

**RESULTS OF
SPECIAL TOWN MEETING
NOVEMBER 5, 2015**

135 VOTERS ATTENDED

Moderator, Atty. Vincent McCaughey, called the meeting to order at 7:03 PM. More than a quorum of 25 were present. The Moderator declared that the Warrant was properly posted; explained that a change was approved at the 2014 Annual Town Meeting; the Special Town Meeting Warrant no longer has to be posted in a newspaper. Seeing there was a public quorum; he opened the meeting and explained the procedures of the meeting. The following articles were voted on:

ARTICLE 1: MOTION MADE AND SECONDED: I move that the Town vote to authorize the Board of Selectmen to negotiate and enter into an Agreement with Tanko Streetlighting, Inc. for the acquisition and installation of the street light assets in the Town for the conversion of the existing street light fixtures to Light Emitting Diode (LED fixtures) upon such terms and conditions as the Selectmen determine to be in the best interest of the Town and to authorize the Board of Selectmen to take any action necessary or appropriate to implement the so-called Street Light Conversion Project. I further move that the Town appropriate \$ 200,000.00 for said purpose and any costs related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to *borrow* \$ **200,000.00** by issuing notes or bonds of the Town therefor pursuant to General Laws Chapter 44, Section 7 (14), or any other enabling legal authority. **2/3rds Vote Required**

**MOTION MADE AND SECONDED TO ALLOW ANNA GUSTINES AND SHARON
TIERNEY FROM GRAYBAR ELECTRIC TO ADDRESS THE MEETING.
MODERATOR DECLARED MOTION PASSED**

Anna Gustines explained that they were working with the Town to help take ownership of the Street Light System from National Grid to convert it to LED. This project will reduce the energy consumption of street lighting by 70%. It will cut the overall street light bill by approximately \$43,000.00 every year. Over the next 20 years this project will save the Town over 3/4 of a million dollars. This project will pay itself back in just 3.3 years. Resident Louise Mundell asked "Who is responsible to replace a light if it goes out"? Anna Gustines answered that the Town is responsible and followed up by explaining that this proposal includes a maintenance agreement; there is a hot line to call to have someone come out to fix it. The maintenance is included in this price for the first year then it is \$2,666.00 per year in the current contract. Planning Board Member, Peter Krawczyk, asked if the Board of Selectmen looked into Grants and/or the Green Communities Act to see if this would offset the cost. At this time the following motion was made;

**MOTION MADE AND SECONDED TO ALLOW THE TOWN PLANNER, WILLIAM
SCANLAN, TO ADDRESS THE MEETING - MODERATOR DECLARED MOTION PASSED**

William Scanlan explained that the Green Communities Act is a program of the Commonwealth of Massachusetts that rewards Communities who take energy conservation measures. There are a number of requirements the Town has to comply with. The Town has to produce an energy plan, needs to commit to purchasing fuel efficient vehicles, needs to adopt Zoning measures to allow certain renewable energy, and the Town would need to adopt what is called the Stretch Code, which is a portion of the State Building Code. It has very high standards for energy conservation and new construction. If the Selectmen wish to apply for the Green Communities Program we would have to comply with these types of measures. Then in return, the State provides the community with a Grant to make energy saving measures in their buildings and fleet of vehicles. This is a very worthwhile program for the Town to pursue. There is about \$150,000.00 in Grant money if the Town decided to go through with it. While it would be a little more expensive to comply with the Stretch Code but the payback would more than offset the cost of the additional conservation measures. Town Electrical Inspector, Scot Mansfield agreed that LED lighting would save the Town money in the years to come.

**ARTICLE 1: SECRET BALLOT VOTE – 108 YES – 22 NO – TOTAL = 130
2/3'S VOTE REQUIRED (87 VOTES) – PASSED**

At this time the following motion was made by Highway Surveyor, Thomas Boudreau:

MOTION MADE AND SECONDED: I MAKE A MOTION TO MOVE ARTICLE 28 TO BE HEARD NOW - (The Moderator declared that this motion is debatable - there was no debate.) - THE MODERATOR DECLARED MOTION PASSED.

