



**TOWN OF WINCHENDON**  
**SPECIAL TOWN MEETING WARRANT**  
**ANNUAL TOWN MEETING WARRANT**

# TOWN MEETING SUMMARY SHEET

| ARTICLE | DESCRIPTION   | COST          | SOURCE                                    | PROP 2 ½ <sup>1</sup> |
|---------|---|---------------|---|-----------------------|
| 1       | Committee Report  | N/A           | N/A                                       | -                     |
| 2       | Establish/Discharge Committees                                  | N/A           | N/A                                       | -                     |
| 3       | Revolving Funds Article   | N/A           | N/A                                       | -                     |
| 4       | Senior Work-Off Program   | \$5,000       | Raise and Appropriate                     | -                     |
| 5       | Non-Profit Support  | \$28,000      | Raise and Appropriate                     | -                     |
| 6       | OPEB Fund   | \$10,000      | Raise and Appropriate                     | -                     |
| 7       | Stabilization Fund Article                                      | \$10,000      | Raise and Appropriate                     | -                     |
| 8       | FY15 General Gov. Budget  | \$9,508,984   | Appropriate and Transfer                  | -                     |
| 9       | Water Enterprise Budget   | \$990,219     | Fees/Retained Earnings                    | -                     |
| 10      | Wastewater Enterprise Budget                                    | \$1,108,464   | Fees/Betterment Revenue                   | -                     |
| 11      | Transf. Station Enterprise Budget                               | \$185,083     | Fees                                      | -                     |
| 12      | FY15 School Budget  | \$12,876,674  | Appropriate and Transfer                  | -                     |
| 13      | FY15 Monty Tech's Assessment                                    | \$784,205     | Raise and Appropriate                     | -                     |
| 14      | FY15 School Transportation                                      | \$1,243,260   | Appropriate and Transfer                  | -                     |
| 15      | FY14 School Appropriation Increase                              | NOT SPECIFIED | NOT SPECIFIED                             | -                     |
| 16      | MMHS Defray Costs   | \$14,962.42   | NOT SPECIFIED                             | -                     |
| 17      | FY10 School Municipal Medical Reimbursement Program             | \$26,889.60   | NOT SPECIFIED                             | -                     |
| 18      | FY11 School Municipal Medical Reimbursement Program             | \$37,564.00   | NOT SPECIFIED                             | -                     |
| 19      | FY12 School Municipal Medical Reimbursement Program             | \$36,816.20   | NOT SPECIFIED                             | -                     |
| 20      | FY13 School Municipal Medical Reimbursement Program             | \$26,245.60   | NOT SPECIFIED                             | -                     |
| 21      | FY15 School Operating Budget                                    | NOT SPECIFIED | NOT SPECIFIED                             | -                     |
| 22      | Capital Stabilization Fund Creation and PILOT Revenue Agreement | N/A           | N/A                                       | -                     |
| 23      | Fire Department's Roof  | \$80,000      | Raise & Appropriate, Borrow or Transfer   | -                     |
| 24      | Town Hall Computers   | \$19,000      | Raise & Appropriate, Borrow or Transfer   | -                     |
| 25      | Toy Town Elementary School Emergency Generator                  | \$75,000      | 5 Year Debt Exclusion                     | \$2.76/yr.            |
| 26      | DPW One Ton Dump Truck w/plow and sander for Cemetery Dept.     | \$65,000      | 5 Year Debt Exclusion                     | \$2.39/yr.            |
| 27      | Beals Memorial Library Accessibility Upgrades                   | \$300,000     | 20 Year Debt Exclusion                    | \$3.50/yr.            |
| 28      | Beals Memorial Library Accessibility Upgrades                   | \$196,000     | Raise and Appropriate, Borrow or Transfer | -                     |
| 29      | Town Hall Boiler Replacement                                    | \$91,245.99   | Raise and Appropriate, Borrow or Transfer | -                     |
| 30      | 86 Ingleside Drive Purchase                                     | \$450,000     | 20 Year Debt Exclusion                    | \$5.24/yr.            |

<sup>1</sup> Amounts shown are an estimate of the monetary increase on a home valued at \$100,000 x the number of years of the impact.

|    |                                     |     |      |   |
|----|-------------------------------------|-----|------|---|
| 31 | PILOT Agreement West Street Solar   | N/A | N/A. | - |
| 32 | Redevelopment Authority Parcels     | N/A | N/A  |   |
| 33 | Community Preservation (CPA)        | N/A | N/A  |   |
| 34 | Disposal of Canine Waste Regulation | N/A | N/A  | - |
| 35 | Underground Fuel Storage Regulation | N/A | N/A  | - |

**TOWN OF WINCHENDON  
SPECIAL TOWN MEETING  
May 12, 2014**

Worcester, ss:

To either of the Constables in the Town of Winchendon, in the County of Worcester,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Winchendon qualified to vote in town elections and town affairs to meet at the MURDOCK MIDDLE/HIGH SCHOOL, 3 Memorial Drive, off Elmwood Road in said Winchendon on

**MONDAY, MAY 12, 2014  
AT 7:15 P.M.**

then and there to act on the following articles:

*At 7:15 p.m. the Annual Town Meeting was recessed for the Special Town Meeting. It was voted (unanimously) to continue with the Annual Town meeting.*

*At 9:19 p.m it was moved and seconded and unanimously approved to open the Special Town Meeting.*

**REPORTS AND COMMITTEES  
(majority vote required)**

**ARTICLE 1**

Committee Reports

To see if the Town will vote to hear and act on the reports of the Finance Committee, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend      FINANCE COMMITTEE: 6-0 Recommend**

**VOTED:** *(unanimously) to pass over this article.*

**ARTICLE 2:**

To see if the Town will vote to raise and appropriate the sum of \$300,000.00, in addition to the amount appropriated under FY15 Net School Spending Article of the 2014 Annual Town Meeting, to supplement the operating budget for the school department for the fiscal year beginning July 1, 2014, provided that this supplemental appropriation shall be contingent on the passage of a proposition 2 and ½ override vote. (submitted by the Selectboard, School Committee and Town Manager)

**BOARD OF SELECTMEN: 3-2 Recommend      FINANCE COMMITTEE: 6-0 Recommend**

**VOTED:** *(two-thirds) to approve the article as amended by removing the word NET before School Spending.*

You are hereby directed to serve this warrant by posting attested copies thereof at the several places designated by the bylaws of the town of Winchendon seven days at least before the time of holding such meeting and by mailing a copy of this warrant to each household in Winchendon in which a registered voter resides or by publication of the same in a newspaper of local distribution as required by said bylaws.

