

**RESULTS OF ANNUAL TOWN MEETING**  
May 3, 2014

The warrant was returned to the Town Clerk by Constable William Davis at 8:45 AM.

With a quorum present, the Moderator Nancy Chew called the meeting to order at 9:50 AM.

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

The moderator states that the 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 waive the reading of 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 following sums in trust, the income therefrom to be expended for the perpetual care of lots as follows:

*Glenwood Cemetery*

<u>Amount</u>	<u>Name</u>	<u>Ave.</u>	<u>Lot</u>	<u>Section</u>
\$400.00	Leslie & Ethel Anderson	E	29	Lyman II
\$600.00	Paul R. Gerry	D	28	Lyman
\$200.00	Vivian Cordio	E	20	Lyman II;

VOTE: UNANIMOUS

**Article 5.** 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, for grave foundations and for general cemetery maintenance and improvements, with total expenditures not to exceed \$15,000.

VOTE: UNANIMOUS

**Article 6.** The motion was made and seconded to authorize the renewal of the Library Books Revolving Fund in accordance with Massachusetts General Laws, Chapter 44, Section 53E½, to receive monies collected from 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 total expenditures not to exceed \$3,000.

VOTE: UNANIMOUS

**Article 7.** The motion was made and seconded to appropriate all funds received from the state under the provisions under the “Chapter 90” program to provide for eligible road resurfacing and/or other improvement projects for Town roads; said sum to be 100% reimbursable by the Commonwealth under the provisions of the “Chapter 90” program.

VOTE: UNANIMOUS

**Article 8.** The motion was made and seconded to appropriate \$27,780 from Transfer Station Revenue and \$6,352 from Transfer Station Retained Earnings, for the purpose of operating the Ashby Recycling Center & Transfer Station, along with any other necessary costs, for FY 2015.

VOTE: UNANIMOUS

**Article 9.** The motion was made and seconded to approve the budget for the expenses of the Town for the Fiscal Year commencing July 1, 2014, as printed in the warrant, with the exceptions of line item 80, which is amended to the sum of \$389,951, and line item 125 which is amended to the sum of \$350,543.13 (collectively making no net change in the bottom line); and that, to fund same, \$6,202,199.45 be raised and appropriated, and \$78,000 be appropriated from the Fund Balance Reserved for Overlay Surplus; and, further, that the Town set the salaries of elected officers as printed in the warrant.

VOTE: UNANIMOUS

TOWN OF ASHBY		FY15
	<i>LINES</i>	<i>APPROVED</i>
<a href="#">Administration</a>		
<a href="#">1</a>	Salaries & Wages	\$ 51,156.71
<a href="#">2</a>	<b>Expenses</b>	\$ 6,550.00
		<b>\$ 57,706.71</b>
<a href="#">Town Administrator</a>		
<a href="#">3</a>	Salaries & Wages	\$ 38,000.00

		<b>\$ 38,000.00</b>
<u>Finance Committee</u>		
<u>4</u>	Expense Budget	\$ 500.00
<u>5</u>	Reserve Fund	\$ 31,000.00
		<b>\$ 31,500.00</b>
<u>Town Accountant</u>		
<u>6</u>	Salaries & Wages	\$ 33,457.36
<u>7</u>	Clerical	\$ 5,000.00
	<b>Expenses</b>	\$ 24,400.00
		<b>\$ 62,857.36</b>
<u>Board of Assessors</u>		
<u>10</u>	Assessing Services	\$ 28,500.00
<u>11</u>	Wages	\$ 17,100.78
	<b>Expenses</b>	\$ 5,280.00
		<b>\$ 50,880.78</b>
<u>Treasurer</u>		
<u>15</u>	Salaries & Wages	\$ 25,643.07
	<b>Expenses</b>	\$ 13,826.00
		<b>\$ 39,469.07</b>
<u>Tax Collector</u>		
<u>18</u>	Salaries & Wages	\$ 32,435.41
	<b>Expenses</b>	\$ 12,828.75
		<b>\$ 45,264.16</b>
<u>Legal Services</u>		
<u>21</u>	Expenses	\$ 27,000.00
		<b>\$ 27,000.00</b>
<u>Technology and Systems</u>		
<u>22</u>	Expenses	\$ 43,000.00
		<b>\$ 43,000.00</b>
<u>Town Clerk</u>		
<u>23</u>	Town Clerk Salary	\$ 31,143.11
<u>24</u>	Clerical	\$ 7,191.15
<u>25</u>	Election and Registrar Stipend	\$ 6,127.13
	<b>Expenses</b>	\$ 10,837.00
		<b>\$ 55,298.39</b>
<u>Town Reports</u>		
<u>30</u>	Expenses	\$ 1,600.00
		<b>\$ 1,600.00</b>
<u>Conservation Commission</u>		
<u>31</u>	Expenses	\$ 1,700.00
		<b>\$ 1,700.00</b>
<u>Planning</u>		
<u>32</u>	Expenses	\$ 750.00
		<b>\$ 750.00</b>