ARTICLE 28: MOTION MADE AND SECONDED: I move that the Town vote to authorize the Board of Selectmen appoint a Superintendent of Streets in accordance with the provisions of Massachusetts General Laws Chapter 41, Sections 21 and 66.

MOTION MADE AND SECONDED TO TABLE THIS ARTICLE (The Moderator declared that this motion to lay on the table is not debatable and it requires a 2/3's majority vote).

**HAND COUNT TAKEN - 70 YES - 21 NO - TOTAL = 91
2/3'S VOTE REQUIRED (61 VOTES) - PASSED**

ARTICLE 2: VOTED BY A MAJORITY - PASSED - (As declared by Moderator) that the Town *transfer* from \$6,465.00 from Free Cash to the Street Lights Expense Line item, an amount equal to that expended for costs to perform a Street Light Energy Audit.

ARTICLE 3: VOTED UNANIMOUSLY (As declared by the Moderator) that the Town *transfer* \$1,784.60 from Free Cash to replace the Main Entrance door to the Senior Center.

ARTICLE 4: VOTED UNANIMOUSLY (As declared by the Moderator) that the Town *reduce* the amount raised and appropriated for the FY 2016 Quaboag Regional School District Assessment by \$75,191.00, as a result of a refund allocated to the District for FY 2015 Regional School Transportation costs.

ARTICLE 5: VOTED BY A MAJORITY - PASSED - (As declared by the Moderator) that the Town *transfer* \$1,000.00 from Free Cash to the Animal Control Expense Line Item for interim dog sheltering expenses through June 30, 2016.

ARTICLE 6: VOTED BY A MAJORITY - PASSED - (As declared by the Moderator) that the Town *raise and appropriate* \$5,135.00 for the Town's share of the costs of a Regionalization Agreement for Animal Control Officer Services and Animal Sheltering (ACO/Animal Sheltering Agreement) with the Town of Palmer for a Pilot program of 1 year with an option to continue for greater term with annual appropriation paid to the Town of Palmer; and to authorize the Board of Selectmen to take any action necessary to implement and further administer the ACO/Animal Sheltering Agreement.

ARTICLE 7: VOTED BY A MAJORITY - PASSED - (As declared by the Moderator) that the Town authorize the Board of Selectmen to enter into an Power Purchasing Agreement (PPA) for the purchase of Net Metering Credits with the owner of a Renewable Energy Generation Facility for a term of up to 30 years and on such terms and conditions as the Board of Selectmen deem in the best interests of the Town, and to further authorize the Board of Selectmen to take any actions and to sign any other ancillary documents necessary or appropriate to implement and administer the PPA Agreement.

ARTICLE 8: MOTION MADE AND SECONDED: I move that the Town vote to amend the Warren Zoning By-law, Section 7, Siting of Wireless Communications Facilities and Creation of Overlay District, to remove the Overlay District and allow wireless communications towers in all districts, subject to special permit and site plan approval from the Planning Board, except those that will serve municipal departments, all as set forth in the document attached to this Warrant and labeled as ATTACHMENT #1. **2/3rds Vote Required**

AMENDED MOTION MADE AND SECONDED: I move that the Town vote to amend Article 8 to include the addition of a new Section 7.3.9 as follows: Wireless Communication Facility. 9. WCF proposed by a municipal department of the Town of Warren shall be exempt from the provisions of this section 7.

Article 8: Wireless Communication Facility Amendment. In accordance with M.G.L. C 40A Sec.5, the Planning Board conducted a public hearing on November 4, 2015 to review Article 8. The Planning Board recommended by a majority vote (4 Yes Votes, 1 Ney Vote) to approve Article 8 as printed in the Warrant with the addition of a new section 7.3.9 as follows: **9. WCF proposed by a municipal department of the Town of Warren Shall be exempt from the provisions of this Section 7.**

AMENDED MOTION
(The Moderator declared that this motion to amend is a majority vote)
AMENDED MOTION - PASSED

After a lengthy discussion; the following motion was made:

MOTION MADE AND SECONDED TO MOVE THE QUESTION
(The Moderator declared that this motion requires a 2/3's majority vote)
VOTED UNANIMOUSLY (As declared by the Moderator)

