

**TOWN OF LEICESTER  
SPECIAL TOWN MEETING  
MAY 3, 2016**

The following is a report of the Doings of the Special Town Meeting held at the Leicester Town Hall, Washburn Square on Tuesday, May 3, 2016. The Moderator, Donald A. Cherry, Jr., opened the meeting at 7:14 pm with 102 voters present.

Article 1. Dianna Provencher moved that the Town vote to transfer \$340.06 from Free Cash in order to pay bills from prior fiscal years as follows:

- \$112.56 to NFP for the Treasurer/Collector's Office
- \$70.00 to Ford Hometown Services for the Council on Aging
- \$157.50 to Christine Gallant for the Treasurer/Collector's Office

VOTED UNANIMOUSLY

Article 2. Douglas Belanger moved that the Town vote to transfer \$151,917 from the Employee Benefits Department to the following:

Department	Amount
Board of Selectmen	\$2,303
Town Accountant	\$5,750
IT	\$2,050
Police Department	\$5,000
Highway Department	\$2,000
Veterans Services	\$4,500
Maturing Debt Principal	\$130,314

VOTED UNANIMOUSLY

Article 3. Harry R. Brooks moved that the Town vote to transfer \$48,002 from Free Cash to the Snow & Ice department. VOTED UNANIMOUSLY

Article 4. Thomas E. Buckley III moved that the Town vote to transfer \$72,400 from Free Cash to fund the third annual installment of the lease/purchase agreement for the 2012 Spartan Fire Engine. VOTED UNANIMOUSLY

Article 5. Sandra Wilson moved that the Town vote to authorize the Board of Selectmen to expend \$50,000 from the Insurance Receipts Reserve Account to fund the cost of repairs to the Primary School façade. VOTED UNANIMOUSLY

Article 6. Dianna Provencher moved that the Town vote to transfer \$6,000 from Free Cash to fund a vegetation management study and/or expenses related to managing vegetation growth in Town-owned bodies of water. VOTED UNANIMOUSLY

Article 7. Thomas E. Buckley III moved that the Town pass over this article regarding money to fund the Radio Upgrade Project. VOTED UNANIMOUSLY

Dianna Provencher moved that the Town dissolve the Special Town Meeting.  
VOTED UNANIMOUSLY

Meeting adjourned at 7:35 pm with 103 voters present.

**TOWN OF LEICESTER  
ANNUAL TOWN MEETING  
MAY 3, 2016**

The following is a report of the Doings of the Annual Town Meeting held at the Leicester Town Hall, Washburn Square on Tuesday, May 3, 2016. The Moderator, Donald A. Cherry, Jr., opened the meeting at 7:14 pm with 103 voters present stating the Town Clerk has informed me that a quorum is present; the meeting will come to order.

The Moderator asked that everyone stand and Pledge Allegiance to our flag. He then asked that everyone please remain standing so that we observe a moment of silence to commemorate the service and sacrifice of our armed forces who defend our liberties and freedoms, and the members of our emergency management services who work to keep us safe in our communities.

At this point, it is appropriate for us to mark the passing of Marwood Rand, who served our town in several roles over 30 years. I have been told Mr. Rand was considered one of the finest moderators state wide. Please join me in a moment of silence in appreciation of Mr. Rand as a person and a loyal citizen.

I am pleased to introduce Leicester High School's two student representatives to the Board of Selectmen. Jamie Lyn Souza and Robert Kemp were selected to represent the school at all Selectmen's meeting, and I am told deserve special recognition for simply sitting through those meetings. It's great to see young people taking an active role and interest in our government. There is an item of note which bears mention this evening. Tonight is Sandy Wilson's last Town Meeting as a member of the Board of Selectmen. Service as a member of the Board of Selectmen is a very big commitment in time and energy. Mrs. Wilson, on behalf of the town, please let me extend out thanks for your time and efforts.

Town Administrator Kevin Mizikar gave his Annual State of the Town Address.

Dianna Provencher moved that the Town vote to dispense with the reading of the warrant, which is in the hands of the voters. VOTED UNANIMOUSLY

Dianna Provencher moved that the Town vote to dispense with a hand count by tellers on motions requiring a two-thirds 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

Dianna Provencher moved that the Town vote to recess the Annual Town Meeting and open the Special Town Meeting. VOTED UNANIMOUSLY

Dianna Provencher moved that the Town reconvene the Annual Town Meeting at 7:36 pm. VOTED UNANIMOUSLY

Article 1. Sandra M. Wilson moved that the Town hear the reports of the Town Officials and Committees and to take no further action.

