



**Annual Town Meeting  
Ashfield Town Hall  
Upper Hall  
Saturday, May 7, 2022  
10:00 am**

Pursuant to a Warrant signed by the Select Board on April 19, 2022, and posted on April 22, 2022, Town Moderator Stewart “Buz” Eisenberg called the Annual Town Meeting to order at 10:00 in the morning on Saturday, May 7, 2022. The meeting was convened in Upper Hall at Ashfield Town Hall. Moderator Eisenberg thanked everyone for coming and asked if voters were as happy as he to be back in our home for Annual Town Meeting, met with applause and cheering.

Town Clerk Alexis Fedorjaczenko read the service of the warrant.

Moderator Eisenberg asked if there were any objections to taking up Article 1 before other matters, in order to open the polls downstairs; there were no objections. Constable Martha Pantermehl reported on the condition of the ballot box, stating that it was empty and ready to accept ballots.

**ARTICLE 1. LOCAL ELECTION OPENING OF THE POLLS**

The following **MOTION** was made by Tom Carter and seconded by Steve Gougeon:

That the town choose the following elected positions: one assessor for three years, one board of health member for three years, one constable for three years, one finance committee member for three years, one finance committee member for three years, one library trustee for five years, one moderator for one year, one park commissioner for three years, one park commissioner to fill an unexpired term for two years, one planning board member for five years, one planning board member to fill an unexpired term for four years, one select board member for three years, one sewer commissioner for three years, and one tree warden for one year, and to further close the polls at 4:00 PM.

A **VOTE** was taken; Article 1 **PASSED** by a unanimous vote, so declared by the Moderator.

Moderator Eisenberg said there is much to be grateful for including the efforts of local officials, and he introduced those present at the front table: Town Administrator Paul McLatchy III; Town Clerk Alexis Fedorjaczenko; Select Board Steven Gougeon (Chair), Tom Carter, and Todd Olanyk; Finance Committee Kyle Taylor, Ben Markens, Lindy Gougeon, and two members unable to attend, Carol Lebold and Thomas Miner, Jr (Chair).

Mr. Markens stood to acknowledge Finance Committee member Lindy Gougeon, retiring after Town Meeting, and he thanked her for her service. There was a warm round of applause.

Moderator Eisenberg introduced the tellers willing to help with vote counts if needed: Judy Haupt, Tom McCrumm, and Marcine Eisenberg, and Nancy Hoff. He then asked all present to stand, if able, for the traditional reading of the names of the deceased and, followed by a moment of silence,

proceeded with the traditional reading of the Conduct of the Meeting as required by the town's bylaws.

Finance Committee member Ben Markens gave an overview of the budget process and the proposed budget. Mr. Markens indicated that the Finance Committee unanimously recommends all articles on this warrant that have budget impact, including Article 6 on the Senior District.

## **ARTICLE 2. REPORTS OF THE TOWN OFFICERS**

The following **MOTION** was made by Mr. Gougeon and seconded by Todd Olanyk:

That the Town vote to act on the reports of the Town Officers.

Mr. Eisenberg highlighted the Annual Report dedication to Judy Haupt and Tom McCrumm, and he asked them to stand and be recognized. "Thank you so much, you guys are unbelievable," the Moderator said as Ashfield voters applauded Mrs. Haupt and Mr. McCrumm.

A **VOTE** was taken, and Article 2 **PASSED** by a unanimous vote, so declared by the Moderator.

## **ARTICLE 3. AUTHORIZATION FOR COMPENSATING BALANCE AGREEMENTS**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Gougeon:

That the Town vote to authorize the Town Treasurer to enter into compensating balance agreements for the Fiscal Year beginning July 1, 2022, in accordance with M.G.L. c. 44, §53F.

A **VOTE** was taken, and Article 3 **PASSED** by a unanimous vote, so declared by the Moderator.

## **ARTICLE 4. AUTHORIZATION TO ACCEPT/EXPEND GRANTS/GIFTS**

The following **MOTION** was made by Mr. Carter and seconded by Mr. Olanyk:

That the Town vote to authorize the Select Board to accept and expend any grants and/or gifts that may become available.

A **VOTE** was taken, and Article 4 **PASSED** by a unanimous vote, so declared by the Moderator.

## **ARTICLE 5. DISPOSAL OF SURPLUS PROPERTY**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Carter:

That the Town vote to authorize the Select Board to dispose of any unused town-owned equipment and/or property.

Nathaniel Brooks, Main Street, asked if this includes real property such as land. Mr. Gougeon responded that usually it is vehicles or equipment.

Will Elwell, Baptist Corner Road, asked further about whether land is included, and about the timeframe to which the article applies. Mr. Carter said it does include property, but that the Town owns little real estate besides the Town Hall and Fire station complex and Town Common, the Highway garage, and the transfer station. Mr. Carter clarified that the article is annual.

David Kulp, Phillips Road, asked about the Town's ownership of the Bronson Avenue retaining wall. Mr. Carter explained that most of the retaining wall is not owned by the Town of Ashfield, except for that a portion where there was an old town road. He clarified the Town is looking at plans to repair the wall, not to sell it.

A **VOTE** was taken, and Article 5 **PASSED** by a unanimous vote, so declared by the Moderator.

## **ARTICLE 6. SENIOR SERVICES DISTRICT AGREEMENT**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Gougeon:

That the town vote to petition the General Court to enact a special act for the towns of Ashfield, Buckland, and Shelburne as written in Article 6.

### **THE FULL TEXT OF THE ARTICLE IS ON FILE WITH THE TOWN CLERK AND AVAILABLE IN THE POSTED WARRANT**

Mr. Olanyk explained that this would form a legal entity between the three towns, replacing the current consortium agreement between the same towns and providing more flexibility for the district to accept grant funds. The act does not approve building a new facility. It gives each town equal say and establishes a Board of Managers who would have to approve the operating budget and any other spending. Mr. Olanyk's role was as part of the working group represented by all three towns' Select Boards as well as the Senior Center Expansion Committee and others. Mr. Olanyk indicated that all three towns must approve the article at Town Meeting for it to move forward. Moderator Eisenberg explained that any amendments made in Ashfield will need to be communicated to the other towns, as all three towns must approve the same language.

John Nawrocki, Bronson Avenue, said he cannot support the article as written, though he does not object to the concept. He said has a lot of issues with the article, including the proposed structure of the Board of Managers' authority to approve the bylaws.