Hereof, fail not and make due return of said warrant with your doings thereon at the time and place of the meeting aforesaid. Given under our hands and seal this 28<sup>th</sup> day of April 2014.

***AT 9:30 P.M. It was moved, seconded and unanimously approved to adjourn the Special Town Meeting and continue with the Annual Town Meeting.***

**BOARD OF SELECTMEN:**

\_\_\_\_\_  
Robert M. O'Keefe, Chair

\_\_\_\_\_  
Elizabeth R. Hunt, Vice Chair

\_\_\_\_\_  
C. Jackson Blair

\_\_\_\_\_  
Keith R. Barrows

\_\_\_\_\_  
Fedor Berndt

I have this day posted the within warrant as therein directed:

\_\_\_\_\_  
PRINT CONSTABLE NAME

\_\_\_\_\_  
SIGN CONSTABLE NAME

\_\_\_\_\_  
DATE:

**FINANCE COMMITTEE PUBLIC HEARING  
Tuesday, May 6, 2014 at 7:00 PM  
Town Hall, 109 Front Street**

**TOWN OF WINCHENDON  
ANNUAL TOWN MEETING  
MAY 12, 2014**

Worcester, ss:

To either of the Constables in the Town of Winchendon, in the County of Worcester,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Winchendon qualified to vote in town elections and town affairs to meet at the MURDOCK MIDDLE/HIGH SCHOOL, 3 Memorial Drive, off Elmwood Road in said Winchendon on

**MONDAY, MAY 12, 2014  
AT 7:00 P.M.**

then and there to act on the following articles:

*Warden John Morris announced that a quorum was present.  
Meeting was called to order at 7:00 p.m. by Moderator, Richard L. Morin Sr.*

**REPORTS AND COMMITTEES  
(majority vote required)**

**ARTICLE 1**

To see if the Town will vote to hear and act on the report of the Finance Committee, the annual report of the Selectmen and of any other officers or committees required to report to the Town, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the report read by Ulysses Maillet, Chairman of Finance Committee.***

**ARTICLE 2**

To see if the Town will vote to choose all other Town officers or committees that may be required or deemed necessary to the Town for the ensuing year and give any instructions to same, or to any other town officer or officers, and to discharge any committees which have completed their duties, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve. No reports available.***

**REVOLVING FUNDS AUTHORIZATION ARTICLE**  
**(majority vote required)**

**ARTICLE 3**

To see if the Town will vote to establish the following revolving accounts as provided for under the provisions of section 53E ½ of Chapter 44 of the Massachusetts General Laws, for the purposes specified and each not to exceed \$20,000.00 in fiscal year 2015:

Hazardous Materials Fees under G.L. c.21E, §4 - the Fire Chief shall be authorized to expend said fund for the purchase of supplies and material relating to hazardous material recovery;

Student Parking Fees- the Winchendon Public Schools shall be authorized to expend said fund for establishing and operating parking permit program and maintenance of parking lot and/or proposed parking lot expansion;

Land Use Restitution and/or Insurance Reimbursement Receipts - the Land Use Office shall be authorized to expend said fund for any lawful purpose relating to its department;

Athletics Advertising Fees- the School Athletic Department shall be authorized to expend said fund for any lawful purpose relating to its department;

Agricultural Commission Fees- the Agricultural Commission shall be authorized to expend said fund for any lawful purpose relating to its department;

Public Health Clean-up Lien Receipts Received in Connection with Board of Health Property Clean-up - the Board of Health shall be authorized to expend said fund for any lawful purpose relating to such clean-ups; and

Planning and Development Large Format Copier and Plotter Fees - the Office of Planning and Development shall be authorized to expend said fund for any lawful purpose relating to the Large Format Copier and Plotter.

or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

## **USUAL AND CUSTOMARY FINANCIAL ARTICLES**

**(majority and/or two-thirds vote required)**

### **SENIOR TAX WORK-OFF ARTICLE**

#### **ARTICLE 4**

To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) for the Senior Tax Work-off Program, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

***At 7:15 the Annual Town Meeting was recessed for the Special Town Meeting. It was voted (unanimously) to continue with the Annual Town meeting.***

### **NON-PROFIT ASSISTANCE ARTICLES**

#### **ARTICLE 5**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$28,000.00 as grants to the following non-profit entities in consideration of the numerous services provided to the Town:

\$18,000- Community Action Committee

\$10,000- Clark Memorial YMCA.

or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 4-0-1 Recommend**

**FINANCE COMMITTEE: 4-0-2 Recommend**

***VOTED: (two-thirds) approve to raise and appropriate the article as printed.***

### **OTHER POST EMPLOYMENT BENEFIT (OPEB) FUND ARTICLE**

#### **ARTICLE 6**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,000.00 to the Other Post Employment Benefit (OPEB) Fund, or act in relation thereto. (Submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0-0 Recommnd**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) approve to raise and appropriate the article as printed.***



## **STABILIZATION FUND ARTICLE**

### **ARTICLE 7**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,000.00 to the Stabilization Fund, or act in relation thereto. (Submitted by the Town Manager)

**BOARD OF SELECTMEN: 4-0-1 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) approve to raise and appropriate the article as printed.***

## **USUAL AND CUSTOMARY GENERAL GOVERNMENT BUDGET ARTICLE** **(majority vote required)**

### **ARTICLE 8**

To see if the Town will vote to raise and appropriate and transfer from other available funds\* the sum of \$9,508,894 for the operating budget of the Town for the fiscal year beginning July 1, 2014, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0**

**FINANCE COMMITTEE: 6-0 Recommend**

\*Other Available Funds:

|                          |               |
|--------------------------|---------------|
| Cemetery Trust           | \$ 3,000.00   |
| Dog Fees                 | \$ 15,000.00  |
| Title V Liens Redemption | \$ 7,810.00   |
| Infrastructure Fund      | \$ 85,000.00  |
|                          | \$ 110,810.00 |

As has been practice, the format of the Fiscal Year 2015 budget that follows depicts the proposed expenditures for the various major components and then the total of the General Government budget. They are as follows:

1. Administration, Finance and Benefits
2. Regulatory Boards, Commissions and Departments
3. Public Safety
4. Public Works
5. Human Services
6. Debt Service
7. Regional Expenses

## 8. Total FY15 General Government Budget

The total for each component, numbers 1-8, appears in the budget in numbered and gray shaded lines.

