

ANNUAL TOWN MEETING REPORT
JUNE 2, 2020

SPECIAL MESSAGE FROM THE MODERATOR
COVID-19 PRECAUTIONS

Extensive efforts on the part of multiple members of the Leicester Town staff have been made to create a safe environment with effective social distances. To that end, I will be enforcing the following rules for attendance, per my authority under MA General Laws.

1. Per Leicester Town By-Laws, Town Meeting is open only to registered voters. No one who is not a registered voter in the Town of Leicester will be admitted to the meeting. The exceptions are non-resident department heads, the press, and those employed as legal representatives of persons with business on the warrant.
2. Pursuant to the Governor's COVID Order No. 31 and Department of Public Health Guidance dated May 1, 2020, all persons attending Town Meeting are strongly advised to cover their noses and mouths with a mask or cloth face covering unless exempted by Department of Public Health Guidance.
3. Please arrive early. Check in will be slowed by the requirements of social distancing and to allow checkers working under challenging circumstances to process voters as efficiently as possible.

PLEASE BE ADVISED THAT NO VOTE WILL BE TAKEN REGARDING THE PROPOSED NEW SCHOOL AT THIS MEETING.

THERE WILL BE A SEPARATE FALL TOWN MEETING FOR THE SCHOOL VOTE. DATE TBD.

Town Rules & Procedures Review

Each Town Meeting is a formal legislative body. As such, we are governed by both Massachusetts General Laws and Chapter Two of Leicester's Town By-Laws. Our proceedings follow "Town Meeting Time, A Handbook of Parliamentary Law", and tradition.

The Town Moderator does not vote, except in cases of a tie vote on the floor.

Town Meetings in Leicester are open only to registered voters.

As members of the town meeting, voters have the right, if they so choose, to present opinions and to ask questions through the moderator in relation to the motion under discussion, and only to the motion under discussion. You have a right to be comfortable with the facts at hand in order to make an informed vote.

A voter wishing to address the meeting through the moderator should approach the microphone and must identify themselves and state their address each time they address the meeting. If it seems that the Moderator is not aware of your desire to speak, please give some signal so that you will be recognized. If you are not able to get to the microphone, please give a signal and a teller or volunteer will bring a microphone to you.

No one may speak to any motion more than twice, except to clarify a point or respond to a question through or from the moderator, and maximum time is ten minutes. Voters must stay on topic with the motion at hand, and personal attacks or slurs of any kind will not be tolerated.

If you have a question as to why something is done in a fashion, feel free to ask. Raise that question or issue with the statement, "Point of Order."

If a member of this meeting wishes to move the question, that motion must be made from the microphone. A motion to move the question will not be accepted from the floor. A motion to move the question simply indicates

that at least the individual offering the motion to move the question and person making the second have heard all the debate they feel is needed. A seconded motion to move the question is not a debatable motion. At such time, all debate will cease, and a vote is taken. A 2/3 majority is required for passage. If the motion to move the question passes, we will immediately vote on the motion which was under discussion in the hands of the meeting. If the motion to move the question is defeated, debate on the motion previously under discussion will resume. This procedure is often misunderstood but is allowed and governed under the By-Laws of the Town of Leicester.

Any motion undertaken by Town Meeting in Leicester may be reconsidered, meaning it can be brought up for a vote a second time. The motion to reconsider a motion must be made within one hour of the taking of the original vote on the motion in question. A motion cannot be brought forward for reconsideration more than once.

Any motion made must be within the scope of the articles posted in the warrant and presented to the moderator in writing.

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WORCESTER, SS.

To a Constable in the Town of Leicester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Leicester qualified to vote in Town Elections and Town Affairs to meet at the **LEICESTER HIGH SCHOOL GYM, 174 PAXTON STREET**, Leicester, MA on Tuesday, the Second day of June, 2020 at 7:00 PM, then and there to act on the following articles, namely:

Good Evening. I am Don Cherry, Jr., your Town Moderator. I'd like to welcome you all to this unique Annual Town Meeting, and to Thank You for taking an active role in your government. Our critical role as the legislative body of Leicester's town government is especially obvious in light of the Great and General Court's passage of emergency laws allowing us to reschedule town meetings and allow boards and agencies to function in new environments. As Town Meeting Members, we are the legislative body here in Leicester, and our work here tonight in these trying times means our town government can continue to operate on a full fiscal year structure. Despite being eternally grateful for the sacrifices of generations of Americans to afford us the rights to assemble and to self-govern, I am quite certain that I am not the only one here who has a long list of places we would rather be and where we would feel safer. Quite frankly, if it was up to me, we'd all be wearing hazmat suits, but town counsel said I could not mandate that. The layout and configuration of this meeting space is the result of a lot of work and planning on the part of many people, including Superintendent Griffin and the Leicester Highway Department, the Leicester School Department, the custodial staff of the high school, the town clerk, the town administrator and assistant town administrator as well as Len Ivel, who helped map out the floor plan. Town employees, town boards and our first responders have been operating under very unusual conditions for the last couple of months. They have found ways to ensure that the business of our community has continued, please let me join those who say 'Thank You' all for your efforts. Is there anyone attending a Town Meeting for the first time? Thank you for taking the time to exercise your rights as a voter and the freedom that you have to do so. A review of our basic rules and procedures is listed in your meeting guides. That said, as your presiding officer, my primary roles are to maintain an open, fair and orderly meeting and to ensure that each member understands what we are doing. If anyone has a question, please ask. In a moment, I will accept procedural motions regarding the conduct of this Town Meeting. Before I do, a couple of announcements and acknowledgements are in order. Several articles originally on the first versions of the warrant for this Town Meeting were removed prior to legally finalizing and posting the warrant that is in your hands this evening. As a result, those article numbers were included for place keeping, but since no articles exist in those spots, no discussion or action on those articles will be taken. Despite the unique conditions, each of you has a voice and a right to be heard, should you choose. If any member of this town meeting wishes to speak through the moderator on an article on the floor, please approach

the microphone with as much social distance as you are able. When you have finished your comments, please use the wipes at the microphone to sanitize it for the next person. As always, please state your name and address before speaking to an article.

The electronic voting clickers we use really help speed up town meetings and allow easy and accurate tabulation of votes. Use of the clickers also means that every vote you cast is now secret.

Please note; these clickers need to be returned at the conclusion of this Town Meeting. The number sticker on each clicker is strictly to ensure that if someone does forget to return a clicker that the registrars have a mechanism to know who to call and ask for return. The tabulation system has no mechanism to record what votes are cast from any single device, only to total yes and no votes.

Use of the devices is quite simple. Instead of calling for votes in favor and those against, I will simply call for a vote. At that time, simply press the "A" or Yes button if you are in favor of a motion, or the "B" or No button, if your desire is to disapprove a motion. Your choice will show on the small screen on the device. If you change your mind, simply press the other button, as the selection showing when the 15 second voting window closes is what is recorded.

The results will display on the screen, they will be recorded by the Town Clerk, and we will move to the next order of business.

Our Finance Advisory Board is down members. The critical oversight role the Advisory Board has cannot be overstated. If anyone here this evening, or anyone you know, would be a good fit for this role, please contact the Town Administrator's office to start the process of selection.

Per MA Law, I must inform all present that this meeting is being recorded for future broadcast on LCAC.

We are also joined by State Representative David LeBoeuf, and State Senator Mike Moore. Welcome, Mr. LeBoeuf and Mr. Moore.

Given both the pandemic and recent unrest, it is a pleasure to stand before you and acknowledge a few bright spots.

Last evening, by proclamation, the Select board honored the efforts of student liaison Katheryn Staple, who served in that role for two years. Katheryn's work helped the Select board stay informed about school functions from a young person's perspective and involved attending dozens of board meetings, as well as town meetings. A graduating member of the Leicester High School Class of 2020, please join me in wishing Katheryn, her class, and all the students she helped represent, all the best.

This evening, we take a moment to acknowledge a unique milestone in the lives of two of Leicester's citizens. Dorothy "Dot" Hamel, is our oldest resident, and turned 100 years of age on April 19th. As such, Ms. Hamel holds the honor of being our "Boston Post Cane" resident. While Ms. Hamel is not in the hall with us, we wish you a happy belated birthday and continued health and happiness.

Al Southwick, author, historian, World War II veteran and friend of the Leicester Library, turns 100 years old this month. While Mr. Southwick cannot join us in person this evening, we salute a thoughtful life well lived, and wish him a Happy Birthday and continued health.

Are there any other special announcements, proclamations, or recognitions which should be made at this time? For the record, I am in receipt of return of service of the warrant. Therefore, we may proceed.

I will now accept any procedural motions for conduct of this meeting.

The Town Clerk has informed me that a quorum is present, the meeting will come to order with 137 voters present.

Per General By-Laws of the Town of Leicester, this meeting is open only to Registered Voters of the Town of Leicester. If you are not a registered voter, or not a resident of Leicester, please take a seat to my left, behind the press table.

Non-resident department heads are welcome on the floor.

Any person who is employed as an attorney by another interested in any matter under discussion at a Town Meeting shall disclose the fact of his or her employment before speaking thereon.

In case of emergency, in addition to the doors you used to enter the hall, additional emergency exits are on the sides of the room to your right.

Out of respect for each other, and the Town Meeting, please place any personal electronics on silent or vibrate. Please rise and join me in the Pledge of Allegiance.