ARTICLE 8: MAIN MOTION AS AMENDED
HAND COUNT TAKEN - 116 YES - 3 NO - TOTAL = 119
2/3'S VOTE REQUIRED (79 VOTES) - PASSED

ARTICLE 9: VOTED UNANIMOUSLY (As declared by the Moderator) that the Town adopt a new Commercial Zoning District by [a] amending the Zoning Map to establish the district in certain locations along Route 67 that are currently zoned Rural or Residential; and [b] to amend the text of the Zoning By-Law to create the district in Section 2, Establishment of Districts; to add the Commercial District to Section 3.2, Schedule of Use Regulations, and to specify if uses are allowed by right, by special permit, or are prohibited; to modify Section 4, Dimensional Requirement to specify dimensional requirements for the Commercial District, to modify Section 5.3, Site Plan Review, to require site plan review for certain land uses and development activities in the Commercial District, and to make minor changes elsewhere in the Zoning Bylaw to accommodate the new district, all as set forth in the document attached to this Warrant and labeled as ATTACHMENT #2. **2/3rds Vote Required**

Article 9: Adoption of a New Commercial Zoning District. In accordance with M.G.L. C 40A Sec.5, the Planning Board conducted a public hearing on November 4, 2015 to review Article 9. The Planning Board recommended by a majority vote (4 Yes Votes, 1 Ney Vote) to approve Article 9 as printed in the Warrant.

ARTICLE 10: MOTION MADE AND SECONDED: I move that the Town vote to *transfer* **\$38,000.00** from the Sewer Enterprise Capital Improvement Account to purchase and equip a pickup truck to replace pickup truck number #1.

ARTICLE 10: SECRET BALLOT VOTE - 32 YES - 96 NO - DEFEATED

ARTICLE 11: VOTED BY A MAJORITY - PASSED - (As declared by the Moderator) that the Town *transfer* **\$15,300.00** from the Sewer Enterprise Capital Improvement Account to purchase and equip two (2) automatic flow paced wastewater samplers to replace such samplers.

ARTICLE 12: MOTION MADE AND SECONDED: I move that the Town vote to *transfer* **\$25,000.00** from the Sewer Enterprise Capital Improvement Account to replace and repair cement stairways and surfaces at the wastewater treatment plant.

ARTICLE 12: SECRET BALLOT VOTE - 64 YES - 53 NO - PASSED

ARTICLE 13: VOTED BY A MAJORITY - PASSED - (As declared by the Moderator) that the Town *transfer* **\$11,000.00** from the Sewer Enterprise Capital Improvement Account to replace Plant Water Pump number 1.

ARTICLE 14: MOTION MADE AND SECONDED: I move that the Town vote to *appropriate* **\$110.00** from the Sewer Retained Earnings Account to pay a previous fiscal year's bill of the Sewer Department to Dig Safe. **9/10ths Vote Required**

ARTICLE 14: HAND COUNT TAKEN – 82 YES – 5 NO – TOTAL = 87
9/10'S VOTE REQUIRED (78 VOTES) – PASSED

ARTICLE 15: VOTED BY A MAJORITY – PASSED – (As declared by the Moderator) that the Town *transfer* **\$8,930.00** from available funds as appropriated by the Town in Article 34 by Vote at the May 29, 2013 Annual Town Meeting and **\$1,309.00** from available funds as appropriated by the Town in Article 6 by Vote at the September 30, 1998 Special Town Meeting, for a total of **\$10,239.00** to the Warren Town Hall Repairs Line Item for the repairs to the Police Building entrance.

ARTICLE 16: MOTION MADE AND SECONDED: I move that the Town vote to raise and appropriate **\$15,000.00** to the Warren Town Hall Repairs Line Item to continue addressing the environmental health issues as stated by the Warren Board of Health's condemnation order of the Warren Town Hall.

AMENDMENT - MOTION MADE AND SECONDED: I move that the Town *transfer* \$15,000.00 from Free Cash to an account called the Warren Town Hall Repairs Line Item to continue addressing the environmental health issues as stated by the Warren Board of Health's condemnation order of the Warren Town Hall.

