

**Minutes of the Annual Town Meeting
held May 16, 2012 at 7:00 p.m.
at the Wales Elementary School.**

The meeting was opened at 7:10 p.m. by the Town Clerk, who announced that a quorum was present. Since the moderator was absent, she asked if there was a volunteer who would be willing to be nominated to moderate the meeting. Mr. John Riddle volunteered and was nominated. There were no other nominations offered. Jeff Vannais cast a single vote in favor of nominating Mr. Riddle and he was therefore elected to moderate the Annual Town Meeting.

The Town Clerk commenced the reading of the warrant, and a motion was made, seconded and passed unanimously to skip the reading of the warrant. The following articles were then considered.

ARTICLE 1 The Town voted to accept the reports of Town Officers as written.

ARTICLE 2 The Town voted to accept the reports of Committees as written.

ARTICLE 3 The Town voted to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2012, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 4 and to renew any note or notes as may be given in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17.

ARTICLE 4 The Town voted to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensating balance agreements with bank offices having their principal offices in the Commonwealth during the fiscal year 2013, as permitted by Massachusetts General Laws, Chapter 44, Section 53 F.

ARTICLE 5 The Town voted to authorize the Board of Selectmen to defend all suits that may be brought against the Town and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable.

ARTICLE 6 The Town voted to authorize the Board of Selectmen to apply for and accept such federal or state grants or monies as may be advisable and to authorize the Board of Selectmen to expend any funds received there from in accordance with the terms of said grants.

ARTICLE 7 The Town voted, pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, to reauthorize revolving funds for certain Town departments and officers for the fiscal year beginning July 1, 2012, as printed below:

REVOLVING FUND	AUTHORITY TO SPEND	REVENUE SOURCE	USE OF FUND	FY13 BUDGET
Building Inspections	Building Commissioner	Inspection Fees	Expenses and costs related to provision	\$18,000

			of inspection services	
Plumbing, Heating And Gas Inspections	Plumbing/Heating/Gas Inspector	Inspection fees and expense reimbursements	Expenses and costs related to provision of inspection services	\$5,000
Cemetery Services	Cemetery Commission	Fees received in connection with opening and closing graves	Expenses and costs related to opening and closing graves, including payment to other departments related thereto	\$3,000
Planning	Planning Board	Filing fees and expense reimbursements	Expenses and costs related to processing applications, publishing notices, and holding hearings	\$5,000
Conservation	Conservation Commission	Filing fees, expense reimbursements	Expenses and costs related to processing applications, publishing notices, and holding hearings	\$5,000
Zoning	Zoning Board	Filing fees and expense reimbursements	Expenses and costs related to processing applications, publishing notices and holding hearings	\$2,000
Animal Control	Animal Control Officer	Fines and fees	Expenses and costs related to provision of animal control services for which fees and fines are assessed	\$2,000
Library	Library Trustees or Director	Fees and fines	Expenses and costs related to library programs and activities for which fees and fines are assessed	\$1,000
Board of Health	Board of Health	Fees and reimbursements	Expenses and costs related to enforcing State & Local Board of Health regulations	\$10,000
Electrical	Electrical Inspector	Permit fees and expenses	Expenses and costs related to inspections	\$5,000
Police – Pistol Permits	Police Chief	Pistol Permit Fees	Expenses and costs related to pistol permit application review and issuance	\$5,000
Council on Aging	Council on Aging	Fees and reimbursements	Expenses and costs related to programs and activities for Seniors	\$3,500
Highway Superintendent	Highway Superintendent	Permit fees and expenses	Expenses and costs related to driveway permits	\$1,500
Fire Dept.	Fire Inspector	Permit Fees	Expenses and costs related to provisions of inspection services	\$1,500
Cable Advisory	Cable Committee	Fees	Expenses and costs related to Cable Committee	\$1,500

ARTICLE 8 The Town voted to reauthorize an Offset Receipt Account, said amount not to exceed SIXTY THOUSAND DOLLARS (**\$60,000.00**) more or less, for the operation of the **TRANSFER STATION** provided, however, that pursuant to Massachusetts General Laws, Chapter 44, Section 53E, such costs shall be offset by the estimated receipts from the fees charged to users of the services provided by the Transfer Station.

ARTICLE 9 The Town voted to accept any and all grant monies received during FY13 for the Wales Public Library Grant Account, for the use of the Wales Public Library.

ARTICLE 10 The Town voted to authorize the Board of Selectmen to transfer from Free Cash, to the Wales Board of Library Trustees for library purposes, the sum of **\$292.84**, such monies having been accrued as interest incidentally to the maintenance of the library building fund.

ARTICLE 11 The Town voted to authorize the Board of Selectmen to petition the State Legislature for special legislation to authorize the Library Building Fund to be maintained by the Town Treasurer and invested at the direction of the Library Trustees as a trust for the purchase, construction or reconstruction of a new library building, the principal of such trust fund would be expendable and the interest would be kept with the fund; the Town would be authorized to appropriate monies, and donations could also be made to the fund.

