning on July 1, 2021 as follows:

(Note: Water Department Enterprise Fund costs are appropriated in Article 8)

Proposed Fiscal Year 2022 Budget

The Finance Committee recommends that the amounts shown in the column captioned "Fiscal Year 2022 Operating Budget" be raised or appropriated or transferred from available funds for Fiscal Year 2022 operating purposes, debt service and other Town expenses.

Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
General Government (GG)	Operating Budget	Operating Budget		
Selectboard & Administration	\$119,084.00	\$121,345.00	\$2,261.00	1.90%
Legal Counsel/Financial Advisors	\$15,680.00	\$15,680.00	\$0.00	0.00%
Town Offices-Supplies	\$3,500.00	\$3,500.00	\$0.00	0.00%
Audit	\$0.00	\$7,275.00	\$7,275.00	#DIV/0!
Town Report	\$500.00	\$500.00	\$0.00	0.00%
Town Building Operations	\$79,666.00	\$84,208.00	\$4,542.00	5.70%
Town Clerk	\$47,159.00	\$47,300.00	\$141.00	0.30%
Town Accountant	\$24,438.00	\$26,189.00	\$1,751.00	7.17%
Harpers Payroll	\$5,243.00	\$5,243.00	\$0.00	0.00%
Accounting Software	\$750.00	\$750.00	\$0.00	0.00%
Treasurer/Collector	\$53,743.00	\$62,172.00	\$8,429.00	15.68%
Tax Takings	\$10,000.00	\$10,000.00	\$0.00	0.00%
Assessors	\$38,594.00	\$50,449.00	\$11,855.00	30.72%
Planning Board	\$2,211.00	\$2,615.00	\$404.00	18.27%
Zoning Board of Appeals	\$2,600.00	\$2,600.00	\$0.00	0.00%
Finance Committee	\$150.00	\$150.00	\$0.00	0.00%
Moderator	\$150.00	\$150.00	\$0.00	0.00%
Conservation Commission	\$500.00	\$500.00	\$0.00	0.00%
Historical Commission	\$200.00	\$200.00	\$0.00	0.00%
Agricultural Commission	\$500.00	\$500.00	\$0.00	0.00%
Computer - IT	\$5,250.00	\$5,250.00	\$0.00	0.00%
Connect CTY	\$2,500.00	\$2,500.00	\$0.00	0.00%
Website & Email Hosting	\$4,350.00	\$4,350.00	\$0.00	0.00%
Housing Committee	\$200.00	\$200.00	\$0.00	0.00%
Municipal Building Committee	\$0.00	\$0.00	\$0.00	#DIV/0!
Community Development	\$0.00	\$55,000.00	\$55,000.00	#DIV/0!
GG Subtotal	\$416,968.00	\$508,626.00	\$91,658.00	21.98%
Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Cultural, Recreation, Services (CRS)	Operating Budget	Operating Budget		
Tri-Town Beach District	\$4,131.00	\$5,396.00	\$1,265.00	30.62%
Recreation Commission	\$10,570.00	\$10,770.00	\$200.00	1.89%
Cemetery Commission	\$8,637.00	\$8,800.00	\$163.00	1.89%
Library	\$74,629.00	\$75,860.00	\$1,231.00	1.65%
South County Senior Center	\$23,670.00	\$24,229.00	\$559.00	2.36%
Veterans	\$9,170.00	\$9,729.00	\$559.00	6.10%
Local Council on Aging	\$1,400.00	\$1,050.00	-\$350.00	-25.00%
CRS Subtotal	\$132,207.00	\$135,834.00	\$3,627.00	2.74%

Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Public Health (PH)	Operating Budget	Operating Budget		
Board of Health	\$3,046.00	\$3,447.00	\$401.00	13.16%
Health Agent - Foothills Health District	\$19,071.00	\$24,536.00	\$5,465.00	28.66%
Solid Waste	\$56,975.00	\$57,480.00	\$505.00	0.89%
Hazardous Waste	\$1,200.00	\$1,200.00	\$0.00	0.00%
Franklin County Solid Waste Management District	\$7,412.00	\$7,237.00	-\$175.00	-2.36%
PH Subtotal	\$87,704.00	\$93,900.00	\$6,196.00	7.06%

Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Public Safety (PS)	Operating Budget	Operating Budget		
Fire Department	\$63,365.00	\$72,211.00	\$8,846.00	13.96%
Ambulance - South County EMS	\$97,023.00	\$100,144.00	\$3,121.00	3.22%
Police Department	\$209,150.00	\$213,663.00	\$4,513.00	2.16%
Quinn Bill Incentive	\$5,533.00	\$5,643.00	\$110.00	1.99%
Animal Control	\$4,952.00	\$5,004.00	\$52.00	1.05%
Animal Inspection	\$537.00	\$546.00	\$9.00	1.68%
Emergency Management	\$950.00	\$950.00	\$0.00	0.00%
Franklin County Inspection Services	\$7,600.00	\$7,600.00	\$0.00	0.00%
PS Subtotal	\$389,110.00	\$405,761.00	\$16,651.00	4.28%

Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Public Works (PW)	Operating Budget	Operating Budget		
Highway Salaries	\$142,114.00	\$147,784.00	\$5,670.00	3.99%
General Highways	\$78,700.00	\$80,200.00	\$1,500.00	1.91%
Winter Roads	\$137,068.00	\$139,316.00	\$2,248.00	1.64%
Road Machinery	\$26,000.00	\$26,500.00	\$500.00	1.92%
Garage Maintenance	\$8,100.00	\$8,400.00	\$300.00	3.70%
Trees	\$6,500.00	\$6,500.00	\$0.00	0.00%
PW Subtotal	\$398,482.00	\$408,700.00	\$10,218.00	2.56%
Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Insurance & Benefits (IB)	Operating Budget	Operating Budget		
Property & Liability Insurance	\$71,070.00	\$78,200.00	\$7,130.00	10.03%
Group Health Insurance	\$408,789.00	\$404,788.00	-\$4,001.00	-0.98%
Medicare & Social Security	\$33,460.00	\$33,460.00	\$0.00	0.00%
Workers Compensation Insurance	\$24,075.00	\$29,853.00	\$5,778.00	24.00%
Life Insurance	\$1,000.00	\$1,000.00	\$0.00	0.00%
Unemployment Insurance	\$16,000.00	\$16,000.00	\$0.00	0.00%
Franklin County Retirement	\$192,949.00	\$201,065.00	\$8,116.00	4.21%
Police & Fire Injured on Duty Insurance	\$11,100.00	\$11,100.00	\$0.00	0.00%
OPEB Liability	\$0.00	\$25,000.00	\$25,000.00	#DIV/0!
Division of Medicaid Assistance	\$1,800.00	\$1,800.00	\$0.00	0.00%
IB Subtotal	\$760,243.00	\$802,266.00	\$42,023.00	5.53%
Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Unclassifieds (U)	Operating Budget	Operating Budget		
Temporary Loan Interest	\$1,000.00	\$1,000.00	\$0.00	0.00%
Reserve Fund	\$20,000.00	\$20,000.00	\$0.00	0.00%
Franklin Regional Council of Governments	\$19,881.00	\$18,453.00	-\$1,428.00	-7.18%
Physicals & Tests	\$1,500.00	\$1,500.00	\$0.00	0.00%
Town Vehicles Fuel	\$26,600.00	\$28,500.00	\$1,900.00	7.14%
Educational Incentives	\$2,000.00	\$2,000.00	\$0.00	0.00%
U Subtotal	\$70,981.00	\$71,453.00	\$472.00	0.66%
Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Schools (S)	Operating Budget	Operating Budget		
Whately Elementary School				
Operating & Transportation Budget	\$1,785,184.00	\$1,829,786.00		
Subtotal Whately Elementary School	\$1,785,184.00	\$1,829,786.00	\$44,602.00	2.50%
Frontier Regional				
Operating Budget	\$954,419.00	\$889,523.00	-\$64,896.00	-6.80%
Capital Budget	\$0.00	\$0.00	\$0.00	
Transportation Budget	\$26,405.00	\$27,292.00	\$887.00	3.36%
Subtotal Frontier Regional	\$980,824.00	\$916,815.00	-\$64,009.00	-6.53%
Franklin County Technical School				
Operating Assessment	\$223,341.00	\$193,067.00	-\$30,274.00	-13.56%
Capital Assessment	\$6,201.00	\$5,802.00	-\$399.00	-6.43%
Subtotal Franklin County Technical School	\$229,542.00	\$198,869.00	-\$30,673.00	-13.36%
Smith Vocational High School				
Tuition	\$0.00	\$0.00	\$0.00	
Transportation	\$0.00	\$0.00	\$0.00	
Subtotal Smith Vocational High School	\$0.00	\$0.00	\$0.00	
Fiscal Year	2021	2022	\$ Change (FY21 to FY22) (Operating Budget)	% Change (FY21 to FY22) (Operating Budget)
Debt (D)	Operating Budget	Operating Budget		
Long Term Debt				
None	\$0.00	\$0.00	\$0.00	
Long Term Debt Subtotal	\$0.00	\$0.00	\$0.00	
Short Term Debt				
Excavator Lease Purchase	\$0.00	\$37,298.00	\$37,298.00	
Woodchipper Lease Purchase	\$0.00	\$11,362.00	\$11,362.00	
Short Term Debt Subtotal	\$0.00	\$48,660.00	\$48,660.00	
TOTAL TOWN OPERATING BUDGET	\$5,251,245	\$5,420,670	\$169,425	3.23%

