



TOWN OF SPENCER
Office of the Town Clerk
Memorial Town Hall
157 Main Street, Spencer, MA 01562

LAURA J. TORTI,
TOWN CLERK
Tel: 508-885-7500 x150
Fax: 508-885-7528
TTY: 508-885-7503
www.spencerma.gov

Special Town Meeting
November 27, 2018
Memorial Town Hall

The meeting was called to order at 7:15 p.m. by Moderator William R. Shemeth, III after determining a quorum was present.

Reading of the Return of the Warrant was waived and the moderator noted that the meeting was posted in accordance with the law, following the postponement of the original meeting date of November 15, 2018 which was cancelled due to inclement weather. Selectman Wendy Berthiaume led the attendees in the Pledge of Allegiance followed by a moment of silence in honor of those residents who had passed away since Annual Town Meeting including Richard Locke who formerly served on the Fire Department, Gerald G "Jerry" Newell who formerly served on the Fire Department and Spencer Rescue Squad, and Father Thomas Keating who formerly served as Abbot at St. Joseph's Abbey. Mr. Shemeth noted that this month was the 100th anniversary of the end of World War I which is now commemorated by Veteran's Day. Mr. Shemeth noted that Veteran's Day was initially known as Armistice Day. Mr. Shemeth recognized the recent Town Veteran's Day parade and the efforts of the American Legion in organizing it. Mr. Shemeth asked the people present to join him in thanking our veterans for their service to our country.

Mr. Shemeth introduced the Board of Selectmen, Town Administrator, Town Counsel and Town Clerk. Mrs. Braney, Chair of the Finance Committee, introduced those committee members present. Mr. Shemeth thanked Aaron Keyes of Spencer Cable Access for providing the sound system and for filming the proceedings. Mr. Shemeth. Mr. Shemeth thanked the Spencer Town Clerk's office and the Registrars of Voters for having a smoothly run early voting program for the recent state election. Mr. Shemeth also thanked the Spencer Exchange Club for their warm clothes drive for those in need. Mr. Shemeth informed voters of upcoming events including the Holiday Parade, Holiday Craft Sale at the town hall to benefit Spencer Parks and Recreation and the Celebrations Committee, and the toy drive being held at the Spencer Fire Department. All these events were occurring during the first weekend in December.

Article 1: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO RESCIND A PREVIOUSLY APPROVED ARTICLE

The Moderator declared the motion carried to rescind Article 14 of the Warrant for the May 8, 2018 Annual Town Meeting, regarding Smith Vocational and Agricultural School tuition and transportation appropriations; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 2: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND A PREVIOUSLY APPROVED ARTICLE

The Moderator declared the motion carried to amend Article 15 from the May 8, 2018 Annual Town Meeting in order to raise and appropriate an additional sum of Eleven Thousand Nine Hundred Seventy Two Dollars and No Cents (\$11,972.00) for additional Tantasqua Regional High School Tuition (Account #11300-52000), and to raise and appropriate an additional sum of Seventeen Thousand Three Hundred Eighty Four Dollars and No Cents (\$17,384.00) for Tantasqua Regional High School Transportation Assessment (Account #11300-52100) for Fiscal Year 2019; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 3: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND A PREVIOUSLY APPROVED ARTICLE

The Moderator declared the motion carried to amend Article 16 from the May 8, 2018 Annual Town Meeting in order to raise and appropriate an additional sum of One Hundred Thirty Seven Dollars and No Cents (\$137.00) for additional Norfolk County High School Tuition (Account #11300-52000), and to raise and appropriate an additional sum of Eight Thousand Six Hundred Twenty Dollars and No Cents (\$8,620.00) for additional Norfolk County High School Transportation Assessment (Account #11300-52100) for Fiscal Year 2019; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 4: *Finance Committee unanimously recommended approval.*

**AUTHORIZATION TO RESCIND THE PREVIOUSLY APPROVED ARTICLE
FOR THE FY2019 GENERAL GOVERNMENT OPERATING BUDGET**

The Moderator declared the motion carried to rescind Article 18 from the May 8, 2018 Annual Town Meeting for the purposes of voting to approve the following Article #5 that will adjust the Fiscal Year 2019 General Government Operating Budget; said rescission is contingent upon the approval of Article #5; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 5: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO APPROPRIATE THE REVISED FY2019 GENERAL GOVERNMENT OPERATING BUDGET