Article 2. Harry R. Brooks moved that the Town vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money in anticipation of revenue and/or reimbursement and to issue notes of the Town payable thereof in accordance with applicable law. VOTED UNANIMOUSLY

Article 3. Thomas E. Buckley III moved that the Town vote to authorize and empower the Board of Selectmen to sell or dispose of accumulated used or junk property of the Town. VOTED UNANIMOUSLY

Article 4. Douglas Belanger moved that the Town will vote to accept a sum of money as State Aid to Libraries and apply such sums to the State Aid to Library grant account. VOTED UNANIMOUSLY

Article 5. Dianna Provencher moved that the Town vote to reauthorize revolving accounts as detailed in the hands of the voters and as defined by Mass General Laws, Chapter 44, Section 53E½, for Fiscal Year 2017.

<u>Board/Department/Officer Authorized to expend:</u>	<u>Revenue Source:</u>	<u>Funds may be expended only for:</u>	<u>Spending Limit:</u>
Code Inspection Department	Inspection & Permit Fees	Inspectional Services	\$50,000
Board of Health	Health clinic fees	Health clinics	\$5,000
Council on Aging	Senior Center program fees	Program services	\$10,000
Highway Department	Fuel usage by depts. and districts	Fuel usage program	\$35,000
Town Administrator	Hillcrest CC maintenance fees	Hillcrest CC maintenance	\$10,000
Code Inspection Dept	Town Hall rental & maint. fees	Town Hall maint. program	\$15,000
Board of Selectmen	Recycling fees	Recycling programs	\$30,000
Police Department	Police training fees	Police training programs	\$5,000
Parks and Recreation	Recreation Fees	Rec programs, maint, and upkeep of fields and facilities	\$20,000

VOTED UNANIMOUSLY

Article 6. Douglas Belanger moved that the Town vote to establish and authorize a School Department revolving account entitled One-to-One Technology, pursuant to Massachusetts General Laws Chapter 44, Section 53E½ for the purposes of receiving payments for the One-to-One Technology program and to be used with the authorization of the Superintendent of Schools to pay expenses related to the repair and replacement of One-to-One Technology Program related items including the cost of insurance for the devices, with an annual spending limit of Twenty Five Thousand dollars (\$25,000). VOTED UNANIMOUSLY

Article 7. Sandra M. Wilson moved that the Town vote to accept Massachusetts General Laws Chapter 60, Section 15B, to allow the Town to establish by vote a tax title collection revolving fund for the Treasurer/Collector and that in accordance with this statute the town establish a "Tax Title Collection Revolving Fund" for the fiscal year beginning July 1, 2016+; said fund shall receive and disburse without further appropriation all fees, charges and cost incurred by the office of the Treasurer – Collector under General Laws ch. 60 sections 15, 55, 62, 65, 68 or 69 and further collected upon the redemption of tax titles and sales of real property acquired through foreclosures of tax titles. The Treasurer – Collector shall be authorized to expend from said fund without further appropriation the sum of \$25,000 within any fiscal year for the purposes of said fund and shall report on the balances and activities in said fund to the Board of Selectmen and the Town Administrator semiannually or more frequently as requested by the Town Administrator.

Any unexpended balances in said fund at the end of any fiscal year in excess of \$25,000 shall be turned over to the General Fund in accordance with General Laws ch. 44 sections 53.  
VOTED UNANIMOUSLY

Article 8. Harry R. Brooks moved that the Town vote to appropriate such sums of money as may be received from the Commonwealth of Massachusetts for highway construction and related purposes for the fiscal year commencing July 1, 2016, said funds to be used under the direction of the Highway Superintendent on such projects as may, from time to time, be designated by the Board of Selectmen. VOTED UNANIMOUSLY

Article 9. Thomas E. Buckley III moved that the Town vote to set the rate of compensation to pay elected officials for fiscal year 2017 as detailed in the hands of the voters.

<b>Fiscal Year 2017 ELECTED OFFICIALS PAY RATES</b>	
<b>POSITION</b>	<b>PAY RATE</b>
TOWN CLERK	\$51,590
SELECTMEN - CHAIRMAN	\$882
SELECTMEN - 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

VOTED UNANIMOUSLY

Article 10. Douglas Belanger moved that the Town vote to approve the budgets of the several Town departments and Town Accounts as printed and in the hands of the voters for the Fiscal Year beginning July 1, 2016, in the aggregate amount of \$26,608,824 and to fund this amount from the following sources:

Transfer from Ambulance Receipts Reserved Account:	\$240,000
Transfer from Board of Health Title V Reserve Account Principal:	\$19,944
Transfer from Dog Fund Receipts Reserved Account:	\$30,000
Transfer from Conservation Commission NOI Account:	\$3,521
Transfer from Assessors' Overlay Surplus:	\$20,000
Transfer from Free Cash:	\$42,500

And the balance of the funds in the remaining sum of \$26,252,859 shall be raised and appropriated by taxation. VOTED UNANIMOUSLY

See budget next two pages

DEPT #	DEPARTMENT NAME	FY2016 BUDGET	FY2017 DEPT REQ	FY2017 TOWN ADMIN	\$ CHANGE	% CHANGE
111	LEGAL					
	TOTAL	63,000.00	59,000.00	59,000.00	-4,000.00	-6.35%
114	MODERATOR					
	TOTAL	151.00	151.00	151.00	0.00	0.00%
122	SELECTMEN					
	TOTAL	231,865.00	240,932.00	247,169	15,304.00	6.60%
130	RESERVE FUND					
	TOTAL	50,000.00	50,000.00	50,000.00	0.00	0.00%
131	ADVISORY BOARD					
	TOTAL	1,600.00	1,500.00	875.00	-725.00	-45.31%
135	TOWN ACCOUNTANT					
	TOTAL	113,097.00	113,972.00	124,375.00	11,278.00	10.55%
141	ASSESSORS					
	TOTAL	109,647.00	109,747.00	112,182.00	2,535.45	2.52%
145	TREASURER/COLLECTOR					
	TOTAL	158,645.00	156,940.00	160,269.00	1,624.00	1.09%
147	TAX TITLE					
	TOTAL	20,000.00	20,000.00	18,000.00	-2,000.00	-10.02%
152	PERSONNEL BOARD					
	TOTAL	975.00	850.00	250.00	-725.00	-88.69%
155	IT DEPARTMENT					
	TOTAL	117,500.00	115,000.00	111,785.00	-5,715.00	-5.71%
161	TOWN CLERK					
	TOTAL	92,852.00	92,227.00	94,458.00	1,606.00	2.00%
162	ELECTIONS & REGISTRATIONS					
	TOTAL	33,900.00	33,900.00	33,900.00	0.00	0.00%
180	DEVELOPMENT & INSPECT. SV					
	TOTAL	220,274.00	220,068.32	224,174.00	3,900.00	0.03
192	TOWN OWNED BLDG MAINT					
	TOTAL	4,500.00	4,500.00	4,500.00	0.00	0.00%
197	TOWN HALL BLDG MAINT					
	TOTAL	68,837.00	62,955.00	35,432.00	-33,660.00	-48.90%
198	TOWN HALL TELEPHONES					
	TOTAL	6,600.00	6,400.00	6,400.00	-200.00	-3.03%
210	POLICE DEPT					
	TOTAL	1,903,980.00	1,894,532.00	1,830,064	-73,916.25	-1.16%
220	FIRE DEPT					
	TOTAL	232,820.00	259,701.00	265,949.00	33,129.00	32.25%
231	AMBULANCE DEPT					
	TOTAL	364,869.00	383,822.00	380,915.00	16,046.00	13%
232	EMERGENCY MANAGEMENT					
	TOTAL	4,720.00	4,720.00	4,720.00	0.00	0.00%
241	CODE DEPT					
	TOTAL	101,666.00	101,666.00	103,967.00	2,301.00	2.50%

