

RESULTS OF ANNUAL TOWN MEETING
May 1, 2010

The warrant was returned to the Town Clerk at 8:30 AM.

With a quorum present, the Moderator Nancy Chew called the meeting to order at 9:48 AM.

Proclamation as a day of remembrance to Lina Perna read by Moderator Nancy Chew.

The motion was made and seconded to waive the reading of the warrant, and so voted.

The moderator states that rules of the meeting are to be the same as the Special Town Meeting.

The motion was made and seconded to allow the moderator to declare a two-thirds vote, and so voted.

ANNUAL TOWN MEETING ARTICLES

Article 1. The motion was made and seconded to elect all other town officers not required to be on the official ballot.

VOTE: UNANIMOUS

Article 2. The motion was made and seconded to hear the reports of the various town officials and committees.

VOTE: UNANIMOUS

Article 3. The motion was made and seconded to authorize the Treasurer to borrow funds as necessary in anticipation of revenue, in accordance with Chapter 44, Sections 23 to 27 of the Massachusetts General Laws.

VOTE: UNANIMOUS

Article 4. The motion was made and seconded to accept the sums in trust; the income therefrom to be expended for the perpetual care of lots as printed in the warrant.

VOTE: UNANIMOUS

Article 5. The motion was made and seconded to appropriate from available funds the sum of \$179,016 known as Chapter 90 to be used by the Highway Department in accordance with the Massachusetts General Laws.

VOTE: UNANIMOUS

Article 6. The motion was made and seconded to raise and appropriate the sums of money necessary to defray charges and expenses of the Town for the ensuing fiscal year, FY2011, beginning July 1, 2010 and ending June 30, 2011, with each item considered to be a separate appropriation as set forth below, and to fix the salaries of all elected officials.

\$ 557,464.83 for General Government
\$ 830,500.96 for Protection of Persons and Property

\$ 2,898,944.00 for Education
\$ 375,514.29 for Public Works & Facilities
\$ 24,080.32 for Human Services
\$ 73,050.88 for Culture & Recreation
\$ 474,895.45 for General Government Expenses

For a total sum of \$5,234,450.73 for the FY2011 operating budget.

The motion was made and seconded to decrease the amount of the Reserve Fund by \$5000.00 and to create a line item on the Police Budget to be known as Police Lock up Fees by placing in this line item the amount of \$5000.00 for the purpose of paying for Police Lock up Fees.

VOTE ON AMENDMENT: DEFEATED

The motion was made and seconded to decrease the amount of the Reserve Fund by the amount of \$10,000.00 and to add to the Municipal Buildings Repair Line \$10,000.00 for the purpose of repairs needed on the Municipal Buildings.

VOTE ON AMENDMENT: DEFEATED

The motion was made and seconded to decrease by the Amount in the Stabilization Account Expense Line of \$4000.00 and return this amount to the Reserve Fund, for the purpose of balancing the Budget for fiscal year 2011.

VOTE ON AMENDMENT: DEFEATED

VOTE ON ORIGINAL ARTICLE: PASSED

Article 7. The motion was made and seconded to appropriate from Free Cash the sum of \$3,500 to the Municipal Building Repair account for the purpose of paying for engineering, design and fees to obtain a permit for wastewater disposal connection to the Ashby Elementary septic system.

VOTE: UNANIMOUS

Article 8. The motion was made and seconded to appropriate from Free Cash the sum of \$1,000 to the Town Office Expense account for the purpose of paying for the construction and installation of a new Town Meetings Bulletin Board at the Ashby Town Hall.

VOTE: UNANIMOUS

Article 9. The motion was made and seconded to appropriate the sum of \$21,000.00 to be expended by the Solid Waste Department to defray the operational expenses and other necessary charges of the Recycling Center and Transfer Station for the ensuing fiscal year, FY2011, beginning July 1, 2010 and ending June 30, 2011 as printed in the warrant.

VOTE: UNANIMOUS

Article 10. The motion was made and seconded to postpone indefinitely Article 10.

VOTE: UNANIMOUS

Article 11. The motion was made and seconded to authorize the renewal of the Cemetery Burial and Foundations Revolving Fund in accordance with Massachusetts General Laws, Chapter 44, Section 53E½, to receive monies collected for burials, said funds to be expended by the Cemetery Commissioners to pay for said burials to be performed, for grave foundations and for general cemetery maintenance and improvements; with expenditures not to exceed \$10,000.

VOTE:

UNANIMOUS

Article 12. The motion was made and seconded to authorize a Library Books Revolving Fund in accordance with Massachusetts General Laws, Chapter 44, Section 53E½, to receive monies collected for book late fees and replacement fees, said funds to be expended by the Library Trustees to pay for book and media repairs, replacements, supplies and expenses; with expenditures not to exceed \$3,000.

VOTE:

UNANIMOUS

Article 13. The motion was made and seconded to amend the Zoning By-Law by inserting the section as printed in the warrant.

The motion was made and seconded to amend article 13 by deleting section 4.13.2 Permitted Uses and number succeeding sections consecutively and by deleting subsections #1, #2 and #9 from section 4.13.3.2 and number the succeeding items consecutively and to make the following wording changes to section 4.13.3.2 ;

- in subsection #3 add the words "when conducted as a business" following the word "celebrations",
- in subsection #4 replace the wording "Hunting and working dog trials and training" with the words "Training and trials for hunting dogs and working dogs when conducted as a business.",
- and in subsection #6 replace the words "stoves for burning same" with the words "stoves that burn wood, pellets or coal.".

VOTE ON AMENDED ARTICLE:

UNANIMOUS

The motion was made and seconded to postpone amended Article 13 indefinitely.

VOTE ON MOTION:

Yes- 20

NO-34

DEFEATED

(requires majority vote)

VOTE ON AMENDED ARTICLE: YES- 28

NO-27

DEFEATED

(requires 2/3 vote)

Article 14. The motion was made and seconded to amend the Zoning By-Law by deleting section 4.6.1 but not its subsections and replacing it with the following:

4.6.1 Flood District

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Ashby designated as Zone A on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Ashby are panel numbers 25017C0010E, 25017C0030E, 25017C0035E, 25017C0040E, 25017C0042E and 25017C0045E effective June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report effective June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board and Building Inspector.

VOTE:

UNANIMOUS

Article 15. The motion was made and seconded to accept as a Town way the subdivision roadway known as Daley Drive, as heretofore laid out by the Board of Selectmen, as such roadway is shown on the street acceptance plan on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by eminent domain, purchase, gift or otherwise the fee to or easements in said roadway, together with all related drainage, utility and other easements; said Daley Drive being more particularly described in the plan on file with the Town Clerk.

VOTE:

UNANIMOUS

Article 16. The motion was made and seconded to appropriate from Free Cash the sum of \$8,000 to the Fire Department Expenses account for the purpose of paying for the overhaul of the pump on Engine 1.

VOTE:

UNANIMOUS

Article 17. The motion was made and seconded to appropriate from Free Cash the sum of \$25,369.32 to the Police Expense account for the purpose of paying for the first year of a three-year lease for leasing two fully equipped police vehicles and to authorize the Board of Selectmen to enter into a lease with an option to purchase the equipment at term end.

VOTE:

PASSED

Article 18. The motion was made and seconded to postpone indefinitely Article 18..

VOTE:

UNANIMOUS

Article 19. The motion was made and seconded to appropriate \$31,522.86 from Free Cash to the Stabilization Fund.

VOTE:

UNANIMOUS

The motion was made and seconded to dissolve the Annual Town Meeting at 1:05 PM and so voted.

Lorraine Pease
Ashby Town Clerk