<u>Zoning</u>		
<u>33</u>	Zoning Bd Expense	\$ 580.00
		<b>\$ 580.00</b>
<u>Land Use</u>		
<u>34</u>	Agent Budget	\$ 10,000.00
	<b>Expenses</b>	\$ 1,651.59
		<b>\$ 11,651.59</b>
<u>Town Office</u>		
	<b>Expenses</b>	\$ 46,170.00
		<b>\$ 46,170.00</b>
<u>Town Clock</u>		
<u>40</u>	Stipend	\$ 500.00
		<b>\$ 500.00</b>
<u>Municipal Buildings</u>		
<u>47</u>	Wages/Stipend	\$ 3,900.00
	<b>Expenses</b>	\$ 16,100.00
		<b>\$ 20,000.00</b>
<u>Police</u>		
<u>49</u>	Police Chief Wages	\$ 84,278.00
<u>50</u>	Wages - Coverage	\$ 419,739.22
	<b>Expenses</b>	\$ 160,923.29
		<b>\$ 664,940.51</b>
<u>Fire</u>		
<u>54</u>	Chief Salary	\$ 54,540.83
<u>55</u>	Firefighters Wages	\$ 13,637.33
<u>56</u>	FF/ EMT Wages	\$ 38,963.81
<u>57</u>	Firefighter Stipends	\$ 5,000.00
<u>58</u>	FF/EMT Overtime	\$ 5,000.00
	<b>Expenses</b>	\$ 38,222.70
		<b>\$ 155,364.67</b>
<u>Waste Oil</u>		
<u>62</u>	Wages	\$ 1,164.65
<u>63</u>	<b>Expenses</b>	\$ 950.00
		<b>\$ 2,114.65</b>
<u>EMS</u>		
<u>64</u>	Wages - Coverage	\$ 12,170.89
<u>65</u>	Stipend - training	\$ 4,215.00
	<b>Expenses</b>	\$ 37,123.00
		<b>\$ 53,508.89</b>
<u>Emergency Management</u>		
<u>67(2)</u>	Salaries & Wages	\$ 626.20
<u>68</u>	<b>Expenses</b>	\$ 1,000.00
		<b>\$ 1,626.20</b>
<u>E-911</u>		

<a href="#">69</a>	Expenses	\$ 100.00
		<b>\$ 100.00</b>
<a href="#">Hazardous Waste Coor.</a>		
<a href="#">69(2)</a>	Stipend	\$ 345.86
		<b>\$ 345.86</b>
<a href="#">Building Inspector</a>		
<a href="#">70</a>	Salaries & Wages	\$ 10,629.54
	<b>Expenses</b>	\$ 907.74
		<b>\$ 11,537.28</b>
<a href="#">Plumbing Inspector</a>		
<a href="#">72</a>	Salaries & Wages	\$ 6,287.24
<a href="#">73</a>	<b>Expenses</b>	\$ 165.00
		<b>\$ 6,452.24</b>
<a href="#">Electrical Inspector</a>		
<a href="#">74</a>	Salaries & Wages	\$ 6,287.24
<a href="#">75</a>	<b>Expenses</b>	\$ 1,200.00
		<b>\$ 7,487.24</b>
<a href="#">Dog Officer</a>		
<a href="#">76</a>	Salaries & Wages	\$ 14,283.79
<a href="#">77</a>	<b>Expenses</b>	\$ 1,500.00
		<b>\$ 15,783.79</b>
<a href="#">Emergency Dispatch</a>		
<a href="#">78</a>	Salaries & Wages	\$ 176,083.97
<a href="#">79</a>	<b>Expenses</b>	\$ 2,297.04
		<b>\$ 178,381.01</b>
<a href="#">Monty Tech</a>		
<a href="#">80</a>	Assessment	\$ 389,951.00
		<b>\$ 389,951.00</b>
<a href="#">NMRSD</a>		
	Assessment	\$ 2,982,562.00
		<b>\$ 2,982,562.00</b>
<a href="#">Highway</a>		
<a href="#">83 (2)</a>	Wages Supt.	\$ 61,000.00
<a href="#">84</a>	Wages - Regular	\$ 160,233.12
<a href="#">85</a>	Wages -Overtime	\$ 2,000.00
	<b>Expenses</b>	\$ 152,201.00
		<b>\$ 375,434.12</b>
<a href="#">Snow &amp; Ice</a>		
<a href="#">91</a>	Winter Operation Wages	\$ -
<a href="#">92</a>	Winter Overtime	\$ 13,000.00
<a href="#">93</a>	Winter Expenses	\$ 87,000.00
		<b>\$ 100,000.00</b>
<a href="#">Street Lights</a>		
<a href="#">94</a>	Expense	\$ 800.00
		<b>\$ 800.00</b>
<a href="#">Tree Warden</a>		

