



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

April 28, 2025

Pursuant to the foregoing Warrant, the legal voters of the Town of Merrimac met at the Fredrick N. Sweetsir School in the Town of Merrimac April 28, 2025. A quorum of 148 registered voters gathered at 7:30 pm. Moderator W. Earl Baumgardner welcomed the assembled citizens to the Annual Town Meeting of the Town of Merrimac.

The Annual Town Meeting was called to order at 7:33 pm and Moderator Baumgardner led the assembled citizens in the Pledge of Allegiance.

Moderator Baumgardner stated that having inspected the Warrant for the meeting, he deemed it proper and correct as posted by Constable David Vance. Motion to dispense with the reading of the warrant by Chris Manni and duly seconded, motion carried so declared the Moderator.

Motion by Chris Manni and duly seconded to extend the floor to Town Management, staff and non-voters to speak at the meeting when recognized by the Moderator. Motion carried so declared the Moderator.

Motion by Janet Bruno and duly seconded, to allow the Moderator, pursuant to G.L. c. 39 sec 39 & 15 to declare a two-thirds vote rather than taking a standing count, duly seconded, motion carried unanimously, so declared the moderator.

7:34 pm Moderator Baumgardner introduced the select board and town clerk to the assembled citizens.

Article 1. The Town voted to raise and appropriate a sum of money in the amount of **\$141,000** to fund additional wages including benefits for an additional patrolman for the Police Department, contingent upon the successful passage of a levy limit override question in the amount of **\$141,000**, under Mass. General Laws Chapter 59, Section 21C(g).

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 2: The Town voted to appropriate a sum of money in the amount of **\$484,000** to fund additional wages including benefits for 4 additional Firefighter/EMTs for the Fire Department, contingent upon the successful passage of a levy limit override question in the amount of **\$484,000**, under Mass. General Laws Chapter 59, Section 21C(g).



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 3: The Town voted to appropriate **\$5,000,000**, to pay costs of Roadway Repairs and Reconstruction, including the payment of all costs incidental and related thereto; and to pay for this appropriation, authorize the Town Treasurer with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L Chapter 44, or pursuant to any other enabling authority, contingent upon the successful passage of a debt exclusion override question in the amount of **\$5,000,000**, under Mass. General Laws Chapter 59, Section 21C(j).

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 4: the Town appropriate from Free Cash for FY2025, a sum of money in the amount of **\$524,123** for the following specific purposes outlined below;

1. Employee Retirement Funding	\$ 75,000
2. Lake Attitash Invasive Weeds	\$ 5,000
3. Household Hazardous Waste Day	\$ 18,000
4. Required Sprinkler Testing	\$ 20,695
5. Open Space Tree Removal and Trail Improvement	\$ 3,000
6. Open Space and Recreational Plan Matching Funds	\$ 2,000
7. Facility Repairs for the COA	\$ 19,000
8. Agenda Software Replacement	\$ 8,000
9. OPEB Trust Funding	\$ 45,606
10. Police Patrol Vehicle	\$ 65,000
11. Fire Department Facility Repairs	\$100,000
12. Townwide AED Replacement	\$ 20,000
13. Lease Payment of a Tractor/Mid Mount Mower	\$ 20,822
14. HVAC and Roof Repairs at the Library	\$ 45,000
15. ADA Compliance for the Town Sidewalks and Public Meetings	\$ 45,000
16. Asbestos Tile Repairs at the Donaghue School	\$ 32,000

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Article 5: The Town voted to appropriate from Water Retained Earnings for **FY2025** a sum of money in the amount of **\$ 72,000** for the following specific capital purposes outlined below:

- | | |
|--|-----------|
| 1. Water Meter Replacement | \$ 19,000 |
| 2. Water Infrastructure | \$ 43,000 |
| 3. Water Building and Road Maintenance | \$ 10,000 |

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 6: The Town voted to transfer from the Wastewater Retained Earnings for **FY2025** a sum of money in the amount of **\$ 130,000** for the following specific capital purposes outlined below;

- | | |
|--|------------|
| 1. Wastewater Plant Engineering and Improvements | \$ 100,000 |
| 2. Water Meter Replacement | \$ 7,000 |
| 3. Pump Station Repairs | \$ 23,000 |

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 7. The Town voted to appropriate from Wastewater Retained Earnings for **FY2025** a sum of money in the amount of **\$24,750** for I & I repairs throughout town.

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 8: The Town voted to amend the Town of Merrimac General Bylaws Section 48-9 entitled Authorized Revolving Funds, and add a new fund for the Library as follows:

Library Revolving Account. Funds received from fines for lost or damages library items to be used to pay the costs associated for the replacement of lost and damaged items, said expenditures to be approved through the Library Director, expenditures shall not exceed **\$10,000** during **Fiscal Year 2026**.

