

**TOWN OF SHREWSBURY
ANNUAL TOWN MEETING
MAY 16, 2016**

The meeting was called to order at 7:05 P.M. in the Oak Middle School auditorium when Moderator Christopher G. Mehne announced a quorum of town meeting members in attendance. The official checklist showed 197 town meeting members present, including the moderator.

As the first order of business the moderator examined the warrant and the constable's return and asked for and received unanimous consent to waive the reading of the warrant.

The moderator led the assembly in the pledge of allegiance to the flag and remained standing for our National Anthem, which was performed by Amanda Frost, Rebecca McBrayer, Gail Fabbri, Brianna Clarke, John Barrett, Eric Gendron, Matthew Freeman and Jake Mastrandrea, students from the Shrewsbury High School *a cappella choir*, under the direction of Michael Lapomardo.

A moment of silence was observed to honor the memory of a former town meeting member who recently left us. John Tsombakos passed away on April 12. John served as a town meeting member from 1985 to 2012. In addition to representing Precinct Five for 27 years, John was a greatly respected and much liked teacher of English and Journalism at Shrewsbury High School for 30 years.

Newly elected town meeting members were sworn to the faithful performance of their duties.

The moderator introduced town officials seated on the stage as well as school officials and department heads seated in auditorium. Moira Miller and John Lebeaux were congratulated on their re-election to the Board of Selectmen. Also congratulated was Erin Canzano and Dale Magee for their re-election to the School Committee.

The moderator explained the procedure of town meeting based on General Laws of the Commonwealth of Massachusetts, General By-Laws of the Town of Shrewsbury and Cushing's Manual of Parliamentary Practice.

A procedural motion presented by the moderator was moved and seconded and it was

VOTED to adjourn each session of our Town Meeting at 10:30 P.M. or at the completion of any moved motion before us at 10:30 P.M.

An asterisk indicates articles recommended by the Finance Committee.

***Article 1: Reports of Town Officers and Committees**

May 16, 2016, Library Building Committee report to Annual Town meeting

Thank you Mr. Moderator and members of the Board of Selectmen, Finance Committee and Town Meeting Members. We are pleased to have this opportunity to update you on the activities of the LBC.

Since our last report at the May 2015 ATM, the LBC and the project team have been busy with the following activities:

Construction Highlights

- May/June 2015
 - Steel Erection for the addition began
 - Concrete Slabs completed
- July/Aug 2015
 - Work began on the mechanical, plumbing, HVAC, fire protection systems

- Metal Studs & Exterior Sheathing started
- Roof blocking and building masonry started
- Sep/Oct 2015
 - Continued work on building enclosure, windows were being installed
 - Mechanical/electrical/plumbing rough-in & masonry continued
 - Water and gas service connections started
 - final grading of site with temporary pavement was put in place
- Nov/Dec 2015
 - Building was enclosed and temporary heaters deployed
 - Interior work pace accelerated
 - Wallboard installation began
 - Brick work completed
 - Cooper panels were being installed
- Jan/Feb 2016
 - Commissioning agent on site for startup of Mechanical/electrical/plumbing systems
 - Wall board was nearing completion
 - Interior Painting work began
 - Flooring installation started
 - Cooper cornices started
- Mar/April 2016
 - Finishing interior painting, millwork and flooring
 - Reinstalled the restored stained glass window
 - Restoration of 1903 masonry face and chimneys started
 - Procurement of the furniture, fixtures, equipment and IT systems and equipment was well underway
 - Elevator finished and inspected by state inspector
- May
 - Landscaping, final paving and curbing and other site work underway
 - Closing in on substantial completion- on target for May 31
 - Punch list is being developed

Future targets:

- Substantial Completion will occur on May 31, 2016
- Furniture, fixtures and Equipment, as well as Technology deployment will occur in June, July and early August
- Temporary Library is expected to close in on August 13, allowing move back to Main Street over 3 week period
 - Expect to reopen on September 6
 - Dates might change slightly

Project Budget

- Budget remains below estimate
 - Of the \$23,271,311 budgeted for the project, \$15,883,302 was expended as of April 30
 - We continue to maintain generous balances in our Contingency accounts:
 - \$1,257,019 remains in the owner's contingency lines
- To date, we have received four grant payments from the Massachusetts Public Library Construction Grant Program
 - The MBLC granted the 4th grant payment one year ahead of schedule
 - Our total grant award was \$7,959,989,
 - \$6,367,992 has been received to date
 - The final payment of \$1,591,997 expected in the next fiscal year.

Other

- The fundraising campaign team has raised just over \$1.7 Million.

- The campaign team is just \$46,000 short of the goal.
- A subcommittee is has finalized plans for the donor wall, which will be installed in July, in the main foyer. A library history wall will be installed in an adjacent area.
- The Campaign Committee has advised us that this is the final week that names can be added to the donor wall
- Work on converting the library collection from barcode to Radio Frequency Identification (RFID) format is approximately 80% complete, and will be finished in time for move back to Main Street site.

The committee wishes to thank the various officials, boards, departments and volunteer groups whose assistance has helped us reach this stage.

Senator Michael Moore	Building Inspector	Project Team (LPA, Fontaine and PMA and Blue Line
Representative Hannah Kane	SELCO	Design)
Board of Selectmen	Neighbors who have patiently	Capital Campaign (or
Planning Department	tolerated the disruption of the	fundraising team) Committee
Public Buildings Department	project	Library staff and volunteers
Fire Department	Board of Library Trustees	

MAY 16, 2016 MASTER PLAN STEERING COMMITTEE REPORT TO TOWN MEETING

The Master Plan Steering Committee (MPSC) has completed a two and a half year process to update the Shrewsbury Master Plan. We have solicited input from citizens, town departments, business groups and others to create a vision for the town for the next ten or more years. At the March 4, 2016 Planning Board meeting, the Planning Board voted to adopt the Master Plan.