DEPT #	DEPARTMENT NAME	FY2016 BUDGET	FY2017 DEPT REQ	FY2017 TOWN ADMIN	\$ CHANGE	% CHANGE
292	ANIMAL CONTROL					
	TOTAL	37,719.00	47,150.00	30,100.00	-7,619.00	-34.01%
296	INSECT PEST CONTROL					
	TOTAL	8,848.00	8,848.00	8,900.00	52.00	2.81%
310	SCHOOL					
	TOTAL	15,748,000.00	16,062,960.00	15,936,800.00	188,800.00	1.20%
420	HIGHWAY DEPT					
	TOTAL	695,776.00	740,447.00	693,775.00	-2,001.00	-1.14%
423	SNOW & ICE					
	TOTAL	116,000.00	122,500.00	119,500.00	3,500.00	5.34%
424	STREET LIGHTS					
	TOTAL	83,500.00	89,000.00	86,000.00	2,500.00	2.99%
541	COUNCIL ON AGING					
	TOTAL	86,820.00	97,147.00	86,918.00	98.00	-1.03%
543	VETERANS SERVICES					
	TOTAL	104,050.00	112,460.00	109,750.00	5,700.00	8.16%
545	VETERANS GRAVES REG					
	TOTAL	2,380.00	2,380.00	2,390.00	10.00	2.63%
610	PUBLIC LIBRARY					
	TOTAL	176,964.00	178,742.00	182,005.00	5,041.00	6.05%
630	PARKS & RECREATION					
	TOTAL	6,060.00	6,060.00	6,060.00	0.00	0.00%
691	HISTORICAL COMM					
	TOTAL	950.00	950.00	950.00	0.00	0.00%
692	MEMORIAL DAY COMM					
	TOTAL	2,790.00	2,790.00	2,790.00	0.00	0.00%
710	MATURING DEBT PRINCIPAL					
	TOTAL	499,017.00	764,894.00	844,894.00	345,877.00	69.31%
751	MATURING DEBT INTEREST					
	TOTAL	166,107.00	301,549.53	153,609.00	-12,498.00	-7.52%
752	TEMPORARY LOAN INTERES					
	TOTAL	2,000.00	2,000.00	11,750.00	9,750.00	487.50%
753	BOND ISSUE					
	TOTAL	1,000.00	1,500.00	1,500.00	500.00	50.00%
911	WORC REG RETIREMENT					
	TOTAL	950,000.00	1,024,269.00	1,024,269.00	74,269.00	7.82%
912	WORKER COMPENSATION					
	TOTAL	158,500.00	159,000.00	191,034.00	32,534.00	20.53%
913	UNEMPLOYMENT COMP					
	TOTAL	66,330.00	66,330.00	66,330.00	0.00	0.00%
914	EMPLOYEE BENEFITS					
	TOTAL	2,781,250.00	3,156,188.00	3,044,000.00	262,750.00	9.45%
945	BONDING & INSURANCE					
	TOTAL	145,000.00	151,000.00	136,963	-8,037.00	-5.54%

Article 11. Dianna Provencher moved that the Town vote to raise and appropriate \$900,000 for Vocational Tuition expenses for the Fiscal Year beginning July 1, 2016. VOTED UNANIMOUSLY

Article 12. Sandra M. Wilson moved that the Town vote to raise and appropriate from taxation the sum of \$2919 to fund the FY'17 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capital rate of \$0.26593  
VOTED UNANIMOUSLY

Article 13. Harry Brooks moved that the Town vote to transfer \$35,000 from Free Cash to General Stabilization Account. VOTED UNANIMOUSLY (2/3 vote needed)

Article 14. Douglas A. Belanger moved that the Town vote to transfer \$138,522 from Free Cash to fund the Fiscal Year 2017 Capital Improvement Plan budget as detailed in the hands of the voters.

DEPARTMENT	ITEM	AMOUNT
EMS	Ambulance Lease/Purchase Payment Year 3 of 5	34,742
EMS	Three CPR Compression Devices	40,330
Highway	Replace Highway Foreman Truck	39,000
Police	Replace Unmarked Cruiser L-8	24,450

VOTED UNANIMOUSLY

Article 15. Thomas E. Buckley III moved that the Town transfer \$12,000 from Free Cash to fund the Town's storm water management obligations, said funds to be expended by the Board of Selectmen. VOTED UNANIMOUSLY

Article 16. Dianna Provencher moved that the Town vote to transfer \$78,000 from Free Cash to purchase and equip two (2) police vehicles. VOTED UNANIMOUSLY

Article 17. Sandra M. Wilson moved that the Town vote to transfer \$35,000 from Free Cash to deposit into the Other Post Employment Benefit (OPEB) Trust Fund. VOTED UNANIMOUSLY

Article 18. Harry R. Brooks moved that the Town Passover this article (pertaining to granting the Commonwealth of Massachusetts Department of Transportation the perpetual right and easement to land of the easterly side of Paxton Street, commonly known as the Leicester Town Common). VOTED UNANIMOUSLY

Article 19. Thomas E. Buckley III moved that the Town vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, all public way easements and rights in the land including drainage easements, utility easements, construction easements and sidewalk easements (both permanent and temporary) necessary for the laying out, construction, maintenance, replacement and repair of Paxton Street from its intersection with Main Street to its intersection with Hyland Avenue all as set forth in a set of plans drawn by the Massachusetts Department of Transportation, Highway Division, entitled "Plan and Profile of Paxton Street (Route 56) in the Town of Leicester, Worcester County, Preliminary Right-Of-Way" February 2016 and any future amendments or revisions to said plans now on file and posted in the office of the Town Clerk and to cover the cost of such land acquisition, the Board of Selectmen is authorized to expend from all available ch. 90 Highway funds such monies necessary to cover the cost of appraisals, legal fees, recording fees, land damages and such other necessary and incidental fees and costs as may be incurred in the process of acquiring and laying out the foregoing easements and further that the Board of Selectmen is authorized to enter into any

federal and state project agreements relating to the layout, construction and repair of Paxton Street as it extends from Main Street through Hyland Avenue and to expend all federal and state funds available for the Paxton Street project and to take any other action necessary to carry out the Paxton Street project. VOTED AFFIRMATIVELY BY A 2/3 VOTE