ARTICLE 12 The Town voted to accept the provisions of M.G.L., C 59, Sec. 5, clause 17C, providing tax relief to certain surviving spouses or minors whose parents are deceased, to be effective on taxes issued after July 1, 2012.

ARTICLE 13 The Town voted to accept the provisions of the paragraph inserted after clause 55 of M.G.L. c 59, Sec. 5, which was added by Chapter 181 of the Acts of 1995, and provides that any abatement granted under clauses 17, 17C, 17C ½, or 17D may be adjusted annually by an amount not to exceed the annual cost of living as determined by the Consumer Price Index, to be effective on taxes issued after July 1, 2012.

ARTICLE 14 The Town voted to accept the provisions of M.G.L., c.59, Sec. 5, Clause 41C, providing tax relief to certain persons over 70 years of age meeting income, residency and other eligibility requirements, to be effective on taxes issued after July 1, 2012.

ARTICLE 15 The Town voted to adjust the exemption requirements for the property tax exemption provided to certain persons over 70 years of age, under M.G.L. c.59, Sec. 5, Clause 41C, as amended by Section 51 of Chapter 184 of the Acts of 2002, by increasing gross receipts limit from \$13,000 to \$20,000 if single and from \$15,000 to \$30,000 if married; increase whole estate limit from \$28,000 to \$35,000 if single and from \$30,000 to \$40,000 if married, to be effective on taxes issued after July 1, 2012.

ARTICLE 16 The Town voted to accept the provisions of Chapter 59, Sec. 5, Clause 41D, providing for an increase in the amount of gross receipts and whole estate, real and personal, as set forth in clauses 41, 41B, and 41C shall be increased annually by an amount equal to the increase in the Consumer Price Index, to be effective on taxes issued after July 1, 2012.

ARTICLE 17 The Town voted to approve the following change in the Tantasqua Regional School District Bylaws:

“Vacancies occurring in the Regional District School Committee shall be filled as follows: in the case of members appointed by the School Committee of a Participating Town, by such School Committee; in the case of those elected at an annual town election, by the Selectmen and the remaining Committee members from the Town concerned to served until the next annual Town election, at which election a successor shall be elected to serve for the balance of the unexpired term, if any.”

ARTICLE 18 The Town voted, in accordance with M.G.L., Chapter 39, Section 10, to direct the Wales Board of Selectmen to petition the Great and General Court for passage of a Special Act for the Town of Wales as follows:

AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF WALES

Section 1. Any holder of an elective office in the Town of Wales may be recalled and removed there from by the qualified voters of said town as herein provided.

Section 2. One hundred or more registered voters may initiate a recall petition by filing with the Town Clerk an affidavit containing the name of the officer and the office held whose recall is sought and a statement of the grounds of recall. Upon certification by the Town Clerk, the Town Clerk shall, within two business days, deliver to the voter first named on such affidavit, a sufficient number of copies of petition blanks demanding such recall. The blanks shall be issued by the Town Clerk with the Town Clerk’s signature and official seal attached thereto; they shall be dated and addressed to the Board of Selectmen; shall contain the name person whose recall is sought, the office from which recall is sought, the grounds for recall as stated in the affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the Town Clerk. The recall petition shall be returned and filed with the Town Clerk within twenty days following the date of issuance of said petition. Said recall petition shall be signed by at least twenty percent of the registered voters in said town, and to every signature shall be added the place of residence of the signer, giving the street and number. The Town Clerk shall, within two business days following the date of such filing, submit the recall petition to the Board of Registrars of voters, who shall within five business days after the day of receipt, certify in writing thereon the number of signatures which are names of voters in said town as of the date such affidavit was filed with the town Clerk. The Board of Registrars shall, upon completion of its certification, return the petition to the Town Clerk.

Section 3. If the petition shall be found and certified by said Town Clerk to be sufficient, he/she shall submit the same with his certificate thereon to said selectmen without delay, and said selectmen shall forthwith give to said elected officer whose recall is being sought, written notice of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order a recall election to be held not less than sixty nor more than ninety days after the date of Town Clerk’s certificate that a sufficient petition has been filed; provided however, that if any other town election is to occur within one hundred days after the date of said certificate, the selectmen may, in their discretion postpone the holding of the removal election to the date o such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as herein provided.

Section 4. Any officer sought to be recalled may be a candidate to succeed him/herself, and unless he requests otherwise in writing, said Town Clerk shall place his/her name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election, and the conduct of the same, shall be in accordance with the provisions of law relating to election, unless otherwise provided in this act.

Section 5. The incumbent shall continue to perform the duties of his/her office until the recall election. If the recall fails, or if the incumbent is re-elected, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, except as provided in this act. If not re-elected in the recall election, he/she shall be

deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five business days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

Section 6. Ballots used in a recall election in said town shall submit the following proposition in the order indicated:

For the recall of (name of officer) (office held)
Against the recall of (name of officer) (office held)

Immediately at the right of each proposition there shall be a square in which the voter by making a cross mark (X) may vote for either of such propositions. Just above said squares, there shall appear the direction "Vote for one". Under the proposition shall appear the word "Candidates" and the direction "Vote for one" and beneath this the names of candidates nominated as hereinbefore provided.

