

# **TOWN OF WILLIAMSBURG**

## **Annual Town Meeting**

### **June 1, 2009**

The warrant was signed and posted on May 21, 2009

Town Moderator: Joseph Larkin    Town Clerk: Brenda Lessard

Selectboard Members Present: Jeffrey Ciuffreda, David Mathers, & Denise Banister

Constables: Gordon Luce, Wilbur Loomis, & Paul Sanderson

A quorum (60 registered voters) being present (128), the meeting was called to order @ 7:00 p.m. by the moderator.

Greetings were read by the Town Clerk. Selectboard member Denise Banister read the dedication of the Annual Town Report.

**Article 1**        Moved and seconded that the Town raise and appropriate the sum of \$802.21 to pay Marney Electrical Services, Inc., for electrical services in June of 2008 (fiscal 2008) that were not billed until April of 2009 (fiscal 2009) and to take said sum from free cash.

**Passed Unanimously**

**Article 2**        Moved and seconded that the Town transfer the sum of \$16,145.57 from Sewer Retained Earnings to pay the balance of the City of Northampton invoice from Fiscal Year 2008.

**Passed Unanimously**

**Article 3**        Moved and seconded that the Town empower the Board of Selectmen, Board of Water/Sewer Commissioners, Board of Assessors, Board of Health, Board of Appeals, Finance Committee, and the Trustees of Libraries to appoint their own members to town departments at such salaries or wage rates as shall be established by the Board of Selectmen.

**Passed Unanimously**

**Article 4**        Moved and seconded that the Town authorize the Moderator to choose a committee to expend the income from the Whiting Street Fund.

**Passed Unanimously**

**Article 5**        Moved and seconded that the Town raise and appropriate \$150,000 for the Stabilization Fund with \$133,000 appropriated from free cash and \$17,000 raised from taxation.

**Passed Unanimously**

**Article 6**        Moved and seconded that the Town raise and appropriate a sum not to exceed \$60,000 for the purpose of hiring a licensed design consultant to design a renovation for the Anne T. Dunphy School and appropriate said funds from free cash.

**Passed Unanimously**

**Article 7**        Moved and seconded that the Town fix a salary and compensation of all elected and appointed officers of the town for the twelve month period ending June 30, 2010, as provided in Section 108, Chapter 41, General Laws as amended, and to see if the town will vote to raise and appropriate such sums of money as shall be deemed necessary to defray the expenses of the period as follows.

**Article 7** Moved and Seconded that the Town raise and appropriate, and transfer from available funds the sum of **\$372,916**, the amounts recommended by the Finance Committee for the purpose of **General Government**, with each item to be considered a separate appropriation and to raise **\$330,916** from taxation and appropriate **\$42,000** from free cash.  
**Passed Unanimously**

<b>GENERAL GOVERNMENT</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Moderator	0	278	278	284
Selectboard Salaries	7,543	7,769	7,769	7,924
Selectboard Expenses	2,588	3,000	2,750	2,750
Town Administrator	20,010	44,634	44,634	45,527
Administrative Assistant	12,000	12,360	12,360	12,607
Town Administrator Expenses		2,000	1,500	1,500
Oliver Smith Trustee	0	28	28	29
Town Counsel	24,350	17,000	15,000	15,000
Advertising Expense	815	1,200	850	850
Constable Salary	270	278	278	284
Constable Elections	200	200	200	200
Parking Clerk Labor	270	278	0	0
Finance Committee Salaries	2,873	3,511	3,511	3,581
Finance Committee Chair	90	159	159	162
Finance Committee Secretary	269	824	624	624
Finance Committee Expenses	240	600	500	500
Reserve Fund from Free Cash	29,643	48,000	40,000	42,000
Reserve Fund from Taxation	20,000	7,000	15,000	13,000
Capital Planning Labor	298	307	307	313
Capital Planning Expenses	60	125	75	75
Accountant Labor	24,728	26,690	22,380	22,380
Accountant Expense	339	0	200	950
Accounting Software Purchase	1,000	1,000	1,000	1,000
Audit Services	20,000	17,000	17,000	14,500
Assessor's Salaries	7,543	7,769	7,769	7,924
Assessor's Labor	5,827	7,027	7,000	7,140
Assessor's Expenses	1,857	4,192	3,700	3,700
Assessor's CAMA Fee	1,250	0	0	0
Assessor's Revaluation	1,760	4,000	6,000	6,000
Treasurer Salary	16,974	17,483	17,483	17,833
Treasurer's Add'l Salary		0	0	0
Assistant Treasurer		5,000	5,000	5,100
Treasurer's Assistant	2,310	0	0	0
Treasurer's Expenses	2,774	4,600	6,600	6,200
Treasurer's Software	1,580	1,709	1,832	1,832

