

FALL TOWN MEETING
MEMORIAL TOWN HALL
NOVEMBER 1, 2007

The Meeting was called to order at 7:04 PM by Moderator, Robert B. McPherson.
The Pledge of Allegiance was led by Jean M. Mulhall, Town Clerk.
The Moderator called attention to the Volunteer Form which was included in the handout packet.
He encouraged anyone interested in serving to complete and return the form to the Town Administrator or Town Clerk's Office.
Moderator encouraged residents to tune in to the Cable Access Station for the new show "Talk of the Town", which airs live and is a call in program, on the first Monday of each month. This month's show deals with Downtown Revitalization.

The following Articles were acted upon:

Defeated by a majority vote a motion to amend Article 1 – BoH Noise Regulation Enforcement, Account #60000-59144, from \$10,000 to Zero (0) and to reduce free cash by \$10,000.

Defeated by a majority vote a motion to amend Article 1 – Luther Hill Park, Account #60000-59116, from \$15,000 to Zero (0) and to reduce free cash by \$15,000.

Article 1: Majority voted that the Town amend its Fiscal Year 2008 Operating and its Capital/Special Projects Budget(s) by appropriating the sum of \$87,500 to various accounts, as identified below, and to transfer \$72,500 from free cash and \$15,000 from O'Gara Bleachers (Account #60000-59135) to meet said appropriation.

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Highway Dept.	11422-51000	\$30,000
Council on Aging (Study of Space Expansion)	11541-52000	\$ 2,500
Tree Warden (Match DCR Grant; Arbor Day; +work)	60000-59101	\$15,000
Luther Hill Park	60000-59116	\$15,000
BoH – Noise Regulation Enforcement	60000-59144	\$10,000
BoH – Site Clean-Up	60000-59145	\$15,000
	Total	\$87,500

Article 2: Majority voted (counted vote of 58 In Favor and 19 Opposed), as a block, that the Town amend the Fiscal Year 2008 Operating and the Capital/Special Projects Budget(s) of the Water Department by:

A. Appropriating the sum of \$50,000 to Account #15000-56000 (Intergovernmental) and to meet said appropriation by a transfer of \$30,000 from water retained earnings and the balance from anticipated revenues.

B. Appropriating the sum of \$63,175 to Account #15000-58610 (Corrosion Control) and to meet said appropriation by a transfer of \$50,000 from Account #15000-58670 and \$13,175 from Account #15000-58600.

C. Appropriating the sum of \$250,000 to an account entitled Meadow Road Treatment Plant Upgrade and to meet said appropriation by a borrowing.

Article 3: Majority voted that the Town endorse an effort by the SelectBoard, coordinated through the Energy Task Force, to determine the feasibility of aggregating the electrical demand of the communities' residential and business users, seek bids for the bulk purchase of a supply of electrical power to satisfy such demand, and define the terms of a potential contract for such power supply with a report to be delivered to the Annual Town Meeting of 2008.

Article 4: Unanimously voted that the Town authorize the Board of Selectmen to grant an easement, upon such terms and conditions as it deems reasonable, appropriate, and in the best interests of the Town, to National Grid to install, operate, and properly maintain electrical lines and equipment upon land located at the Spencer Fairgrounds (and being a portion of land generally identified as Map R-32 Parcel 28 on the records of the Board of Assessors), and to further authorize the SelectBoard to negotiate, execute, deliver, and accept such deeds and other documents it deems necessary to carry out the purposes of this article.

Article 5: Unanimously voted that the Town authorize the SelectBoard for consideration of less than \$100.00 and upon such terms and conditions as it deems reasonable, appropriate, and in the best interests of the town, to acquire a parcel of land of 13.4+/- acres located on Bixby Road (and being land generally identified as Map U-9 Parcel 3 on the records of the Board of Assessors), and to further authorize the SelectBoard to negotiate, execute, deliver, and accept such deeds and other documents it deems necessary to carry out the purposes of this article.

Defeated by a majority vote a motion to delete C. Section 3.4.1; to rescind the current language concerning the Aquifer Protection District and substituting a new section, from the Main Motion in Article 6.

Article 6: Majority voted (Counted vote of 49 In Favor and 11 Opposed), as a block, that the Town amend its Zoning By-Law as follows:

- A. Section 2.2; to add certain definitions;
- B. Section 3.3; to add language relative to lots split by a zoning district boundary;
- C. Section 3.4.1; to rescind current language concerning the Aquifer Protection District and substituting a new section;
- D. Section 4.2; to add a new item for mixed uses to the Use Table;
- E. Section 4.3.1; to delete certain references to a special permit for OSRD;
- F. Section 4.3.2; to clarify the application process for multi-family in OSRD;
- G. Section 4.3.9; to add Mixed uses in a single building to the heading;
- H. Section 4.3.25; to amend a certain setback from property lines for construction trades;
- I. Section 5.2.3; to add language relative to odd lot configurations;
- J. Section 5.3.1; to add language relative to lots split by a zoning district boundary;
- K. Section 5.3.10; to add language relative to so-called "Rear Lot Subdivisions";
- L. Section 6.1.2.A; to add language to exempt pre-existing buildings in certain cases from buffer requirements;
- M. Section 6.5.2; to add clarifying language relative to signs requiring a permit;
- N. Section 6.5.3.B; to add the Town Center district;
- O. Section 6.5; to place a legislative moratorium on enforcement of provisions relating to "temporary" signs;

P. Section 7.2.1; to add two-family dwellings to special permits granted by the Planning Board.

Article 7: Majority voted that the Town accept the provisions of Chapter 54, Section 16A of the Massachusetts General Laws, which provides that if the warden, clerk or inspector, or the deputy of any such officer, if any, is not present at the opening of the polls, the Town Clerk may appoint a person to fill such vacancy who shall be an enrolled voter of the same political party as the absent officer, if any competent person enrolled in such party is present and willing to serve.

Article 8: Unanimously voted that the Town appropriate the sum of \$250,000 to make certain repairs to the Town Hall premises, as generally illustrated below, and to meet said appropriation by a borrowing.

Util & Fac	Town Hall Retaining Wall	\$150,000
	Town Hall HVAC & Electrical Repairs	\$100,000
	Total	\$250,000

Article 9: Majority voted that the Town rescind the following authorized and unissued debt:

<u>Purpose</u>	<u>Date & Article Authorized</u>	<u>Unissued Amount</u>
Burncoat Pond	11/17/2005 ATM #10	\$315,000

Article 10: Majority voted that the Town appropriate the sum of \$300,000 to make certain temporary and permanent repairs to the Elm Street Bridge and various bridges, and provide for the non-federal share of the reconstruction of Maple Street (Main to Bemis), as generally illustrated below, and to meet said appropriation by a transfer from free cash.

Util & Fac	Bridge Reconstruction & Repairs	\$150,000
	Maple Street (Non-Federal Share)	\$150,000
	Total	\$300,000

Article 11: Unanimously voted that the Town transfer the sum of \$1,289 from free cash to the Land Acquisition Stabilization Fund.

Note: Full copies of various documents and maps relating to Articles 4, 5 and 6 are available at the Office of the Town Clerk or at www.spencerma.gov.

Majority voted at 9:42 PM to dissolve this Meeting.
114 Registered Voters attended this Meeting.

Jean M. Mulhall, Town Clerk

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