Please remain standing to join me in observing a moment of silence to commemorate the service and sacrifice of our armed forces who defend our liberties and freedoms, members of our emergency management services and those we call front line workers who work to keep us safe and have some semblance of normalcy while at home.

Let us also remember those lost, and those devastated by the loss, of so many of our neighbors, families, and friends from the coronavirus pandemic. Among those, we include Leicester resident and Rutland Police Officer John Songy and his family.
Thank you. Please be seated.

**Sandra M. Wilson moved that the Town vote to dispense with the reading of the Warrant. Which is in the hands of the voters.
VOTED UNANIMOUSLY**

Sandra M. Wilson moved that the Town vote to dispense with a hand count by tellers on motions requiring a 2/3 vote, except when the vote or the method of voting is challenged, or when in the opinion of the Moderator, a hand count is necessary to establish a quantum of vote, or when the vote involves the potential to borrow money. VOTED UNANIMOUSLY

ARTICLE 1 PRIOR YEARS BILLS

To see if the Town will vote to approve to transfer or appropriate a sum of money to pay unpaid bills from a prior fiscal year or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to authorize the appropriation of \$1,474.18 from Free Cash for payment of the following prior year bills:

<u>Vendor</u>	<u>Date of Invoice</u>	<u>Amount</u>	<u>Reason</u>
Ted's of Fayville Inc	10/15/18	\$312.50	Bill mailed to wrong address
Employee benefit	06/30/19	\$1,161.68	Insurance opt out payment which should have been paid in FY 2019

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (6-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Prior year bills are bills from previous fiscal years that are brought forward for town meeting approval as required by Massachusetts General Laws. These two prior year's bills were recently discovered.

VOTE REQUIRED FOR PASSAGE Requires a 4/5th's vote pursuant to M.G.L. c. 44, § 64.

VOTED 108-5 passed

ARTICLE 2 DEPARTMENT AND/OR WARRANT ARTICLE TRANSFERS -FY2020

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, adjust budgets, transfer to/from or adjust existing warrant articles such sums of money as may be necessary to defray expenses and fund various and diverse accounts in the Fiscal Year 2020 operating budget of the Town, any other warrant articles or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to transfer the following sums, totaling \$184,094 from and to the accounts listed in the table below:

<u>From:</u>	<u>Amount</u>	<u>To:</u>	<u>Amount</u>
FY 2020 Employee Benefits	\$160,094	FY 2020 Reserve Fund	\$33,000
FY 2020 Leicester Public Schools	\$24,000	FY 2020 Snow and Ice	\$50,852
		FY 2020 Accounting Salaries	\$3,000

		FY 2020 Accounting Wages	\$2,115
		FY 2020 Treasurer/Collector Wages	\$2,119
		FY 2020 Highway Wages	\$24,000
		FY 2020 Street Lights	\$10,000
		FY 2020 Town Hall Expenses	\$17,000
		FY 2020 Vocational School Tuition	\$22,008
		Recycling Center Article ATM 05/18 Art 4	\$20,000
Total	\$184,094	Total	\$184,094

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (6-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (4-0-1)

DESCRIPTION

This article would amend the Fiscal Year 2020 (current) operating budget, and selected warrant articles by transferring funds from three current fiscal year accounts that have forecast surpluses to the following accounts:

FY 2020 Reserve Fund: Funding sought due to an increase in veterans claims. Veteran's claims are reimbursed at the rate of 75% by the Commonwealth, but that funding is a general fund revenue. A \$28,000 reserve fund transfer was sought and approved by the Select Board on 04/27/2020 and Finance Advisory on 04/29/20. This transfer will bring the Reserve Fund balance back to \$50,000.

The remainder of this transfer (\$5,000) is to repay unanticipated expenses for Town Hall repairs to the heating and HVAC systems.

FY 2020 Snow/Ice: This account requires annual adjustment depending on weather events and associated costs.

FY 2020 Accountant Salaries/Wages: The Town has entered into an intermunicipal agreement with the Town of Spencer to share accounting services, effective April 1. These transfers represent the amounts paid to employees for the increased workload for the final quarter of FY2020. The Town is receiving \$7,500 from Spencer for April to June to cover the increased cost.

FY 2020 Treasurer/Collector Wages: Projected shortfall due to payout of vacation time for staffing turnover.

FY 2020 Street Lights: Additional funding required to adequately fund the streetlight budget through the remainder of the fiscal year.

FY 2020 Highway Wages: Funding per agreement with the School Department for three positions to perform winter maintenance and field mowing.

FY 2020 Town Hall Expenses: The Town Hall budget had been running short due to unanticipated supply and maintenance services including:

- An additional oil delivery – \$6,204.57
- Additional electrical work (Town Hall panels) - \$4,208.96
- Town Hall HVAC work - \$5,608.77
- Allowance for additional work between now and June 30: \$977.70

Total - \$17,000.00

FY 2020 Vocational Tuition: FY2020 article is forecast to be short, based on enrollment and assessment projections.

Recycling Center ATM 5/18 Article 4: Funds needed to assist with covering the cost of operations, and assist with site maintenance.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 103-8 passed

ARTICLE 3 FUNDING IMPROVEMENTS AT TOWN PARKS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund improvements at town parks or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved the Town transfer \$40,000 from Free Cash to create a fund for improvements at Towtaid Park, the application of said funding to be prioritized by the Leicester Highway Department.

FINANCE ADVISORY BOARD RECOMMENDATION

Unfavorable Action (6-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

These funds will be used to purchase \$40,000 for playground equipment at Towtaid park that is being supplemented by a \$15,000 Kaboom grant. Total equipment cost is \$55,000.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 77-40 passed

ARTICLE 4 HIGHWAY VEHICLE MAINTENANCE & EQUIPMENT REPAIR

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to defray the costs of repair and maintenance of Highway vehicles or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY20 warrant article for highway vehicle and equipment repair to be expended by the Leicester Highway Department funded via transfer from Free Cash in the amount of \$36,113 and transfer from the FY 2020 the Employee Benefits general fund budget appropriation in the amount of \$13,887.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (6-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This article seeks funding for \$25,000 for vehicle maintenance of highway Trucks 4 and 10 in order to delay the purchase of new vehicles. This transfer should keep those vehicles on the road for an additional two years.

An additional \$25,000 is being sought to correct a design flaw with Truck 15, a 2016 Ford 550 dump body. The design of the plow attachment has resulted in the truck being damaged while plowing for the past two years. A redesign of the plow controls will eliminate this issue.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 90-20 passed

NOTE: Articles 5, 6, and 7 are requested because municipal and school budgets have received insufficient funding to repair and maintain buildings and equipment for many years. During FY20, the Fire, Police, and School departments saw a significant increase in major repairs that were paid out of department operating budgets. Fortunately, the employee benefits line has a forecast surplus that will allow expenses to be reclassified and department budgets to be restored.

ARTICLE 5 FIRE EQUIPMENT MAINTENANCE & REPAIR

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to defray the costs of repair of fire apparatus and equipment or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY20 warrant article for fire apparatus and equipment repair to be expended by the Leicester Fire Department funded via transfer from the FY 2020 Employee Benefits general fund budget appropriation in the amount of \$20,911.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (4-0-1)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

These funds will be used to supplement the Fire Department budget for costs incurred that were not anticipated during the year. List as follows:

• Engine 4 Replace internal computer controlling electric throttle pedal	\$4,982.94
• Engine 4 Rebuild pump gear box, tank fill valve and tank to pump valve	\$8,613.14
• Station 2 Troubleshoot boiler and replace failed aquastat on boiler	\$1,047.65
• Station 2 Repair / maintenance of boiler	\$1,434.62
• Station 2 Replace leaking tankless water heater	\$1,730.00
• Station 3 Repair / maintenance of boiler	\$1,802.48
• Station 2 Repair leaking roof	<u>\$1,300.00</u>
Total unanticipated repairs:	\$20,910.83

This funding is needed to sustain the department operating budget through the close of the fiscal year.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 92-23 passed

ARTICLE 6 POLICE HEADQUARTERS MAINTENANCE & REPAIR

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to defray the costs of repair and maintenance of the Police Headquarters or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY20 warrant article for police vehicle and equipment repair to be expended by the Leicester Police Department funded via transfer from the FY 2020 Employee Benefits general fund budget appropriation in the amount of \$34,905.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (3-0-2)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This Article seeks funding for major unanticipated repairs to the building's furnace and nitrogen generator, as well as needed upgrades to the Police training room. See detail below:

Unanticipated Repairs

- Duct Furnace #2 leaking - \$807.95
- Cooling system repairs - \$4,283.40
- System down – VFD ordered - \$610.15
- Ceiling transducer - \$3,949.79
- Replace VFD - \$2,160
- Thermostat replacement - \$385.56
- New Nitrogen Generator - \$9,100
- Broken sally port garage door - \$882.62
- Repair sinks - \$850
- Lamp/light replacement - \$1,885

Total unanticipated repair cost: \$24,914.47

Upgrade to LPD Training/Community room

- Update the IT technology and equipment necessary to provide for an adequate and updated training facility, which will allow for LPD-hosted training events. This will include updates to the hardware and equipment needed to facilitate modern training programs and community events (i.e. PowerPoint, video streaming, remote login, etc.) - \$9,990

Total cost: \$34,904.47

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 96-21 passed

ARTICLE 7 LEICESTER PUBLIC SCHOOLS – MAINTENANCE & REPAIR

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to defray the costs of repair and maintenance at the Leicester Public Schools or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY20 warrant article for school facilities and grounds maintenance and repair to be expended by the Leicester Public School funded via transfer from the FY 2020 Employee Benefits general fund budget appropriation in the amount of \$125,000.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (3-2-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This Article seeks funding for major underfunded school maintenance items as detailed below:

Fields

- Athletic field maintenance - \$45,000
In FY19, the School Department utilized additional end of year funds to spread 144 yards of loam, aerate and do additional maintenance to the High School Multi-Purpose field. The costs of that work were as follows: \$4,320 for loam/delivery and \$34,925 for labor on said work. It is the intent of the School Department to continue to maintain that particular field at the same level given the need for additional resources to bring it back up to standards for the students and community. When the work was completed last year, we heard nothing but great feedback from the aforementioned parties on how the field had never looked so good. We pride ourselves on that effort and if not continued, would certainly cause the field condition to go back to the original state.

