



Office of the Town Clerk
2 School Street, Town Hall
Merrimac, MA 01860

**Minutes Town Meeting
April 26, 2021**

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Pursuant to the foregoing Warrant, the legal voters of the Town of Merrimac met at the Whittier Regional Vocational Technical High School in the City of Haverhill on April 26, 2021. A quorum of 79 registered voters gathered at 7:30pm. The Annual Town Meeting was held at the Whittier Regional Vocational Technical High School in Haverhill because the cafeteria is larger than the Frederick N. Sweetsir School and allowed for more social distancing required due to the Covid-19 Pandemic.

The Town Meeting was called to order by myself, Gwendolyn Lay Sabbagh, Town Clerk, because our duly elected moderator was unable to attend. After explaining the process to elect a temporary moderator, resident Earl Baumgardner was elected by a show of hands to moderate the Annual Town Meeting for the evening. Earl 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 Arthur Evans. Moderator Baumgardner explained all articles would be heard in order.

Moderator Baumgardner introduced myself, Town Clerk Gwendolyn Lay Sabbagh; Chariman of the Board of Selectmen, Joel Breen; Selectman Benjamin Beaulieu. **Motion to dispense with the reading of the Warrant by Joel Breen, seconded by Benjamin Beaulieu. Motion carried so declared the moderator.**

ARTICLE 1:

Motion by Joel Breen and duly seconded to appropriate from Free Cash for **FY2021**, a sum of money in the amount of **\$406,487** for the following specific purposes outlined below:

a. Bear Hill Road Culvert	\$ 96,741
b. DPW F450 Dump Truck w/Plow and Sander	\$ 80,000
c. Library HVAC Roof Compressor Unit Replacements	\$ 28,000
d. Landfill Closure Activities	\$ 150,000
e. Employee Retirement Funding	\$ 42,300
f. OPEB Trust Funding	\$ 9,446

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE.

ARTICLE 2

Motion by Joel Breen and duly seconded to appropriate from Water Retained Earnings for **FY021**, a sum of money in the amount of **\$ 160,000 for the purposes and in the amounts stated in the warrant.**

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 3

Motion by Joel Breen and duly seconded to transfer from the Wastewater Retained Earnings for **FY2021**, a sum of money in the amount of **\$ 115,000 for the purposes and in the amounts stated in the warrant.**

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE.

ARTICLE 4

Motion by Joel Breen and duly seconded to vote pursuant to the provisions of M.G.L. c. 44, Section 53E½, as most recently amended, to establish **FY2021** limitations on expenditures from the revolving funds established by the General Bylaw entitled, "Departmental Revolving Funds", with such limitations to remain applicable from fiscal year to fiscal year until such time as they are later amended as identified below.

Revolving Fund	Fiscal Year Spending Limit
Firearms	\$5,000
Zoning Board of Appeal	\$4,000
Town Nurse	\$10,000
Zoning and Building Code Compliance	\$15,000
Board of Health Projects	\$4,500
Rental Inspections	\$4,000
Inspectional Services	\$100,000
PRSD Grounds	\$50,000
Tax Title	\$5,000
Fire Watch	\$5,000

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 5

Motion by Joel Breen and duly seconded vote pursuant to the provisions of M.G.L. c. 44, Section 53E½, as most recently amended, to establish **FY2022** limitations on expenditures from the revolving funds established by the General Bylaw entitled, "Departmental Revolving Funds", with such limitations to remain applicable from fiscal year to fiscal year until such time as they are later amended as identified below:

Revolving Fund	Fiscal Year Spending Limit
Firearms	\$5,000
Zoning Board of Appeal	\$4,000
Town Nurse	\$10,000
Zoning and Building Code Compliance	\$15,000
Board of Health Projects	\$4,500
Rental Inspections	\$4,000
Inspectional Services	\$100,000
PRSD Grounds	\$50,000
Tax Title	\$5,000
Fire Watch	\$5,000

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 6

Motion by Joel Breen and duly seconded to fix the salary and compensation of all elective officers of the Town as provided by Massachusetts General Laws, Chapter 41, Section 108 as amended: Town Clerk, three Assessors, three Commissioners of Municipal Light, and 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, 2021 and make appropriations for the same, said sums of money so raised, appropriated or transferred to be expended for specific purposes to be voted.

And that **\$18,967,419** be raised as follows:

Raise and Appropriate		\$ 18,967,419
General Government	Lines 1 - 34	\$ 1,065,859
Public Safety	Lines 35 - 50	\$ 2,337,015
Education	Lines 51 - 53	\$ 11,647,785
Highway	Lines 54 - 56	\$ 648,817
Cemetery	Lines 58 - 59	\$ 64,162
Health & Sanitation	Lines 57 & 60 - 63	\$ 136,411

Public Assistance	Lines 64 -66	\$	439,919
Library	Lines 67 -68	\$	321,876
Parks & Rec	Line 69	\$	12,300
Town Gardens	Line 70	\$	600
Debt Service	Lines 71- 72	\$	978,359
<u>Gen Govt Unclassified</u>	<u>Lines 73 - 82</u>	<u>\$</u>	<u>1,314,316</u>
Total Omnibus		\$	18,967,419

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 7:

Motion by Joel Breen and duly seconded to raise and appropriate, or transfer from available funds, a sum of money to operate the Wastewater Department Enterprise for FY2022.