And further to amend Inspectional Services Fund by replacing "70% of all fees" with "65% of all fees", and to amend Zoning and Building Code Compliance "and replacing "5% of all fees to 10% all fees.



OFFICE OF THE TOWN CLERK
 Merrimac Town Hall
 2 School Street, Merrimac, MA
 Annual Town Meeting April 28, 2025
MINUTES

And finally, in accordance with G.L. c. 44, Section 53E½, the following single year spending limit shall be set as for **Fiscal Year 2026** as set forth in the table in Article 8.

HAND VOTE: Motion by Chris Manni and duly seconded. Motion carried so declared the Moderator.

Article 9: The Town voted to fix the salary and compensation of all elected officers of the Town as provided by G.L. c. 41, § 108 as amended: Town Clerk, three Commissioners of Municipal Light, and to raise, appropriate or transfer sums of money therefore and to determine sums of money raised to be transferred to defray the necessary and usual charges and expenses of the Town for the Fiscal Year commencing July 1, 2025 and make appropriations for the same, said sums of money so raised, appropriated or transferred to be expended for specific purposes as follows:

Raise and Appropriate **\$ 22,792,991**
Transfer from Cable TV Receipts Reserved **\$ 171,245**

Department	Line #	Amount
General Government	1 - 36	\$ 1,607,040
Public Safety	37 - 50	\$ 2,924,990
Education	51 - 53	\$ 13,739,004
Highway	54 - 57	\$ 675,187
Cemetery	58 - 59	\$ 82,882
Health & Sanitation	60 - 63	\$ 153,758
Public Assistance	64 - 66	\$ 464,808
Library	67 - 68	\$ 385,013
Parks & Rec	69	\$ 16,720
Town Gardens	70	\$ 600
Long Term Debt	71 - 72	\$ 1,135,134
Gen Govt Unclassified	73	\$ 1,779,100



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Motion by Chris Manni and duly seconded to amend as follows:

Department	Line #	Amount
General Government	1-26	\$ 1,607,040
Public Safety	37-50	\$ 2,924,990
Education	51-53	\$ 13,739,004
Highway	54-56	\$ 675,187
Cemetery	58-59	\$ 82,882
Health & Sanitation	60-63, 57	\$ 153,758
Public Assistance	64-66	\$ 464,808
Library	67-68	\$ 385,013
Parks & Rec	69	\$ 16,720
Town Gardens	70	\$ 600
Long Term Debt	71-72	\$ 1,135,134
Gen Govt Unclassified	73	\$ 1,779,100

HAND VOTE: Motion by Marcia Zosack and duly seconded. Motion carried so declared the Moderator.

Article 10: The Town voted to raise and appropriate, or transfer from available funds, a sum of money to operate the Wastewater Department Enterprise for FY2026 as follows;

Salaries: \$ 676,525
Expenses: \$ 611,140
Debt Service: \$ 39,864
Total \$1,327,529

And that \$ 1,327,529 be raised as follows:

Departmental Receipts: \$1,320,529
Wastewater Betterment Fund: \$ 7,000

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Article 11: The Town voted to raise and appropriate, or transfer from available funds, a sum of money to operate the Water Department Enterprise for **FY2026** as follows;

Salaries:	\$ 570,429
Expenses:	\$ 583,945
<u>Debt Service:</u>	<u>\$ 157,789</u>
Total	\$1,312,163

And that **\$1,312,163** be raised as follows:

Departmental Receipts: **\$ 1,312,163**

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.

Article 12: The Town voted to transfer from available funds, **\$38,000** from the Electric Light Operating Balance said money to be used by the Assessors to reduce the Tax Rate for **Fiscal Year 2026**.

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.

Article 13: The Town voted to transfer **\$ 8,800** from available funds known as "Sale of Cemetery Lots", to be expended under the direction of the Cemetery Trustees for the care, improvement, and embellishment of said cemeteries, in accordance with G.L. c. 114, §§ 15 and 25.

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.

Article 14: The Town voted to raise and appropriate **\$185,000** to be used to make necessary repairs to Town roadways.

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Article 15: The Town voted to accept the State Grant of Chapter 90 Highway Funds and authorize the Board of Select Board to expend said funds for Highway purposes in accordance with the terms of said grants.

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.

Article 16: The Town voted to raise and appropriate \$35,000 to be used necessary tree maintenance throughout Town.

HAND VOTE: Motion by Irina Gorzynski and duly seconded. Motion carried so declared the Moderator.

Article 17: The Town voted to raise and appropriate \$320,000, for Solid Waste Collection and Disposal, Recycling Collection.

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried so declared the Moderator.

Article 18: The Town voted to increase the current Veteran's Tax Exemption amounts adopted by the Town of Merrimac; 100% Disabled Veterans will increase to \$2,000 and Partially Disabled Veteran's will increase to \$800.

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried so declared the Moderator.