Article 20. Dianna Provencher I move the Town vote to grant to the Massachusetts Port Authority the perpetual right and easement under terms acceptable to the Board of Selectmen to maintain and construct underground dry utilities together with the right to access the same on land of the Town of Leicester under Mulberry and Earle Streets as specified on detailed in plans on file at the Office of the Town Clerk and in the hands of the voters.  
VOTED AFFIRMATIVELY BY A 2/3 VOTE

Article 21. Douglas A. Belanger moved that the Town vote to transfer \$23,000 from Free Cash to fund groundwater and other studies at the former landfill site, said funds to be expended by the Board of Selectmen. VOTED UNANIMOUSLY

Article 22. Sandra M. Wilson moved the Town vote to change the Zoning Map by re-zoning all properties directly abutting the south side of Route 9/Main Street between Auburn Street and Church Street (Leicester Assessors Map 23D, parcels B1, B2.1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11 and B12 ) currently zoned Residential 2 (R2) to Business (B) per the document on file at the Office of the Town Clerk and as detailed in the hands of the voters.  
VOTED AFFIRMATIVELY BY A 2/3 VOTE

Article 23. Harry R. Brooks moved that the Town vote to amend Section 1.3 (Definitions), Section 3.2.03.18 (Schedule of Use: Medical Marijuana Treatment Center), and Section 5.15 (Medical Marijuana Treatment Centers), to modify regulation of Medical Marijuana Treatment Centers (also known as Registered Marijuana Dispensaries) including a proposed reduction of required buffers/setbacks (from residential zoning districts, schools, religious uses, child care facilities, parks, playgrounds, drug or alcohol rehabilitation facilities, or other Medical Marijuana Treatment centers) for facilities that don't allow on-site sales of medical marijuana, per the document on file at the Office of the Town Clerk and as detailed in the hands of the voters.

After much discussion on Article 23 John McNaboe asked that the meeting move the question.  
VOTED UNANIMOUSLY

The Moderator called for a vote on Article 23.  
MODERATOR DECLARED THE MOTION DEFEATED (2/3 vote needed)

Article 24. Thomas E. Buckley III moved that the Town vote to amend the General Bylaws Chapter 2, Section 17 regarding secret ballot votes at Town Meetings per the Citizens' Petition submitted to the Town Clerk October 28, 2015 on file in the Office of the Town Clerk and as detailed in the hands of the voters. VOTED AFFIRMATIVELY BY A 2/3 VOTE

Article 25. Harry R. Brooks moved that the Town vote amend the General Bylaws, Leicester Dog Control Bylaw Regulations, Chapter 9, Section 23, and accept MGL Chapter 140, Section 139(c) per the document on file at the Office of the Town Clerk and as detailed in the hands of the voters. VOTED UNANIMOUSLY (2/3 vote needed)

Article 26. Douglas A. Belanger moved that the Town vote amend Chapter 1 of the General Bylaws by creating a new section entitled Comprehensive Bylaw Review per the document on file in the Office of the Town Clerk and as detailed in the hands of the voters  
VOTED AFFIRMATIVELY BY A 2/3 VOTE



Article 27. Sandra M. Wilson moved that the Town vote to establish a Veterans Municipal Service Program by accepting Massachusetts General Laws Chapter 59, Section 5N for eligible veterans to earn property tax abatements by working for the Town, said program to be administered under the direction of the Board of Assessors. VOTED UNANIMOUSLY

Article 28. Dianna Provencher moved that the Town vote to authorize the Board of Selectmen to sell, convey, release or otherwise dispose of any interests in a portion of property located off of Lehigh Road in Leicester and identified by the Town Assessor's Map 39 Lot A7, and that such disposition to be on such terms and conditions the Board of Selectmen deem appropriate, which may include the reservation of easements and restrictions. VOTED UNANIMOUSLY

Dianna Provencher moved that the Town vote to adjourn the Annual Town Meeting at 9:43pm with 111 voters presents. VOTED UNANIMOUSLY

Respectfully submitted,

Deborah K. Davis  
Leicester Town Clerk