While we understand the costs should be budgeted for each year, we simply cannot find additional funds within the confines of our facilities/maintenance budget for such a large additional expenditure. Within that budget already exists the standard seeding, fertilizing, lime, lining of fields and grub/weed control.

- Repair of softball fields (SBC test pit digging) - \$1,500
- Repair of mowers/field equipment for transition to Highway - \$4,000

Middle School

- Air handler/dampener/bearing replacements (Middle School) - \$9,400
- Compressor pump & motor replacement - \$7,300
- Furnace tube repair (Boiler 1) - \$6,750
- Leaking T-valve boiler room replacement - \$5,800
- Boiler blower motor replacement - \$5,460

High School

- Boiler system repairs - \$7,875
- Moving of solar panels for roof repair - \$5,000
- Roof vent drain repair - \$1,165
- Roof seam repair - \$5,000

Note: The High School roof was replaced in 2016, with a two-year warranty on labor. The roof was damaged by improper snow removal. There is now water intrusion into the building, so repairs must be made.

Elementary School

- Repair of UV coils, dampener, replacement of motor (Room 101 – insurance claim denied) - \$2,200
- Repairs to 3-way valve unit - \$13,000

Miscellaneous

- Geneon mist disinfecting sprays and sanitizers - \$2,050
- Additional Cleaning (All schools – Coronavirus) - \$2,000
- Dumpsters for Memorial School cleanout - \$1,500

Total: \$125,000

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 76-42 passed

ARTICLE 8 EMERGENCY MANAGEMENT SUPPLIES AND PERSONAL PROTECTIVE EQUIPMENT

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to defray the costs of the purchase of emergency management supplies and equipment for use by Town departments and/or the general public, or associated services required for the safety of employees and the general public including the cleaning of municipal buildings, said funding to be available starting in FY 2020, or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY 2020 warrant article for the purchase of emergency management supplies and equipment for use by Town departments and/or for the general welfare of the public, or associated services required for the safety of employees and the general public, including the cleaning of municipal buildings, said purchase of supplies and services to be associated with a national, state and/or local emergency, expended by the Town Administrator, and to be funded via transfer from Free Cash the amount of \$13,000, and from the FY 2020 Employee Benefits general fund budget appropriation in the amount of \$17,000.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (3-2-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This Article seeks funding for the purchase of supplies, services and/or equipment in the case of pandemic or another emergency. The unfolding situation with the COVID-19 virus demonstrates the need for a reserve of funding to be available, should the Town need to make purchases in an emergency. If approved, we expect to replace expended funds on an annual basis.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 88-15 passed

ARTICLE 9 LOCAL SHARE – VETERAN’S HERITAGE GRANT

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, such sums of money as may be necessary to pay the Town’s local share of a Veteran’s Heritage grant to restore two veteran’s memorials on Main Street in Cherry Valley or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town establish an FY20 warrant article for the local share of a \$12,700 grant to restore the Lt. James Sugrue and Chester St. Martin Veterans memorials funded via transfer from Free Cash in the amount of \$6,350.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Town recently obtained a Veteran’s Memorial grant from the State Historical Records Advisory Board, to repair and repoint two memorials for veterans that were killed in action during World War II. The memorials were built in 1944 by John Sugrue, Sr. The memorial at Sugrue Square is a twelve-foot obelisk with installed plaques. The obelisk needs to have its masonry joints chiseled, have the top repaired and structure repointed. The memorial located in the Chester A. Martin Square is a twenty-foot wall that is three feet high. The wall has a concrete cap that is cracked in five places. There is also ice and water damage present. This grant and match will fully repair both memorials.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 102-12 passed

ARTICLE 10 PARTICIPATION IN THE CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT (FY 2021 – FY 2023)

This article was removed per vote of the Select Board (3-2-0) on 04/27/20.

PASSOVER

ARTICLE 11 FY2020 FUNDING – CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

This article was removed per vote of the Select Board (4-1-0) on 04/27/20

PASSOVER

ARTICLE 12 ELECTED OFFICIALS SALARIES

To see what compensation the Town will vote to pay elected officials or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to set the rate of compensation to pay elected officials for Fiscal Year 2021 as detailed in the June 2, 2020 Spring Annual Town Meeting Warrant.

FISCAL YEAR 2021 ELECTED OFFICIALS PAY RATES	
<u>POSITION</u>	<u>PAY RATE</u>
TOWN CLERK	\$66,798
SELECT BOARD – CHAIR	\$882
SELECT BOARD – MEMBERS (4) each	\$724
SCHOOL COMMITTEE – CHAIRMAN	\$447
SCHOOL COMMITTEE – MEMBERS (4) each	\$197
PLANNING BOARD – CHAIRMAN	\$320
PLANNING BOARD – MEMBERS (4) each	\$276
MODERATOR	\$81
BOARD OF HEALTH – CHAIRMAN	\$320
BOARD OF HEALTH – MEMBERS (2) each	\$276
ASSESSOR – MEMBERS (3) each	\$577
TOTAL ELECTED SALARIES	\$75,919

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (3-2-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Compensation for elected officials is set by Town Meeting. The proposed 2021 elected officials pay rate is the same as approved by the voters for fiscal year 2020 except for the Town Clerk, whose salary contains a 2% COLA.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. Chapter 41, Section 108

VOTED 102-13 passed

ARTICLE 13 FY 2021 OPERATING BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2020 and ending on June 30, 2021, as listed in the 2020 Spring Annual Town Meeting Warrant or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to approve the budgets of the several Town departments and Town accounts as printed in the Annual Town Meeting Warrant for the Fiscal

Year beginning July 1, 2020, in the aggregate amount of \$29,997,505 and to fund this amount from the following sources:

<i>Transfer from FY 2019 Free Cash</i>	\$205,308
<i>Transfer from Ambulance Receipts Reserved Account:</i>	\$371,192
<i>Transfer from Conservation Commission NOI Account:</i>	\$9,991

And the balance of the funds in the remaining sum of \$29,411,014 shall be raised and appropriated by taxation, state aid, and local receipts:

DEPT #	DEPARTMENT NAME	FY2019 BUDGET	FY2020 BUDGET	FY2021 TOWN ADMIN	\$ CHANGE	% CHANGE
111	LEGAL					
	TOTAL	209,000	209,000	209,000	0	0.00%
114	MODERATOR					
	TOTAL	151	151	151	0	0.00%
122	SELECT BOARD					
	TOTAL	239,870	275,528	258,921	-16,607	-6.03%
130	RESERVE FUND					
	TOTAL	50,000	50,000	50,000	0	0.00%
131	ADVISORY BOARD					
	TOTAL	1,325	1,325	1,325	0	0.00%
135	ACCOUNTANT					
	TOTAL	118,153	122,611	143,619	21,008	17.13%
141	ASSESSORS					
	TOTAL	116,964	121,745	123,911	2,166	1.78%
145	TREASURER COLLECTOR					
	TOTAL	165,867	163,615	166,411	2,796	1.71%
DEPT #	DEPARTMENT NAME	FY2019 BUDGET	FY2020 BUDGET	FY2021 TOWN ADMIN	\$ CHANGE	% CHANGE
147	TAX TITLE					
	TOTAL	16,000	16,000	0	-16,000	-100%
152	PERSONNEL BD					
	TOTAL	250	250	250	0	0.0%
155	IT DEPARTMENT					
	TOTAL	138,560	155,560	162,060	6,500	4.18%
161	TOWN CLERK					
	TOTAL	104,699	110,491	112,628	2,137	1.93%
162	ELECTIONS & REGISTRATIONS					
	TOTAL	35,600	35,100	40,500	5,400	10.69%
180	DEVELOPMENT & INSPECT. SVCS					
	TOTAL	234,787	241,930	293,332	51,402	21.25%
192	TOWN OWNED BLDG MAINT					
	TOTAL	8,000	68,281	68,281	0	0.00%
197	TOWN HALL BLDG MAINTENANCE					
	TOTAL	63,909	63,909	63,909	0	0.00%