Evelyn Resh, Smith Road, is also the Chair of the Board of Health. She states that the Board of Health sees this initiative as a step forward to support the health and safety of elders in the community. Ms. Resh further stated that she personally supports the proposal and feels this is a public health issue and the proposal will help meet the needs of elders intending to stay in the community as long as they can.

Rick Chandler, Meadow Lane, said he is totally in favor of revising the agreement, and that he would like to use the Senior Center more if there were more services here in Ashfield. He suggested that a senior center and community center are needed in Ashfield on town property and indicated that his main concern is the probability of building a senior center in another town which is not an asset to Ashfield, and which could be costly over time. Mr. Olanyk thanked Mr. Chandler for attending the

public forum and stated that he is correct in his read of the district agreement; using on an equity formula, Ashfield's share of a building would be about twenty-eight to thirty percent based on several factors. He reiterated that all three towns would need to approve any debt for a building at an Annual Town Meeting.

Ricki Carroll, Main Street, said that to her, this article sounds similar to getting involved with the school district which can be costly but is hard to vote against. She does not feel ready to vote on the article, and she feels the Town might feel sorry about the commitment later down the road. Mr. Olanyk said that sentiment has been expressed by a lot of people. He also referenced the Senior Services Outreach Committee survey, which showed that respondents would be willing to double, but not triple, the amount spent on senior services. Mr. Olanyk mentioned the Highland Ambulance district and that the amount paid is higher than before, but services are also much greater.

Joanna Hall, Smith Road, will vote for the proposal. She does not think Ashfield has the population density to independently support these services; she thinks the town needs this agreement.

Caroline White, Ashfield Mountain Road, asked if Ashfield could still bring more services locally even if joining the district. Mr. Olanyk said yes it could, and the survey supports such interest.

Ron Coler, Bailey Road, said that he supports the legislation and asked where we would be without relying on other towns for services. He believes this sets a useful structure for pursuing grants.

Doug Field, Bullitt Road, and Chair of the Ashfield Council on Aging, and Chair of the Board of Directors of the Senior Center, said this proposal is the product of over thirty years work. He highlighted some of the services available in Ashfield and indicated that 754 of approximately 1,700 Ashfield residents are seniors.

Mr. Carter, Main Street, said that while the Select Board did not take a formal vote of position on the agreement, he personally stands in support of it. He appreciates that people take time to think deeply about these matters, and as a whole he feels the agreement is built for Ashfield and could help take care of the needs of our seniors. Mr. Carter further stated that he anticipates more shared services going forward. He raised the idea of a mobile services bus, and he thanked Mr. Olanyk for his patience working through the process.

Moderator Eisenberg acknowledged Representative Natalie Blais, who entered the room.

Judy Haupt, Watson Spruce Corner Road, said she supports the district agreement, with some concerns. She is a retired nurse, supports the Board of Health comments, and believes Ashfield needs to better care for our seniors. She referenced helpful services she thinks could be expanded, such as the nurse who now comes to the Congregational Church. Her concern is that any changes must go through three towns' Annual Town Meetings, and this might make it difficult to get anything done. Mr. Olanyk said this requirement is to ensure all townspeople have an opportunity to vote on it, and that a slow process is the beautiful pace of government.

Mr. Chandler spoke again and said it's important for someone to play the role of watching finances, he likes the mobile bus services idea, and if he were fully convinced this proposal is not about a new building he would be one hundred percent in support. Mr. Olanyk responded that his hope and

expectation is that the district agreement will make outside funding easier to access, as the towns don't have more money to spend.

Mr. Kulp, Phillips Road, rose in support of the proposed agreement. He said it's necessary, well thought out, includes plenty of checks and balances, and provides the framework for getting grant funding or taking on debt for necessary capital expenses to help meet the community's needs. His concern is that he wants the district to be able to act as needs arise and he feels that the Section 7 formula is fair in the abstract but does not provide the flexibility for specific projects. He is tempted to propose an amendment to strike the formula. Mr. Olanyk said that Section 7 was one of the most debated parts of the agreement, and Moderator Eisenberg clarified the process for an amendment.

Bonnie Coleman, Conway Road, asked how many Ashfielders currently use the center. Lynn Dole, West Road, cited the Annual Town Report which states that in 2021, 99 residents used the center's services 2,319 times.

Ben Markens, Bellus Road, spoke as an individual and said that reading the proposal as a member of the Finance Committee his first response was to oppose the agreement, but that with time and reflection he now thinks it's a good start and he is in favor.

Mr. Olanyk said he is not in support or against, he simply is bringing the work product forward.

Ms. Resh followed up on Mrs. Haupt's comments about the FRCOG nursing services in Ashfield, which was made as a Board of Health decision with the support of the Select Board. She said the initiative is well utilized and used this as an example of how local services can be expanded without a complex process. Finally, she referenced a World Health Organization initiative to help people age in place in rural areas.

Ms. Carroll spoke again to note that she does not know the definition of "senior services."

Mr. Coler rose to **CALL THE QUESTION**. Moderator Eisenberg explained this means to cut off debate and requires a two-thirds supermajority of the meeting. A voice **VOTE** was taken, the Moderator indicated he heard a two-thirds majority in favor and asked if anyone disagreed with his assessment; no one spoke up. The motion to call the question **PASSED**.

Mr. Olanyk **MOVED** for a paper ballot vote on the article, seconded by Mr. Coler. A voice **VOTE** was taken, and Moderator Eisenberg declared that the motion **FAILED**.

A **VOTE** was taken, and Article 6 **PASSED** by a majority vote, so declared by the Moderator.

## **ARTICLE 7: SCHOOL EXPENSES**

The following **MOTION** was made by Greg Lilly and seconded by Mr. Gougeon:

That the Town vote to raise and appropriate and/or transfer from available funds the following sums to fund **EDUCATIONAL EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                               |                    |
|-------------------------------|--------------------|
| School Committee Stipends     | \$1,000            |
| MTRSD Regional School Expense | \$2,444,300        |
| MTRSD Capital Expense         | \$14,546           |
| Vocation Education Expense    | \$350,000          |
| <b>Total</b>                  | <b>\$2,809,846</b> |

A **VOTE** was taken; Article 7 **PASSED** by a majority vote, so declared by the Moderator.

**ARTICLE 8: MOHAWK REGIONAL AGREEMENT AMENDMENT**

**THE FULL TEXT OF THE ARTICLE IS ON FILE WITH THE TOWN CLERK AND AVAILABLE IN THE POSTED WARRANT**

Moderator Eisenberg explained that several school-related articles were left off this warrant, and that the Town plans to hold a Special Town Meeting to take care of this business; Article 8 will be included at that time. He asked if anybody objected to him using his discretion in passing over the article and heard no objections.