Additional detailed information depicting the subcomponents within each major component also appears in the following budget. These subcomponent budget numbers provide a more detailed look into what makes up the expenditure of each major component. These numbers appear without shading, with asterisks (\*) and are for informational purposes only.

The “Total FY 15 General Government Budget”, as identified as #8, is the budget number before you for your consideration and vote.

| ACCOUNT                                      | FY14<br>APPROVED       | FY15<br>PROPOSED       | %<br>CHANGE | COMMENTS:                  |
|--|------------------------|------------------------|-------------|----------------------------|
| <b>1 ADMINISTRATION, FINANCE AND BENFITS</b> |                        |                        |             |                            |
| * SELECTMEN OFFICE                           | \$ 24,000.00           | \$ 24,000.00           | 0%          | No Change                  |
| * TOWN MANAGER OFFICE                        | \$ 259,671.00          | \$ 261,507.00          | 1%          | 3% raises (except TM)      |
| * FINANCE COMMITTEE                          | \$ 47,860.00           | \$ 47,860.00           | 0%          | No Change                  |
| * ACCOUNTING OFFICE                          | \$ 86,469.00           | \$ 117,363.00          | 36%         | Assistant to Full-time     |
| * ASSESSORS OFFICE                           | \$ 77,889.00           | \$ 78,658.00           | 1%          | Contract Service Rate      |
| * COLLECTOR/TREASURER                        | \$ 166,217.00          | \$ 173,336.00          | 4%          | 3% raises plus postage     |
| * AUDIT EXPENSE                              | \$ 34,000.00           | \$ 34,000.00           | 0%          | Actual Expense             |
| * LEGAL EXPENSE                              | \$ 60,000.00           | \$ 60,000.00           | 0%          | No Change                  |
| * DATA PROCESSING                            | \$ 39,300.00           | \$ 39,300.00           | 0%          | No Change                  |
| * TECHNOLOGY                                 | \$ 17,904.00           | \$ 31,415.00           | 75%         | Part-time IT Person        |
| * COMM. COMMITTEE                            | \$ 33,500.00           | \$ 33,500.00           | 0%          | No Change                  |
| * TOWN CLERK OFFICE                          | \$ 89,043.00           | \$ 88,635.00           | 0%          | 3% raise but new hire rate |
| * REGISTRAR OF VOTERS                        | \$ 18,610.00           | \$ 27,625.00           | 48%         | More Elections             |
| * TOWN HALL                                  | \$ 115,268.00          | \$ 118,214.00          | 3%          | 3% raise plus OT allowance |
| * PENSIONS                                   | \$ 958,573.00          | \$ 1,125,350.00        | 17%         | Actual Assessment          |
| * COMP & UNEMPLOYMENT                        | \$ 131,372.00          | \$ 225,339.00          | 72%         | Actual Expense             |
| * HEALTH INSURANCE                           | \$ 1,731,594.00        | \$ 2,000,856.00        | 16%         | Projected Expense          |
| * LIFE INSURANCE                             | \$ 25,300.00           | \$ 25,300.00           | 0%          | Actual Expense             |
| * MEDICARE                                   | \$ 196,050.00          | \$ 196,050.00          | 0%          | Projected Expense          |
| * PROPERTY/LIABILITY INS.                    | \$ 177,905.00          | \$ 224,130.00          | 26%         | Actual Expense             |
| * SEPARATION BENEFITS                        | \$ 78,848.00           |                        |             | Actual Expense             |
| <b>1 TOTAL ADMIN. AND FINANCE</b>            | <b>\$ 4,369,373.00</b> | <b>\$ 4,932,438.00</b> | <b>13%</b>  | <b>\$ 563,065.00</b>       |

|                                    |                        |                        |             |                                 |  |
|------------------------------------|------------------------|------------------------|-------------|---------------------------------|--|
| <b>2 REGULATORY</b>                |                        |                        |             |                                 |  |
| * CONSERVATION                     | \$ 15,515.00           | \$ 15,932.00           | 3%          | 3% raise                        |  |
| * PLANNING BOARD                   | \$ 6,000.00            | \$ 5,500.00            | -8%         | Reduced outside services        |  |
| * ZONING BOARD                     | \$ 1,918.00            | \$ 1,918.00            | 0%          | No Change                       |  |
| * COMMUNITY DEVELOPMENT            | \$ 99,224.00           | \$ 65,983.00           | -34%        | Grant picked up expenses        |  |
| * LAND USE OFFICE                  | \$ 93,472.00           | \$ 95,065.00           | 2%          | 3% raise                        |  |
| <b>2 TOTAL REGULATORY</b>          | <b>\$ 216,129.00</b>   | <b>\$ 184,398.00</b>   | <b>-15%</b> | <b>\$ (31,731.00)</b>           |  |
|                                    |                        |                        |             |                                 |  |
| <b>3 PUBLIC SAFETY DEPARTMENTS</b> |                        |                        |             |                                 |  |
| * POLICE/DISPATCH/ACO              | \$ 1,326,925.00        | \$ 1,367,989.00        | 3%          | 3% raise                        |  |
| * FIRE/AMBULANCE                   | \$ 676,257.00          | \$ 769,823.00          | 14%         | Prior Yr. Wage Scale Fix        |  |
| * CIVIL DEFENSE                    | \$ 4,877.00            | \$ 4,943.00            | 1%          | Misc. Minor Increases           |  |
| * BOARD OF HEALTH                  | \$ 55,381.00           | \$ 58,438.00           | 6%          | 3% raise + incr. prof. services |  |
| <b>3 TOTAL PUBLIC SAFETY</b>       | <b>\$ 2,063,440.00</b> | <b>\$ 2,201,193.00</b> | <b>7%</b>   | <b>\$ 137,753.00</b>            |  |
|                                    |                        |                        |             |                                 |  |
| <b>4 PUBLIC WORKS</b>              |                        |                        |             |                                 |  |
| * ADMINISTRATION                   | \$ 53,262.00           | \$ 60,091.00           | 13%         | 3% raise + Dam Inspection       |  |
| * HIGHWAY                          | \$ 301,009.00          | \$ 309,634.00          | 3%          | 3% raise                        |  |
| * FLEET MAINTENANCE                | \$ 223,307.00          | \$ 246,319.00          | 10%         | 3% raise + increase fuel        |  |
| * CEMETERY                         | \$ 89,962.00           | \$ 92,213.00           | 3%          | 3% raise                        |  |
| * SNOW AND ICE                     | \$ 101,000.00          | \$ 101,000.00          | 0%          | No Change                       |  |
| * STREET LIGHTS                    | \$ 58,500.00           | \$ 65,000.00           | 11%         | Utility Increase+More Lights    |  |
| * LANDFILL EXPENSE                 | \$ 23,000.00           | \$ 23,000.00           | 0%          | No Change                       |  |
| * TREE TRIMMING                    | \$ 5,000.00            | \$ 5,000.00            | 0%          | No Change                       |  |
| <b>4 TOTAL PUBLIC WORKS</b>        | <b>\$ 855,040.00</b>   | <b>\$ 902,257.00</b>   | <b>6%</b>   | <b>\$ 47,217.00</b>             |  |