198	TOWN HALL TELEPHONES					
	TOTAL	6,400	6,400	6,400	0	0.00%
199	OTHER – GENERAL GOV					
	TOTAL	49,355	54,155	66,451	12,296	22.71%
210	POLICE DEPT					
	TOTAL	1,963,857	2,034,796	2,033,475	-1,321	-0.06%
220	FIRE DEPT					
	TOTAL	305,307	305,307	315,398	10,091	3.31%
231	AMBULANCE					
	TOTAL	440,418	440,372	446,123	5,751	1.31%
232	EMERGENCY MANAGEMENT					
	TOTAL	4,813	4,813	1,000	-3,813	-79.22%
241	CODE DEPT					
	TOTAL	68,879	63,690	62,083	-1,607	-2.52%
292	ANIMAL CONTROL					
	TOTAL	33,552	33,552	33,934	382	1.14%
296	INSECT PEST CONTROL					
	TOTAL	7,850	7,850	7,850	0	0.00%
310	SCHOOL					
	TOTAL	16,667,839	16,985,780	17,174,399	188,619	1.11%
DEPT #	DEPARTMENT NAME	FY2019 BUDGET	FY2020 BUDGET	FY2021 TOWN ADMIN	\$ CHANGE	% CHANGE
420	HIGHWAY DEPT					
	TOTAL	697,060	743,282	937,002	135,322	16.88%
423	SNOW & ICE					
	TOTAL	121,000	121,000	121,000	0	0.00%
424	STREETLIGHTS					
	TOTAL	75,000	60,335	58,000	-2,335	-3.87%
541	COUNCIL ON AGING					
	TOTAL	94,122	108,280	101,546	-6,734	-6.22%
543	VETERANS SERVICES					
	TOTAL	92,980	92,982	126,613	33,631	36.17%
545	VETERANS GRAVES REG					
	TOTAL	2,400	2,400	2,400	0	0.00%
610	PUBLIC LIBRARY					
	TOTAL	204,306	216,629	225,435	8,806	4.07%
630	PARKS & RECREATION					
	TOTAL	6,450	6,450	6,450	0	0.00%
691	HISTORICAL COMMISSION					
	TOTAL	950	950	950	0	0.00%
692	MEMORIAL DAY COMMITTEE					
	TOTAL	3,000	3,000	3,000	0	0.00%

710	MATURING DEBT PRINCIPAL					
	TOTAL	894,532	1,139,797	1,155,327	15,530	1.36%
751	MATURING DEBT INTEREST					
	TOTAL	325,635	406,144	369,949	-36,195	-8.91%
752	TEMPORARY LOAN INTEREST					
	TOTAL	94,647	33,255	20,665	-12,590	-37.86%
753	BOND ISSUE					
	TOTAL	0	0	1,100	1,100	0%
911	WORC REG RETIREMENT					
	TOTAL	1,161,643	1,314,800	1,456,243	141,443	10.76%
912	WORKER COMPENSATION					
	TOTAL	216,700	187,498	206,248	18,750	10.00%
913	UNEMPLOYMENT COMP					
	TOTAL	66,650	141,650	141,650	0	0.00%
DEPT #	DEPARTMENT NAME	FY2019 BUDGET	FY2020 BUDGET	FY2021 TOWN ADMIN	\$ CHANGE	% CHANGE
914	EMPLOYEE BENEFITS					
	TOTAL	3,266,089	3,288,284	3,045,765	242,519	-7.38%
945	BONDING & INSURANCE					
	TOTAL	100,586	160,662	176,750	16,068	10.00%
Grand Total – All Budgets		28,521,258	29,658,026	29,997,505	339,480	1.14%

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This is the fiscal year 2021 annual operating budget for municipal and school services. Property tax proposed to be levied is within the allowances of Proposition 2 ½. We have level funded state aid, reduced local receipts by 3.72%, and forecast state assessments to increase. This financial plan meets at least the minimum needs of every department and continues to move the Town forward in a sustainable direction. The FY 2021 budget is 1.77% greater than the FY 2020 budget. Please note budget allocation below:

Department	FY 20 Budget	FY 21 Budget	\$ Change	% Change
Municipal Budgets	\$6,000,135	\$6,249,409	\$249,274	4.2%
School Budget	\$16,985,780	\$17,174,399	\$188,619	1.1%
Unclassified Budget	\$6,672,111	\$6,573,697	-\$98,414	-1.5%
Totals	\$29,658,026	\$29,997,505	\$339,480	1.14%

We have maintained the policy of sharing revenue at 75% for the school budget, and 25% for the municipal budget, because it allows for the budget to grow at the same percentage. While the budget growth appears not to be equitable, it is because of several factors have impacted the allocation:

- Highway is taking over field and winter maintenance from the schools resulting in funds that would have allocated to the Leicester Schools via formula now being allocated to Highway. Highway is using these funds for two new employees and summer help that can work both municipal and school operations. The School benefits from a fixed cost for these services.
- The Town Accountant is now being shared with Spencer, through an intermunicipal agreement with a starting cost of \$30,000. The funds that we receive for these services are local receipts, so we have segregated that portion of them that is associated with the cost of providing the service. The \$8,992 in "profit" is a shared receipt.
- The Economic Development Coordinator position is being funded via Free Cash. \$29,167 was raised from Free Cash last year for ½ year salary. The amount below is a new receipt from free cash that would directly fund the position.

Budget increases, with the adjustments not considered, shows the allocation of receipts below:

Municipal Budget Increase	249,274	4.15%
Less: Highway Transfer from school portion of new receipts (2 positions)	-100,000	
Less: Accountant Intermunicipal Agreement funding from Spencer	-21,008	
Less: Economic Development Position funded from Free Cash	-26,141	
Municipal Net Budget Increase	\$101,125	1.70%

School Budget Increase	188,619	0.43%
Plus: Highway Transfer	100,000	
School Net Budget Increase	\$288,619	1.70%

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 83-27 passed

ARTICLE 14 VOCATIONAL TUITION

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to fund the Vocational Tuition expenses for Leicester students for the fiscal year beginning July 1, 2020 or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to raise and appropriate \$1,078,000 for Vocational Tuition expenses for the Fiscal Year beginning July 1, 2020.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Chapter 74 of the Mass General Laws governs vocational technical education programs in public school districts. This article was moved out of the line item budget and into a separate warrant article starting in FY'16. Tracking these costs independently allows for more accurate accounting of the costs associated with Leicester students attending other schools for vocational education.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 95-25 passed

ARTICLE 15 CENTRAL MASS REGIONAL PLANNING COMMISSION ANNUAL ASSESSMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the FY 2021 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capita rate or take any other action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to raise and appropriate the sum of \$3,221 to fund the FY 2021 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capita rate of \$0.29353.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (4-0-1)

DESCRIPTION

In accordance with Chapter 40B, Section 7 of the Mass General Laws, the Central Mass Regional Planning Commission requires member municipalities to pay the costs and expenses of the Central Massachusetts Regional Planning District each fiscal year. Leicester is a part of this District. The assessment is based on the population of the Town as it appears in the most recent national census (2010). The payment of this assessment will maintain the Town's services provided by the District.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 97-17 passed

ARTICLE 16 FY 2021 CABLE PEG ACCESS ENTERPRISE ACCOUNT APPROPRIATION

To see if the Town will vote to appropriate a sum of moneys to fund the FY 2021 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F ½ said appropriation to be funded by fees received pursuant to the Town's cable licensing agreement, or act on anything relating thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to appropriate up to \$102,925 to fund the FY 2021 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F ½, said appropriation to be funded by fees received pursuant to the Town's cable licensing agreement.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Department of Revenue requires the Town to budget for the funds received through Charter for Cable PEG Access operations. While these funds are exclusively for Cable Access operations, it must be approved by the voters annually at Town Meeting. Any retained earnings from the FY 2020 appropriation will be moved to the FY 2021 Cable Enterprise budget at the Fall Town Meeting.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 80-24 passed

ARTICLE 17 OTHER POST-EMPLOYMENT BENEFITS TRUST

This article was removed per vote of the Select Board (5-0-0) on 04/27/20.

PASSOVER

ARTICLE 18 STORMWATER MANAGEMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund stormwater management operations throughout the Town, said funds to be expended by the Highway Department, or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to transfer \$40,000 from the FY 2020 general fund employee benefits budget to a special article for stormwater management throughout the Town, said funds to be expended by the Highway Department.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This article funds stormwater management operations for the Town, including operations, professional services and reporting requirements for the Town's MS-4 permit.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 89-26 passed

ARTICLE 19 GROUNDWATER STUDIES AT LANDFILL

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund groundwater and other studies at the former landfill site, said funds to be expended by the Select Board, or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to transfer \$12,001 from the FY 2020 Employee Benefits general fund budget appropriation to fund groundwater and other studies at the former landfill site, said funds to be expended by the Highway Department.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Town is obligated to comply with the Massachusetts Department of Environmental Protection's annual monitoring and testing requirements for the closed landfill. These tasks require routine sampling of groundwater from a series of wells, any required follow up or additional testing based upon the findings

and routine readings of landfill gases being produced. The \$12,001 requested will fund these required activities in Fiscal Year 2021.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 97-17 passed

ARTICLE 20 POLICE CRUISER

This article was removed per vote of the Select Board (5-0-0) on 04/27/20.