Clerk's Note: Paul Antaya, Finance Committee Chair presented each section of the budget separately and gave more detailed information on the Finance Committees recommendations. A few questions to clarify budgets were asked. A question was asked as to why the Local Council on Aging was lower and it was

explained that that was the request of the committee. In years past they had projects but this year they are trying to revitalize the committee. Another question was asked regarding why there is a budget for the Tri-Town Beach Committee when the beach is closed for the season. It was explained that the Tri-Town Beach Commission will be trying to revitalize the beach by improving the infrastructure and producing a plan for the future of the beach. Another question was asked regarding how charter schools are paid. It was explained that the payments to Charter schools are within the school budget. Mr. Antaya indicated that the present budget may result in approximately .15¢ increase in the tax rate.

Moderator declared article passed unanimously

Financial Transfers

ARTICLE 10. Upon motion made and seconded, it was

Voted that the town authorize the Board of Assessors to transfer the sum of **\$200,000** from available funds (FY20 Free Cash) to reduce the tax levy for the fiscal year beginning on July 1, 2021.

Moderator declared article passed unanimously

ARTICLE 11. Upon motion made and seconded, it was

Voted to transfer the sum of **\$20,000** from available funds (FY20 Free Cash) to the Vehicle Stabilization Fund.

Moderator declared article passed unanimously

ARTICLE 12. Upon motion made and seconded, it was

Voted, pursuant to G.L. c. 40 § 5B, to create a separate Stabilization Fund to be known as the "Town Buildings Stabilization Fund," the purpose of which is to reserve such sums of money as Annual or Special Town Meeting shall vote to appropriate or transfer into it for expenses related to the construction and repair of existing or future Town-owned buildings and not for ordinary maintenance; and further vote to transfer the sum of **\$25,000** from available funds (FY20 Free Cash) into the Town Buildings Stabilization Fund to be authorized by vote under this article.

2/3rd vote required. Moderator declared article passed unanimously

Capital Project Appropriations

ARTICLE 13. Upon motion made and seconded, it was

Voted that the town transfer the sum of **\$21,500** from available funds (FY20 Free Cash) to pay for the purchase of new communications equipment for the Police and Fire Departments.

Moderator declared article passed unanimously

ARTICLE 14. Upon motion made and seconded, it was

Voted that the town transfer the sum of **\$30,000** from available funds (FY20 Free Cash) to pay for the purchase and installation of a back-up emergency generator for the Town Offices located at 4 Sandy Lane.

Moderator declared article passed unanimously

ARTICLE 15. Upon motion made and seconded, it was

Voted that the town transfer the sum of **\$12,000** from available funds (FY20 Free Cash) to pay for the purchase of a new snowplow to be used by the Highway Department.

Moderator declared article passed unanimously

ARTICLE 16. Upon motion made and seconded, it was

Voted that the town transfer the sum of **\$21,000** from available funds (FY20 Free Cash) to pay for the purchase and installation of a new commercial oven for the cafeteria of the Whately Elementary School.