|          |                                      |                        |                       |              |                            |
|----------|--------------------------------------|------------------------|-----------------------|--------------|----------------------------|
|          |                                      |                        |                       |              |                            |
|          |                                      |                        |                       |              |                            |
| <b>5</b> | <b>HUMAN SERVICES</b>                |                        |                       |              |                            |
| *        | COUNCIL ON AGING                     | \$ 140,411.00          | \$ 142,348.00         | 1%           | 3% raise                   |
| *        | VETERANS                             | \$ 341,390.00          | \$ 391,642.00         | 15%          | Increased Veteran Benefits |
| *        | LIBRARY                              | \$ 164,601.00          | \$ 169,568.00         | 3%           | 3% raise                   |
| *        | RECREATION COMMITTEE                 | \$ 3,400.00            | \$ 3,400.00           | 0%           | No Change                  |
| *        | HISTORICAL COMMISSION                | \$ 500.00              | \$ 500.00             | 0%           | No Change                  |
| <b>5</b> | <b>TOTAL HUMAN SERVICES</b>          | <b>\$ 650,302.00</b>   | <b>\$ 707,458.00</b>  | <b>9%</b>    | <b>\$ 57,156.00</b>        |
|          |                                      |                        |                       |              |                            |
|          |                                      |                        |                       |              |                            |
| <b>6</b> | <b>DEBT SERVICE</b>                  |                        |                       |              |                            |
| *        | DEBT SERVICE                         | \$ 852,274.00          | \$ 578,207.00         | -32%         | Actual Expense             |
| <b>6</b> | <b>TOTAL DEBT SERVICE</b>            | <b>\$ 852,274.00</b>   | <b>\$ 578,207.00</b>  | <b>-32%</b>  | <b>\$ (274,067.00)</b>     |
|          |                                      |                        |                       |              |                            |
|          |                                      |                        |                       |              |                            |
| <b>7</b> | <b>REGIONAL EXPENSES</b>             |                        |                       |              |                            |
| *        | REGIONAL PLANNING                    | \$ 3,033.00            | \$ 3,033.00           | 0%           | Actual Assessment          |
| *        | MONTY TECH                           | \$ 666,218.00          |                       | -100%        | Actual Assessment          |
| <b>7</b> | <b>TOTAL REGIONAL EXPENSES</b>       | <b>\$ 669,251.00</b>   | <b>\$ 3,033.00</b>    | <b>-100%</b> | <b>\$ (666,218.00)</b>     |
|          |                                      |                        |                       |              |                            |
|          |                                      |                        |                       |              |                            |
| <b>8</b> | <b>TOTAL RAISE &amp; APPROPRIATE</b> | <b>\$ 9,675,809.00</b> | <b>\$9,508,984.00</b> | <b>2%</b>    | <b>\$ (166,825.00)</b>     |

***VOTED: (unanimously) to approve the article as printed.***

**USUAL AND CUSTOMARY WATER ENTERPRISE ARTICLE<sup>2</sup>**  
(majority vote required)

**ARTICLE 9**

To see if the Town will vote to appropriate the sum of \$990,219.00 ( Water Receipts- \$850,000 and Water Retained Earnings- \$140,219.00) for the operating budget of the Water Department enterprise fund for the fiscal year beginning July 1, 2014, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the motion to appropriate the sum of \$970,219.00  
(Water Receipts \$850,000 and Water Retained Earnings \$120,219.00)***

**USUAL AND CUSTOMARY WASTEWATER ENTERPRISE ARTICLE<sup>3</sup>**  
(majority vote required)

**ARTICLE 10**

To see if the Town will vote to appropriate the sum of \$1,108,464.00 (Sewer Receipts- \$837,576.00 and Betterment Revenues- \$270,000.00) for the operating budget of the Wastewater Treatment Department enterprise fund for the fiscal year beginning July 1, 2014, or act in relation thereto. (usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

**USUAL AND CUSTOMARY TRANSFER STATION ENTERPRISE ARTICLES<sup>4</sup>**  
(majority vote required)

**ARTICLE 11**

To see if the Town will vote to appropriate the sum of \$185,083.00 from Transfer Station Receipts for the operating budget of the Transfer Station enterprise fund for the fiscal year beginning July 1, 2014, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

***It was moved seconded and (unanimously) approved to take Article 21 out of order at this time.***

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<sup>2</sup> No rate increase required to support this budget.

<sup>3</sup> No rate increase required to support this budget.

<sup>4</sup> No rate increase required to support this budget.

## **ARTICLE 21**

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the School Department for the operating budget for Fiscal Year 2015, or take any other action relative thereto.

**BOARD OF SELECTMEN: 5-0 Not Recommend**

**FINANCE COMMITTEE: 5-0-1 Not Recommend**

***VOTED: to amend Article 21 into two parts as follows:***

***VOTED: (unanimously) to approve as amended:***

***PART A: To raise and appropriate the sum of \$12,876,674 to the School Department as part of its operating budget for Fiscal Year 2015.***

***VOTED: (two-thirds) to approve as amended:***

***PART B: To transfer from the Stabilization Fund an amount not to exceed \$395,500 to fund any Net school spending shortfall and that such transfer be conditioned such that no funds shall be expended until the final shortfall figure is determined once the FY14 end of year report is finalized with the Department of Elementary and Secondary education on or about September 30, 2014.***