PASSOVER

ARTICLE 21 FY 2020 CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Capital Improvement Plan budget and authorize the Select Board to enter into lease purchase agreement(s) for a term of years and to transfer from available funds a sum of money to pay for the initial installments of the lease/purchase agreement(s), or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to transfer \$90,081 from Free Cash, \$42,378 from the FY2020 Employee Benefits Appropriation Budget, to fund the Fiscal Year 2020 Capital Improvement Plan budget to pay for ongoing installments of one lease/purchase agreement and to replace the roof at Fire Station #2, said funding to total \$132,459.

DEPARTMENT	ITEM	AMOUNT
Fire	Aerial Scope Tower Truck Lease/Purchase Payment – Year 4 of 5	\$90,081
Fire	Replacement of Station #2 roof	\$42,378
	Total FY 2020 Capital Plan	\$132,459

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (4-0-1)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The proposed FY 2020 capital plan has one lease payment and one repair. Originally there was to be six other purchases, but they are being delayed so that we may preserve funding in the case of a receding economy in the wake of COVID-19. See detail below:

Aerial Scope Tower Truck Lease (\$90,081) – Payment 4 of 5 for the 2006 Spartan Gladiator truck

Fire Station #2 Roof (\$42,378) – This funding will allow the roof on station #2 to be replaced. Temporary repairs have been made in the past, but water has infiltrated the membrane of the roof, allowing water to enter the building, and create conditions that will allow for black mold. This issue must be addressed as soon as possible.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

VOTED 85-36 passed

ARTICLE 22 TOWN-OWNED DAMS

To see if the Town will vote to raise and appropriate and/or transfer from available funds to this article a sum of money for the purpose of inspections, reporting, and/or grant application funding for Town-owned dams or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to appropriate \$7,000 from the FY 2020 Employee Benefits general fund budget appropriation for the purpose of inspections, reporting, and/or grant application funding for Town owned dams.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Town owns two dams, one at Waite Pond and another at Greenville Pond that require annual inspections and reporting to DCR. The amount requested, when combined with remaining article balances from previous Town Meetings will fund all costs associated with these dams through FY21.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 102-18 passed

ARTICLE 23 FUNDING STUDY OF HILLCREST PROPERTY

To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of monies to fund a study of the Hill Crest Country Club property for the purposes of planning building repairs or reconfiguration and well as future options for use of the property, or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson move that the Town vote to appropriate \$10,000 from the from the FY 2020 Employee Benefits general fund budget appropriation to fund a study of the Hillcrest Country Club property for the purposes of planning building repairs or reconfiguration and well as future options for use of the property.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This Article seeks funding to perform a study of the Hillcrest Country Club building to rate its overall condition, cost of improvements, address accessibility issues, and to make recommendations about the property moving forward, including its viability as a golf course. The current management group is leasing the property year-to-year and there is no certainty as to how long the arrangement will last or the property will remain marketable in its current condition.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 73-48 passed

ARTICLE 24 TRANSFER FUNDS INTO STABILIZATION

This article was removed per vote of the Select Board (5-0-0) on 04/27/20.

PASSOVER

ARTICLE 25 ESTABLISH REVOLVING FUND ANNUAL SPENDING LIMITS

To see if the Town will vote to set annual spending limits for revolving accounts as detailed in the hands of the voters and as defined by Massachusetts General Laws, Chapter 44, § 53E½ for Fiscal Year 2021, or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town vote to set annual spending limits for revolving accounts as detailed in the warrant and as defined by Mass General Laws, Chapter 44, § 53E½, for Fiscal Year 2021

<u>Revolving Fund</u>	<u>Spending Limit:</u>
Inspectional Services	\$50,000
Health Clinics	\$5,000
Senior Center Programs	\$10,000
Fuel Usage	\$35,000
Town Hall	\$15,000
Recycling	\$30,000
Police Training	\$5,000
Recreation	\$20,000
One-to-one Technology	\$25,000
DIS Fees	\$5,000
Library Copier	\$5,000
300TH Anniversary	\$100,000
Agricultural Land Acquisition	\$100,000
Tree Lighting	\$20,000

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Under MGL Chapter 44, Section 53E½ as amended through the Municipal Modernization Act of 2016, Town Meeting is required to vote on the amount that may be spent from each revolving fund established through the Town's General Bylaws during the upcoming fiscal year prior to July 1st.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5.

VOTED 95-19 passed

ARTICLE 26 DISPOSITION OF MEMORIAL DRIVE, MAP 39, BLOCK A6.3

To see if the Town will vote to dispose of the fee or any lesser interest in the real property and the improvements thereon, located at Memorial Drive, Leicester as shown on Assessor's Map 39, Block A6.3, containing about 2.840 acres of land, more or less, with any improvements thereon by auction or solicitation of proposals in accordance with M.G.L. c. 30B, any such disposition to be on such terms and conditions that the Select Board shall deem appropriate, which may include the reservation of easements and restrictions and the grant of rights of access or easements appurtenant to the property; and to authorize the Select Board to take all related actions necessary or appropriate to carry out the purposes of this article; or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the article be voted as written.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

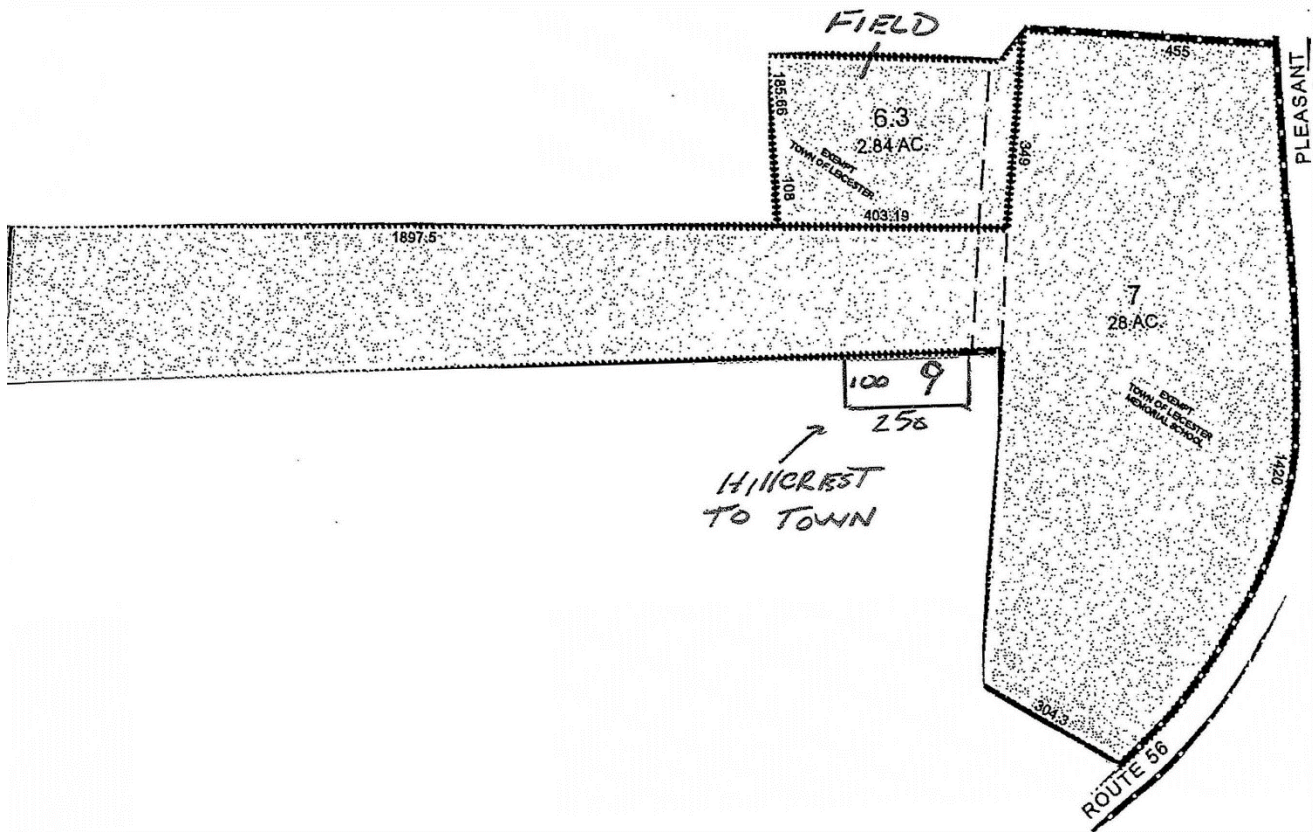
DESCRIPTION

There was an error made in the article presented and passed at the FY 2019 Fall Town Meeting to dispose of the former Memorial School. The Town's GIS maps shows the Memorial School with its playground and practice fields as a single property, but the Assessors maps have the property labeled as two separate and distinct properties. The article presented a single property description, and therefore, the second parcel must be voted separately by Town Meeting. This parcel's frontage is tied directly to the School property, so it will become landlocked if the school property is sold without it.

There are three potential buyers for the Memorial School property, and all have stated that they need this property in order to be able to successfully repurpose the Memorial School property.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority per M.G.L. c. 40, § 15.