<a href="#">95</a>	Expenses	\$ 2,000.00
		<b>\$ 2,000.00</b>
<a href="#">Cemetery</a>		
<a href="#">96</a>	Wages - Coverage	\$ 8,670.53
<a href="#">97</a>	Expense	\$ 2,000.00
		<b>\$ 10,670.53</b>
<a href="#">Board of Health</a>		
	<b>Expenses</b>	\$ 18,282.00
		<b>\$ 18,282.00</b>
<a href="#">Animal Inspector</a>		
<a href="#">102</a>	Stipend	\$ 420.24
		<b>\$ 420.24</b>
<a href="#">Council on Aging</a>		
<a href="#">103</a>	Wages	\$ 2,184.63
<a href="#">103A</a>	<b>Expense</b>	\$ 1,850.00
		<b>\$ 4,034.63</b>
<a href="#">Veterans' Services</a>		
<a href="#">104</a>	Salaries & Wages	\$ 1,749.05
	<b>Expenses</b>	\$ 42,000.00
		<b>\$ 43,749.05</b>
<a href="#">Library</a>		
<a href="#">107</a>	Librarian Salary	\$ 22,550.40
<a href="#">108</a>	Library Assistant Wages	\$ 18,741.13
	<b>Expenses</b>	\$ 43,726.82
		<b>\$ 85,018.35</b>
<a href="#">Band Concerts</a>		
<a href="#">113</a>	Expenses	\$ 7,500.00
		<b>\$ 7,500.00</b>
<a href="#">July 3rd</a>		
<a href="#">114</a>	Expenses	\$ 1,200.00
		<b>\$ 1,200.00</b>
<a href="#">Allen Field</a>		
<a href="#">115</a>	Expenses	\$ 1,400.00
		<b>\$ 1,400.00</b>
<a href="#">Town Common</a>		
<a href="#">116</a>	Expenses	\$ 4,025.00
		<b>\$ 4,025.00</b>
<a href="#">Debt Service</a>		
<a href="#">118</a>	Temporary Loan Interest	\$ 1,000.00
		<b>\$ 1,000.00</b>
<a href="#">Middlesex Retirement</a>		
<a href="#">123</a>	Middlesex Retirement System	\$ 153,299.00
		<b>\$ 153,299.00</b>
<a href="#">Unemployment</a>		
<a href="#">124</a>	Unemployment Compensation	\$ 2,000.00

		<b>\$ 2,000.00</b>
<u>Employee Ins. Benefits</u>		
<u>125</u>	Employee Benefits Expense	\$ 350,543.13
		<b>\$ 350,543.13</b>
<u>Workers Compensation</u>		
<u>126</u>	Insurance Not Health	\$ 11,000.00
		<b>\$ 11,000.00</b>
<u>Insurance P &amp; C</u>		
<u>127</u>	Liability P&C, E,F&P	\$ 80,000.00
		<b>\$ 80,000.00</b>
<u>FICA</u>		
<u>128</u>	Employee Costs	\$23,740.00
		<b>\$23,740.00</b>
	<b>Total</b>	<b>\$ 6,280,199.45</b>

Setting of Elected Salaries under Article 9:

- a. Town Clerk: \$31,143.11
- b. Town Collector: \$32,435.41 (Includes \$1,000 certification stipend)
- c. Town Treasurer: \$25,643.07 (Includes \$1,000 certification stipend)

**Article 10.** The motion was made and seconded to appropriate from Free Cash the sum of \$2,000 to augment a grant received by the Town for GIS services and upgrades, in order to provide the software necessary to implement the program.