Article 8 was **PASSED OVER**, so declared by the Moderator.

**ARTICLE 9: ELECTED OFFICIALS COMPENSATION**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That the Town vote to set the stipends and compensation for all elected officials of the Town (Moderator, Board of Assessors, Board of Health, Constable, Select Board, School Committee, and Tree Warden) as provided by the M.G.L., c.41, §108, to be made effective as of July 1, 2022, as contained within the budget.

| <b>Position</b>                               | <b>Stipend</b> |
|---|----------------|
| Moderator                                     | \$150          |
| Board of Assessors Chair                      | \$1,500        |
| Board of Assessors Members (2 @ \$1,250 each) | \$2,500        |
| Board of Health Members (3 @ \$750 each)      | \$2,250        |
| Constable (3 elected positions, hours vary)   | 13.00 per hour |
| Select Board Chair                            | \$1,500        |
| Select Board Members (2 @ \$1,250 each)       | \$2,500        |
| School Committee (2 @ \$500 each)             | \$1,000        |
| Tree Warden                                   | \$300          |

A **VOTE** was taken, and Article 9 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 10: GENERAL GOVERNMENT EXPENSES**

The following **MOTION** was made by Mr. Carter and seconded by Robert Markey:

That the Town vote to raise and appropriate and/or transfer from available funds the following sums to fund **GENERAL GOVERNMENT EXPENSES** for the Fiscal Year beginning July 1, 2022:

|   |                  |
|---|------------------|
| Moderator Stipend                       | \$150            |
| Select Board Stipend                    | \$4,000          |
| Select Board Expense                    | \$2,000          |
| Town Administrator Salary               | \$67,000         |
| Town Administrator Expense              | \$2,650          |
| Audit                                   | \$10,350         |
| Assessors Stipend                       | \$4,000          |
| Assistant Assessor                      | \$21,856         |
| Assessors' Expense                      | \$19,460         |
| Treasurer Salary                        | \$45,410         |
| Treasurer Expense                       | \$2,200          |
| Collector Salary/Admin. Support         | \$54,626         |
| Collector Expense                       | \$6,655          |
| Legal Expense                           | \$6,000          |
| Data - Contracted Services              | \$60,324         |
| Tax Title                               | \$2,000          |
| Town Clerk Salary                       | \$32,375         |
| Town Clerk Expense                      | \$4,300          |
| Elections Expense                       | \$4,200          |
| Registrars of Voters Expense            | \$600            |
| Street Lists                            | \$900            |
| Conservation Commission Expense         | \$2,627          |
| TH Administrative Support to the Boards | \$10,400         |
| Planning Board                          | \$1,200          |
| Zoning Board of Appeals Expense         | \$900            |
| Town Hall Custodian Wages               | \$9,085          |
| Town Hall Utilities                     | \$19,793         |
| Town Hall Expense                       | \$6,400          |
| Town Hall Steward                       | \$700            |
| Town Hall Building Committee Expense    | \$10,000         |
| Town Common Maintenance                 | \$9,700          |
| General Insurance                       | \$74,621         |
| Public Official Bonds                   | \$1,200          |
| Town Reports                            | \$1,300          |
| Energy Committee Expense                | \$500            |
| <b>Total</b>                            | <b>\$499,482</b> |

Mr. Carter explained that this includes regular expenses and employee cost of living adjustments.

Mr. Brooks, Main Street, asked how to compare the Article 10 budget detail with the figures in the Finance Committee's budget summary. Mr. Markens thanked the gentleman who closely reviewed all these materials and explained that by past practice, \$3,000 of free cash was placed in General Government, thus explaining the difference between the two figures.

Mary Quigley, North Bear River Road, asked about the Town Common maintenance expense. Mr. Carter explained that in the past Ashfield was fortunate and the previous Fire Chief provided snow removal and other services for free; the town must now budget for these expenses which are included in this account. There was a round of applause in thanks for former Fire Chief Del Haskins, who was in attendance.

A **VOTE** was taken, and Article 10 **PASSED** by a unanimous vote, so declared by the Moderator.

### **ARTICLE 11: PUBLIC SAFETY EXPENSES**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Olanyk:

That the Town vote to raise and appropriate the following sums to fund **PUBLIC SAFETY EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                               |                  |
|-------------------------------|------------------|
| Police Chief Salary           | \$80,020         |
| Police Department Wages       | \$61,128         |
| Police Department Expense     | \$30,400         |
| Fire Chief Salary             | \$67,741         |
| Fire Department Wages         | \$28,500         |
| Fire Department Expense       | \$57,241         |
| Emergency Management Stipends | \$2,600          |
| Emergency Management Expense  | \$5,131          |
| Animal Inspector              | \$810            |
| Tree Warden Stipend           | \$300            |
| Tree Warden Expense           | \$11,000         |
| <b>Total</b>                  | <b>\$344,871</b> |

Mr. Gougeon explained that this article includes cost of living adjustments, and increased wages to allow for additional services.

A **VOTE** was taken, and Article 11 **PASSED** by a unanimous vote, so declared by the Moderator.

### **ARTICLE 12: PUBLIC WORKS EXPENSES**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That the Town vote to raise and appropriate the following sums to fund **PUBLIC WORKS EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                                 |                  |
|---------------------------------|------------------|
| Highway Superintendent Salary   | \$74,605         |
| Highway Labor                   | \$271,524        |
| General Highway Expense         | \$153,500        |
| Highway Department Fuel         | \$62,000         |
| Winter Roads Expense (Snow/Ice) | \$140,000        |
| Winter Sidewalk Expense         | \$5,000          |
| Streetlights                    | \$4,140          |
| HRMC Expense                    | \$9,411          |
| Transfer Station Expense        | \$139,277        |
| <b>Total</b>                    | <b>\$859,457</b> |

Mr. Chandler asked whether this includes street light conversion to LED. Mr. Carter said it is not included at this time, and that it will be planned for going forward.