AMENDED MOTION – PASSED-(As declared by the Moderator)

MAIN MOTION AS AMENDED - PASSED-(As declared by the Moderator)

ARTICLE 17: VOTED BY A MAJORITY – PASSED – (As declared by the Moderator) that the Town *transfer* **\$3,500.00** from available funds as appropriated by the Town in Article 19 by Vote at the October 29, 2013 Special Town Meeting for the replacement of department radio repeater.

ARTICLE 18: MOTION MADE AND SECONDED: I move that the Town vote to *transfer* **\$1,450.00** from Free Cash to the Tree Dept. Expense Line Item to pay for prior year (FY15) invoice.
9/10ths Vote Required

ARTICLE 18: HAND COUNT TAKEN – 85 YES – 3 NO – TOTAL = 88
9/10'S VOTE REQUIRED (79 VOTES) – PASSED

ARTICLE 19: MOTION MADE AND SECONDED: I move that the Town vote to *transfer* **\$350.00** from the Landfill, Leachate Line Item to pay for a prior year (FY14) invoice.
9/10ths Vote Required

ARTICLE 19: HAND COUNT TAKEN – 79 YES – 2 NO – TOTAL = 81
9/10'S VOTE REQUIRED (73 VOTES) – PASSED

ARTICLE 20: MOTION MADE AND SECONDED: I move that the Town vote to *transfer* **\$4,851.41** from Free Cash to the Legal Expense Line Item to pay for previous year (FY15) legal bills.
9/10ths Vote Required

ARTICLE 20: HAND COUNT TAKEN – 78 YES – 2 NO – TOTAL = 80
9/10'S VOTE REQUIRED (72 VOTES) – PASSED

ARTICLE 21: MOTION MADE AND SECONDED: I move that the Town vote to raise and appropriate **\$16,259.07** to offset the deficit in the Snow and Ice Account.

AMENDMENT - MOTION MADE AND SECONDED: I move that the Town *transfer* **\$16,259.07** from Free Cash to offset the deficit in the Snow and Ice Account.

AMENDED MOTION – PASSED-(As declared by the Moderator)

MAIN MOTION AS AMENDED - PASSED-(As declared by the Moderator)

ARTICLE 22: MOTION MADE AND SECONDED: I move that the Town vote to amend Article II – Town Meeting, Section 7-Secret Ballot. Of the General By-laws of the Town of Warren by deleting the last sentence of said section, and inserting in place thereof the following, “A secret ballot shall be taken on the appropriation of more than \$50,000.00 for any purpose other than an annual departmental appropriation or the borrowing of money for any amount.”

ARTICLE 22: HAND COUNT TAKEN – 29 YES – 56 NO – DEFEATED

ARTICLE 23: MOTION MADE AND SECONDED TO PASSEVER ARTICLE 23: I move that the Town vote to approve the Fire Chief’s reclassification of a “Fire Fighter” slot on the Fire Fighter On-Call Roster to “Department Chaplain” with such reclassified position to receive an annual stipend equivalent to \$1,060.00 as is applicable to all current Fire Fighter on-call personnel, and within the appropriation approved by the May 12, 2014 Annual Town Meeting for Fire Department Call Salaries.

VOTED BY A MAJORITY TO PASSEVER - PASSED (As declared by Moderator)

At this time the following motion was made by Highway Surveyor, Thomas Boudreau.
MOTION MADE AND SECONDED: I MOVE TO RECONSIDER ARTICLE #28.

MOTION TO RECONSIDER – DEFEATED

ARTICLE 24: MOTION MADE AND SECONDED: I move that the Town vote to raise and appropriate \$25,000.00 for the additional design engineering, permitting and procurement services in connection with the improvements to be made in the downtown area, and to authorize the Board of Selectmen to enter into all contracts and agreements upon such terms and conditions as the Board of Selectmen may determine to be in the best interests of the Town regarding such services.

MOTION MADE AND SECONDED TO ALLOW KEN HODGSON FROM LENARD ENGINEERING TO ADDRESS THE MEETING.