Collector Salary	24,728	25,470	25,470	25,979
Collector's Add'l Salary		0	0	0
Collector's Expenses	9,225	9,630	9,630	9,630
Clerk Salary	12,063	15,920	15,920	16,238
Clerk's Assistant	5,337	2,002	2,002	2,042
Clerk's Expenses	1,000	1,000	1,000	1,000
Clerk's Software	500	500	500	500
Elections, Registration, Listing	5,811	6,570	6,570	6,570
Town Meeting Expense	0	578	0	0
Street Listing	960	1,060	1,060	1,060
Conservation Comm Labor	153	0	0	0
Conservation Comm Expense	1,211	3,100	3,100	2,600
Energy Committee	0	0	1,000	500
Planning Board Expense	178	1,500	750	750
Zoning Bd of Appeals	500	500	500	400
Custodian Labor	8,337	9,689	9,689	9,883
Town Buildings & Grounds	40,369	38,000	37,650	37,650
Town Office Expense	3,575	4,400	3,400	3,400
Town Office Telephone	6,024	7,245	6,245	6,245
Town Office Internet	1,843	2,300	2,200	2,200
Copier Maintenance	1,944	3,000	2,700	2,700
Technology Upgrade	3,112	0	0	0
Town Reports	1,760	2,500	1,800	1,800
First Call for Help	0	260	0	0
<b>Subtotal General Government</b>	<b>338,091</b>	<b>381,246</b>	<b>372,973</b>	<b>372,916</b>

**Article 7** Moved and seconded that the Town raise and appropriate the sum of **\$280,033**, the amounts recommended by the Finance Committee for the purpose of **Protection of Persons and Property**, with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>PROTECTION PERSONS and PROPERTY</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Police Chief Salary	18,500	19,055	0	0
Police Dept Labor	120,512	120,765	138,820	141,596
Police Dept Expenses	29,263	30,540	30,540	28,500
Regional Records				
Computers/Software	2,400	5,500	5,500	5,500
Heating Upgrade Police/Fire	6,850	0	0	0
Fire Chief Salary	18,500	19,055	19,055	19,436
Fire Dept Labor	38,323	29,355	29,355	29,942
Fire Dept Expenses	20,041	21,320	21,320	20,320
Ambulance Service	27,653	27,758	27,718	27,718
Emergency Management Director	325	1,000	1,000	1,020
Shade Tree Committee Expenses	3,190	6,000	6,000	5,000
Tree Removal/Planting	0	1,000	1,000	1,000
<b>Subtotal Protection Persons and Property</b>	<b>285,557</b>	<b>281,348</b>	<b>280,308</b>	<b>280,033</b>

**Article 7** Moved and seconded that the Town raise and appropriate the sum of **\$1,421**, the amounts recommended by the Finance Committee for the purpose of **School Committee Stipends**, and to raise said sum from taxation.

**Passed Unanimously**

<b>EDUCATION</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
School Committee Salaries	1,352	1,393	1,393	1,421

Moved and seconded that the Town raise and appropriate the sum of **\$1,510,984**, the amounts recommended by the Finance Committee for the purpose of **Local School Expenses**, and to raise said sum from taxation.

**Passed Unanimously**

<b>EDUCATION</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Local School Expenses	1,463,587	1,466,975	1,461,975	1,510,984

Moved and seconded that the Town raise and appropriate the sum of **\$1,272,726**, the amounts recommended by the Finance Committee for the purpose of **Hampshire Regional School Assessment**, and to raise said sum from taxation.