## **USUAL AND CUSTOMARY EDUCATION BUDGET ARTICLE**

**(majority vote required)**

## **ARTICLE 12**

To see if the Town will vote to raise and appropriate and/or transfer the sum of \$12,876,674 (Required Net School Spending of \$16,166,194.00 less \$3,289,520.00 for net school spending eligible indirect costs budgeted in the general government budget for School Expenses) for the School Department for the operating budget of the Winchendon Public Schools for the fiscal year beginning July 1, 2014, or take any action thereon. (Submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 5-0-1 Recommend**

***VOTED: (unanimously) to Pass over this article.***

## **ANNUAL VOCATIONAL TECHNICAL SCHOOL ASSESSMENT ARTICLE**

## **ARTICLE 13**

To see if the Town will vote to raise and appropriate the sum of \$784,205 to fund the Town's assessment to the Montachusett Regional Vocational Technical School, or act in relation thereto. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (two-thirds) to approve the motion to raise and appropriate the sum of \$779,205.00 to fund the Montachusett Regional Vocational Technical School.***

## **SCHOOL TRANSPORTATION BUDGET ARTICLE**

### **ARTICLE 14**

To see if the Town will vote to appropriate the sum of \$1,243,260.00 (raise and appropriate \$1,143,260 and appropriate by transfer from Municipal Medicaid Reimbursement receipts \$100,000) for School Transportation for the following purposes:

|                                   |               |
|-----------------------------------|---------------|
| In town Transportation:           | \$ 692,100.00 |
| Special Education Transportation: | \$ 540,000.00 |
| Crossing Guards:                  | \$ 11,160.00  |

said sum to be expended by the School Committee, or act in relation thereto. (submitted by the Town Manager, usual and customary article)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 5-0-1 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

## **SCHOOL DEPARTMENT SUBMITTED ARTICLES**

### **ARTICLE 15**

To see if the Town will vote to further amend the vote taken under Article 10 of the May 20,2013 Annual Town Meeting, as previously amended under Article 3 of the December 30, 2013 Special Town Meeting, by increasing the appropriation to the Winchendon Public Schools for the Fiscal Year ending on June 30, 2014 by a certain sum of money, through transfer among accounts, through transfer from prior appropriations under articles, through transfer from available funds, or through otherwise providing said sum of money, or take any action thereon. (Submitted by School Committee)

**BOARD OF SELECTMEN: 5-0 Not Recommend**

**FINANCE COMMITTEE: 4-0-2 Not Recommend**

***VOTED: (unanimously) to pass over this article.***

### **ARTICLE 16**

To see if the Town will vote to transfer to the School Committee the sum of \$14,962.42 from available funds to defray costs associated with Murdock Middle/High School, or act in relation thereto. (Submitted by School Committee).

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 5-0-1 Recommend as amended to include the words "Boiler Repair" after High School**

***VOTED: (unanimously) to approve the article as amended:***

***The Town will transfer to the School Committee the sum of \$14,962.42 from available funds from Account No. 30300300.597924 (the remaining balance from Article 26<sup>th</sup> of the May 24<sup>th</sup>,***



*2010 annual town meeting) to defray costs associated with the Murdock Middle/High School boiler repair.*

#### **ARTICLE 17**

To see if the Town will vote to transfer to the School Committee the sum of \$26,889.60 as reimbursement for expenses and revenue generated from the Municipal Medical Reimbursement Program during Fiscal Year 2010, by amending Article 16 from the Annual Town Meeting held on May 23, 2011 or by transferring from available funds for said reimbursement, or act in relation thereto. (Submitted by School Committee).

**BOARD OF SELECTMEN: 5-0 Not Recommend      FINANCE COMMITTEE: 5-0-1 Not Recommend**

***VOTED: (unanimously) to pass over this article.***

#### **ARTICLE 18**

To see if the Town will vote to transfer to the School Committee the sum of \$37,564.00 as reimbursement for expenses and revenue generated from the Municipal Medical Reimbursement Program during Fiscal Year 2011, by amending Article 8 from the Special Town Meeting held on October 29, 2012 or by transferring from available funds for said reimbursement, or act in relation thereto. (Submitted by School Committee).

**BOARD OF SELECTMEN: 5-0 Not Recommend      FINANCE COMMITTEE: 5-0-1 Not Recommend**

***VOTED: (unanimously) to pass over this article.***

#### **ARTICLE 19**

To see if the Town will vote to transfer to the School Committee the sum of \$36,816.20 as reimbursement for expenses and revenue generated from the Municipal Medical Reimbursement Program during Fiscal Year 2012, or from available funds for said reimbursement, or act in relation thereto. (Submitted by School Committee).

**BOARD OF SELECTMEN: 5-0 Recommend      FINANCE COMMITTEE: 4-1-1 Not Recommend**  
**Approved to be Amended**

***VOTED: (unanimously) to approve the article as amended:***

***That the town will vote to transfer to the School Committee the sum of \$36,816.20 as reimbursement for expenses and revenue generated from the Municipal Medicaid Reimbursement Program during Fiscal Year 2012, from the Stabilization Account with the following condition:***

***said funds shall not be available to be expended if an equal dollar amount is appropriated to the School Committee from an alternate source on or before December 31, 2014 in which case this authorization to transfer shall be null and void.***

## **ARTICLE 20**

To see if the Town will vote to transfer to the School Committee the sum of \$26,245.60 as reimbursement for expenses and revenue generated from the Municipal Medical Reimbursement Program during Fiscal Year 2013, or from available funds for said reimbursement, or act in relation thereto. (Submitted by School Committee).

**BOARD OF SELECTMEN: 5-0 Recommend  
Approved to be Amended**

**FINANCE COMMITTEE: 4-1-1 Not Recommend**

***VOTED: (unanimously) to approve the article as amended:***

***That the Town will vote to transfer to the School Committee the sum of \$26,245.60 as reimbursement for expenses and revenue generated from the Municipal Medical Reimbursement Program during Fiscal Year 2013, from the Stabilization Account with the following condition:***

***said funds shall not be available to be expended if an equal dollar amount is appropriated to the School Committee from an alternate source on or before December 31, 2014 in which case this authorization to transfer shall be null and void.***

## **CAPITAL ARTICLES**

**(majority and/or two-thirds vote required)**

## **ARTICLE 22**

To see if the town will vote petition the Legislature for the creation of a Town of Winchendon Capital Stabilization Fund and to provide that all of the revenue received in accordance with any Solar Payment in Lieu of Taxes (PILOT) agreements will henceforth be placed into said Winchendon Capital Stabilization Fund, and to authorize Town Counsel to draft such petition; or act in relation thereto. (Submitted by the Town Manager)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