Moderator declared article passed unanimously

ARTICLE 17. Upon motion made and seconded, it was

Voted that the town transfer the sum of **\$45,000** from available funds (FY20 Free Cash) to pay for the milling and resurfacing of the driveway and parking lot at the Whately Elementary School.

Moderator declared article passed unanimously

ARTICLE 18. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$29,000** from available funds (General Stabilization Fund) to pay for the milling and resurfacing of the driveway and parking lot at the Whately Elementary School.

Moderator declared article passed by the required 2/3rd's vote with 1 vote in opposition

ARTICLE 19. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$20,000** from available funds (FY20 Free Cash) to pay for the installation of new tile flooring and area rugs at the Whately Elementary School.

Moderator declared article passed unanimously

ARTICLE 20. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$5,000** from available funds (FY20 Free Cash) to pay for repairs and painting to the interior and exterior of the Police Station.

Moderator declared article passed unanimously

ARTICLE 21. Upon motion made and seconded, it was

Voted that the town appropriate and transfer the sum of **\$5,000** from the Water Department Enterprise Fund – Retained Earnings to pay for upgrades to the Westbrook Road pumping station.

Moderator declared article passed unanimously

Miscellaneous Appropriations

ARTICLE 22. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$1,000** from available funds (FY20 Free Cash) to pay for crack sealing and repairs to the Town Offices driveway and parking lot.

Moderator declared article passed in the affirmative with 1 vote in opposition

ARTICLE 23. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$15,000** from available funds (FY20 Free Cash) to be expended for expenses incurred to comply with the Town's obligations under Chapter 253 of the Acts of 2020, An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth.

Moderator declared article passed unanimously

ARTICLE 24. Upon motion made and seconded, it was

Voted that the Town transfer the sum of **\$20,000** from available funds (FY20 Free Cash) to be expended for the Whately 250th Anniversary Celebration.

Moderator declared article passed in the affirmative.

ARTICLE 25. Upon motion made and seconded, it was

Voted that the Town hear and act, pursuant to G.L. c. 44B, on the report of the Community Preservation Committee for the Fiscal Year 2022 Community Preservation Budget and vote to appropriate or reserve from the Community Preservation Fund a sum of money in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other necessary and proper expenses in the fiscal year beginning on July 1, 2021, including debt service for any approved Community Preservation project, with each item to be considered a separate appropriation:

Appropriations:

From FY22 estimated revenues for committee administrative expenses **\$9,000**

Reserves:

From FY22 estimated revenues for Open Space Reserve **\$20,500**

From FY22 estimated revenues for Affordable Housing Reserve **\$20,500**

From FY22 estimated revenues for Budgeted Reserve **\$87,000**

Debt Service

From FY22 estimated revenues for Town Hall Loan Debt Service **\$43,000**

Moderator declared article passed unanimously

ARTICLE 26. Upon motion made and seconded, it was

Voted that the Town, pursuant to G.L. c. 44B, appropriate and transfer the sum of **\$75,000** from the Community Preservation Fund – Unreserved Fund Balance for handicapped accessibility improvements and other improvements to the S. White Dickinson Library, including but not limited to the installation of a lift, construction of a handicapped accessible restroom, upgrades to the fire alarm system and other accessibility improvements.

Moderator declared article passed unanimously

ARTICLE 27. Upon motion made and seconded, it was

Voted that the Town, pursuant to G.L. c. 44B, appropriate and transfer the sum of **\$21,000** from the Community Preservation Fund – Budgeted Reserves for improvements to the Veterans Memorial Park, including but not limited to installation of additional memorial stones/plaques, construction of a stone wall, and the installation of new granite benches and plantings.

Moderator declared article passed unanimously

ARTICLE 28. Upon motion made and seconded, it was

Voted that the Town return the sum of **\$274.23** of Community Preservation Act funds, being the amount of funds remaining from an appropriation of \$15,000 under Article 13 of the December 1, 2016 Special Town Meeting for the purchase of a secure storage vault for the Town Office building, to the Community Preservation Fund Historic Resources Reserve.

Moderator declared article passed unanimously

ARTICLE 29. Upon motion made and seconded, it was

Voted that the Town return the sum of **\$918.06** of Community Preservation Act funds, being the amount of funds remaining from an appropriation of \$49,000 under Article 13 of the December 1, 2016 Special Town Meeting for the purchase of a secure storage vault for the Town Office building, to the Community Preservation Fund Unreserved Fund Balance.