VOTE: UNANIMOUS

**Article 11.** The motion was made and seconded to amend the By-laws of the Town of Ashby by adding the following new section, to be numbered consecutively:

**COUNCIL ON AGING**

Section 1. The Board of Selectmen shall appoint a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in cooperation with programs of the Commission on Aging established under Chapter 40, Section 8B of the General Laws.

Section 2. The Board of Selectmen shall appoint the Council on Aging consisting of seven (7) members, including three (3) members for three (3) years; two (2) members for two (2) years; and two (2) members for one (1) year terms. Members can be reappointed for consecutive terms. The members of the Council shall serve without pay.

Section 3. Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act, or for any other reason, the vacancy shall be filled by appointment, by the Selectmen, for the remainder of the term.

Section 4. The Council on Aging, annually in April of each year, shall elect from its membership a President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary, and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.

Section 5. The Council shall prepare and submit an annual report of its activities to the Town and shall send a copy thereof to the Commission on Aging.

Section 6. The Council may appoint such clerks and other employees as it may require.

VOTE:

UNANIMOUS

**Article 12.** The motion was made and seconded to endorse the following non-binding resolution:

**RESOLUTION TO BAN “FRACKED GAS” PIPELINES  
AND TO CHAMPION SUSTAINABLE ENERGY**

Whereas a proposed High-Pressure Pipeline carrying natural gas obtained through hydraulic fracturing may come through Ashby, or neighboring communities, bringing said fuel en route to Dracut, Massachusetts to be used for electricity generation; and

Whereas said pipeline goes against current Massachusetts commitments to renewable energies and combating global climate change; and

Whereas said pipeline would destroy unknowable amounts of forest, conservation land and farmland with the installation of the pipeline and maintenance in perpetuity of a 50 foot right-of-way through the use of herbicides; and

Whereas said pipeline would destroy unknowable amounts of wetlands and the flora and fauna dependent upon Ashby’s rivers and streams, all of which have been identified as outstanding resource waters; and

Whereas said pipeline would adversely affect property values of properties within 300 feet of the pipeline as well as probable use of eminent domain to secure parcels along the pipeline route; and

Whereas a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and

Whereas said pipeline has the potential to ruin wells and drinking water through blasting activities and/or leakage of methane gas; and



Whereas the cost of said pipeline would require Massachusetts citizens to pay a utility bill tariff as well as environmental costs not required by law for Tennessee Gas Pipeline Company, L.L.C. (“TGP”, a subsidiary of Kinder Morgan Energy Partners, L.P.), making ratepayers bear financial risk for the endeavors of a private corporation; and

Whereas, we the citizens of Ashby, Massachusetts choose not to participate in such encumbrances to the life, vibrancy, economic stability, and general well being to our neighbors in New York and elsewhere, wherever hydraulic fracturing is occurring and the pressurized pipeline is running; now, therefore, be it

*Resolved*, that the people of Ashby, Massachusetts:

1. Hereby call on our Board of Selectmen to stand in opposition to TGP’s high pressured pipeline and not allow it within our town borders;
2. Oppose said pipeline, and any pipeline carrying natural gas obtained through hydraulic fracturing, within the borders of our Commonwealth; and
3. Hereby instruct our state and federal legislators and executive branch officials to enact legislation and take any such other actions as are necessary to disallow such projects that go against our commitments to life, the environment, our economic well being and our bodily safety, and, instead, to legislate more stringent energy efficiency and further exploration of and subsidies for renewable energy sources.

VOTE: UNANIMOUS

**Article 13.** The motion was made and seconded , under the provisions of MGL, Chapter 71, Section 16 G½, to approve the establishment of a Stabilization Fund for the Montachusett Regional Vocational School.

VOTE: UNANIMOUS

**Article 14.** The motion was made and seconded to amend the Ashby Zoning By-law as follows:

- 1) Change the title of Section 9 (currently “Overlay Districts”), to “Overlay Districts and Special Provisions.”
- 2) Move subsections 4.6 (“Floodplain Districts and Boundaries”), 4.7 (“Personal Wireless Communications Facility”), 4.8 (“Rate of Development”), 4.9 (“Open Space Residential Development”), 4.10 (“Inclusionary Housing”), 4.11 (“Utility-Scale Wind Energy Facilities”), 4.12 (“Small Wind Energy Systems”) to said Section 9, and renumber said subsections, respectively, as 9.1 through 9.7.
- 3) Re-number the internal subdivisions of each of the items moved into Section 9, as above, accordingly.
- 4) Renumber the pre-existing existing Section 9.1 (“Ashby Village Center Zoning Overlay District”) as Section 9.8, and re-number its internal subdivisions accordingly.
- 5) Add a Table of Contents.