VOTED 46-82 FAILED



**ARTICLE 27 ACCEPTANCE, DISPOSITION OF PROPERTY FROM HILLCREST WATER DISTRICT 13
LEHIGH ROAD, MAP 39, BLOCK A9.**

To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, eminent domain or otherwise, in fee simple, any interest in a portion of property located off Lehigh Road in Leicester, identified as 13 Lehigh Road, further identified by Town Assessors Map 39, Lot A9 the parcel of land located at 13 Lehigh Road, Leicester, Massachusetts, and further, vote to dispose of the fee or any lesser interest in the real property by auction or solicitation of proposals in accordance with M.G.L. c. 30B, any such disposition to be on such terms and conditions that the Select Board shall deem appropriate, which may include the reservation of easements and restrictions and the grant of rights of access or easements appurtenant to the property; and to authorize the Select Board to take all related actions necessary or appropriate to carry out the purposes of this article; or take any action thereon.

PROPOSED MOTION- a substitute motion was submitted

Sandra M. Wilson moved that the Town authorize the Select Board to acquire by purchase, gift, eminent domain or authorize in fee simple, any interest in a portion of property located off Lehigh Road in Leicester identified as 13 Lehigh Road further identified by Town Assessor Map 39, Lot A9 the parcel of land located at 13 Lehigh Road, Leicester, Massachusetts.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This property is part of a land swap between the Town and the Hillcrest Water District for placement of a new water tower. The District's old water tower was located on the Memorial School property. The District must place the tank on property that it owns, not on Town property. Town Meeting had previously approved transferring a portion of the Memorial School property to the District. This article requests property be transferred from the District to the Town to complete the swap, and further requests that the property be surplus, so that it may be transferred with the Memorial School property. A further benefit to the property is that acquiring this parcel of land will create a second egress to the property onto Lehigh Road, potentially increasing its value.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority per M.G.L. c. 40, § 15.

VOTED 66-63 FAILED

ARTICLE 28 WAITE POND DAM PROJECT BORROWING

To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Select Board to borrow a sum of money under the provisions M.G.L. c. 44 as amended, for the purpose of engineering, site work, and all other costs relevant to repair and/or replacement of the Waite Pond Dam, as well as any equipment and/or site improvements required, and for the payment of any other costs incidental and related thereto such funds to be supplemented by a dam safety grant received from the Executive Office of Energy and Environmental Affairs which funds shall be expended under the direction of the Select Board and the Office of the Town Administrator, or to take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the Town will vote to authorize the Select Board to borrow the sum of \$388,000 under the provisions M.G.L. c. 44 as amended, for the purpose of engineering, site work, and all other costs relevant to repair and/or replacement of the Waite Pond Dam, as well as any equipment and/or site improvements required, and for the payment of any other costs incidental and related thereto such funds to be supplemented by a dam safety grant received from the Executive Office of Energy and Environmental Affairs which funds shall be expended under the direction of the Select Board and the Office of the Town Administrator.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (2-1-1)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Town has received a million-dollar grant through the State Dam and Seawall program to replace Waite Pond Dam. The dam is in poor condition and has been classified pursuant to Massachusetts General Laws Chapter 21, Section 65 as a Significant Hazard Dam. In the opinion of the Massachusetts Department of Conservation and Recreation (DCR), it does not meet accepted dam safety standards, is structurally deficient, and in poor condition. As a result, it is a potential threat to public safety.

The grant requires 25% in matching funds from the Town. This bond authorization is for that match. It is anticipated that the debt will be paid for through appropriation within the general fund budget, at a cost to all department, or through Free Cash.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority vote.

VOTE 108-17 passed

ARTICLE 29 TRANSFER OF TOWN-OWNED PROPERTY ON RIVER STREET (MAP 43 BLOCK A11) TO COMMON GROUND LAND TRUST

To see if the Town will vote to dispose of the fee or any lesser interest in the real property and the improvements thereon, located on River Street, Leicester as shown on Assessor's Map 43, Block A11, containing about .42 acres of land, and to transfer said property to the Common Ground Land Trust, under such terms and conditions that the Select Board may deem appropriate, which include the reservation of easements and restrictions and the grant of rights of access or easements appurtenant to the property; and to authorize the Select Board to take all related actions necessary or appropriate to carry out the purposes of this article; or take any action thereon.

PROPOSED MOTION

Sandra M. Wilson moved that the article be voted as written.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

The Land Trust would like to acquire this waterfront property, which was taken for taxes owed in order to clean it up and beautify it for use as public access to Greenville Pond.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority per M.G.L. c. 40, § 15.

VOTED 118-10 passed

ARTICLE 30 SPECIAL ACT – DESIGNATION OF THE RAWSON STREET BRIDGE AS THE JOHN J. BINIENDA MEMORIAL BRIDGE

To see if the Town will vote to request that its' elected representatives in the General Court file a Special Act with the General Court on behalf of the inhabitants of the Town of Leicester as follows:

An Act designated a certain bridge in the Town of Leicester as the John J. Binienda Memorial Bridge

Section 1. The bridge No. L-06-017, on Rawson Street in the Town of Leicester shall be designated and known as the John J. Binienda Memorial Bridge, in memory of John J. Binienda, (June 22, 1947 – August 22, 2014), who served in the Massachusetts House of Representatives from 1986 until 2014, representing the 17th Worcester District.

Section 2. The Town shall erect and maintain suitable markers bearing the designation in compliance with the standards of the department; or take any other action in relation thereto.

PROPOSED MOTION

Sandra M. Wilson moved that the article be voted as written.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (3-0-1)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Passage of this article will allow special legislation to be created to enable the Rawson Street Bridge to be dedicated in the name of a long-serving state legislator who dedicated his career in public service to the residents of Leicester.

VOTE REQUIRED FOR PASSAGE Requires a simple majority

VOTED 109-14 passed

ARTICLE 31 SPECIAL ACT – DESIGNATION OF THE CHURCH STREET BRIDGE AS THE PRIVATE FIRST CLASS EUGENE JOSEPH PARENTEAU MEMORIAL BRIDGE

To see if the Town will vote to request that its' elected representatives in the General Court file a Special Act with the General Court on behalf of the inhabitants of the Town of Leicester as follows:

An Act designated a certain bridge in the Town of Leicester as the Private First Class Eugene Joseph Parenteau Memorial Bridge

Section 1. Bridge No. #L-06-011, on Church Street in the Town of Leicester shall be designated and known as the Private First Class Eugene Joseph Parenteau Memorial Bridge, in memory of Private First-Class Eugene Joseph Parenteau (August 10, 1924 – June 7, 1945). Private Parenteau, a member of the U.S. Army, 2nd Platoon, Company B, 1st Battalion, 164th Infantry Regiment, American Division, XI Corps, Eighth Army was killed in action, with his body not recovered, on Thursday, June 7, 1945, on Negros Island, Philippines.

Section 2. The Town shall erect and maintain suitable markers bearing the designation in compliance with the standards of the department; or take any other action in relation thereto.

PROPOSED MOTION

Sandra M. Wilson moved that the article be voted as written.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

Passage of this article will allow special legislation to be created to enable the Church Street Bridge to be dedicated in the name of a fallen local serviceman who was killed in service to his country.

VOTE REQUIRED FOR PASSAGE Requires a simple majority

VOTED 123-3 passed

ARTICLE 32 ZONING BYLAW CHANGE – ADAPTIVE REUSE OVERLAY DISTRICT IMPROVEMENTS

To see if the Town will vote to make the following amendments to Section 1.3 and 5.10 of the Zoning Bylaws or take any action thereon:

Amend Section 1.3, DEFINITIONS, to include a definition of makerspace, as follows:

MAKERSPACE: a collaborative incubator workspace for making, learning, exploring in a variety of artistic, industrial, or light industrial activities such as machining, plasma cutting, sandblasting, ventilated painting, forging, casting, ceramics, and various other industrial processes. Such workspace may include a variety of low-tech and high-tech tools and equipment including but not limited to 3D printers, laser cutters, cnc machines, soldering irons, blacksmith equipment, and woodworking machinery. Makerspaces may include training and educational activities, including training related to vehicle repair, and may also include live-work spaces.

A. Amend Section 1.3, DEFINITIONS, to amend the definition of Mixed-Use Development, Horizontal Mix, as follows:

MIXED-USE DEVELOPMENT, HORIZONTAL MIX- An integration of commercial and multifamily residential uses in a development comprised of two or more buildings on the same lot, or in a single

building where residential use is on the ground floor. **This may include a single residential unit combined with a commercial use.**

B. Amend Section 5.10, Adaptive Reuse Overlay District as follows by adding the following uses to subsection D.(2), Uses Allowed by Special Permit:

- k) Mixed-Use Development, Vertical Mix
- l) Mixed-Use Development, Horizontal Mix
- m) Brewery, Distillery, Winery
- n) Brew Pub
- o) Makerspace

C. Amend Section 5.10, Adaptive Reuse Overlay District, subsection G. (1), as shown below:

(1) As a condition of any special permit for the an Adaptive Reuse Project that proposes **10 or more** multi-family dwelling units, a minimum of ten (10%) of the total number of dwelling units shall be required, in perpetuity, to be restricted to persons qualifying as moderate income in accordance with the Massachusetts Department of Housing and Community Development definitions of low and moderate incomes. **This affordability requirement is recommended but not required for live-work spaces associated with makerspaces.**

Or take any action relating thereon.

PROPOSED MOTION

Michelle Buck moved that the article be voted as written.

PLANNING BOARD RECOMMENDATION

Favorable Action (4-0-0)

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This article, put forward by the Planning Board, seeks to make improvements to the Adaptive Reuse Overlay District Bylaw, by adding potential reuse options.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority per M.G.L. c. 40A, § 5.