The Moderator declared the motion carried to raise and appropriate the sum of Nine Million Four Hundred Fifty One Thousand Eight Hundred Sixty Eight Dollars and No Cents (\$9,451,868.00) to pay for the operations of the General Government expenses for Fiscal Year 2019, and to meet said appropriation from a transfer of Ten Thousand Dollars and No Cents (\$10,000.00) from the Wetlands Account, and from taxation, from available funds in the Treasury, and anticipated receipts as may be needed or decided necessary; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Note: The amended Fiscal Year 2019 Operating Budget is attached separately to the Town Meeting hand-out and is available for viewing at the Town Clerk's office, the Public Library, and can also be viewed on the Town's website at www.spencerma.gov. As such these documents are incorporated by reference as part of the record of this special town meeting.

Article 6: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO TRANSFER MONIES TO A RESERVE FUND

The Moderator declared the motion carried to appropriate the sum of Ten Thousand Dollars and No Cents (\$10,000.00) to the Sick Leave Buy Back Fund (Account #083-83000-39800) and to meet said appropriation by transferring from previously certified and available Free Cash; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 7: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUND

The Moderator declared the motion carried to raise and appropriate the sum of Seventy Five Thousand Dollar and No Cents (\$75,000.00) for the fund known as the Other Post Employment Benefits Liability Trust, or "OPEB Fund" (Account #83000-39825); or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 8: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO TRANSFER MONIES TO SEWER ENTERPRISE FUND

The Moderator declared a unanimous vote to appropriate the sum of One Thousand Six Hundred Eighty Eight Dollars and No Cents (\$1,688.00) for Sewer Department training expenses, and to meet said appropriation by transferring said sum from previously certified and available Retained Earnings of the Sewer Enterprise Fund; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

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Article 9: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO TRANSFER MONIES TO WATER ENTERPRISE FUND

The Moderator declared the motion carried to appropriate the sum of One Thousand Six Hundred Eighty Eight Dollars and No Cents (\$1,688.00) for Water Department training expenses, and to meet said appropriation by transferring said sum from previously certified and available Retained Earnings of the Water Enterprise Fund; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 10: *Finance Committee unanimously recommended approval. The Capital Improvements Planning Committee also met and recommends approval.*

AUTHORIZATION TO TRANSFER MONIES TO FUND CAPITAL EXPENDITURES

The Moderator declared the motion carried to appropriate the sum of Three Hundred Sixty Four Thousand Dollars and No Cents (\$364,000.00) for capital equipment purchases and capital improvements, as generally illustrated below, and to meet said appropriation by transferring the sum of Three Hundred Sixty Four Thousand Dollars and No Cents (\$364,000.00) from previously certified and available Free Cash;

<u>Dept.</u>	<u>Item</u>	<u>Amount</u>
Library / U&F	Boiler Installation Supplement	\$25,000.00
Parks / Recreation	Luther Hill Park Improvements	\$9,000.00
Parks / Recreation	O’Gara Park Improvements	\$5,000.00
Town Administrator	Appraisals for Lake St School & Sugden Block	\$10,000.00
Town Administrator	Conceptual Design for Sugden “Green”	\$5,000.00
Utilities & Facilities	Landfill Cap Modifications	\$100,000.00
Utilities & Facilities	Pleasant Street School Demolition	\$150,000.00
Utilities & Facilities	18 and 20-22 Mechanic St Demolition	\$50,000.00
Utilities & Facilities	Lake Street School UST Removal	\$10,000.00
Total:		\$364,000.00

or take any action in relation thereto. *(Sponsored by the Capital Improvements Planning Committee, Board of Selectmen, and the Town Administrator)*

Article 11: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO PAY A BILL OF PRIOR YEAR

The Moderator declared a unanimous vote to raise and appropriate or transfer from any available source of funds the sum of Five Hundred Dollars and No Cents (\$500.00) to pay an unpaid bill of prior year pursuant to Massachusetts General Laws, Chapter 44, Section 64, specifically, for DEP compliance testing of the vapor recovery system at the highway gasoline dispensing facility; or take any other action in relation thereto. *(Sponsored by the Town Administrator)*

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Article 12:

AUTHORIZATION TO AMEND THE PERSONNEL BYLAWS

The Moderator declared the motion carried to amend the Personnel Bylaws, becoming effective January 1, 2019, by deleting Schedule B in its entirety and inserting a new Schedule A as shown below; or take any action in relation thereto. (Sponsored by the Town Administrator)

SCHEDULE A

Clerk-of-the-Works I	\$18.50	hourly
Clerk-of-the-Works II	\$20.25	hourly
Clerk-of-the-Works III	\$22.50	hourly
Clerk-of-the-Works IV	\$25.50	hourly
Clerk-of-the-Works V	\$30.00	hourly
COA Outreach Worker	\$18.00	hourly
Election Inspectors	\$11.25	hourly
Election Wardens / Clerks	\$12.30	hourly
Engineering Aide I	\$17.25	hourly
Engineering Aide II	\$19.50	hourly
Facilities Maintenance Worker	\$18.00	hourly
Gas Inspector	\$5,580.00	yearly
Harbormaster	\$1,020.00	yearly
Laborer (Seasonal)	\$12.30	hourly
Library Assistant	\$13.50	hourly
Library Page	\$11.25	hourly
Parks & Rec Waterfront Director	\$21.00	hourly
Parks & Rec Water Safety Instructor	\$15.30	hourly
Parks & Rec Lifeguard	\$13.50	hourly
Parks & Rec Parking Attendant	\$11.25	hourly
Parks & Rec Coordinator / Clerk	\$17.35	hourly
Plumbing Inspector	\$5,580.00	yearly
Police Dispatcher	\$19.40	hourly
Registrars	\$1,345.00	yearly
Sealer of Weights & Measures	\$4,638.00	yearly
SEMA, Director of Operations	\$2,420.00	yearly
SFD Deputy Chief	\$9,410.00	yearly
SFD Captain	\$19.80	hourly
SFD Lieutenant	\$18.40	hourly
SFD Firefighter - Full Time	\$42,750.00	yearly
SFE Firefighter - On Call	\$16.80	hourly
Transfer Station Monitor	\$16.65	hourly
Transfer Station Senior Monitor	\$18.60	hourly

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Article 13: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND THE PERSONNEL BYLAWS

The Moderator declared the motion carried to amend the Personnel Bylaws, becoming effective January 1, 2019, by deleting Schedule B in its entirety and inserting a new Schedule B as shown below; or take any action in relation thereto. (Sponsored by the Town Administrator)

SCHEDULE B

Compensation Grade	Job Title
Grade 1	Library Associate
Grade 1	Administrative Clerk
Grade 2	Tree Warden
Grade 3	Fire Department Office Manager
Grade 3	Wetland & Soils Specialist
Grade 3	Reference / Circulation Librarian
Grade 4	Human Resources Director
Grade 4	Executive Assistance - TA / BOS
Grade 4	Children's Librarian / Assistant Director
Grade 4	Assistant Town Accountant
Grade 4	Veterans Services Officer
Grade 5	Building Inspector / ZEO
Grade 5	Council on Aging Director
Grade 5	Health Agent
Grade 5	Chief Operator - Water Facility
Grade 6	ODIS Director / Town Planner
Grade 6	Library Director
Grade 6	Principal Assessor
Grade 6	Superintendent - Wastewater Treatment Plant
Grade 6	Town Accountant
Grade 6	Town Clerk
Grade 6	Treasurer / Collector
Grade 7	Superintendent - Utilities & Facilities
Grade 8	Fire Chief
Grade 8	Police Chief

Article 14: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO DISCONTINUE CERTAIN “PAPER” ROADS

The Moderator declared the motion carried to authorize the Board of Selectmen, pursuant to General Laws, Chapter 82, Section 21, to discontinue certain “paper” roads, as identified below, that are being used as private driveways;

Alta Crest Cross Road
Arsenault Drive
Fernbrook
High Ridge Road
Lake Street Extension
Oak Twin Drive
Skyview Drive
Sunberg Drive
Townhouse Court
Woodchuck Lane
Yesteryear Lane

or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 15: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO PETITION THE GENERAL COURT TO AMEND CHAPTER 287 OF THE ACTS OF 1998