VOTE: UNANIMOUS

**Article 15.** The motion was made and seconded to amend the Zoning By-law by deleting the word “special”, from the phrase “Site Plan Special Permits” as it appears in sections 4.5 and 12.5; and, further, deleting the words, “Sections 11.3 and 11.5”, as they appear in said Section 4.5, and substituting therefor the phrase, “Section 12.5”; and, further, in Section 12.5.3, deleting the words ”Sections 11.31 and 11.32” and substituting therefor the words “Sections 12.31 and 12.32”.

VOTE: UNANIMOUS

**Article 16.** The motion was made and seconded to amend the Zoning By-law by adding the words “or to parcels 2 acres or more, if the sale of products produced from the agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture use on the parcel annually generates at least \$1,000 per acre based on gross sales dollars,” following the words, “5 acres,” in sections 4.1.1; and, further, vote to amend the By-law by adding the words, “that annually generates less than \$1,000 per acre based on gross sales dollars,” following the words “Agriculture on land parcels of 5 acres or less” in sections 5.2.7, 6.2.11, and 8.2.3.

VOTE: UNANIMOUS

**Article 17.** The motion was made and seconded to appropriate \$38,000 from the Stabilization Fund, for the purpose of procuring and installing an emergency generator for the Police Station, along with any associated costs.

VOTE: UNANIMOUS

**Article 18.** The motion was made and seconded to appropriate \$45,000 from the Stabilization Fund, to procure a new pickup truck for the Highway Department, including appropriate accessories and any related expenses.

VOTE: UNANIMOUS

**Article 19.** The motion was made and seconded vote to authorize the Board of Selectmen to acquire by gift, easements for water supply purposes upon parcels of land located on Main Street and New Ipswich Road, Ashby, the former parcel being now or formerly the property of DLR Realty, LLC, said property being more specifically shown as Lot 4 on the Ashby Assessors’ Map #9, and described in a deed recorded with the South Middlesex Registry of Deeds at Page 096 of Book 58934; the latter being now or formerly the property of Rene Rainville, being more specifically shown as Lot 1.1 on the Ashby Assessors’ Map #9, and described in a deed recorded with the South Middlesex Registry of Deeds at Page 191 of Book 52692.

VOTE: UNANIMOUS

**Article 20.** The motion was made and seconded that the Town appropriate \$165,000 from the Stabilization Fund to effect a water improvement project to supply potable water to the Town Hall and other Town-owned and/or private, non- residential buildings in the vicinity of the Town Common; and, further, that the Board of Selectmen be authorized to apply for and accept Federal and/or State grants to offset any costs incurred hereunder, including, but not limited to grants by the United States Department of Agriculture: and, further, that the Board of Selectmen be authorized to enter into any and all agreements, and execute on behalf of the Town any and all instruments as may be necessary or convenient to complete the project.

VOTE: PASSED  
DECLARED TWO-THIRDS BY MODERATOR

**Article 21.** The motion was made and seconded to amend the By-laws of the Town of Ashby by adding under Article V (“Financial Affairs”), the following new Section 11:

Unless otherwise voted by Town Meeting, beginning in FY 2015, funds appropriated for a special purpose (excluding appropriations for stabilization funds, enterprise funds, other special purpose funds, borrowing, or appropriations that create legally binding obligations or opportunities such as matching funds for grants or gifts) shall automatically close to the General Fund at the end of the third fiscal year following such appropriation, if such appropriation has not been expended or encumbered prior thereto.

VOTE: UNANIMOUS

**Article 22.** The motion was made and seconded that the Town, under the provisions of MGL, Ch. 40, s.5B, create a Capital Stabilization Fund, and appropriate to said fund from the existing Stabilization Fund, the sum of \$100,000.

VOTE: DEFEATED

**Article 23.** The motion was made and seconded that the Town accept Chapter 73, Section 4 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, for the purpose of doubling the real estate tax exemptions for persons qualified for exemptions under Classes 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B and 41C of MGL, Ch. 59, s.5.

VOTE: UNANIMOUS

**Article 24.** The motion was made and seconded to appropriate \$21,230.67 from Free Cash for deposit in the Stabilization Fund.

VOTE: UNANIMOUS

The motion was made and seconded to dissolve the 2014 Annual Town Meeting at 11:55 AM, and so voted.

Lorraine Pease, Town Clerk