The Shrewsbury Master Plan is a road map that guides the Town toward a prosperous future. The document calls for building on the Town’s assets and overcoming barriers to maintain the Town as a great place to live and work today, and for future generations. The Master Plan draws from a common vision for the Town’s future and identifies the issues that are unique to Shrewsbury. As a forward-thinking, dynamic document, the Master Plan sets priorities for the short-term (within three years), mid-term (between three and ten years) and long-term (10 to 20 years). Revisiting the plan periodically allows the Town to monitor progress and update as local conditions change.

The Master Plan is used by Town staff and elected officials to make decisions about growth, economic development, natural, cultural and historic resource protection, transportation improvements, and public services. Developers also use it to understand how the Town envisions its future and how their project might contribute to that vision. Without the Master Plan, decisions are made in limited context, not considering future needs or implications. Other documents that support the Master Plan are the Town’s 2012 Open Space and Recreation Plan, the 2012 Housing Production Plan, the Economic Development Self Assessment Tool (EDSAT) prepared in December 2013 and other resources, which are cited throughout the Plan as appropriate.

Several cross-cutting themes emerged through the development of the Master Plan. These are themes that cut across different topic areas, showing the interconnectedness of typical Master Plan issues and the need to develop a plan that explores these connections.

- Future Growth and Public Services and Facilities
- Transportation – Land Use Connection
- Civic Engagement and Volunteerism
- Changing Demographics
- Sustaining Quality of Life

The Shrewsbury Master Plan was developed through a public process with three primary components: a Master Plan Steering Committee, interviews and focus groups, and a series of public forums. Throughout the development of the plan, public comments were received through the Shrewsbury departments of Engineering, and Planning and Economic Development

Community Vision

Our twenty-year vision for Shrewsbury is we will be a prosperous community, continuing to be one of the most attractive towns in the region for businesses and residents alike. Our neighborhoods will be beautiful and strong, providing good homes to residents of all backgrounds and ages, and children who live in Shrewsbury will continue to have access to the highest quality schools. Our local economy will be a diverse collection of businesses and industries across a wide range of sizes and sectors. These businesses will provide employment across many income levels, and they will be encouraged to explore innovation in both product development and business practice. Local government will play a critical supporting role for the everyday quality of life of our residents, the ability of our businesses to thrive, and the protection of the natural resources necessary to a healthy community.

Implementation

The Implementation Plan prioritizes the actions discussed in the Master Plan. Individuals, groups and municipal departments are assigned as responsible for bringing the action forward. The coordination of the Implementation Plan is done through the Master Plan Implementation Committee. The Committee monitors progress and will work on updates as needed.

The Master Plan Steering Committee respectfully requests that the Board of Selectmen appoint a Master Plan Implementation Committee (MPIC) to help guide the plan forward.

We see that the top priorities for the Implementation Committee in the first year are the following:

- Provide adequate water, sewer, electric, and communication infrastructure in order to promote land use objectives.
- Support economic development and activity in Shrewsbury that provides needed services and contributes to the local tax base.
- Preserve and protect, manage and restore Shrewsbury's natural resources.
- Promote land use patterns compatible with the town's natural environment and existing landscape character; and
- Strengthen and preserve the Town center.

We envision the MPIC to help coordinate and carry out the goals and action items of the Master Plan.

We thank everyone who participated in the Master Plan Update process and welcome your participation in the implementation process.

VOTED UNANIMOUSLY a motion to accept the reports of the Library Building Committee and Master Plan Steering Committee.

***Article 2: Wright and Harlow Charitable Fund**

VOTED UNANIMOUSLY a motion that the following individuals be named trustees of the Wright and Harlow Charitable Trust Fund:

Gail E Claflin	Donald R Gray	William A Davis	Stanley R. Holden
Dawn M Shannon	Raymond G Harlow	Robert H Claflin, Jr	

***Article 3: Personnel Bylaw Classification and Compensation Plan**

VOTED UNANIMOUSLY a motion to amend the Classification and Compensation Plan and the Consolidated Personnel Bylaw by repealing the salary schedules and the assignment of position classes to compensation grades and by adopting new salary schedules and new assignment of position classes to compensation grades prepared by the Personnel Board and on file in the office of the Town Clerk, and said new salary schedules and the assignment of position classes to be effective on July 1, 2016.

***Article 4: Amend Personnel Bylaw
 Section 18, Vacation Leave
 Section 19, Sick Leave**

VOTED BY MAJORITY a motion to amend the Personnel Bylaw of the Town in Section 7. Compensation Plan by adding the following new Paragraph c):

c) Upon the recommendation of the Department Head and Town Manager and subject to the written approval of the Personnel Board, employees covered under this by-law may receive additional compensation, payments or other benefits to equalize them with employees that are covered by collective bargaining agreements within the employee's department.;

by amending Paragraph h) of Section 18. Vacation Leave by striking the words "department heads" and inserting "employees: and by striking "1988" and inserting "2016" so that the paragraph will now read as follows:

h) Notwithstanding the aforementioned sections, the vacation leave for employees hired after July 1, 2016 shall be determined by the appointing authority subject to the approval of the Personnel Board. Said vacation leave shall not exceed the maximum amount of vacation leave set forth in Section 18a.;

and by amending Section 19. Sick Leave by inserting after Plan No. 2 – Disability Income the following new Plan No. 3 – Disability Income as follows:

Plan No. 3 - Disability Income

a) Personnel in full-time or part-time employment (18.75 hours or more per week for the full calendar year) occupying positions subject to this bylaw hired on or after June 30, 2016, are subject to Plan No. 3.

b) Personnel in full-time or part-time employment (18.75 hours or more per week for the full calendar year) occupying positions subject to this bylaw hired after June 30, 2016, shall receive no sick leave credits for the first two (2) months of employment. After the first two (2) months of employment, an employee earns a one-half (1/2) day of sick leave credit for each successive month, not to exceed five (5) days, until January 1 of the following year.

c) All personnel subject to this plan shall receive yearly sick leave credits in the amount of five (5) days effective January 1.

d) For extended absences due to sickness or non-industrial injury, an employee becomes eligible for disability coverage on the sixth (6th) consecutive work-day an employee is absent. The Town will pay eighty percent (80%) of regular weekly compensation retroactive to the first day of the employee's absence for a period of time as set forth below:

- For less than 1 year of service – Zero (0) weeks
- For 1 year to 5 years inclusive of service – Fifteen (15) weeks
- For more than 5 years to 10 years inclusive of service – Thirty (30) weeks
- For more than 10 years of service – Fifty-two (52) weeks

Said sick leave credits shall be determined from the records of the Town Accountant. An employee who qualifies for this disability plan and who has used sick leave credits in the initial days of the absence will be given credit for all of those days used for that particular absence less one. Under no circumstances shall an employee receive disability benefits for the same day(s) for which sick leave credit was used.

e) An employee who has utilized disability coverage under this plan shall, upon termination of said coverage, be ineligible for future coverage under the disability provisions of this plan until he or she has had ninety (90) consecutive

days in a payroll status. An employee who experiences the recurrence of a sickness or non-industrial injury for which he did not exhaust his disability coverage and who fails to satisfy the 90-day requirement shall be eligible for coverage under section (d) for a period of time not to exceed the balance of the initial coverage.

f) An employee must be under the care of a physician to receive disability benefits.

g) On December 31 of each year, eligible employees have the option of receiving one (1) vacation leave day, or portion thereof, for each day, or portion thereof, of unused sick leave days, one (1) sick leave day, or portion thereof, for each day, or portion thereof of unused sick leave days or of being paid a bonus equal to one day's pay for each unused sick leave day, or portion thereof, to a maximum of five (5) days. Vacation leave days resulting from unused sick leave days cannot be carried beyond one year except as provided in Section 18c. Unused sick leave bonus payments shall not be considered as regular compensation. Any employee that was paid disability coverage as of December 31 of each year as outlined in paragraph (d.) above is not eligible for the benefit outlined in this paragraph.

h) Notwithstanding the aforementioned provisions, employees injured in the performance of their assigned duties which injury qualifies them for Workers' Compensation shall receive one (1) week of additional compensation for each three (3) months of continuous service up to a maximum accumulation of fifty-two (52) weeks. Said additional compensation when added to the amount of Workers' Compensation, shall result in the payment to the employee of his or her full salary.

i) Notwithstanding the aforementioned sections, department heads hired after June 30, 2016 shall receive a one-time sick leave credit not exceeding five (5) days, determined by the appointing authority subject to the approval of the Personnel Board.

***Article 5: Medical Expenses
Retired Disabled Police Officers and Fire Fighters**

VOTED UNANIMOUSLY a motion to raise the sum of \$4,317.43 to pay the medical expenses of retired disabled police officers and firefighters.

***Article 6: Transfer from Free Cash, Water System Improvements Account
and Sewer Surplus Account to Various
Departmental Appropriations**

VOTED BY MAJORITY a substitute motion to transfer the sum of \$72,790.00 from Free Cash, transfer the sum of \$2,166.00 from the Water System Improvements Account and the sum of \$8,244.00 from the Sewer Surplus Account to fund departmental appropriations for Fiscal 2016 as follows:

Department	Account	Amount	Explanation
Treasurer-Collector	Expenses (04-05-06)	\$12,000.00	To fund banking and other expenses beyond estimate.
Town Counsel	Expense (04)	\$25,000.00	To fund various legal expenses beyond estimate. Some amount to be reimbursed.
Fire Department	Salaries & Wages (03)	\$17,000.00	To fund salary costs beyond estimate.
Medicare	Expenses (09)	\$8,200.00	To fund Medicare expenses beyond estimate.

Department	Account	Amount	Explanation
Group Health Insurance	Expenses (09)	\$21,000.00	To fund health insurance expenses beyond estimate.
		\$83,200.00	

***Article 7: Town Budget
Finance Committee Report**

The moderator presented the budget for consideration by the town meeting members under general headings, line items, classifications and department.

The following amendments and changes in the budget were approved by the Finance Committee and voted by the town meeting members.

Personnel Board 119 (pages 20 & 21)

VOTED UNANIMOUSLY a motion to delete under (9) Separately Identified Appropriations the figure \$5,000 and insert the sum of \$250,000; and to delete under (1 to 9) Grand Total, the sum of \$8,600 and insert the sum of \$253,600.