Article 19: The Town voted to, pursuant to G.L. c. 44 sec. 21C, to authorize the Select Board to enter into a lease agreement for the lease purchase of a Kabota M6S Cab Tractor/Roadside Mower for the Highway Department for the period of 5 years, but in any event not in excess of the useful life of the property to be purchased, to be procured on such terms and conditions as the Board of Select Board deem in the best interest of the Town; and to authorize the Board of Select Board to take all actions necessary to administer and implement such agreement; or take any other action relative thereto.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

2/3 Vote Required

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried unanimously so declared the Moderator.

Article 20: Pursuant to G.L. c. 44 sec. 21C, the Town voted to authorize the Select Board to enter into a lease agreement for the lease purchase of a Ford F350 Truck for the Water Department for the period of 5 years, but in any event not in excess of the useful life of the property to be purchased, to be procured on such terms and conditions as the Board of Select Board deem in the best interest of the Town; and to authorize the Board of Select Board to take all actions necessary to administer and implement such agreement.

2/3 Vote Required

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried unanimously so declared the Moderator.

Article 21: The Town voted to authorize the Board of Light Commissioners to grant an easement in the property along Federal Way, shown as Lot 2 on a plan dated June 10, 1986, and recorded on August 4, 1986 in the Essex South Registry of Deeds in Plan Book 213, Plan 41, for the purpose of vehicular and pedestrian access to and from an existing cell tower site, and further to authorize the Board of Light Commissioners to enter into any agreements in order to effectuate same.

2/3 Vote Required

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried unanimously so declared the Moderator.

Article 22: The Town voted to accept the fourth paragraph of General Laws Chapter 41, Section 111F said fund to be expended by the Select Board Chair.

HAND VOTE: Motion by Janet Bruno and duly seconded. Motion carried unanimously so declared the Moderator.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Article 23: The Town voted to amend of Section 283-2 of the General Bylaws and Appendix A372 of the Town of Merrimac General By-Laws as amended.

HAND VOTE: Motion by Robert Gustison, and duly seconded. Motion carried unanimously so declared the Moderator.

ARTICLE 24: The Town voted to amend the Town of Merrimac Zoning bylaw, Definitions and adding a new section 23.8 as printed in the warrant regarding Battery Energy Storage Systems.

HAND VOTE: Motion by Robert Gustison and duly seconded. Motion carried so declared the Moderator.

ARTICLE 25: The Town voted to amend certain provisions of Section 13 of the Merrimac Zoning By-Laws, Flood Plain District as printed in the Warrant.

HAND VOTE: Motion by Robert Gustison and duly seconded. Motion carried so declared the Moderator.

Article 26: The Town voted to renumber and recaption the 2016 General Bylaws of the Town by: a) assigning a chapter number to each of the General Bylaws; b) renumbering each section of each bylaw accordingly; c) inserting chapter, article and section titles; and d) updating internal references to reflect the new numbering system, all as set forth in the document on file in the office of the Town Clerk entitled "Final Draft of the Town of Merrimac, Massachusetts," dated February 2025, prepared by General Code, LLC.

HAND VOTE: Motion by Robert Gustison and duly seconded. Motion carried so declared the Moderator.



OFFICE OF THE TOWN CLERK
Merrimac Town Hall
2 School Street, Merrimac, MA
Annual Town Meeting April 28, 2025
MINUTES

Article 27: The Town voted to amend the general bylaws with the following global changes to the text of the 2016 General Bylaws of the Town, all as set forth in the document on file in the office of the Town Clerk entitled "Final Draft of the Town of Merrimac, Massachusetts," dated February 2025, prepared by General Code, LLC as follows:

1. To change all gendered pronouns (he, him, his, she, her, his/her, he/she, etc.) to their plural, gender-neutral forms (they, them, and their).
2. To revise any citations to the Massachusetts General Laws in the following format: MGL c. __ § __.
3. To consistently capitalize the word "Town" when it refers to the Town of Merrimac.
4. To consistently capitalize all proper nouns, including the terms "Annual Town Meeting" and "Special Town Meeting" and the names of all governing bodies and elected officials in the Town.
5. To consistently spell the word "noncriminal" without a hyphen.

HAND VOTE: Motion by Robert Gustison and duly seconded. Motion carried so declared the Moderator.

Article 28: The Town voted to authorize the Tax Collector to convey the property located at 32 Heath Road, shown on Assessor's Plan 62, Block 1, Lot 1.B from the Tax Collector for general purposes to the Select Board for the purpose of conveyance on such terms and conditions and for such consideration as the Select Board deems appropriate.

HAND VOTE: Motion by Robert Gustison and duly seconded. Motion carried so declared the Moderator.

Motion to adjourn by John Santagate and duly seconded. Motion carried unanimously so declared the Moderator.

Respectfully Submitted,
Gwendolyn Lay Sabbagh
Town Clerk, Town of Merrimac