***At 9:19 p.m., it was moved and seconded (unanimously approved) to suspend the Annual Town Meeting and open the Special Town Meeting.***

***At 9:30 p.m. the Annual Town Meeting continued.***

## **ARTICLE 23**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$80,000.00 to be used for all costs associated with certain capital improvements at the Fire Department's Central Street headquarters; or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend as  
amended by removing "certain capital"**

improvements” and replace with “roof replacement”

***VOTED: (Unanimously) approve to raise and appropriate the article and amend by adding after capital improvements -(replace the roof and the emergency generator).***

#### **ARTICLE 24**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$19,000.00 to be used for all costs associated with the upgrade and/or replacement of computers and associated equipment in the Town Hall; or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) approve to raise and appropriate the article as printed.***

#### **ARTICLE 25**

To see if the Town will vote to appropriate the sum of \$75,000 for the purpose shown below; and as funding therefor, that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum and issue bonds and notes therefor pursuant to G.L. c.44, §7 or any other enabling authority; provided, however, that the amounts appropriated hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½, so-called, debt exclusion question pursuant to G.L. c.59, §21C (k),

- \$75,000.00 – Install an emergency generator at the Toytown Elementary school, including all costs incidental and related thereto,

or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 5-0-1 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

#### **ARTICLE 26**

To see if the Town will vote to appropriate the sum of \$65,000 for the purpose shown below; and as funding therefor that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum and issue bonds and notes therefor pursuant to G.L. c.44, §7 or any other enabling authority; provided, however, that the amounts appropriated hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½, so-called, debt exclusion question pursuant to G.L. c.59, §21C (k),

- \$65,000.00 – Purchase of one ton dump truck with plow and sander for the Cemetery Department

or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

## **ARTICLE 27**

To see if the Town will vote to appropriate the sum of \$300,000 for the purpose shown below; and as funding therefor that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum and issue bonds and notes therefor pursuant to G.L. c.44, §7 or any other enabling authority; provided, however, that the amounts appropriated hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½, so-called, debt exclusion question pursuant to G.L. c.59, §21C (k),

- \$300,000.00 –for costs associated with the accessibility upgrades to the Beals Memorial Library, including all costs incidental and related thereto

or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 5-0-1 Recommend**

***VOTED: (unanimously) to approve the article as printed.***

## **ARTICLE 28**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$196,000.00 to be used for costs associated with the accessibility upgrades to the Beals Memorial Library, including all costs incidental thereto; or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) approved to borrow the sum of \$196,000.00***

## **ARTICLE 29**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$91,245.00 to be used for costs associated with the removal and replacement of the Town Hall boiler, including all costs incidental thereto; or act in relation thereto. (Submitted by the Capital Planning Advisory Committee)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) approved to borrow the sum of \$91,245.00***

## **GENERAL BUSINESS ARTICLES** **(majority vote required)**

## **ARTICLE 30**

To see if the Town will vote to appropriate the sum of \$450,000 for the purpose shown below; and as funding therefor that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum and issue bonds and notes therefor pursuant to G.L. c.44, §7 or any other enabling authority; provided, however, that the amounts appropriated hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½, so-called, debt exclusion question pursuant to G.L. c.59, §21C (k),

- \$450,000 – Purchase of 43.1 acres of land located at 86 Ingleside Drive, Map 5A3, Parcel 348 on Whitney Pond including a building, detached garage and large barn to be studied and developed into a “Community Center” for the residents of Winchendon to include. recreational, educational and social gatherings

and provided further that the funds appropriated hereunder shall be reduced by any grants received for this purchase; or act in relation thereto. (Submitted by DPW Supt. John Deline)

**BOARD OF SELECTMEN:** N/A

**FINANCE COMMITTEE:** 3-2 Recommend

***VOTED: (unanimously) to pass over this article.***

### **ARTICLE 31**

To see if the Town will vote in accordance with G.L. c.59, §38H to authorize the Board of Selectmen to enter into a Payment in Lieu of Taxes (PILOT) agreement with West Street Solar, LLC for a period of twenty (20) years and to approve said agreement, under which West Street Solar, LLC will pay the Town \$140,000.00 per year related to the construction of a six (6) Megawatt solar farm on private property, as on file with the Town Clerk, and to authorize the Board of Selectmen and Town Manager to take such other actions as may be necessary to carry out the vote taken hereunder or act in relation thereto. (Submitted by the Town Manager)

**BOARD OF SELECTMEN:** 5-0 Recommend

**FINANCE COMMITTEE:** 6-0 Recommend

***VOTED: (unanimously) to approve the article as printed.***

### **ARTICLE 32**

To see if the Town will vote to authorize the Board of Selectmen to convey to the Winchendon Redevelopment Authority, on such terms and consideration as the Board of Selectmen deems appropriate, one parcels of land, 1 with residence, 1 with residence/business and 1 vacant parcel described as follows:

Map 5A3 0 342:

A certain parcel of land situated in Winchendon on Vine Street and shown on the assessor’s map as map 5A3, parcel 342. Parcel consisting of approximately .52 acres. Parcel is further described in deed recorded in Book 4385, Page 427 of the Registry of Deeds, Worcester District.

Map 10 0 54:

A certain parcel of land situated in Winchendon on Baldwinville State Rd. and shown on the assessor’s map as map 10, parcel 54. Parcel consists of 1.72 acres. Parcel is further described in deed recorded in Book 12979, Page 109 of the Registry of Deeds, Worcester District.

Map 10 0 71:

A certain parcel of land situated in Winchendon on Stoddard Rd. and shown on the assessor’s map as map 10, parcel 71. Parcel consists of 6.32 acres. Parcel is further described in deed recorded in Book 23599, Page 7 of the Registry of Deeds, Worcester District.

Said parcels of residentially and Neighborhood Commercially-zoned, Municipal land for the purpose of resale to further promote community/economic development, or act in relation thereto. (Submitted by the Winchendon Redevelopment Authority)

**BOARD OF SELECTMEN: 5-0 Recommend**

**FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (unanimously) to approve the article by adding “ Said parcels of land shall not be sold to Public/Private utility companies”.***

### **ARTICLE 33**

To see if the Town will vote to accept General Laws Chapter 44B Sections 3 to 7, known as the Community Preservation Act, which establishes a special Community Preservation Fund that may be appropriated and spent for certain historic resources, open space, recreation, and affordable housing purposes, to approve a property tax surcharge in the amount of three per cent (3%) of the taxes assessed annually on real property, which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2014 and to exempt from the surcharge the following:

- 1) Property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community

or act in relation thereto. (Submitted by the Winchendon Historic Commission)

**BOARD OF SELECTMEN: 5-0 Not Recommend**

**FINANCE COMMITTEE: 6-0 Not Recommend**

**CONSERVATION COMMISSION: 4-0 Recommend**

***VOTED: (unanimously) to pass over the article.***

## **GENERAL BYLAW ARTICLES** **(majority vote required)**

### **ARTICLE 34**

To see if the Town will vote to amend General Bylaw Article 17 by deleting section 17.2, C. (3) and to adopt a new General Bylaw to be numbered #\_\_\_.