In case of machine voting or punch card balloting, or other forms of balloting, appropriate provisions shall be made to allow the same intent of the voter.

If the majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes of the special election to the vacancy shall be elected. If a majority of the votes cast on the recall question is in the negative, the ballot for candidates to fill the potential vacancy need not be counted.

Section 7. No recall petition shall be filed against an officer of said town within six months after he/she takes office, or, in the case of an officer subjected to recall election and not removed thereby, until at least six months after the election at which his/her recall was submitted to the voters.

Section 8. No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against that person shall be appointed to any town office within two years after such removal by recall or resignation.

Section 9. This act shall take effect upon its passage.

ARTICLE 19 The Town voted to establish a Dam Inspection account, and to initially raise and appropriate the sum of **\$2,000.00**.

ARTICLE 20 The Town voted to transfer the sum of **\$2,500.00** from the FY12 Financial Audit line item (100-135-5200-00) and the sum of **\$2,905.28** from the Accountant Encumbrance line item (100-135-5780-00), and raise and appropriate the sum of **\$7,094.72**, for an audit of the Town's finances for FY2012.

ARTICLE 21 The Town voted to amend the General Bylaws of the Town, by revising the Capital Improvement Planning Committee Bylaw by deleting Section 2(1), which provides, "are purchased or undertaken at intervals of not less than five years", and by revising Section 2(3), by deleting the reference to \$50,000 and inserting in place thereof, "\$25,000".

ARTICLE 22 The Town voted to transfer from Norcross Gift Account the sum of **\$22,500.00**, 50% of the funds received in FY2012, to the Capital Improvement Stabilization Fund.

ARTICLE 23 The Town voted to transfer the sum of **\$23,000.00** from Free Cash to the Capital Improvement Stabilization Fund.

ARTICLE 24 The Town voted to transfer the sum of **\$23,320.50** from Free Cash to the Fire Department new equipment account for the purpose of purchasing Recertified Self-Contained Breathing Apparatus (SCBA's).

ARTICLE 25 The Town voted to raise and appropriate **\$3,500.00** for the Wales 250th Celebration.

ARTICLE 26 The Town voted to transfer from Free Cash the sum of **\$5,000.00** to Road Detail Agency Account to allow officers to be paid in a timely manner as prescribed by State and Federal Law, rather than waiting for vendor payment.

The Town voted to consider article 27 after article 28 & 29.

ARTICLE 28 The Town voted to transfer the sum of **\$10,932.52** from Free Cash and raise and appropriate the sum of **\$10,148.16** to the General Stabilization Account.

The Town voted to combine Article 27 and Article 29.

ARTICLE 27 & 29 The Town voted to raise and appropriate **\$3,824,891.25** to defray expenses of the Town, on a departmental basis, for the fiscal year 2013 period; to raise from the tax levy **\$3,742,437.25** and to transfer from Free Cash **\$82,454.00**, all as proposed in the yellow pages of the Town Report, with the changes recommended by the Finance Committee: to increase account #10-913-5100, Unemployment Insurance from **\$3,300.00** to **\$5,400.00** and to increase account # 100-945-5700, Insurance & Bonds from **\$75,000.00** to **\$90,000.00** and to fix the salary and compensation of the following elective officers of the Town of Wales as provided by Massachusetts General laws, Chapter 41, Section 108, as amended: Moderator, Selectmen, Assessors, Treasurer, Collector, Clerk, Planning Board, Road Commissioner, and Board of Health for fiscal year 2013.

ARTICLE 30 At the Annual Town Election, on Tuesday May 29, 2012 the Town voted to elect the following officers:

Jeffrey Vannais to the Board of Selectmen for a three-year term (2015)
Leon Givner to the Board of Assessors for a three-year term (2015)
David McClain to the Planning Board for a three-year term
Monica J. Palacios-Boyce to the Board of Health for a one-year term (2013)
Susan Ann Cadieux to the Board of Health for a three-year term (2015)
Leon Givner to be the Moderator for a three-year term (2015)
Leis Phinney to be the Town Clerk for a one-year term (2013)
Rebecca R. Smith to be the Tax Collector for a three-year term (2015)
Lynn S. Greene to be the Treasurer for a three-year term (2015)
Charles Smith III to be a Constable for a three-year term (2015)
Bruce R. Cadieux to be the Road Commissioner for a three-year term (2015)
David W. Worth to the Cemetery Commission for a three-year term (2015)
Keridwyn E. Pitcher to be a Library Trustee for a three-year term (2015)
Kimberly P. Bready to be a Library Trustee for a two-year term (2014)
Susan P. Hubbell to be a School Committee member for a three-year term (2015)
Lynne M. Serrenho to be a School Committee member for a two-year term (2014)
Michael J. Valanzola to be the Tantasqua Representative for a three-year term (2015)

And voted to defeat the following non-binding question:

Shall the Town of Wales vote to have the Selectmen appoint a Superintendent of Streets?

Yes 118 No 183