A **VOTE** was taken, and Article 12 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 13: HEALTH & HUMAN SERVICES EXPENSES**

The following **MOTION** was made by Mr. Carter and seconded by Mr. Olanyk:

That the Town vote to raise and appropriate the following sums to fund **HEALTH & HUMAN SERVICES EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                                |                 |
|--------------------------------|-----------------|
| Board of Health Stipends       | \$2,250         |
| Board of Health Expense        | \$1,250         |
| Health Agents                  | \$8,000         |
| Senior Center Expense          | \$46,150        |
| Local Council on Aging Expense | \$1,200         |
| Veterans Services District     | \$4,592         |
| Veterans Benefits - Local      | \$6,800         |
| Veterans Graves                | \$1,500         |
| <b>Total</b>                   | <b>\$71,742</b> |

A **VOTE** was taken, and Article 13 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 14: CULTURE & RECREATIONAL EXPENSES**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Olanyk:

That the Town vote to raise and appropriate the following sums to fund **CULTURE & RECREATIONAL EXPENSES** for the Fiscal Year beginning July 1, 2022:

|   |                 |
|---|-----------------|
| Belding Memorial Library Expense        | \$11,347        |
| Belding Memorial Library Salary & Wages | \$49,322        |
| Belding Memorial Park Expense           | \$30,000        |
| Ashfield Lake Dam Inspection            | \$0             |
| Invasive Species Removal                | \$850           |
| Lake Dam Maintenance                    | \$0             |
| Historical Commission Expense           | \$1,000         |
| <b>Total</b>                            | <b>\$92,519</b> |

Mr. Gougeon explained that the lake dam lines are reduced zero because the dam is being repaired.

Nancy Hoff, Spruce Corner Road, rose to say how awesome Ashfield's library, librarian, and all the people who work there are. They did an incredible job through the pandemic, and it's a wonderful place, the interior has been redone, and it's a humming with activity and serves so many families in town. She also commended Marcine Eisenberg, who is retiring from the Library Board, because her service is one of the things that got us here. There was a large round of applause.

Jen Markens, Bellus Road, and a School Committee member, rose to commend Greg Lilly because his business Hilltown Tents has contributed so much to the library's ability to function.

Mary Link, Buckland Road, asked about the invasive species removal amount being low and if this is connected to fixing the dam. Mr. Olanyk said yes, the water level will be reduced by at least three feet and so the Town will forego any other lake-related work this year.

A **VOTE** was taken, and Article 14 **PASSED** by a unanimous vote, so declared by the Moderator.

#### **ARTICLE 15: DEBT SERVICE EXPENSES**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That the Town vote to raise and appropriate the following sums to fund **DEBT SERVICE EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                       |                  |
|-----------------------|------------------|
| Transfer Station Debt | \$100,000        |
| Highway Garage Debt   | \$69,298         |
| Debt Interest         | \$8,209          |
| <b>Total</b>          | <b>\$177,507</b> |

Mr. Olanyk indicated this would completely pay off the Transfer Station debt.

A **VOTE** was taken, and Article 15 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 16: AMBULANCE SERVICES**

The following **MOTION** was made by Mr. Carter and seconded by Mr. Gougeon:

That the Town vote to raise and appropriate the following sums to fund **AMBULANCE SERVICES** for the Fiscal Year beginning July 1, 2022:

|   |                 |
|---|-----------------|
| Highland Ambulance EMS Assessment       | \$93,440        |
| Highland Ambulance EMS Radio Assessment | \$2,865         |
| <b>Total</b>                            | <b>\$96,305</b> |

Mr. Carter explained that Highland Ambulance is conscientious about keeping costs down, while needing to increase wages to retain personnel. He added that we are fortunate to have this service.

A **VOTE** was taken, and Article 16 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 17: BENEFITS**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Olanyk:

That the Town vote to raise and appropriate the following sums to fund **EMPLOYEE BENEFIT EXPENSES** for the Fiscal Year beginning July 1, 2022:

|   |                  |
|---|------------------|
| Franklin Regional Retirement System         | \$123,402        |
| Workers Compensation                        | \$1,000          |
| Unemployment Insurance                      | \$3,500          |
| Health Insurance                            | \$93,556         |
| Retiree Health Insurance                    | \$14,762         |
| Medicare/FICA                               | \$15,250         |
| Other Post-Employment Benefits (OPEB) Trust | \$2,000          |
| <b>TOTAL</b>                                | <b>\$253,470</b> |

Mr. Carter expressed a critique about the OPEB fund methods.

A **VOTE** was taken, and Article 17 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 18: INTERGOVERNMENTAL ASSESSMENTS**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Gougeon:

That the Town vote to raise and appropriate the following sums to fund **INTERGOVERNMENTAL ASSESSMENTS** for the Franklin Regional Council of Governments Expenses (FRCOG) for the Fiscal Year beginning July 1, 2022:

|                                |                 |
|--------------------------------|-----------------|
| FRCOG Core Assessment          | \$14,186        |
| FRCOG Accountant Service       | \$31,792        |
| FRCOG Software Maintenance     | \$750           |
| FRCOG Procurement Services     | \$2,669         |
| FRCOG Radio Maintenance        | \$5,729         |
| FRCOG Inspections Program      | \$7,600         |
| FRCOG Community Health Program | \$11,040        |
| FRCOG REPC Assessment          | \$150           |
| <b>TOTAL</b>                   | <b>\$73,916</b> |

A **VOTE** was taken, and Article 18 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 19: SEWER/WWTP ENTERPRISE FUND**

The following **MOTION** was made by Nancy Hoff and seconded by Mr. Olanyk:

That the Town vote to raise and appropriate, transfer from retained earnings, or otherwise provide the following sums of money to operate the **Sewer/Wastewater Treatment Plant Enterprise Fund** for the Fiscal Year beginning July 1, 2022:

|                          |                  |
|--------------------------|------------------|
| <b>Revenues</b>          |                  |
| Departmental Receipts    | \$160,164        |
| Retained Earnings        | \$20,000         |
| <b>TOTAL</b>             | <b>\$180,164</b> |
| <b>Expenses</b>          |                  |
| Salaries & Benefit Costs | \$101,054        |
| Abatements               | \$500            |
| Operational Expenses     | \$72,164         |
| Emergency Fund Costs     | \$6,446          |
| Capital Costs            | \$0              |
| <b>TOTAL</b>             | <b>\$180,164</b> |

Ms. Hoff took the opportunity to explain that some major changes are on the horizon at the plant, including changes to the greenhouse because it incurs expense through it is no longer needed.