VOTED 84-7 passed

ARTICLE 33 CITIZEN PETITION AMENDMENT TO MEDICAL MARIJUANA TREATMENT CENTERS AND MARIJUANA ESTABLISHMENT BYLAW OF THE TOWN OF LEICESTER

Lee Dykas presented this citizens petition:

To see if the Town will vote to authorize an amendment to the Town of Leicester Zoning Bylaw and to its existing "Medical Marihuana Treatment Centers and Marijuana Establishments" Bylaws by inserting new definitions and amending existing definitions in Section 1.3, by inserting a new paragraph to the Schedule of Use Section 3.2.03 Business for Outdoor Cultivation of Cannabis/Marijuana in Suburban Agricultural district (SA). In addition, by inserting additional language to Section 5.15.02 and a new section 5.15.04, entitled Marijuana Outdoor Cultivator Requirements."

Inserting the following definitions to Section 1.3 [As Amended through October 22, 2019]

A. Definition

Insert this definition into Section 1.3 of our Bylaw.

MARIJUANA OUTDOOR CULTIVATOR: a marijuana establishment that involves the cultivation of mature Cannabis outdoors without the use of artificial lighting in the canopy area, except to maintain immature or vegetative Mother Plants, including but limited to open air, hot house, or cold frame greenhouse production, which is not (a) for personal use or (b) conducted by a licensed caregiver, in amounts not to exceed the state imposed limits for individuals or caregivers."

Amend the existing definition of Marijuana Establishment, Non-Retail in Section 1.3, as follows:

MARIJUANA ESTABLISHMENT, NON-RETAIL: a marijuana establishment that does not involve on-site retail sales to consumers, including Marijuana Cultivators, Marijuana Product Manufacturers that only sell to Marijuana Establishments but not consumers, Marijuana Testing Facilities, and Marijuana Transportation or Distribution Facilities. Not to include Marijuana Outdoor Cultivator.

By Inserting the following language to Section 5.15 Medical Marijuana Treatment Centers and Marijuana Establishments [New Bylaw voted May 7, 2013, Rev' 5/1/2018 and 5/7/2019]

By amending Section 5.15.12, subsections A & B, as shown below:

5.15.02 STANDARDS:

A. General

All aspects of a Medical Marijuana Treatment Center or Marijuana Establishment except Marijuana Outdoor Cultivators must take place at a fixed location within a fully enclosed building with opaque walls and shall not be visible from the exterior of the building. ~~(Except as allowed for Marijuana Outdoor Cultivators, Greenhouses with transparent or translucent walls are prohibited: glass or other transparent roofs are allowed. Transparent or translucent greenhouses are allowable within the opaque perimeter fence of an outdoor cultivation facility. (See related subsection J., Lighting and Section 5.15.04 Marijuana Outdoor Cultivators).~~ No outside storage of marijuana, related supplies, or educational materials is permitted. Medical Marijuana Treatment Centers and Marijuana Establishments are not permitted as a home occupation. Site Plan Review is required for all Medical Marijuana Treatment Centers, Marijuana Outdoor Cultivators and Marijuana Establishments, including when the facility will reuse an existing structure.

B. Buffer Requirements

No Medical Marijuana Treatment Center or Marijuana Establishment may be located within required buffer areas. Buffers shall be 500 feet for Medical Marijuana Treatment Centers and Marijuana Retailers, Consumer Sales Only and 200 feet for Marijuana Establishments, Non-Retail, from the following: residential zoning districts (SA, R1, and R2), and pre-existing public or private schools (pre-school through grade 12), except that buffer from the SA district shall not apply to Marijuana Outdoor Cultivators. Distance shall be measured in a straight line as the shortest between the Medical Marijuana Treatment Center or Marijuana Establishment building and residential district boundaries, and as a straight line from the nearest point of the property line in question to the nearest point of the property line where the Medical Marijuana Treatment Center or Marijuana Establishment is or will be located for schools.¹

Amend Section 3.2.03, Business, by inserting use number 22, Marijuana Outdoor Cultivator as shown below (and renumbering existing uses 22 – 29 accordingly):

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
18.	Medical Marijuana Treatment Center (Planning Board Site Plan Review Required)	N	N	N	Y	N	Y	Y	Y
19.	Marijuana Retailer, Consumer Sales Only (Special Permits issued by the Planning Board)	N	N	N	SP	N	SP	SP	SP
20.	Marijuana Establishment, Non-Retail (Planning Board Site Plan Review Required)	N	N	N	Y	N	Y	Y	Y

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
21.	Marijuana Social Consumption Facility	N	N	N	N	N	N	N	N
22.	<u>Marijuana Outdoor Cultivator</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

Amend Section 5.6, Greenville Village Neighborhood Business District (NB), Subsection 5.6.04, Prohibited Uses, by adding the following text:

5.6.04.3. All types of Marijuana Establishments regulated by Section 5.15.

To Amend the Leicester Zoning Bylaws as Amended through October 22, 2019 (Section 5.15) by inserting a proposed new section Section 5.15.04 entitled “Outdoor Marijuana Cultivation, Requirements” [See, New Bylaw voted May 7, 2013, Revised 5/1/2018 and 5/7/2019] ²

5.15.03 MARIJUANA OUTDOOR CULTIVATOR REQUIREMENTS

A. Purpose

The intent of this Section is to address local siting and land use concerns in relation to the legalization of medical and recreational marijuana in the Commonwealth following ballot initiatives in 2012 and 2016. The granting of a Special Permit by the Town of Leicester does not supersede state or federal laws or pre-empt an applicant from complying with all relevant state and federal laws. In addition, the purpose of this bylaw is to update the Marijuana Establishment Bylaw and to regulate Marijuana Outdoor Cultivators, to incorporate the recent circular issued by the Cannabis Control Commission entitled “Guidance for Farmers” and to protect the integrity of natural resources in the Town of Leicester³

B. Applicability

A Special Permit under this section shall be required from the Planning Board for any Marijuana Outdoor Cultivator as a principal or accessory use, or combination of uses involving a Marijuana Outdoor Cultivator.

C. Performance Standards

1. No Marijuana Outdoor Cultivator shall be located within 500 feet (measured from edge of building or occupied space to edge of building or occupied space) of any public or private school providing education in kindergarten or any of grades 1 through 12, any public playground, or licensed daycare.
2. The minimum lot size for this use shall be fifteen (15) acres. In addition, the Town establishes the following minimal ratios of acreage for outdoor cultivation based on the following footage of Canopy:

<u>Tier:</u>	<u>Footage of Canopy</u>	<u>Acreage required</u>
<u>Tier 1:</u>	<u>up to 5,000 s.f canopy</u>	<u>15 acres</u>
<u>Tier 2:</u>	<u>5,001 to 10,000 s.f.</u>	<u>25 acres</u>
<u>Tier 3:</u>	<u>10,001 to 20,000 s.f.</u>	<u>30 acres</u>
<u>Tier 4:</u>	<u>20,001 to 30,000</u>	<u>35 acres</u>
<u>Tier 5:</u>	<u>30,001 to 40,000</u>	<u>40 acres</u>
<u>Tier 6:</u>	<u>40,001 to 50,000</u>	<u>45 acres</u>
<u>Tier 7:</u>	<u>50,001 to 60,000</u>	<u>50 acres</u>
<u>Tier 8:</u>	<u>60,001 to 70,000</u>	<u>50 acres</u>
<u>Tier 9:</u>	<u>70,001 to 80,000</u>	<u>50 acres</u>
<u>Tier 10:</u>	<u>80,001 to 90,000</u>	<u>50 acres</u>

² Section 5.15.03 will remain in effect establishing Special Permit Requirements **5.15.03 SPECIAL PERMIT REQUIREMENTS:** The Planning Board shall be the Special Permit Granting Authority for all Marijuana Establishments. Applications shall be submitted in accordance with the Planning Board’s Special Permit Regulations. In addition to the special permit approval criteria for the applicable zoning district and the Planning Board’s Special Permit Regulations, the Planning Board shall find that the proposed use meets the requirements of this section 5.15.