Moderator declared article passed unanimously

ARTICLE 30. Upon motion made and seconded, it was

Voted that the Town return the sum of **\$1,006** of Community Preservation Act funds, being the amount of funds remaining from an appropriation of \$4,500 under Article 27 of the April 30, 2019 Annual Town Meeting for the restoration of the circa 1938 advertising backdrop curtain owned by the Whately Historical Society and its mounting on the Town Hall stage, to the Community Preservation Fund Unreserved Fund Balance.

Moderator declared article passed in the affirmative

Proposed Scenic Road Designations

Clerk's Note: There were several questions regarding what this designation meant for property owners for the next 3 articles. It was explained that this designation only applies to the Town's right-of-way. There was also a question on whether Eversource would have to abide by this bylaw and it was answered in the affirmative. The main purpose of the article is to require a public hearing before any possibly historically significant tree or stone wall can be removed.

ARTICLE 31. Upon motion made and seconded, it was

Voted that the Town designate Poplar Hill Road as a scenic road pursuant to Massachusetts General Laws Chapter 40, Section 15C, and further to amend the Whately General Bylaws, § 148-3 - Whately Scenic Roads Bylaw, paragraph (B) to include "Poplar Hill Road" as a designated scenic road, and to authorize the Town Clerk to insert those words in paragraph (B) in grammatically correct form.

Moderator declared article passed in the affirmative with 4 votes in opposition

ARTICLE 32. Upon motion made and seconded, it was

Voted that the Town designate Strippe Road as a scenic road pursuant to Massachusetts General Laws Chapter 40, Section 15C, and further to amend the Whately General Bylaws, § 148-3 - Whately Scenic Roads Bylaw, paragraph (B) to include "Strippe Road" as a designated scenic road, and to authorize the Town Clerk to insert those words in paragraph (B) in grammatically correct form.

Moderator declared article passed in the affirmative with 3 votes in opposition.

ARTICLE 33. Upon motion made and seconded, it was

Voted that the Town designate Webber Road as a scenic road pursuant to Massachusetts General Laws Chapter 40, Section 15C, and further to amend the Whately General Bylaws, § 148-3 - Whately Scenic Roads Bylaw, paragraph (B) to include "Webber Road" as a designated scenic road, and to authorize the Town Clerk to insert those words in paragraph (B) in grammatically correct form.

Moderator declared article passed in the affirmative with 6 votes in opposition

Zoning Amendments

ARTICLE 34. Upon motion made and seconded, it was

Voted that the Town amend the Town of Whately Zoning Bylaw and Zoning Map, established under § 171-4, to rezone the following parcels from the Agricultural/Residential District 1 to the Commercial District, in order to allow for more commercial uses to be carried out on these parcels:

Parcel # 1 – Assessors Map ID # 06-0-04-3 (on Egypt Road adjacent to the railroad tracks)

Parcel # 2 – Assessors Map ID # 12-0-24 (address of 148 State Road)

Parcel # 3 – Assessors Map ID # 12-0-24-1 (between State Road and Interstate 91)

Moderator declared a clear 2/3rds vote per his right under bylaw with only 4 votes in opposition.

ARTICLE 35. Upon motion made and seconded, it was

Moved to amend the Town of Whately Zoning Bylaw, § 171-8 Table of Use Regulations, by inserting a new commercial use designation of "Trucking and construction equipment" in the Commercial Uses category, as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw

Principal Use	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Commercial Uses					
<i>Trucking and construction equipment</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>

N = No, the use is not permitted in that zoning district.

SP = The use is allowed in that zoning district only after a special permit has been granted.

Clerk's Note: There was much discussion on this article regarding the definition of Trucks and what the article would mean for residents who might have a piece of equipment that they use on their land. There was also discussion as to what "class" of truck this article pertains.

Motion was made and seconded to lay the article on the table,

Moderator appointed Paul Newlin and Claudia Ciano-Boyce as counters.

Voted to lay the article on the table.

2/3 rd's vote required.

Count was 72 yes and 10 no to lay on the table. Article was not addressed again before adjournment.