**Passed Unanimously**

<b>EDUCATION</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Hampshire Regional Assessment	1,387,503	1,374,337	1,272,726	1,272,726

Moved and seconded that the Town raise and appropriate the sum of **\$285,428**, the amounts recommended by the Finance Committee for the purpose of **Vocational School Assessment**, and to raise said sum from taxation.

**Passed Unanimously**

<b>EDUCATION</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Vocational School Assessment	213,827	281,237	285,428	285,428

**Article 7** Moved and seconded that the Town raise and appropriate, and transfer from available funds the sum of **\$471,463**, the amounts recommended by the Finance Committee for the purpose of **Public Works and Facilities**, with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>PUBLIC WORKS and FACILITIES</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Highway Labor	148,885	155,232	155,232	158,337
Highway Road Maintenance	68,251	60,463	65,463	60,463
Highway Garage/Equipment Maint.	35,371	37,375	38,812	37,000
Highway Surplus Equipment	0	2,000	2,000	2,000
Vehicle Fuel	29,707	24,000	29,707	29,707
Cement Sidewalk Construction	4,514	5,500	6,486	200
Winter Salaries	9,692	12,499	12,499	12,749
Winter Expenses	92,912	64,146	78,073	67,500
Bridges & Street Lighting	10,446	12,000	11,300	11,300
Transfer Station Labor-Board of Health	18,050	18,907	18,907	18,907
Transfer Station Expenses	67,300	72,300	71,800	71,800
Cemetery Commission	150	2,000	1,500	1,500
<b>Subtotal Public Works and Facilities</b>	<b>485,278</b>	<b>466,422</b>	<b>491,779</b>	<b>471,463</b>

**Article 7** Moved and seconded that the Town raise and appropriate, and transfer from available funds the sum of **\$86,053**, the amounts recommended by the Finance Committee for the purpose of **Human Services**, with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>HUMAN SERVICES</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Board of Health Salaries	3,324	3,428	3,428	3,497
Board of Health Expenses	53	300	300	200
Public Health Nurse	2,274	2,342	2,342	2,389
Animal Inspector	1,550	1,697	1,697	1,731
COA Director	10,539	10,855	10,855	11,072
COA Office Assistant	14,638	15,077	15,077	15,379
COA Meal Site Staffing	2,501	2,576	2,576	2,576
COA Expenses	2,795	2,800	2,800	2,800
COA HEN Program	4,000	4,000	4,000	3,500
Veterans Agent	1,500	1,500	6,000	\$ 8,366
Veterans Agent Expense	243	400	0	0
Veterans Benefits	12,183	15,500	34,144	34,144
Amer With Disabilities Exp	0	400	400	400
<b>Subtotal Human Services</b>	<b>55,600</b>	<b>60,875</b>	<b>83,619</b>	<b>86,053</b>

**Article 7** Moved and seconded that the Town raise and appropriate, and transfer from available funds the sum of **\$111,989**, the amounts recommended by the Finance Committee for the purpose of **Culture and Recreation**, with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>CULTURE and RECREATION</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Library Salaries	65,506	75,436	75,436	76,945
Library Expenses	37,051			
Library Exp-Utilities		13,620	13,620	13,620
Library Exp-Maintenance		9,540	8,040	8,040
Library Exp-Books & Supplies		5,014	5,014	5,014
Recreation Labor	4,435	4,570	3,500	3,570
Athletic Fields	3,663	4,000	4,000	4,000
Historical Commission Exp	0	500	400	400
Veterans Recognition	30	400	400	400
<b>Subtotal Culture and Recreation</b>	<b>110,685</b>	<b>113,080</b>	<b>110,410</b>	<b>111,989</b>

**Article 7** Moved and seconded that the **Town** raise and appropriate, and transfer from available funds the sum of **\$270,097**, the amounts recommended by the Finance Committee for the purpose of **Debt Service** with each item to be considered a separate appropriation and to raise said sum from taxation  
**Passed Unanimously**