A **VOTE** was taken, and Article 19 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 20: BROADBAND ENTERPRISE FUND**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Carter:

That the Town vote to raise and appropriate, transfer from retained earnings, or otherwise provide the following sums of money to fund the **Broadband Enterprise Fund** for the Fiscal Year beginning July 1, 2022, to provide Broadband telecommunication services:

|                            |                    |
|----------------------------|--------------------|
| <b>Revenues</b>            |                    |
| Subscriber Fee Revenues    | \$765,960          |
| Anticipated Grant Revenues | \$325,676          |
| Retained Earnings          | \$275,799          |
| <b>TOTAL</b>               | <b>\$1,367,435</b> |
| <b>Expenses</b>            |                    |
| Salaries & Benefits Costs  | \$6,000            |
| Operational Costs          | \$567,598          |
| Indirect Costs             | \$0                |
| Capital Costs              | \$43,160           |
| Debt Payments              | \$750,677          |
| <b>TOTAL</b>               | <b>\$1,367,435</b> |

Mr. Gougeon explained the article and thanked David Kulp for all his help with broadband. There was a round of applause in appreciation for Mr. Kulp’s work as MLP Manager.

A **VOTE** was taken, and Article 20 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 21: BROADBAND DEBT PAYMENT**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That the Town vote to transfer and appropriate the sum of \$311,652.82 from the Last Mile Broadband Fund (Fund #434) to pay down broadband-related debt.

A **VOTE** was taken, and Article 21 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 22: DOG OFFICER EXPENSES**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That Town vote to transfer from the Dog License and Control Fund the following sums to fund **DOG OFFICER EXPENSES** for the Fiscal Year beginning July 1, 2022:

|                                |                |
|--------------------------------|----------------|
| Animal Control Officer Stipend | \$3,845        |
| Animal Control Expense         | \$2,500        |
| <b>Total</b>                   | <b>\$6,345</b> |

A **VOTE** was taken, and Article 22 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 23: CAPITAL PROJECTS**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Carter:

That the Town vote to raise and appropriate the following sums to fund the following **CAPITAL EXPENDITURES** for the Fiscal Year beginning July 1, 2022:

|                              |                  |
|------------------------------|------------------|
| Highway - Bridge Work        | \$100,000        |
| Police - Cruiser             | \$25,000         |
| Park – Bathhouse Roof Repair | \$10,000         |
| Highway – Truck Replacement  | \$120,000        |
| <b>Total</b>                 | <b>\$255,000</b> |

Mrs. Haupt, Watson Spruce Corner Road, and Chair of the Park Commission, spoke about the Park Survey feedback regarding several needed repairs, and the decision to roll in these improvements and pursue grant funds to support the work. She explained that if the Park is turned over to resident use only, the town cannot access these grant funds due to state restrictions, and that this decision is currently in the hands of the Attorney General’s Office. Mr. Carter responded with an offer of help if there’s anything the Select Board, Town Administrator, or our legislators can do to move this along. He explained that the town has spend nearly 30 years investing in and improving the park, and he would hate to think Ashfield couldn’t attract people to enjoy it.

Jennifer Markens, Bellus Road, asked about charging a park fee to non-residents. Mr. Gougeon said that technically the park is open to other towns. Mrs. Haupt explained that one of the caveats of the trust is that the park cannot generate funds.

Ricki Carroll, Main Street, thanked Mrs. Haupt and the Park Commission for their outstanding job taking care of the park. She said it’s phenomenal, and this comment was met with applause.

Dylan Gay, Creamery Road, expressed concern about the expense of the highway truck

Phil Pless, Cape Street, asked if the highway truck is a pickup or a dump truck. Tom Poissant, Highway Superintendent, explained that it’s a medium sized truck and provided details.

Whitney Roberts, Suburban Drive, remarked that at the last Town Meeting, she had rained the issue of whether Ashfield could hire someone to do vehicle maintenance and asked for more information. Mr. Poissant explained that it would be very expensive to hire a mechanic, and that a mechanic position is not needed full time. He added that the trucks are maintained and that few towns keep their trucks as long as Ashfield does.

Mrs. Haupt expressed thanks to all the Park Commissioners and their families, all of whom offer a great deal of support, and she also thanked the Select Board and Mr. Poissant.

A **VOTE** was taken, and Article 23 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 24: FREE CASH**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Carter:

That the Town vote to appropriate from Free Cash the following sums:

|                             |                  |
|-----------------------------|------------------|
| Fire – PPE Replacement      | \$9,000          |
| Fire – Engine 3 Replacement | \$175,000        |
| Reserve Fund                | \$3,000          |
| <b>Total</b>                | <b>\$187,000</b> |

Mark Link, Buckland Road, asked why the words “appropriate from free cash” are used in Article 24 rather than “transfer from free cash” as in Article 25. Mr. Carter complemented Ms. Link’s observation and explained that it’s a difference with no practical distinction.

Mr. Brooks, Main Street, asked if the Town considered financing a fire truck rather than purchasing it outright. Mr. Olanyk explained that the Town prefers to set aside cash rather than borrowing. Mr. Carter noted that it’s an excellent question and explained that the Fire Chief is working to find grant funds, and that having cash set already aside is helpful in attracting grants. Fire Chief Kyle Walker noted that the department applied for a \$625,000 grant from FEMA.

A **VOTE** was taken, and Article 24 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 25: STABILIZATION**

The following **MOTION** was made by Mr. Carter and seconded by Mr. Olanyk:

That the Town vote to transfer the sum of \$100,000.00 from Free Cash to the Stabilization Fund.

Mr. Carter explained that the stabilization fund was created to put money aside so that in the event of unexpected revenue loss, these funds could be accessed to keep the tax rate from increasing too quickly; it would take a two-thirds vote to use money out of this fund.

A **VOTE** was taken, and Article 25 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 26: ASSESSORS SURPLUS OVERLAY**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Olanyk:

That the Town vote to appropriate the following sums from the Assessors Surplus Overlay:

|                                 |                 |
|---------------------------------|-----------------|
| Assessors – Utility Revaluation | \$5,000         |
| Assessors – Software Upgrade    | \$5,000         |
| <b>TOTAL</b>                    | <b>\$10,000</b> |

A **VOTE** was taken, and Article 26 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 27: REVOLVING FUNDS**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Gougeon:

That the Town vote to approve the spending limits for the revolving funds noted below pursuant to the Ashfield Revolving Fund Bylaw and pursuant to the M.G.L. c.44, §53E½ for the Fiscal Year beginning July 1, 2022:

| Revolving Fund          | FY2023 Spending Limit |
|-------------------------|-----------------------|
| Dog License and Control | \$ 5,000.00           |
| Park                    | \$ 1,500.00           |
| Library                 | \$ 2,500.00           |

Mr. Olanyk explained that revolving funds are for a specific purpose, and unspent funds roll over to the next year for the same purpose.