MODERATOR DECLARED MOTION PASSED

Ken Hodgson introduced himself as the Project Manager. He said, “The project is about a year behind; due to a lot of design changes and additions; the cost of these changes has been significant, this is why we are asking for a budget increase of \$25,000.00. Lenard Engineering costs have been significantly higher; we have been working on this project for the last six months without sending a bill and we have been working very diligently in trying to control costs. We have enjoyed a long relationship with Warren and that has kept us working on this project despite the strains put on our company. We are hoping you will grant us this increase in the budget. In doing so it will help keep us funded for the next stage which is construction.” Resident, Marci Dineen asked, “Is this a DOT funded project?” Ken Hodgson responded, “Yes, it is a DOT funded project. DOT funds the construction. The Town is responsible for hiring the consultant to prepare the plans.”

AMENDMENT - MOTION MADE AND SECONDED: I move that the Town *transfer* \$25,000.00 from Free Cash for the additional design engineering, permitting and procurement services in connection with the improvements to be made in the downtown area and authorize the Board of Selectmen to enter all necessary contracts and agreements related thereto in the best interests of the Town.

AMENDED MOTION – PASSED-(As declared by the Moderator)

MAIN MOTION AS AMENDED

SECRET BALLOT VOTE – 75 YES – 19 NO – PASSED

ARTICLE 25: VOTED BY A MAJORITY – PASSED – (As declared by the Moderator) that the Town *transfer* \$700.00 from Free Cash to the Liability Insurance Line Item to cover expenses through June 30, 2016.

ARTICLE 26: MOTION MADE AND SECONDED: I move that the Town vote to raise and appropriate **\$32,000.00** and transfer **\$19,000.00** from the Stabilization Special Use Equipment Account and transfer **\$14,000.00** from the Highway Equipment Fund for a total of **\$65,000.00** to purchase a 2015/2016 Dump Truck with plow, spreader and other related equipment and accessories. **2/3rds Vote Required**

AMENDMENT ONE - MOTION MADE AND SECONDED: I move that the Town appropriate **\$65,000.00** for the purchase a 2015/2016 Dump Truck with plow, spreader and other related equipment and accessories and to meet said appropriation the Town shall transfer **\$32,000.00** from Free Cash, **\$19,000.00** from the Stabilization Special Use Equipment Fund and **\$14,000.00** from the Highway Equipment Rental Account.

AMENDMENT ONE MOTION – PASSED-(As declared by the Moderator)

AMENDMENT TWO - MOTION MADE AND SECONDED: I move to use **\$32,000.00** for the dump truck from Chapter 90 Funds.

A brief discussion followed. Selectmen, Dario Nardi stated that he does not recommend taking the money from Chapter 90 because he feels that money should be maintained and utilized for the roads.

AMENDMENT TWO - MOTION MADE AND SECONDED: I move to withdraw motion two.

AMENDMENT TWO - MOTION TO WITHDRAW – PASSED-(As declared by the Moderator)

AMENDMENT ONE - MAIN MOTION AS AMENDED
SECRET BALLOT VOTE – 68 YES – 26 NO – TOTAL = 94
2/3'S VOTE REQUIRED (63 VOTES) – PASSED

ARTICLE 27: MOTION MADE AND SECONDED: I move that the Town vote to raise and appropriate **\$5,100.00** to supplement the salaries of the following elected officials for Fiscal Year 2016: Town Clerk, \$1,045.00; Collector of Taxes, \$1,260.00; Town Treasurer, \$1,283.00; and Highway Surveyor, \$1,512.00. **2/3rds Vote Required**

MOTION MADE AND SECONDED TO HAVE A SECRET BALLOT (Moderator said it requires 25 people to support the secret ballot) - MODERATOR COUNTED 16 THEN DECLARED MOTION DOES NOT CARRY.

ARTICLE 27: HAND COUNT TAKEN – 62 YES – 16 NO – TOTAL = 78
2/3'S VOTE REQUIRED (52 VOTES) – PASSED

Business of the meeting being completed, a motion was made and seconded to dissolve the meeting at 9:30 PM.

A TRUE COPY ATTEST:

Nancy J. Lowell
Town Clerk