Salaries:	\$ 534,831
Expenses:	\$ 396,138
<u>Debt Service:</u>	<u>\$ 168,311</u>
Total	\$1,099,280

And that **\$ 1,099,280** be raised as follows:

Departmental Receipts:	\$ 1,071,280
Wastewater Betterment Fund:	\$ 28,000

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 8

Motion by Joel Breen and duly seconded to raise and appropriate, or transfer from available funds, a sum of money to operate the Water Department Enterprise for FY2022.

Salaries:	\$ 464,328
Expenses:	\$ 415,386
<u>Debt Service:</u>	<u>\$ 238,258</u>
Total	\$1,117,972

And that **\$1,117,972** be raised as follows:

Departmental Receipts:	\$ 1,117,972
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MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

ARTICLE 9

Motion by Joel Breen and duly seconded to raise and appropriate, or transfer from available funds, a sum of money to fund the operations of the Cable Television Department for FY2022.

Salaries:	\$ 58,549
<u>Expenses:</u>	<u>\$ 85,500</u>
Total	\$ 144,049

And that **\$ 144,049** be transferred from the Cable Television Receipts Reserved Account.

Moderator Declaration: Motion Passed Unanimously by Hand Vote

ARTICLE 10

Motion by Joel Breen and duly seconded to transfer from available funds, a sum in the amount of **\$20,000** from the Electric Light Operating Balance, said money to be used by the Assessors to reduce the Tax Rate for Fiscal Year 2022.

Moderator Declaration: Motion Passed Unanimously by Hand Vote

ARTICLE 11

Motion by Benjamin Beaulieu and duly seconded to transfer a sum of money in the amount of **\$ 3,600** 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 M.G.L. Chapter 114, Section 15 and Section 25.

Moderator Declaration: Motion Passed Unanimously by Hand Vote

Article 12

Motion by Benjamin Beaulieu and duly seconded to raise and appropriate a sum of money in the amount of **\$185,000**, to be used to make necessary repairs to Town roadways.

Moderator Declaration: Motion Passed Unanimously by Hand Vote

Article 13

Motion by Benjamin Beaulieu and duly seconded to accept the State Grant of Chapter 90 Highway Funds and authorize the Board of Selectmen to expend said funds for Highway purposes in accordance with the terms of said grants.

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 14

Motion by Benjamin Beaulieu and duly seconded to raise and appropriate a sum of money in the amount of **\$310,000** for Solid Waste Collection and Disposal, Recycling Collection.

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 15

Motion by Benjamin Beaulieu and duly seconded to appropriate **\$1,200,000** to pay costs of purchasing a Fire Apparatus Vehicle, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

2/3 Vote Required

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 16

Motion by Benjamin Beaulieu and duly seconded to change the name and purpose of the Ambulance Stabilization Fund to the Fire and Ambulance Apparatus Fund; and transfer **\$100,000** from the Capital Stabilization Fund to the Fire and Ambulance Apparatus Fund.

2/3 Vote Required

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 17

Motion by Benjamin Beaulieu and duly seconded to amend the Town of Merrimac General By-Laws, as printed in the warrant.

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 18

Motion by Benjamin Beaulieu and duly seconded to accept, as a Town way, the layout of the road known as "Farrington Field Road", and to authorize the Board of Selectmen to acquire the land, rights, and easements therein for roadway, drainage, utility, or other purposes, all shown on a plan prepared by GM2 Cammett Engineering & Survey Consultants dated February 11, 2021, entitled "Street Acceptance Plan at Farrington Field Road (Hadley) in Merrimac, Mass."

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 19

Motion by Benjamin Beaulieu and duly seconded to amend the Merrimac Zoning By-law Section 4.10.6.7 by replacing current wording with the following. "4.10.6.7. No garage or carport shall face the street unless it is located at least two (2) feet behind the front façade of the principal STRUCTURE. When a garage is located under the principal STRUCTURE, the entrance to the garage shall not be located on the front exterior wall facing the street (FRONTAGE) side of the lot.

2/3 Vote Required

MODERATOR DECLARATION: MOTION PASSED UNANIMOUSLY BY HAND VOTE

Article 20

Motion by Benjamin Beaulieu and duly seconded to authorize the Board of Selectmen to petition the General Court for enactment of special legislation, as printed on the handout provided tonight, to convert the Board of Health from an elected board to a board appointed by the Board of Selectmen, such act to take effect upon passage by the General Court; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition.

MODERATOR DECLARATION: MOTION FAILED BY HAND VOTE

Motion to adjourn and duly seconded.

MODERATOR DECLARATION: MOTION PASSED BY HAND VOTE.

Respectfully Submitted,

**Gwendolyn Lay Sabbagh,
Town Clerk Town of Merrimac**