<b>DEBT SERVICE</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Hampshire Regional Debt Service	97,033	93,442	89,233	89,233
Capping Wood Waste Principal	20,000	20,000	20,000	20,000
Capping Wood Waste Debt Interest	2,750	2,150	1,500	1,500
Fire Truck Principal	19,000	18,000	18,000	18,000
Fire Truck Debt Interest	1,785	1,215	630	630
Fire Truck #2 Principal	23,500	23,500	23,500	23,500
Fire Truck #2 Debt Interest	9,588	7,593	4,581	4,581
Highway Truck Principal	17,000	18,266	0	0
Highway Truck Debt Interest	1,439	656	0	0
Highway Truck 2009-Principal			26,000	26,000
Highway Truck 2009-Interest			3,168	3,168
Highway Loader Principal	20,000	20,000	20,000	20,000
Highway Loader Debt Interest	3,979	2,867	1,459	1,459
Library Principal	42,000	40,000	41,000	41,000
Library Debt Interest	13,075	11,815	10,515	10,515
Police/Fire Roof Principal	10,000	10,000	0	0
Police/Fire Roof Debt Interest	816	359	0	0
Police 4 x 4 Principal	15,000	14,709	0	0
Police 4 x 4 Debt Interest	1,213	529	0	0
Police Cruiser Principal		10,000	10,000	10,000
Police Cruiser Debt Interest		1,112	511	511
<b>Subtotal Debt Service</b>	<b>298,178</b>	<b>296,213</b>	<b>270,097</b>	<b>270,097</b>



**Article 7** Moved and seconded that the **Town** raise and appropriate, and transfer from available funds the sum of **\$58,487**, the amounts recommended by the Finance Committee for the purpose of **Intergovernmental Expenses**, with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>INTERGOVERNMENTAL EXPENSES</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Hampshire Council of Governments Assessment	3,338	3,338	3,338	3,338
Hampshire County Regional Lockup	2,239	2,239	2,239	2,239
Hilltown Resource Management (Board of Health)	8,658	8,658	8,225	8,225
Foothills Health District (Board of Health)	18,790	22,967	21,630	21,630
Building Inspection Program	23,196	25,592	23,055	23,055
PVPC Assessment		364	0	0
<b>Subtotal Intergovernmental Expenses</b>	<b>56,221</b>	<b>63,159</b>	<b>58,487</b>	<b>58,487</b>

**Article 7** Moved and seconded that the Town raise and appropriate, and transfer from available funds the sum of **\$682,102**, the amounts recommended by the Finance Committee for the purpose of **Fixed Miscellaneous Expenses** with each item to be considered a separate appropriation and to raise said sum from taxation.

**Passed Unanimously**

<b>FIXED MISCELLANEOUS EXPENSES</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
Hampshire County Retirement	108,986	123,107	143,602	143,602
Worker's Compensation	17,121	12,959	12,700	12,700
Unemployment Insurance	5,000	5,000	5,000	15,000
Group Insurance	346,498	398,000	425,000	425,000
Medicare & Social Security	27,000	28,000	28,000	28,000
Comprehensive Insurance	55,267	52,342	57,800	57,800
<b>Subtotal Fixed Misc Expenses</b>	<b>559,872</b>	<b>619,408</b>	<b>672,102</b>	<b>682,102</b>

**Article 7** Moved and seconded that the Town approve the entire budget as moved section by section in the sum of **\$5,403,698**, the amounts recommended by the Finance Committee and to raise \$5,361,698 from taxation and \$42,000 from free cash.

**Passed Unanimously**

<b>Budget Item</b>	<b>FY08 Actual Expenditure</b>	<b>FY09 Budget</b>	<b>FY10 Department Requests</b>	<b>FY10 Finance Committee Recommendation</b>
<b><u>TOTAL OPERATING BUDGET</u></b>	<b>5,277,451</b>	<b>5,405,693</b>		<b>5,403,698</b>
<b><u>APPROPRIATION</u></b>				
<b>FROM FREECASH</b>		<b>48,000</b>		<b>42,000</b>
<b>FROM TAXATION</b>		<b>5,357,693</b>		<b>5,361,698</b>
<b><u>STABILIZATION FUND</u></b>				
<b><u>APPROPRIATION</u></b>				
<b>FROM FREE CASH</b>		<b>-</b>		<b>133,000</b>
<b>FROM TAXATION</b>		<b>-</b>		<b>17,000</b>
<b>ANTICIPATED REVENUES</b>		<b>5,358,692</b>		<b>5,379,293</b>

**Article 8** Moved and seconded that the **Town** adopt a Capital Improvement Plan, as prepared by the Capital Planning Committee and, whose budget has been accepted by the Finance Committee, including recommended capital improvements for the following five fiscal years.