VOTED UNANIMOUSLY a substitute motion to raise the sum of \$114,370,468.00 in the following manner:

\$106,410,190.74	by taxation
\$1,351,628.26	by transfer from Free Cash
\$6,006,174.00	by transfer from Sewer Surplus and applying \$5,400,162.00 to the Sewer Department budget \$44,746.00 to Treasurer-Collector, \$38,448.00 to Retirement, \$70,161.00 to Engineer, \$331,879.00 to Interest and Retiring Debt, \$63,633.00 to Group Health and Life Insurance, \$5,341.00 to Medicare, \$14,443.00 to Gasoline and Oil, \$9,220.00 to General Insurance, \$11,755.00 to Printing and Postage and \$16,386.00 to MIS Support
\$8,900.00	by transfer from the Bond Interest Reserve to be applied to Interest and Retiring Debt
\$578,475.00	by accepting said sum from the Municipal Light Department to be applied to Interest and Retiring Debt
\$15,100.00	by transfer from the Title V Loan Repayment Account to be applied to Interest and Retiring Debt

and accepting the same to the various departments and purposes as specifically set forth in detail in the report of the Finance Committee as amended except that line items 1, Salaries – Professional, Executive, Administrative, 2, Salaries – Secretarial and Clerical, and 3, Salaries – All Other, be combined under Salaries Grand Total 1-2-3 and considered as one appropriation for all budgets and that line items 4, Contractual Services, 5, Supplies and Materials, and 6, Other Expenses, be combined under total 4,5,6, and considered as one appropriation for all budgets and further appropriate all receipts and other sums of money in accordance with and as recommended in said report as amended, and do further move that, in accordance with Chapter 41, Section 108 of the General Laws, the salaries of all elected town officers be fixed at the amounts and rates set forth in the Finance Committee’s report, as amended, effective from July 1, 2016, and all salaries and wages are hereby made effective from July 1, 2016 said wages and salaries to be at the rates set in the Classification and Compensation Plan and the Consolidated Personnel Bylaw in effect July 1, 2016 that said report, as amended, be received and placed on file and that the sum of \$114,125,468 appearing in the Fiscal Year 2017 printed grand total of all departmental budgets be deleted and the sum of \$114,370,468.00 be substituted in place thereof.

***Article 8: Operation of Municipal and Residential Solid Waste Collection, Processing and Disposal Services**

VOTED UNANIMOUSLY a motion to appropriate the sum of \$1,760,254.00 to operate the Municipal and Residential Solid Waste Collection, Processing and Disposal Services enterprise as follows:

Collection	\$1,164,154.00
Disposal	\$435,600.00
Expenses	\$160,500.00
	\$1,760,254.00

and that the \$1,760,254.00 be raised as follows:

From Department Receipts	\$870,500.00
From Retained Earnings	\$45,000.00
From Tax Levy	\$844,754.00
	\$1,760,254.00

***Article 9: Omnibus Capital Budget**

VOTED UNANIMOUSLY a motion to transfer from the Sewer Surplus Account the sum of \$55,000.00, transfer from Free Cash the sum of \$1,403,278.74, transfer from Account 0192-10-571270 Replace Carpeting Modulars the sum of \$14,140.00, transfer from Account 0192-10-571440 Design Development Spring the sum of \$35,000.00, transfer from Account 0192-10-582120 Interior Painting Floral the sum of \$17,800.00, transfer from Account 0192-10-571300 Spring Street Roofs the sum of \$12,594.00, transfer from Account 0192-10-585540 Re-Seam School Roofs the sum of \$37,957.26 and raise from taxation the sum of \$180,000.00, to fund the costs associated with the adoption of an Omnibus Capital Budget for the fiscal period beginning July 1, 2016 as follows:

Department	Item/Project	Amount	Funding Source	Explanation/Comment
Police	Replace Marked Cruiser	\$38,000.00	Free Cash	Replaces 2011 Ford with 80,000 miles
Police	Replace Marked Cruiser	\$38,000.00	Free Cash	Replaces 2011 Ford with 90,000 miles
Police	Replace Unmarked Cruiser	\$32,000.00	Free Cash	Replaces 2008 Ford with 117,000 miles
Police	Replace Unmarked Cruiser	\$32,000.00	Free Cash	Replaces 2006 Ford with 100,000 miles
Highway	New ¾ Ton 4 x 4 Pickup w/Plow Setup (Trk #2)	\$42,000.00	Free Cash	Replaces 2000 Chevrolet with 159,000 miles (Trk #26)
Public Bldgs	Renovations Second Floor Municipal Office Building	\$450,000.00	Free Cash	Updating of all office areas and related systems
Highway	Repair/Replacement Salt Shed	\$125,000.00	Free Cash	Repair or replacement of existing salt shed. Balance for replacement if pursued would be funded via Chapter 90
Parks	New 1 Ton 4 x 4 Pickup w/Utility and Plow Setup (Trk #82)	\$50,770.00	Free Cash	Replaces 1995 Ford with 105,727 miles (Trk #88)
Public Bldgs	Interior Painting High School (Year 1 of 2)	\$125,000.00	Free Cash	General painting of interior
Public Bldgs	Paving of Playground & Walkways/Improvements Coolidge School	\$160,000.00	Free Cash	General paving of playground & walkways and associated drainage improvements
Sewer	Replace ¾ Ton Pickup w/Utility and Plow Setup (Trk #61)	\$55,000.00	Sewer Surplus	Replaces 2005 Chevrolet with 122,070 miles
Water	Replace ¾ Ton Pickup w/Utility and Plow Setup (Trk #73)	\$55,000.00	Taxation (Water Revenue)	Replaces 2005 Chevrolet with 134,287 miles
Water	New 6 Wheel Dump Truck	\$125,000.00	Taxation (Water Revenue)	Additional vehicle to be added to the Water Department fleet
Highway	Replace Loader w/Plow (#18)	\$185,000.00	Free Cash	Replaces 1985 John Deere

Department	Item/Project	Amount	Funding Source	Explanation/Comment
Fire	Replace Pickup w/1 Ton 4 x 4 (M-1)	\$53,000.00	Free Cash	Replaces 1996 Chevrolet ½ Pickup with 90,000 miles
Total		\$1,755,770.00		

***Article 10: Sale of Cemetery Lots**

VOTED UNANIMOUSLY a motion to transfer the sum of \$18,000.00 from the Sale of Cemetery Lots account to the Cemetery Department for the care, improvement and embellishment or enlargement of the cemetery.