³ See, e.g. Guidance for Farmers, Cannabis Control Commission as revised on January 16, 2020

Tier 11:	90,001 to 100,000	50 acres
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3. No fertilizers, compost, soils, materials, machinery, or equipment shall be stored within the required front, side, and rear yard setbacks.
4. The minimum setback from all property lines shall be 200 feet.
5. Marijuana not grown inside a securable structure shall be enclosed within a minimum of eight (8') foot opaque perimeter security fence to prevent unauthorized entry to the cultivation facility with signs notifying observers that it is a Limited Access Area.
6. The establishment shall not allow any person under 21 years of age to volunteer or work for the marijuana establishment;
7. The outdoor cultivation facility shall comply in every respect with the requirements of 935 CMR 500.110 (6) which regulates "Security and Alarm Requirements for Marijuana Establishments Operating Outdoors." The outdoor cultivation facility shall:
 - a). Implement adequate security measures to ensure that outdoor areas are not readily accessible to unauthorized individuals and to prevent and detect diversion, theft or loss of Marijuana which shall, at a minimum, include:
 - b). A perimeter security fence designed to prevent unauthorized entry to the cultivation facility with signs notifying observers that it is a Limited Access Area;
 - c). Commercial-grade, nonresidential locks;
 - d). A security alarm system that shall: be continuously monitored, whether electronically, by a monitoring company or other means determined to be adequate by the Commission; and provide an alert to designated employees of the Marijuana Establishment within five minutes after a notification of an alarm or a system failure, either by telephone, email or text message.
 - e). Video cameras at all points of entry and exit and in any parking lot which shall be appropriate for the normal lighting conditions of the area under surveillance. The cameras shall be directed at all safes, vaults, sales areas, and areas where Marijuana is cultivated, harvested, Processed, prepared, stored, handled, Transferred or dispensed and for the purpose of securing cash. Cameras shall be angled so as to allow for the capture of clear and certain identification of any Person entering or exiting the Marijuana Establishment or area;
 - f). 24-hour recordings from all video cameras that are available immediate viewing by the Commission on request and that are retained for at least 90 calendar days. Recordings shall not be destroyed or altered, and shall be retained as long as necessary if the Marijuana Establishment is aware of a pending criminal, civil or administrative investigation or legal proceeding for which the recording may contain relevant information;
 - g). The ability to immediately produce a clear, color still image whether live or recorded;
 - h). A date and time stamp embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture;
 - i). The ability to remain operational during a power outage; and
 - j). A video recording that allows for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that

may be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal.

k). All security system equipment and recordings shall be maintained in a secure location so as to prevent theft, loss, destruction and alterations.

l). In addition to the requirements listed in 935 CMR 500.110(4)(a) and (b), the Marijuana Establishment shall have a back-up alarm system, with all capabilities of the primary system, provided by a company supplying commercial grade equipment, which shall not be the same company supplying the primary security system, or shall demonstrate to the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system.

m). Access to surveillance areas shall be limited to Persons that are essential to surveillance operations, Law Enforcement Authorities acting within their lawful jurisdiction, police and fire departments, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Commission on request. If the surveillance room is on-site of the Marijuana Establishment, it shall remain locked and shall not be used for any other function.

n). All security equipment shall be in good working order and shall be inspected and tested at regular intervals, not to exceed 30 calendar days from the previous inspection and test.

o). Security plans and procedures shared with Law Enforcement Authorities pursuant to 935 CMR 500.110(1)(o) shall include: a description of the location and operation of the security system, including the location of the central control on the Premises, a schematic of security zones, the name of the security alarm company and monitoring company, if any, a floor plan or layout of the facility in a manner and scope as required by the municipality; and, a safety plan for the Manufacture and production of Marijuana Products as required pursuant to 935 CMR 500.101(1)(d)3.c.

p). Each licensee shall file an emergency response plan with the Leicester Fire and Police Department

q). No Outdoor Marijuana Cultivation establishment shall allow cultivation, processing, manufacture, sale or display of marijuana or marijuana products to be visible from a public place without the use of binoculars, aircraft or other optical aids.

8. In reviewing a special permit under this section the Board shall consider the impact of the proposal on the following:

a. Character of the neighborhood to include visual compatibility with surrounding uses.

b. Proximity to other licensed marijuana uses to prevent clustering.

c. Relationship to surrounding uses to avoid unnecessary exposure to minors.

d. Site design and other development related site impacts.

e. No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or at any adjoining use or property, except as allowed under a Special Permit granted to a Marijuana Cultivator, outdoors. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivator site.

9. Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500(10).

These amendments establish permitting requirements and reasonable regulations for Marijuana Outdoor Cultivators

Amended Motion:

The motion was rewritten by Attorney Amanda Zuretti at Town Meeting and read by Lee H. Dykas.

Lee H. Dykas moved that the amendments be made to Article 33 as presented in the background information presented to Town Meeting, dated June 2, 2020.

See below:

1. Remove footnote symbol "1" at the end of 5.15.02.B. (Buffer Requirements).
2. In the paragraph (not part of the bylaw) which reads
"To Amend the Leicester Zoning Bylaws as Amended through October 22, 2019 (Section 5.15) by inserting a proposed new section Section 5.15.04 entitled "Outdoor Marijuana Cultivation Requirements" [See, New Bylaw voted May 7, 2013, Revised 5/1/2018 and 5/7/2019]"
make the following changes: delete the duplicate word "section," change ""Outdoor Marijuana Cultivation Requirements" to "Marijuana Outdoor Cultivator Requirements" and remove footnote ²
3. In the paragraph (not part of the bylaw) which reads
"To Amend the Leicester Zoning Bylaws as Amended through October 22, 2019 (Section 5.15) by inserting a proposed new section Section 5.15.04 entitled "Outdoor Marijuana Cultivation Requirements" [See, New Bylaw voted May 7, 2013, Revised 5/1/2018 and 5/7/2019]"
make the following changes: remove footnote symbol "2" at the end of this paragraph.
4. Remove footnote ³ at the end of Section 5.15.14.A, Purpose.
5. In the paragraph 5.15.04C Performance Standards (7)(e) which reads
"Video cameras at all points of entry and exit and in any parking lot which shall be appropriate for the normal lighting conditions of the area under surveillance. The cameras shall be directed at all safes, vaults, sales areas, and areas where Marijuana is cultivated, harvested, Processed, prepared, stored, handled, Transferred or dispensed and for the purpose of securing cash. Cameras shall be angled so as to allow for the capture of clear and certain identification of any Person entering or exiting the Marijuana Establishment or area;"
make the following changes: the words "Processed" "Transferred" and "Person" will be converted from uppercase to lowercase
6. In the paragraph 5.15.04C Performance Standards (8)(e) which reads *"No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or at any adjoining use or property, except as allowed under a Special Permit granted to a Marijuana Cultivator, outdoors. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivator site."*
make the following changes: change ""Marijuana Cultivator, outdoors" to "Outdoor Marijuana Cultivato
7. In the paragraph 5.15.04C Performance Standards (7)(m) which reads
"Access to surveillance areas shall be limited to Persons that are essential to surveillance operations, Law Enforcement Authorities acting within their lawful jurisdiction, police and fire departments, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Commission on request. If the surveillance room is on-site of the Marijuana Establishment, it shall remain locked and shall not be used for any other function."
make the following changes: the word "Persons"" will be converted from uppercase to lowercase

PLANNING BOARD RECOMMENDATION

Favorable Action (5-0-0)

FINANCE ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (3-1-0)

SELECTBOARD RECOMMENDATION

Favorable Action (5-0-0)

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority per M.G.L. c. 40A, §5

VOTED 83-37 passed

Ladies and Gentlemen, this concludes the business set forth for this Annual Town Meeting, as advertised in the Warrant.

Is there any further business which should be considered by this Town Meeting?

There being none, Mrs. Wilson, I will accept a motion for adjournment.

Thank you all for your time this evening, please return your electronic voting clicker and any unused ballots to the registrars' tables.

Sandra M. Wilson moved that the Town adjourn the Annual Town Meeting at 9:45pm with 137 voters present. VOTED UNANIMOUSLY

Respectfully submitted,

*Deborah K. Davis
Leicester Town Clerk*

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CERTIFIED FREE CASH AS OF JUNE 30, 2019: \$1,398,550.00

October 22, 2019 Fall Special Town Meeting	Free Cash	
Article 1 – Prior Years Bills	-\$36.00	
Article 2 – Transportation Infrastructure Fund	-\$599.50	
Article 3 – Local match – Regional Fire Training Facility	-\$4,338.00	
Article 6 – Funding Police detail account	-\$1,527.00	
Article 10 – Funding an Economic Development Position	-\$29,167.00	
Article 11 – Capital Improvements	-\$111,700.00	
Subtotal: Free Cash Appropriated at STM	-\$147,367.50	
Remaining Free Cash	\$1,251,182.50	
June 2, 2020 Annual Town Meeting	Free Cash	Employee Benefit Funds
Available Balances	1,251,182.50	495,000.00
School Budget		24,000.00
Total Available Funds	1,251,182.50	514,000.00
Article 1 – Prior Year Bills	1474.18	
Article 2 – Reserve Fund		33,000.00
Article 2 – Snow and Ice		50,852.00
Article 2 – Accounting Salaries		3,000.00
Article 2 – Accounting Wages		2,115.00
Article 2 – Treasurer/Collector Wages		2,119.00
Article 2 – Street Lights		10,000.00
Article 2 – Town Hall Expenses		17,000.00
Article 2 – Highway Wages		24,000.00
Article 2 - Recycling Center		20,000.00
Article 2 - Vocational School Tuition		22,008.00
Article 3 - Kaboom Grant	40,000.00	
Article 4 - Highway Maintenance	36,113.00	13,887.00
Article 5 - Fire Maintenance		20,911.00
Article 6 - Police Maintenance		34,905.00
Article 7 - Schools		125,000.00
Article 8 – Emergency Preparedness	13,000.00	17,000.00
Article 9 - Veteran's Memorials	6,350.00	
Article 13 – FY 2021 Budget	205,308.00	
Article 18 - Stormwater		40,000.00
Article 19 - Landfill		12,001.00
Article 21 Capital Improvement Plan (Ariel scope Payment 4 of 5)	90,081.00	
Article 21B Capital Improvement Plan (Station 2 Roof)		42,378.00
Article 22 Town Owned Dams		7,000.00
Article 23 Hillcrest Architectural Study		10,000.00
Remaining Balance	858,856.32	11,824.00