**Passed Unanimously**

**Article 9** Moved and seconded that the Town transfer \$15,000 from Water Retained Earnings to FY09 Water Expenses.

**Passed Unanimously**

**Article 10** Moved and seconded that the Town raise and appropriate the sum of \$241,780 composed of the amounts listed below, for the purpose of operating and maintaining the town's water system, including the laying of mains for fiscal year 2010, and take said sum from Water Enterprise Revenue.

**Passed Unanimously**

Salaries	\$ 2,800.00
Expenses	\$ 86,650.00
Debt Service	\$ 152,330.00
Total	\$ 241,780.00

**Article 11** Moved and seconded that the Town raise and appropriate \$ 178,280 composed of the amounts listed below, for the purpose of operating, maintaining and constructing the town sewer system for fiscal year 2010, and take said sum from Sewer Enterprise Revenue.

**Passed Unanimously**

Salaries	\$ 2,800.00
Operation & Maintenance	\$ 144,605.00
Debt Service	\$ 30,875.00
Total	\$ 178,280.00

**Article 12 Departmental Revolving Funds Authorization.** Moved and seconded that the Town authorize revolving funds for certain town departments under Massachusetts General Laws Chapter 44 §53E1/2 for the fiscal year beginning July 1, 2009.

**Passed Unanimously**

<b>Revolving Fund</b>	<b>Authorized to Spend Fund</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>FY09 Spending Limit</b>
Gas Inspector Revolving Fund	Gas Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 1,500.00
Electrical Inspector Revolving Fund	Electrical Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 7,500.00
Plumbing Inspector Revolving Fund	Plumbing Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 3,500.00
Transfer Station Open Box Revolving Fund	Board of Health	Fees and charges for services related to the Transfer Station and disposal areas.	Disposal costs of the open box and management of the Transfer Station and disposal areas.	\$18,000.00
Planning Board Revolving Fund	Planning Board	Fees charged specific to proposed sub-divisions within Williamsburg and new construction	Expenses associated with proposed sub-divisions within Williamsburg and other related expenses associated with new buildings	\$30,000.00
Dog Control Revolving Fund	Town Clerk	Fees specific to dogs	Expenses associated with licensing and controlling dogs and to pay the Dog Officer salary.	\$ 5,000.00
Recreation Commission Revolving Fund	Recreation Commission	Fees specific to recreation programs	Pay cost of operating recreation programs.	\$30,000.00
Council on Aging Revolving Fund	Council on Aging Executive Director	Fees specific to advertising in the newsletter	Pay for printing and distribution of the Council on Aging newsletter	\$ 2,000.00
Conservation Commission Revolving Fund	Conservation Commission	Fees specific to NOI/WPA Filing fees.	Pay expenses associated with WPA filing fees for administration and Enforcement of Wetlands Protection Act.	\$ 5,000.00
Board of Appeals Revolving Fund	Board of Appeals	Fees specific to applications	Pay expenses associated with processing of applications, purchase of laptop computer and software for record keeping	\$ 3,000.00
Fire Dept Revolving Fund	Fire Chief	Fees specific to inspections (smoke, CO, etc.)	Salary of the Inspector and expenses related to the issuance of permits.	\$ 3,000.00
<b>Total Spending Limit</b>				<b>\$108,500.00</b>

**Article 13**

Moved and seconded that the **Town** amend the Zoning Bylaw, section 14, as follows:  
Strike section 14 "Permits and Exemptions" subsections 14.0, 14.1 and 14.2 and in its place adopt:

**14.0 Building Permits.**

A. Except as hereinafter provided, a twenty-one (21) day review period shall elapse between the filing of a valid application for a building permit for non-residential purposes and the issuance of such permit.