### **Regulations for the Removal and Disposal of Canine Waste (Pooper-Scooper Law)**

#### **SECTION 1 – AUTHORITY**

1. These regulations are made pursuant to Chapter III of Massachusetts General Law MGL), Section 31, to protect the public health of the residents of Winchendon.

2. Evidence demonstrates that canine waste can cause serious health problems.

## **SECTION 2 – REMOVAL AND DISPOSAL OF CANINE WASTE**

### **A. Removal/Disposal**

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any sidewalk, gutter, street, park or other public area, or on any private property neither owned nor occupied by said person. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, gutter, street, park or other public area, or on any private property neither owned nor occupied by said person, without the means of removal of any feces left by such dog. For the purpose of this section, the means of removal shall be any tool, implement or other device carried for the purpose of picking up or containing such feces in a manner that such feces shall be unexposed to said person in public. Disposal shall be accomplished by transporting such feces to a suitable place.

### **B. Penalties**

Any person who violates or permits a violation of this CHAPTER shall be subject to a fine of FIFTY (\$50.00) DOLLARS to be assessed for each and every violation. All fines shall be payable to the Town of Winchendon through the Town Clerk's office. The Chief of Police may, as an alternative to initiating criminal proceedings, treat violations of this chapter in a non-criminal manner pursuant to the provision of MGL CH 40, sec 21D.

### **C. Authorized Enforcement Personnel**

The following persons shall be authorized enforcement: Police officer, Animal Control Officer or Board of Health Agent, or act in relation thereto. (submitted by the Board of Health)

**BOARD OF SELECTMEN: No Recommendation    FINANCE COMMITTEE: 6-0 Recommend**

***VOTED: (two-thirds) to approve the article as printed.***

## **ARTICLE 35**

To see if the Town will vote to adopt a new general bylaw to be numbered \_\_\_\_:

### **FUEL STORAGE SYSTEM REGULATION**

Whereas, leaking fuel storage systems pose an immediate and serious threat to ground water, public and private wells, and,

Whereas, the Town of Winchendon does not have records to locate all such systems installed within the Town,

Therefore, under Chapter 111, Section 31, of the Massachusetts General Laws, the Town of Winchendon hereby adopts the following bylaw to protect the ground and surface waters from contamination with liquid toxic or hazardous materials.

DEFINITION: "Toxic or hazardous materials" shall be defined as all liquid hydrocarbon products including, but not limited to, gasoline, fuel and diesel oil, and any other toxic or corrosive chemicals, radioactive materials or other substance controlled as being toxic or hazardous by the Division of Hazardous Waste of the Commonwealth of Massachusetts, under the provisions of Massachusetts General Laws, Chapter 21C, Section 1, et. Seq.

The following regulations apply to all toxic or hazardous materials storage:

## Section 1., Installation of Fuel Storage Tanks

1-1. Following the effective date of this regulation, the installation of all underground fuel, gasoline, or other chemical storage tanks shall conform with the following criteria: In that the United States Environmental Protection Agency designated the Town of Winchendon as overlying a sole source aquifer, secondary containment of tank and piping and an approved in-tank and interstitial space monitoring system shall be required for new or replacement tanks.

1-2. Following the effective date of this regulation, all tanks installed above ground outside shall be of material approved for outside use. All tanks shall be properly installed as per Massachusetts Fire Regulations and manufacturer's specifications, under the direction of the head of the Fire Department. Tanks shall be approved design and protected from internal and external corrosion. The following tank construction systems are considered to provide adequate corrosion protection: all fiberglass construction; steel with bonded fiberglass or enamel coating and internal lining; and the Steel Tank Institute 3-Way Protection System. Any other system must be shown to provide equivalent protection.

1-3. All tank installations within four feet of maximum high water table or within one hundred feet of a surface water body or wetland shall be of fiberglass construction. The Fire Chief and the Board of Health Shall determine if additional protective measures are necessary.

1-4. Underground storage tanks shall not be installed within Water Resource Districts or Zones of Contributions of Public Water Supply Wells or within 150 feet of a private well.

## Section 2., Tank Registration

The following regulations shall apply to A) all underground tanks containing toxic or hazardous materials as defined above which are not currently regulated under 527 CMR 9.26 – Tanks and Containers, to B) all tanks containing fuel oil, whose contents are used exclusively for consumption on the premises, and to C) farm and residential tanks of 1,100 gallon capacity or less, used for storing motor fuel for non-commercial purposes.

2-1. Owners shall file with the Board of Health, within 30 days of the date of publishing of this regulation, the size and type, age and location of each tank, and the type of fuel or chemical stored in them. Evidence of date of purchase and installation, including Fire Department permit, if any, shall be included along with a sketch map showing the location of such tanks on the property. Upon registering the tank with the Board of Health, the tank owner will receive a permanent metal or plastic tag, embossed with a registration number unique to that tank. This registration tag must be affixed to the fill pipe or in such a location as to be visible to any distributor when filling the tank and to any inspector authorized by the Town.

2-2. Within 30 days of the date of the publishing of this regulation, every petroleum and other chemical distributor, when filling an underground storage tank, shall note on the invoice or bill for the product delivered, the registration number appearing on the tag affixed to the tank which was filled. Every petroleum and other chemical distributor shall notify the Board of Health of the existence and location of any unregistered or untagged tank which they are requested to fill. Such notification must be completed within two (2) working days of the time the distributor discovers that the tank registration tag is not present.

2-3. Prior to the sale of a property containing an underground storage tank, the Fire Department must receive from the current owner a change of ownership form for the registration of the underground storage tank. Such form can be obtained from the Fire Department.