A **MOTION** was made by Ms. Haupt to **AMEND** Article 27 by increasing the Parks spending limit to \$3,000. Mrs. Haupt explained that two Annual Town Meetings ago the Parks amount was raised to \$3,000 and Parks would like it to remain as such. The motion was seconded by Phil Pless.

Moderator Eisenberg explained his assessment that this change would be within scope and asked if anyone objected to his allowing a vote this motion. There were no objections.

Mr. Carter said he has no problem with the amendment, he wants to make sure everyone understands that increasing the spending limit does not make any additional funds available, it simply means that much could be spent if funds are available.

Paul Lacinski, John Ford Road, asked what fees support this fund. Mr. Olanyk explained the park doesn't typically collect fees but does charge for swimming lessons and things of that nature.

Ben Markens announced that the Finance Committee is unanimously in favor of the amendment.

A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

Ms. Link, Buckland Road, asked how Article 27 relates to Article 22. Mr. Carter explained that the revolving fund allows the dog officer to spend additional funds from fees if needed.

Will Elwell, Baptist Corner Road, asked for discussion about adding the Steeple Restoration project. Moderator Eisenberg answered that this would be beyond the scope of this article, and that if Mr. Elwell wanted to work on that it would be appropriate for a Special Town Meeting.

A **VOTE** was taken, and the amended Article 27 (as follows) **PASSED** by a unanimous vote, so declared by the Moderator.

| Revolving Fund          | FY2023 Spending Limit |
|-------------------------|-----------------------|
| Dog License and Control | \$ 5,000.00           |
| Park                    | \$ 3,000.00           |
| Library                 | \$ 2,500.00           |

**ARTICLE 28: CONSERVATION COMMISSION REVOLVING FUND**

The following **MOTION** was made by Mr. Carter and seconded by Mr. Olanyk:

That the Town vote to authorize the Conservation Commission, pursuant to MGL Chapter 44, § 53E ½, to establish and use a revolving fund with a limit of \$3,000 for fiscal year 2023 to accept receipts related to the Conservation Commission’s work under the Wetland’s Protection Act, for the purpose of funding legal advertisements, in which any remaining funds may be rolled over into a similar revolving fund for Fiscal Year 2024.

Mr. Carter explained that this fund will allow the Conservation Commission to collect fees and pay expenses as needed.

A **VOTE** was taken, and Article 28 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 29: POLICE CRUISER REVOLVING FUND**

The following **MOTION** was made by Mr. Gougeon and seconded by Mr. Carter:

That the Town vote to authorize the Select Board, pursuant to MGL Chapter 44, § 53E ½, to establish and use a revolving fund with a limit of \$3,000 for fiscal year 2023 to accept receipts related to the Town’s Police Cruiser Fee policy, for the Police Department’s vehicle maintenance, repair, and fuel, in which any remaining funds may be rolled over into a similar revolving fund for Fiscal Year 2024.

A **VOTE** was taken, and Article 29 **PASSED** by a unanimous vote, so declared by the Moderator.

**ARTICLE 30: REVOLVING FUND BYLAW AMENDMENT**

The following **MOTION** was made by Mr. Olanyk and seconded by Mr. Gougeon:

That the Town vote to amend Section 5 of the “Revolving Funds” General Bylaw by adding the following line to the “Authorized Revolving Funds” table:

| <b>Revolving Fund</b>         | <b>Authorized to Spend</b>         | <b>Revenue Source</b> | <b>Use of Funds</b>                   | <b>Spending Limit</b> |
|-------------------------------|------------------------------------|-----------------------|---------------------------------------|-----------------------|
| Police Cruiser Revolving Fund | Police Chief or Designated Officer | Detail Fees           | Cruiser Repair, Maintenance, and Fuel | \$3,000.00            |

Mr. Olanyk explained that this article will allow the Police Cruiser Revolving Fund, approved in Article 29, to be voted as part of the Revolving Funds group in future years.

Mrs. Haupt asked why the Conservation Commission revolving fund is not also being added. With permission to speak as a non-registered voter, Town Administrator Paul McLatchy III explained that this will be a test to see if the revolving fund is helpful before making it permanent.

Mr. Eisenberg, Ashfield Mountain Road, asked if there is any reason not to add the \$3,000 for Parks to this table also. Mr. Carter explained that it's fine for this year, and that if someone remembers the change can be made in next year's ATM warrant.

Mr. Kulp said he is not satisfied with the explanation, as the bylaw clearly caps the amount for Parks at \$1,500, and he thinks it is the right time to make the change.

Ms. Quigley asked if this would require a two-thirds vote. The Moderator explained that it does not.

A **MOTION** was made by Mr. Kulp to **AMEND** Article 30 by adding a spending limit for the Park revolving fund of \$3,000; seconded by Ms. Haupt. Mr. Kulp said he thinks this amendment is important because otherwise, the Article 27 amendment may be in violation of the bylaws. The Moderator asked if anyone disagrees and there was no comment.

Alan Rice, South Street, asked how this impacts Article 27. The Moderator said they work together.

Mr. Olanyk asked if the Parks spending limit is the only one capped. Mr. Kulp read each amount.

Aaron Nelson, Beldingville Road, asked if other details in the Revolving Fund table needed to be agreed on. Mr. Kulp explained that those details are already established in the bylaw.

Mr. Carter reminded everyone that the limits can be increased, but that the Town can still only spend the funds we have.

A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

A **VOTE** was taken, and the amended Article 30 (as follows) **PASSED** by a unanimous vote, so declared by the Moderator.

| <b>Revolving Fund</b>         | <b>Authorized to Spend</b>         | <b>Revenue Source</b> | <b>Use of Funds</b>                   | <b>Spending Limit</b> |
|-------------------------------|------------------------------------|-----------------------|---------------------------------------|-----------------------|
| Police Cruiser Revolving Fund | Police Chief or Designated Officer | Detail Fees           | Cruiser Repair, Maintenance, and Fuel | \$3,000.00            |
| Park                          | Park Commission                    | Fees, rental          | Park Expenses                         | \$3,000.00            |

Moderator Eisenberg announced a lunch break with plans to resume the meeting at 2:00 pm. He reminded those at the meeting that there are handouts showing proposed amendments for the afternoon session. A **MOTION TO SUSPEND** was made by Mr. Olanyk and seconded by several people. A **VOTE** was taken and the motion passed unanimously, so declared by the Moderator.

## **ARTICLE 31: CITIZEN PETITION - FAIR SHARE AMENDMENT**

The following **MOTION** was made by Jennifer Markens and seconded by Mr. Coler:

To pass a Resolution in support of the MA Fair Share Amendment.