B. Within seven (7) days of application to the Inspector of Buildings for such a permit, the Building Inspector shall notify the Town Clerk of such application, and the Town Clerk shall make public notice of the application by posting a notice in the Town Office Building that such a permit has been requested, and the Town Clerk shall further notify in writing the Selectmen, the Zoning Board of Appeals, the Board of Health, the Conservation Commission, the Planning Board and other legally constituted town boards which request regular notification, that such an application for non-residential use or building is pending.

C. Within fourteen (14) days following receipt of such notice of pending application, any of the above Town Boards, by majority roll call vote, may notify the Inspector of Buildings in writing with reasons listed, that they believe that the issuance of such a permit would be in violation of federal, state, or town laws or regulations.

D. The above stated Town Boards and officials may establish procedures for the efficient processing of such applications and the notifications of pending applications.

E. If no objection to the application is received or found to have merit by the Inspector of Buildings within the time period stated above, the Inspector of Buildings may then issue a permit for the proposed construction or alteration within thirty (30) days of receipt of said application.

Exceptions:

- a. No review period shall be required for non-residential uses permitted by right under Section 3 of this By-Law.
- b. No review period shall be required for non-residential uses permitted by new Special Permit under Section 3 of this By-Law provided said Special Permit has been granted and recorded prior to the filing of application for the related Building Permit.
- c. No review period shall be required for repairs or alterations to existing non-residential use buildings or structures, provided such repairs or alterations will not increase the scope or use of any occupying business(es).

14.1 Construction or operations under a building or special permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of six (6) months after the issuance of the permit and in cases of construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

**Passed Unanimously**

**Article 14** Motion made and seconded that the Town amend the General Government By-law, Public Conduct, as follows:  
**Add** section 6:

No person shall consume any alcoholic beverage nor possess or transport any open can, bottle or other container containing an alcoholic beverage on or in any of the following (unless application has been approved by the License Commission and a license has been issued for the sale and service of alcohol): Town streets and sidewalks; all Town parking lots; playgrounds and playing fields, including but not limited to the Ellen Ames Field, Helen E. James school playing fields; A. T. Dunphy School playing fields, all school property, any area or facility under the control or supervision of The Recreation Commission, Sewer and Water Commission, to include but not limited to the South Street Well Fields, town reservoirs, or dams, the Conservation Commission, the School Department, including but not limited to the school playgrounds and grounds, including parking areas, and buildings, and including schools not currently in active use as a school. Any person found in violation of this bylaw may be subject to a fine of \$ 100.00. Any person found in violation of this bylaw who refuses to identify themselves to a Police Officer may be arrested.

Motion made and seconded to lay on the table this article until a later date.  
**Passed Unanimously**

**Article 15** Motion made and seconded that the Town keep the position of Chief of Police a part-time position, to include a separate item in the police budget for the Chief's annual salary.

Moderator read:

*Town counsel advises: Town meeting may not and cannot override the Board of Selectmen's decision not to renew the current police chief's appointment because the BOARD is the appointing authority for Police Chiefs pursuant to G.L. c 41 sec 108 O. A positive vote on these articles (15 & 16) would be directory and not binding on the Board of Selectmen.*

Motion made and seconded to amend the motion to keep a separate budget line for Police Chief Salary.

**Amendment as made Failed Unanimously**

Motion made and seconded to call the question.

**Passed by 2/3 vote Aye- 91 Nay- 2**

**Vote on original motion passed by majority vote. Aye-45 Nay-37**

**Article 16** Moved and seconded that the Town instruct the board of Selectmen to reappoint the present Chief of Police, John W. Cotton to the position of Chief of Police for the coming fiscal year (FY10)

Motion made and seconded to take no action on this article.

**Passed Unanimously**

The meeting adjourned at 9:24 P.M.

Filed: June 2, 2009

A TRUE COPY ATTEST: Brenda Lessard, Town Clerk

Cc: Accountant, Department of Revenue, Bond Council, Finance Committee, Selectboard, Treasurer, Assessors, Kopelman & Paige, Town Administrator