Article 11: Departmental Bills of Prior Year

DEFEATED a motion to raise the sum of \$_____ to pay departmental bills contracted in a prior year.

**Article 12: (By Petition) Demolition Delay By-Law
The Preservation of Historically Significant Buildings**

Finance Committee recommends defeat of this Article 7 to 1.

DEFEATED UNANIMOUSLY a motion to amend the General By-Laws of the Town of Shrewsbury by adding a new Article 22 – Demolition Delay By-Law as follows:

ARTICLE 22
DEMOLITION DELAY BY-LAW
THE PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS

Section 1. Intent and Purpose.

This by-law is enacted for the purpose of preserving and protecting significant buildings within the town which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect of demolition on the character of the town. Through this by-law, owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this by-law promotes the public welfare by making the town a more attractive and desirable place to live and work. To achieve these purposes the Town Historical Commission is authorized to advise the Town Building Inspector with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this by-law.

Section 2. Definitions.

Applicant - Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

Application - An application for the demolition of a building.

Building – Any combination of materials forming a shelter for persons, animals or property.

Building Inspector -The person authorized to issue demolition permits.

Commission - The Shrewsbury Historical Commission.

Demolition - Act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

Demolition Permit - The Building permit issued by the Building Inspector for a demolition of a building, excluding a building permit issued for the demolition of the interior of a building.

Preferably Preserved - Any significant building which the Commission determines, following a public hearing that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the twelve month demolition delay period of this by-law.

Significant Building - Any building within the town which is in whole or in part 100 years or more old and which has been determined by the Commission to be significant based on any of the following criteria:

- The building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth, or

- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) or in the context of a group of buildings.

Section 3. Procedure.

No demolition permit for a building which is in whole or in part one hundred years or more old shall be issued without following the provision of this by-law. If a building is of unknown age, it shall be assume that the building is over 100 years old for the purposes of this by-law.

An applicant proposing to demolish a building subject to this by-law shall file with the Building Inspector an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address and telephone number.
- The owner's e-mail address.
- A description of the building.
- The reason for requesting a demolition permit.
- A brief description of the proposed reuse, reconstruction, or replacement.
- A photograph or photographs of the building.

The Building Inspector shall within seven days forward a copy of the application to the Commission. The Commission within fifteen days after receipt of the application, make a written determination of whether the building is significant.

Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Inspector and applicant in writing. The Building Inspector may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Inspector and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Inspector within fifteen days of receipt of the application, the Building Inspector may proceed to issue the demolition permit.

If the Commission finds that the building is significant, it shall hold a public hearing within thirty days of the written notification to the Building Inspector. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in the town hall for a period of not less than seven days prior to

the date of said hearing. Also the applicant and the Building Inspector shall be notified in writing of the meeting time and place.

The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building shall be preferably preserved. If agreed to in writing by the applicant, the determination of the Commission may be postponed

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Inspector and applicant in writing. The Building Inspector may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Inspector and applicant in writing. No demolition permit may then be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Inspector in writing within twenty one days of the public hearing, the Building Inspector may issue the demolition permit.

Upon a determination by the Commission that a building is preferably preserved, no building permit for new construction or alterations to the subject building shall be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Inspector and have been found to comply with all laws pertaining to the issuance of a building permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for issuance of such building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.

The Building Inspector may issue a demolition permit of a building permit for a preferably preserved building within the twelve months if the Commission notifies the Building Inspector in writing that the Commission finds that the intent and purpose of the by-law is served even with the issuance of the demolition permit or the building permit.

Following the twelve month delay period, the Building Inspector may issue the demolition permit.

Section 4. Administration.

The Commission may adapt such rules and regulations as are necessary to administer the terms of this by-law. The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this law.

The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

The Commission may pro-actively develop a list of significant buildings that will subject to this by-law. Buildings proposed for the significant building list shall be added following a public hearing.

Section 5. Emergency Demolition.

If after an inspection, the Building Inspector finds that a building subject to this by-law is found to pose an immediate threat to public health or safety due to deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building of the building, then the Building Inspector may issue an emergency demolition permit to the owner of the building. The Building Inspector shall then prepare a report explaining the condition of the building and the basis for his decision which shall be forwarded to the Commission.

Section 6. Enforcement and Remedies.

The Commission and/or the Building Inspector are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof.

Any owner of a building subject to this by-law that demolished the building without first obtaining a demolition permit in accordance with the provisions of this by-law shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or otherwise agreed to by the Commission.

If a building subject to this by-law is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land of any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

Section 7. Historic District Act.

Following a determination that the building is significant and preferably preserved, the Commission may recommend to town meeting that the building be protected through the provisions of Massachusetts General Law, Chapter 40C, the Historic Districts Act. The step required under M.G.L. Chapter 40C shall be followed prior to the establishment of a local historic district. Nothing in this by-law shall be deemed to conflict with the provisions of the Historic District, Massachusetts General Laws Chapter 40C. If any provisions of this by-law do so conflict, that act shall prevail. Buildings included within the boundaries of a local historic district established under M.G.L. Chapter 40C shall not be subject to this by-law so long as the proposed demolition is regulated by the local historic by-law.