ARTICLE 36. Upon motion made and seconded, it was

Voted that the Town amend the Town of Whately Zoning Bylaw, § 171-17 Site Plan Review and Review of Large Developments to modify the submission requirements for site plan documents as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw
Text in *italics* ~~strikeout~~ is proposed as a deletion to the Zoning Bylaw

~ 171-17. Site plan review and review of large developments.

A. (3) Procedures

- (a) An applicant for site plan review shall file a completed application with the Planning Board, at a regularly scheduled meeting. The application shall include *a digital file and ~~six~~ four* copies each of an application form, site plan and any narrative documents as necessary. The Planning Board Chairperson shall acknowledge receipt of the plans by signing and dating the application form. A copy of the completed application shall be filed with the Town Clerk by the applicant. The Planning Board shall transmit copies of the application to appropriate Town Boards and municipal officials. This may include the Special Permit Granting Authority if a Special Permit has also been applied for, the Conservation Commission, the Zoning Board of Appeals, the Board of Health, the Historical Commission, *the Agricultural Commission*, the Highway Superintendent, the Fire Chief or the Building Inspector. These Town Boards and municipal officials shall have 45 days from the date the completed application is received from the Planning Board to

report to the Planning Board their findings and recommendations. Failure to report in the allotted time shall constitute approval of the application submitted by that Board or municipal official.

Moderator declared the article passed with a clear 2/3rd's vote as permitted by bylaw.
Only 2 votes in opposition.

ARTICLE 37. Upon motion made and seconded, it was

Voted that the Town amend the Town of Whately Zoning Bylaw, § 171-28.6 Adult Use Recreational and Medical Marijuana Establishments, by inserting a definition for Indoor Marijuana Cultivation in subsection (B), Definitions, to authorize the Town's ability to inspect and monitor operating facilities; and by inserting a new paragraph 16, "Inspections and Monitoring" in subsection D, Site Development, Permitting Standards & Application, and renumbering the remaining paragraphs in subsection D, as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw
Text in ~~italics~~ ~~strikeout~~ is proposed as a deletion to the Zoning Bylaw

~ 171-28.6 Adult Use Recreational and Medical Marijuana Establishments

B. Definitions

Indoor Marijuana Cultivation – the growing of marijuana inside any Greenhouse or other fully enclosed structure and any subsequent drying of marijuana in such a facility.

D. Site Development, Permitting Standards & application

16. Inspections and Monitoring

The Marijuana Establishment may be inspected and/or monitored at various times during its construction and operation. The Zoning Board of Appeals, as special permit granting authority, or the Planning Board, pursuant to the Site Plan Review process, may hire an inspector with background and experience in marijuana cultivation, exterior odor control and measurement, stormwater management, or other expertise relative to Marijuana Establishments to provide inspection and monitoring services at the expense of the project proponent. Such required inspections may be specified in the Special Permit and/or Site Plan Review conditions.

2/3rd's vote required. Vote was unanimous.

ARTICLE 38. Upon motion made and seconded, it was

Voted that the Town amend the Town of Whately's Zoning Bylaw, § 171-37 Terms Defined, to expand the definition of Accessory Apartment so as to allow a 600 square foot dwelling unit in a new accessory structure, as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw
Text in ~~italics~~ ~~strikeout~~ is proposed as a deletion to the Zoning Bylaw

~ 171-37. **Terms Defined**

Accessory Apartment -- An additional dwelling unit consisting of no more than four rooms and no more than 800 square feet of living area in a ~~pre-existing~~ single-family home. *An Accessory Apartment may also be located in a pre-existing or an* accessory

structure ~~such as a garage or barn~~ provided there is no expansion of square footage of ~~the accessory structure any existing structure and the structure has been in place for at least five years. An additional dwelling unit of no more than 600 square feet may be added in a new structure.~~ The Accessory Apartment shall be occupied by no more than two people. The owner of the property shall permanently occupy the principal or accessory residence. Adequate off-street parking shall be provided and parking shall be to the side or rear of the principal structure to the maximum extent possible.

2/3rd's vote required. Moderator declared vote passed unanimously.

Upon Motion made and seconded, it was

Voted to adjourn without date at 7:28 p.m.

A true copy,

Attest:

Lynn M Sibley, CMMC, MMC

Lynn M. Sibley, CMMC, MMC
Town Clerk