### Section 3., Testing

3-1. The tank owner shall have each tank and its piping tested for tightness fifteen and twenty years after installation and annually thereafter. A tank shall be tested for any final or precision test, not involving air pressure, that can accurately detect a leak of 0.05 gal/hr, after adjustment for relevant variables, such as temperature change and tank end deflection, or by any other testing system approved by the Board of Health, as providing equivalent safety and effectiveness. Piping shall be tested hydrostatically to 150 percent of the maximum anticipated pressure of the system. Certification of the testing shall be submitted to the Board of Health by the owner, at the owner's expense. Those tanks subject to the testing requirements of this regulation shall submit the certification of testing to the Board. Tanks which are currently tested under the provisions of 527 CMR 9.13 are exempt from this section. For purposes of this section, tanks of unknown age are assumed to be twenty (20) years of age. All tanks and piping within water resource protection districts or zones of contribution of public water supply wells shall be subject to the above testing procedure ten (10) years after installation and annually thereafter. Certification of testing shall be submitted to the Board of Health by the owner, at the owner's expense.

3-2. Owners of tanks for which evidence of installation date is not available shall, at the order of the Board of Health, have such tanks tested or uncovered for inspection. If, in the opinion of the agent of the Board of Health or head of the Fire Department, the tank is not product tight, it shall be removed.

3-3. Owners of all commercial subsurface fuel storage facilities shall submit quarterly to the Board of Health a statement certifying that daily inventory records have been maintained and reconciled.

### Section 4., Maintenance of Fuel Storage System

4-1. All underground fuel lines which do not have secondary containment shall be replaced with an approved double-containment system at which time any service to the system requiring a permit is performed.

4-2. All above-ground elements of a fuel storage system shall be maintained free of leaks and visible rust.

4-3. All in-tank or interstitial-space monitoring systems shall be checked on a monthly basis to verify system integrity. Records of these checks shall be sent to the Board of Health on an annual basis.

### Section 5., Report of Leaks or Spills

5-1. Any person who is aware of a spill, loss of product, or unaccounted for increase in consumption which may indicate a leak shall report such spill, loss or increase immediately to the head of the Fire Department and to the Board of Health.

5-2. All leaking tanks must be emptied within 12 hours of leak detection, and removed in a time period to be determined by the Fire Chief and the Board of Health.

5-3. All tanks shall be removed or secured as per Fire Department specifications at the owner's expense within six months following discontinuation of use.

### Section 6., Tank Removal

6-1. All fuel, gasoline or other chemical tanks not regulated under 527 CMR 9.00 (farm or residential tanks of 1,100 gallons or less and underground tanks storing fuel for consumptive use at the property) in service on the effective date of this regulation, shall be removed twenty-one (21) years after the date of installation. If the date

of installation is unknown, the tank shall be assumed to be twenty (20) years old. All underground storage tanks currently subject to the removal regulation (21 years or older) must be removed within 90 days of the date the publishing of this regulation.

6-2. Prior to the removal of an underground storage tank governed by this regulation, the owner of shall first obtain permit from the head of the Fire Department, pursuant to M.G.L., 148.

6-3. Any person granted a permit by the Marshall or the head of a local Fire Department to remove a tank under the provisions of M.G.L., C. 148 or 527 CMR 9.00, shall within 72 hours provide the permit granting authority with a receipt for delivery of said tank to the site designated on the permit.

6-4. Before any person is granted a permit by the Marshall or the head of a local Fire Department to remove a tank under the provisions of M.G.L., C. 148 or 527 CMR 9.00, and said tank is not being transported to an approved tank yard, the person requesting the permit shall provide the permit-granting authority with written approval from the owner/manager of the disposal site. (Reference: 502 CMR 3.00 for tank removal and disposal procedure).

#### Section 7.0., Costs

7-1. In every case, the owner shall assume responsibility for costs incurred necessary to comply with this regulation.

#### Section 8.0., Variances

8-1. Variances from this regulation may be granted by the Board of Health after a hearing at which the applicant establishes the following: (1) the enforcement thereof would do manifest injustice; and (2) installation or use of an underground storage tank will not adversely affect public or private water resources. In granting a variance, the Board will take into consideration the direction of the groundwater flow, soil conditions, depth to groundwater, size, shape and slope of the lot, and existing and known future water supplies.

#### Section 9.0., Severability

9-1. Provisions of this regulation are severable and if any provision hereof shall be held invalid under any circumstances, such invalidity shall not affect any other provisions or circumstances.

\* A failure to comply with any element of this regulation will result in the levy of a fine of \$50.00. Each 24-hour period of non-compliance shall constitute a separate offense. (submitted by the Town Manager)

**BOARD OF SELECTMEN: 3-2 Not Recommend      FINANCE COMMITTEE: 5-0-1 Not Recommend**

***VOTED: (two-thirds) to approve the article with the following amendments:***

***Delete - Section 3 –Testing***

***Delete- Section 4 – Maintenance of Fuel Storage System***

***Change –in Section 6 – Tank Removal -6.1 change removal regulation from 90 days to two (2) years.***

***It was moved, seconded and unanimously approved to adjourn the meeting at 10:43 p.m.***

*Attest:*

*Judy A. Ruschioni*

*Judy A. Ruschioni/Town Clerk*

You are hereby directed to serve this warrant by posting attested copies thereof at the several places designated by the bylaws of the town of Winchendon seven days at least before the time of holding such meeting and by mailing a copy of this warrant to each household in Winchendon in which a registered voter resides or by publication of the same in a newspaper of local distribution as required by said bylaws.

Hereof, fail not and make due return of said warrant with your doings thereon at the time and place of the meeting aforesaid. Given under our hands and seal this 28<sup>th</sup> day of April 2014.

**BOARD OF SELECTMEN:**

\_\_\_\_\_  
Robert M. O'Keefe, Chair

\_\_\_\_\_  
Elizabeth R. Hunt, Vice Chair

\_\_\_\_\_  
C. Jackson Blair

\_\_\_\_\_  
Keith R. Barrows

\_\_\_\_\_  
Fedor Berndt

I have this day posted the within warrant as therein directed:

\_\_\_\_\_  
PRINT CONSTABLE NAME

\_\_\_\_\_  
SIGN CONSTABLE NAME

\_\_\_\_\_  
DATE:

**FINANCE COMMITTEE PUBLIC HEARING**  
**Tuesday, April 8, 2014 at 7:00 PM**  
**Town Hall, 109 Front Street**

This institution is an equal opportunity provider. To file a complaint of Discrimination write USDA, Director, Office of Civil Rights, Washington, DC 20250-9410.