Section 8. Severability.

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

Article 13: (By Petition) Plastic Bag Reduction

Finance Committee recommends defeat of Article 13.

VOTED BY STANDING VOTE, YES, 153; NO, 39 to end debate and vote amended motion.

VOTED BY STANDING VOTE, YES, 116; NO, 78 an amended motion to amend the General By-Laws of the Town of Shrewsbury by adding the following new article:

ARTICLE 8B PLASTIC BAG REDUCTION

The following words shall, unless the context clearly requires otherwise, have the following meanings:

SECTION 1

“Director”, the Director of Public Health Services or the Town Manager/Board of Selectman designee.

“ASTM D6400”, the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics”.

“ASTM D7081”, ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment”.

“Checkout bag”, a carryout bag provided by a store to a customer at the point of sale. Checkout bags shall ***NOT*** include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM D6400 for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) conforms to any other standards deemed acceptable by this section.

“Department”, the Shrewsbury Department of Public Health.

“Marine degradable plastic bag”, a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability; and conforms to any other standards deemed acceptable by the Director, provided additional, Director-approved standards are as stringent as ASTM D7081.

“Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM D6400 for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) conforms to any other standards deemed acceptable by this section.

"Recyclable Paper Bag" means a paper bag that is (1) 100 percent recyclable; (2) contains at least 40% post-consumer recycled paper content; and, (3) displays the percentage of post-consumer recycled content in a visible manner on the outside of the bag.

“Reusable check-out bag”, a bag with sewn handles that is specifically designed for multiple reuse, can carry 25 pounds over a distance of 300 feet; and is either (1) made of cloth or other machine washable fabric; or (2) made of durable plastic that is at least 4.00 mils thick; or (3) made of other durable material.

““Retail establishment”, any retail space located in the Town of Shrewsbury including without limitation a restaurant, food or ice cream truck, convenience store, retail pharmacy, or supermarket.

SECTION 2

If a retail establishment as defined in section 1 provides plastic checkout bags to customers, the plastic bags shall comply with the requirements of being compostable plastic bags, as well as marine degradable plastic bags. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

SECTION 3

(a) Nothing in this section shall be read to preclude any establishment from making reusable checkout bags available for sale to customers or utilizing recyclable paper bags as defined in this section at checkout.

(b) The Director may promulgate rules and regulations to implement this section.

(c) Each Retail Establishment as defined in Section 1, above, located in the Town of Shrewsbury shall comply with this by-law.

(1) If it is determined that a violation has occurred the Director shall issue a warning notice to the Retail Establishment for the initial violation.

(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the retail establishment.

(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

A) \$50 for the ~~first~~ **SECOND** offense paid with 21 days to the Department of Health

B) \$100 for the ~~second~~ **THIRD** offense and all subsequent offenses.

(4) No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.

(5) A Retail Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.

(6) All subsequent offenses may be penalized by a non criminal disposition as provided in the General Laws, Chapter 40, Section 21D

All of the requirements set forth in this by-law shall take effect July 1, 2017. In the event that compliance with the effective date of this by-law is not feasible for a food service establishment because of either unavailability of alternative checkout bags or economic hardship, the Director may grant a waiver of not more than six months upon application of the owner or the owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continued infeasibility as set forth above.

VOTED at 10:30 P.M. a motion to adjourn to Wednesday, May 18, 2016, at 7:00 P.M.

ATTEST:

Sandra E. Wright
Town Clerk

**TOWN OF SHREWSBURY
ANNUAL TOWN MEETING
(ADJOURNED)
MAY 18, 2016**

The meeting was called to order at 7:05 P.M. in the Oak Middle School auditorium when Moderator Christopher G. Mehne announced a quorum of town meeting members in attendance. The official checklist showed 174 town meeting members present, including the moderator.

The moderator led the assembly in the pledge of allegiance to the flag.

Newly elected town meeting members who had not taken the oath of office were sworn to the faithful performance of their duties.

The moderator recognized Finance Committee member John Masiello who will be retiring from the Finance Committee at the end of his third term. John is also a long time town meeting member representing Precinct Seven. Among his numerous services, John was co-founder of Shrewsbury Oil Assistance and Relief program and was the primary force behind the fundraising and construction of the World War I Memorial in front of Beal School.

An asterisk indicates articles recommended by the Finance Committee.

Article 14: (By Petition) Water Rates

Finance Committee recommends defeat of this Article.

VOTED a motion to end debate and vote the printed motion under Article 14.

DEFEATED a motion to amend the General By-Laws of the Town of Shrewsbury, Article 4-J Water Department by adding the following:

WATER RATES

All proposed changes to water rates must be approved by a majority vote of Town Meeting before they take effect.

**Article 15: (By Petition) Term Limits
(Home Rule Amendment)**

VOTED a motion to end debate and vote the printed motion under Article 15.

DEFEATED a motion to authorize the Board of Selectmen to file the following petition with the General Court pursuant to Article 89, Section 8 of the Amendments to the Constitution (Home Rule Amendment).

An act increasing citizen opportunities for holding elective office.

Section 1. An elected Shrewsbury official shall be eligible to serve two consecutive terms in the same elective office, followed by a hiatus from said office for one full term. Following the hiatus said official shall be eligible to serve in that same office for another two consecutive terms, followed by another one full term hiatus, and so forth, indefinitely.

Section 2. Town Meeting Members shall be exempt from this act.

Section 3. This act shall be effective upon its passage.