**WHEREAS**, Massachusetts needed new investments in our transportation and public education systems even before the COVID-19 pandemic, and those investments are needed more than ever to lift our economy into an equitable and long-lasting recovery;

**WHEREAS**, the best way to help working families and rebuild a strong economy for us all is to make sure that we have quality public schools for our children, affordable public higher education, and a reliable transportation system; and

**WHEREAS**, for Massachusetts to compete against other regions around the nation and the globe, we need modern, reliable transportation: safer roads and bridges, public transportation that works, and safe ways to walk and bike around town<sup>1</sup>; and 1. Boston Globe, [Mass. Still short on transportation funding, report says](#)

**WHEREAS**, **Ashfield** has structurally deficient bridges and overdue road repair and replacement projects; and

**WHEREAS**, students need a well-rounded education, founded on a rich and varied curriculum that includes science, technology, engineering, and math (STEM), music, art, and athletics; and

**WHEREAS**, major investments in public education are needed to help students recover academically, socially, and emotionally from the COVID-19 pandemic; and

**WHEREAS**, tuitions and fees at our public colleges are among the highest in the country, forcing students to take on enormous debt just to receive a degree; and

**WHEREAS**, new state revenue is necessary to rebuild crumbling roads and bridges, improve our public schools from Pre-K through college, expand access to vocational and technical training invest in fast and reliable public transportation, make public higher education affordable again, and expand opportunities for healthy walking and bicycling; and

**WHEREAS**, wealthy Massachusetts residents saw their investments grow during the pandemic while working families struggled, and Massachusetts' wealthiest residents should pay their fair share to support our communities and grow our economy.

**THEREFORE**, let it be resolved that **Ashfield** supports the proposed Massachusetts Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the repair and maintenance of roads, bridges, and public transportation.

Mrs. Markens explained this is asking for a tax on people who make personal income over a million dollars, and that they would pay four percent of that income to help with roads and schools. She

referenced the escalating costs of school budgets and explained the intention is to get this as a statewide ballot initiative on the November ballot.

Harry Keramidias, Tatro Road, asked about the process and next steps. Mrs. Markens explained that it goes to the legislature, and that this is being looked at by communities all over Massachusetts.

Mr. Kulp, Phillips Road, asked whether the four percent is on total income or the excess. Mrs. Markens answered that it is the excess.

Mr. Poissant, Creamery Road, and Highway Superintendent, said that Ashfield has no structurally deficient bridges as is written in the resolution. Mrs. Markens explained this is boilerplate text shared with other towns, and that she should have checked with him.

A **MOTION** was made by Mr. Poissant to **AMEND** Article 31 by removing the words “structurally deficient bridges and” from the fourth whereas clause; seconded by Mr. Carter.

Mr. Rice asked for clarification about the text being removed, which was provided.

A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

A **VOTE** was taken, and the amended Article 31 (striking four words) **PASSED** by a unanimous vote, so declared by the Moderator.

## **ARTICLE 32: CITIZEN PETITION – POLLINATOR RESOLUTION**

The following **MOTION** was made by Ms. Hoff and seconded by Mr. Olanyk:

To pass a resolution endorsing the protection of pollinators and enhancement of pollinator habitat:

**WHEREAS**, Bees and other pollinators are a crucial component of a healthy ecosystem and a vital link in our food system, providing the pollination responsible for over three quarters of the world’s plant species, and for one out of every three bites of food that we eat, and

**WHEREAS**, pollinator populations are in sharp decline due to human land use practices that are causing ongoing habitat loss and fragmentation, the expansion of pesticide use by consumers and professionals, and the spread of pathogens and parasites, and

**WHEREAS**, extensive research has documented that neonicotinoids and other systemic pesticides have been shown to cause illness and death to honey bees, native bees, butterflies, moths, other insect pollinators, and beneficial insects, and

**WHEREAS**, guidelines for land management best practice are available which allow residents, businesses, farms, and towns to manage their land in ways that increase pollinator forage and nest sites while decreasing maintenance costs.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Meeting of the Town of Ashfield that the Town of Ashfield is hereby declared a Pollinator-Friendly Community and that the

town encourages the adoption of policies and practices that support pollinator health by minimizing the use of insecticides.

**BE IT FURTHER RESOLVED** that the Town of Ashfield will set an example by adopting the pollinator-friendly practices below and urges property owners, residents, town departments, and business owners to adopt pollinator-friendly practices including:

\*Planting more pollinator-supporting forage on their property, emphasizing native plant species, and adopting organic or chemical-free lawn and landscaping practices;

\*Avoiding the planting of flowering plants which are treated with systemic insecticides and avoiding the use of seeds coated with systemic neonicotinoids;

\* Avoiding the use of insecticides, including systemic insecticides on their property.

The Town clerk is requested to send copies of this resolution to Governor Charlie Baker, Massachusetts Department of Agricultural Resources Commissioner John Lebeaux, State Senator Adam Hinds, and State Representative Natalie Blais, or to take any other action relative thereto.

A **VOTE** was taken, and Article 32 **PASSED** by a majority vote (there was one opposed), so declared by the Moderator.

### **ARTICLE 33: SOLAR BYLAW AMENDMENT**

The following **MOTION** was made by Alan Rice and seconded by Richard Chandler:

To see if the Town will vote to amend the Ashfield Zoning Bylaws, Section VI, Subsection I “Large Scale Ground-Mounted Photovoltaic (PV) Facility” by deleting the entirety of that section and replacing it with the text as written in Article 33.

#### **THE FULL TEXT OF THE ARTICLE IS ON FILE WITH THE TOWN CLERK AND AVAILABLE IN THE POSTED WARRANT**

Mr. Rice, Planning Board Chair, introduced himself and members of the Planning Board in attendance: Mr. Chandler, Jane Shaney, and Robert Cherdack. He explained there is a summary handout available for Article 33. Mr. Rice explained the original solar bylaw was passed in 2011 as part of the Green Communities Grant, and he provided information about factors that have changed since then making large-scale solar facilities both appealing and problematic. The Planning Board determined it was time to revisit the existing bylaw with stricter criteria for larger-scale installations and removing some of the more onerous requirements for smaller-scale installations, with the aim of finding a balance of promoting solar power while preserving rural town character and limiting effects to abutters.

Moderator Eisenberg explained that Mr. Rice provided him with an amendment beforehand, and that Brian Clark provided six amendments beforehand. The Moderator suggested taking up the amendments first.