District	Lot Area SF	Lot Frontage (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Height (ft)	Number Stories
Multi-Family Two Family (existing)	16,000	125	30	10	40 ⁷	35	2½ 3
Multi-Family Two Family (proposed)	20,000	150	30	30	50 ⁷	35	2½

For reference purposes only, footnote 7 is included below:

(7) Where the rear property line abuts or is located within a residential district, a buffer zone of at least ten feet in width shall be provided along the entire rear yard. Within said buffer, no commercial buildings or parking areas shall be permitted. Said landscaping shall be in accordance with Section VII.D.2.d.(2).

District	Lot Area SF	Lot Frontage (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Height (ft)	Number Stories
Apartment Two Family (existing)	16,000	125	30	10	40	35	2½ 3
Apartment Two Family (proposed)	20,000	150	30	30	50	35	2½

District	Lot Area SF	Lot Frontage (ft)	Front Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Height (ft)	Number Stories
Limited Business Two Family (proposed)	20,000	150	30	30	50	35	2½

***Article 18: Cherry Street
Discontinue Portion of**

VOTED UNANIMOUSLY a motion to discontinue a portion of Cherry Street as a public way as shown on a plan entitled “Discontinuance of a Portion of Cherry Street and Conveyance of Utility Easement in Shrewsbury, Massachusetts” dated January 4, 2016; provided and conditioned upon the Town retaining or obtaining by conveyance an easement for utility purposes in the discontinued portion of Cherry Street; and to authorize the Board of Selectmen to take any actions necessary to effect the purposes of this article.

***Article 19: Building Department – Amend Fee Structure**

Finance Committee recommends approval of this Article 8 to 1.

VOTED a motion to establish a re-inspection fee of \$50.00 per re-inspection for building permits issued by the Building Inspector. This fee is to be charged upon the second and any subsequent inspections for a permit issued to a licensed contractor and on the third and any subsequent inspections for all others.

***Article 20: Rescind Portions of Bond Authorizations**

VOTED UNANIMOUSLY a motion to rescind portions of the authorizations to borrow for projects that have been completed and it was unnecessary to borrow the full authorization:

Upgrade of Sewer Trunk Line I on May 17, 2010 (Amount Authorized \$1,600,000; Unissued \$643,125)

Upgrade of Sewer Trunk Line I on May 23, 2012 (Amount Authorized \$1,000,000; Unissued \$353,290)

Article 21: Transfer Bond Proceeds to Library Project

Finance Committee recommends defeat of this Article.

DEFEATED UNANIMOUSLY a motion to transfer the sum of \$_____ from the Sherwood Middle School Project and the sum of \$_____ from the Spring Street School Project to the Library Project authorized under Article 17 of the October 21, 2013, Special Town Meeting.

***Article 22: Transfer Funds
Other Post-Employment Benefits (OPEB) Trust**

VOTED UNANIMOUSLY a motion to raise the sum of \$107,468.00 and transfer the sum of \$20,934.00 from the Sewer Surplus Account to the Other Post-Employment Benefits (OPEB) Trust.

***Article 23: Transfer Funds
Water Meter Replacement Program**

VOTED UNANIMOUSLY a motion to transfer the sum of \$100,000.00 from the Water Conservation Fund to fund a water meter replacement program with all related appurtenances.

***Article 24: Transfer Funds
Water Management Act**

Finance Committee recommends approval of this Article 8 to 1.

VOTED a motion to transfer the sum of \$50,000.00 from the Water Conservation Fund to fund costs associated with compliance, mitigation, rebate, program or reporting activities related to the Water Management Act and/or the Water Management Permit issued to the Town.

***Article 25: Poor Farm Brook Habitat Restoration Fund**

VOTED a motion to raise the sum of \$5,000.00 to the Poor Farm Brook Habitat Restoration Fund to be expended under the direction of the Conservation Commission to be used to fund costs associated with habitat improvements deemed appropriate along the Poor Farm Brook or within the Blackstone River watershed.

***Article 26: Improvements to Water Mains
South Street and Hartford Turnpike (Rte. 20)**

VOTED UNANIMOUSLY a motion to raise the sum of \$90,000.00 to fund the construction, reconstruction, replacement and other improvements of water mains, connections and related appurtenances associated with water lines located on and in the vicinity of South Street and Hartford Turnpike (Rte 20), including engineering and all other related professional fees and expenses associated with the design of this project and any costs associated with the

acquisition of land or easements, to authorize the application, acceptance and expenditure of a grant or grants from the Commonwealth and/or Federal Governments for this purpose and to further authorize the Board of Selectmen to acquire land or easements in connection therewith.

***Article 27: Improvement of Water System**

VOTED UNANIMOUSLY a motion to raise the sum of \$572,773.00 for the improvement of the water system including extension, relocation and relaying of water mains and replacement or improvement of water system appurtenances, buildings and equipment and authorize the Board of Selectmen to acquire land or easements in connection therewith.

***Article 28: Repairing and Replacing Water Mains
Oakland Avenue**

VOTED UNANIMOUSLY a motion to authorize the Board of Selectmen to acquire by gift, purchase or taking by eminent domain easements for purposes of installing, maintaining, monitoring, repairing and replacing water mains and related appurtenances in the entire width and length of Oakland Avenue, a private way, the easement area being shown on a plan entitled, "Plan Showing Utility Easement Through Oakland Avenue", prepared by the Town of Shrewsbury Engineering Department, dated August, 2015, on file and available for public inspection at the office of the Town Clerk during regular Town Hall hours, and to transfer the sum of \$50,000.00 from the Water System Improvements Account to fund the acquisition of said easements and all related expenses and fees.