Ms. Hoff, Spruce Corner Road, asked if she was reading it right that the proposal would eliminate the needs for Special Permits in all categories. Mr. Rice explained that anything greater than 250 kW and more than one-and-a-half acres would require a special permit.

Mr. Lacinski, Tatro Road, asked about the relationship between 250 kW and 1.5 acres and where those numbers came from. Mr. Cherdack provided background, and Mr. Lacinski then asked whether the limit was a bit high for not requiring a special permit, as 1.5 acres is significant. Mr. Chandler said the limit is currently 800 kW so this is a reduction of the limit. Mr. Lacinski asked if it was not reducing it quite enough. Mr. Chandler and Mr. Cherdack provided additional information.

Brian Clark, Clark Road, said that allowing some arrays by right is part of the Green Communities requirements.

Donna Elwell, Baptist Corner Road, asked for an explanation of the decrease in distance from the Historic District. Mr. Chandler explained that the state looks at what might be punitive or inconsistent with their desire to promote solar, and that as a quarter-mile is still a significant distance, the hope is that this reduction will keep the town of our trouble.

David Collins, Pfersick Road, asked about what happens when improved efficiency means that smaller installations can produce the same amount of power with less acreage. With some discussion it was concluded that the proposed bylaw reads in Section 6.1.1 “or” and thus is triggered wither the kW or the acreage criteria, it does not have to be both.

A **MOTION** was made by Mr. Rice to **AMEND** Article 33 by replacing the words “twenty four (24)” with the words “twenty one (21)” in Section 4.3.1; inserting the words “or public way” directly after the words “property line” in Sections 4.3.1 and 4.3.2; inserting the words “to the nearest property line or public way” directly after the words “disturbed area” in Sections 5.3.2 and 6.4.1.1; and inserting the word “minimum” directly before the word “setbacks” in Sections 5.3.2 and 6.4.1.1; seconded by Mr. Olanyk. Mr. Rice explained that the amendments are to ensure the language is clear, concise, and consistent with industry standards. Mrs. Fedorjaczenko asked for clarification of changes to “setback” vs “setbacks” and Mr. Rice explained it is the plural only. A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

A **MOTION** was made by Brian Clark to **AMEND** the proposed Solar Bylaw Amendment by changing Section 5.3.4 Noise, the last sentence of the first paragraph, following the words “inhabited residence”, add the words: “beyond the property line” and by changing Section 6.3 Application Contents, Subsection (g), following the words “inhabited residence”, insert the words: “beyond the property line”. The motion was seconded by Mr. Coler. Mr. Coler asked for the Planning Board’s opinion; and Mr. Rice said they concur. A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

A **MOTION** was made by Brian Clark to **AMEND** the proposed Solar Bylaw Amendment by changing Section 4.3.1 Maximum Height, the words “twenty-four (24)” to “twenty-one (21)” and following the words “nearest property line” add: “and pole mounted.” And by changing Section 5.3.1 Maximum Height, following the words “eighteen (18) feet” add “when rack mounted and shall be twenty-one (21) feet when pole mounted.” And changing Section 6.4.3.5 Heights following the

words “eighteen (18) feet above finish grade” add “when rack mounted and shall be twenty-one (21) feet above finish grade when pole mounted.” Seconded by Mr. Kulp. There was discussion about the ways this amendment duplicated some changes from the first amendment and the amendment was modified to remove the change from twenty-four to twenty-one. Mr. Clark explained the reason for his changes regarding rack-mounted and pole-mounted. Mr. Chandler indicated the Planning Board is supportive of this amendment. Mr. Markens remarked that there are many changes and asked if this could be done at a Special Town Meeting. Moderator Eisenberg explained it does require a two-thirds majority vote, and yes it could be done at a Special Town Meeting. Mr. Markens pointed out further inconsistency in the language of the proposed amendment for 6.4.3.5. Mr. Kulp proposed a friendly amendment to the amendment, replacing “shall be” with “shall not exceed” and Mr. Rice indicated no problem with this change. Moderator Eisenberg explained that since the mover and seconder agree with the friendly amendment, it does not require a vote on the change; the overall amendment does require a vote. A **VOTE** was taken, and the amendment **PASSED** by a unanimous vote, so declared by the Moderator.

A **MOTION** was made by Brian Clark to **AMEND** the proposed Solar Bylaw Amendment by changing Section 6.4.1.1 subsection (e), following the words “neighboring town boundaries”, add “or not less than three hundred (300) feet from the property line if the property spans the town boundary.” Seconded by Mr. Kulp. Mr. Clark explained that this amendment relates to properties than span a town line which is not unusual. Mollie Babize, North Bear River Road, asked whether Ashfield has authority in another town, and Mr. Chandler explained that the other town’s rules would apply to land in the other town, and that he is not personally in favor of the amendment as he feels it is not needed. There was further discussion. Mr. Lacinski asked about a different amendment that would exempt the situation of property spanning the town line. Mr. Kulp asked whether the applicant could simply request a variance because the situation is so specific. Ms. Quigley said she thinks a lot of this is in conflict with the Green Communities by-right language. Mr. Rice said the Planning Board is aiming for reasonable provisions that allow facilities to move forward while protecting health, safety and welfare and he does not share Ms. Quigley’s concern.

Mr. Olanyk moved to **TABLE** Article 33 to another date certain, explaining that it is clear this is a serious issue requiring a great deal of discussion, and that it is not yet ready. He said the Select Board is preparing for a Special Town Meeting and he proposes that Article 33 could be taken up at that time. Moderator Eisenberg explained that a motion to table is non-debatable, non-amendable, and required a two-thirds majority, and does not require a date certain, while a motion to postpone to a date certain is debatable and amendable. Seconded by Mr. Carter. There were clarifications that the motion is to table the article, not the amendment. A voice vote was taken, and the results were unclear, so the Moderator asked the tellers to assist with a hand count. The motion **PASSED** with a supermajority, so declared by the moderator (33 in favor, 11 opposed, and 4 abstentions). Moderator Eisenberg thanked everybody who has worked so hard on these changes.

Moderator Eisenberg said that he lives in the best town in the universe, and thanked all the volunteers, the boards, and others who make this possible. At 3:30 pm, upon a **MOTION** made by Mr. Kulp and seconded by Mr. Olanyk, the Annual Town Meeting was adjourned and dissolved.

Respectfully submitted,



Alexis G. Fedorjaczenko

Town Clerk

**ATTENDANCE:** 102 registered voters