***Article 29: Sewer System
Infiltration and Inflow (I & I) Program**

VOTED UNANIMOUSLY a motion to transfer the sum of \$427,000.00 from the Sewer Department I & I Account 121246 to fund an infiltration and inflow program for the sewer system which includes testing, engineering, design, permitting, construction, reconstruction, and other improvements of main drains, surface drains, common sewers, sub-drains, connections and related appurtenances and to authorize the application, acceptance and expenditure of a grant or grants from the Commonwealth and/or Federal Governments for this purpose, and to further authorize the Board of Sewer Commissioners, acting for and on behalf of the Town, to layout and construct, reconstruct or make other improvements to said main drains, surface drains, common sewers, sub-drains, connections and related appurtenances, acquire land or easements in connection therewith which may be authorized by Chapter 502 of the Acts of 1954, as amended.

***Article 30: Funding for Improvements of Sewer Pump Stations
Authorization to Acquire Land or Easements**

VOTED UNANIMOUSLY a motion to transfer the sum of \$450,000.00 from the Sewer Surplus Account to fund the construction, reconstruction, replacement and other improvements of sewer mains and related appurtenances as may be required and to authorize the application, acceptance and expenditure of a grant or grants from the Commonwealth and/or Federal Governments for this purpose, and to further authorize the Board of Sewer Commissioners, acting for and on behalf of the Town, to acquire land or easements in connection therewith which may be authorized by Chapter 502 of the Acts of 1954, as amended.

***Article 31: Transfer of Funds
Improvements to Sewer Pump Stations**

VOTED UNANIMOUSLY: a motion to transfer the sum of \$300,000.00 from the Sewer Surplus Account to fund the construction, reconstruction, replacement and other improvements of sewer pump stations and related appurtenances as may be required, to authorize the application, acceptance and expenditure of a grant or grants from the Commonwealth and/or Federal Governments for this purpose, and to further authorize the Board of Sewer Commissioners, acting for and on behalf of the Town, to acquire land or easements in connection therewith which may be authorized by Chapter 502 of the Acts of 1954

***Article 32: Transfer from Sewer Surplus Account
 Improvements to Various Sewer Pump Stations**

VOTED UNANIMOUSLY a motion to transfer the sum of \$300,000.00 from the Sewer Surplus Account to fund costs associated with the installation, repair, replacement and other improvements to control systems associated with various sewer pump stations and related appurtenances.

***Article 33: Transfer Funds
 Dam Repairs**

VOTED UNANIMOUSLY a motion to transfer the sum of \$25,479.72 from Account 0171-10-585850 to an account to be entitled Dam Repairs to fund costs associated with the inspection, design and improvements of dams owned by the Town.

***Article 34: Donahue Rowing Center
 Revolving Fund**

VOTED UNANIMOUSLY a motion that a revolving fund be established under the provisions of Chapter 44, Section 53E 1/2 of the General Laws for the operation and maintenance of the Donahue Rowing Center. All receipts for the use of this facility and those received by the Town during prior fiscal years shall be credited to the fund. Expenditures shall be made by the Park and Cemetery Commission upon approval by the Town Manager. Expenditures for Fiscal 2017 shall not exceed \$200,000.00.

***Article 35: Council on Aging Bus
 Revolving Fund**

VOTED UNANIMOUSLY a motion that a revolving fund be established under the provisions of Chapter 44, Section 53E 1/2 of the General Laws for the operation and maintenance of the bus operated by the Council on Aging. All receipts paid to the Council on Aging by users of the bus and those received by the Town during prior fiscal years shall be credited to the fund. Expenditures shall be made by the Council on Aging upon approval by the Town Manager. Expenditures for Fiscal 2017 shall not exceed \$75,000.00.

***Article 36: Counseling and Educational Services
 Shrewsbury Youth and Family Services**

VOTED UNANIMOUSLY a motion to raise the sum of \$75,000.00 for counseling and educational services to families.

***Article 37: Acquire Certain Easements and Parcels of Land
 Maple Ave. westerly to Shrewsbury/Worcester Town Line**

VOTED UNANIMOUSLY a motion to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain certain permanent and temporary easements and parcels of land located on or about Main Street from the intersection of Maple Avenue westerly to the Shrewsbury-Worcester town line, as may be deemed necessary to facilitate the reconstruction of Main Street and related or adjacent sidewalks, culverts, drains, roadways and appurtenances; and to transfer the sum of \$100,000.00 from the Improvement of Public Ways Account to fund the acquisition of said easements and all related expenses and fees.

***Article 38: Accept Sum of Money from CATV**

VOTED UNANIMOUSLY a motion to that the Town accept a sum of \$800,000.00 from the Municipal Light Department CATV division in lieu of taxes, and appropriate said sum to the use of the Board of Assessors in fixing the tax rate for Fiscal Year 2017.

***Article 39: Accept Sum of Money from Municipal Light Department
 In Lieu of Taxes**

VOTED UNANIMOUSLY a motion to that the Town accept a sum of \$237,569.00 from the Municipal Light Department in lieu of taxes, and appropriate said sum to the use of the Board of Assessors in fixing the tax rate for Fiscal Year 2017.

***Article 40: Transfer Funds to Board of Assessors**

VOTED UNANIMOUSLY a motion to transfer the sum of \$500,000.00 from Free Cash and appropriate said sum to the use of the Board of Assessors in fixing the tax rate for Fiscal Year 2017.

VOTED a motion to adjourn at 10:10 P.M.

ATTEST:

Sandra E. Wright
Town Clerk