The Moderator declared the motion carried to authorize and direct the Board of Selectmen to petition the Massachusetts Great and General Court, in accordance with the Home Rule Amendment, for special legislation to amend Chapter 287 of the Acts of 1998 (An Act Authorizing the Establishment of the Burncoat Pond Watershed District in the Towns of Leicester and Spencer) in substantially the following respects, namely, by eliminating the Town of Spencer’s participation in said District; or to take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 16: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO ACCEPT A PERMANENT DRAINAGE EASEMENT

The Moderator declared a unanimous vote to accept by gift, purchase, or eminent domain a permanent drainage easement from Christine Reniere on her property located at 10 Blueberry Hill Drive, Spencer, Assessors Map R03, Lot 28, on such terms and conditions as the Board of Selectmen deems reasonable, appropriate, and in the best interests of the Town; or take any action in relation thereto. *(Sponsored by Board of Selectmen and the Town Administrator)*

Article 17: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND A SEWER UTILITY EASEMENT

The Moderator declared a unanimous vote to authorize the Board of Selectmen to amend an existing sewer utility easement on property located at 17 Bixby Road, Spencer, Assessors Map U09, Lot 627, recorded in the Registry of Deeds at Book 54377, Page 267, on such terms and conditions as the Board of Selectmen deems reasonable, appropriate, and in the best interests of the Town; or take any action in relation thereto. *(Sponsored by the Board of Selectmen, the Town Administrator, and the Board of Sewer Commissioners)*

Article 18: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO ACCEPT AN EASEMENT FOR RIGHT OF WAY PURPOSES

The Moderator declared a unanimous vote to authorize the Board of Selectmen to accept by gift, purchase, or eminent domain an easement for public roadway use from 62 Wall Street, LLC on the property located at 62 Wall Street, Spencer, Assessors Map U07, Lot 25, on such terms and conditions as the Board of Selectmen deems reasonable, appropriate, and in the best interests of the Town; or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 19: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO ENTER INTO PILOT AGREEMENT

The Moderator declared the motion carried to authorize the Board of Selectmen to enter into an agreement for Payment in Lieu of Taxes (PILOT) pursuant to Massachusetts General Laws, Chapter 59, Section 38H(b), or any other enabling legislation, for taxes attributable to a solar photovoltaic facility installed or to be installed on property located at the following address, 20 McCormick Road, and shown on Assessors Map R44-10, on such terms and conditions and for a term of years as the Board of Selectmen deems in the best interest of the Town, and to take any other action necessary or convenient for the implementation and administration of such agreement or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 20: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO ENTER INTO PILOT AGREEMENT

The Moderator declared the motion carried to authorize the Board of Selectmen to enter into an agreement for Payment in Lieu of Taxes (PILOT) pursuant to Massachusetts General Laws, Chapter 59, Section 38H(b), or any other enabling legislation, for taxes attributable to a solar photovoltaic facility installed or to be installed on property located at the following addresses, 32 McCormick Road, and shown on Assessors Map R47-18, on such terms and conditions and for a term of years as the Board of Selectmen deems in the best interest of the Town, and to take any other action necessary or convenient for the implementation and administration of such agreement or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

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Article 21: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND THE GENERAL BYLAWS

The Moderator declared the motion carried to amend the Town's General Bylaws by inserting the following new bylaw:

Article 18 – Treasurer / Collector

Section 1. Payment Agreements for Properties in Tax Title

- A. Pursuant to the provisions of Massachusetts General Laws, Chapter 60, Section 62A, the Treasurer / Collector will pursue and establish a written payment agreement with any person(s) entitled to redeem ownership of parcels taken by the Town for non-payment of real estate taxes (“redeemer”).
- B. Any property in tax title may be eligible for the establishment of a written payment agreement with the Treasurer / Collector.
- C. At the start of the agreement, the redeemer shall pay 25 percent of the total amount due.
- D. The agreement's maximum term shall be (5) five years.

or take any action in relation thereto. (*Petition of the Board of Selectmen and Town Administrator*)

Article 22: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND THE GENERAL BYLAWS

The Moderator declared the motion carried to accept Massachusetts General Laws Chapter 40, Section 57, as most recently amended by Chapter 218 of the Acts of 2016, and to amend Article 2, Section 8 of the Town's General Bylaws by changing the twelve month period to a six month period as shown below:

Article 2 – Town Administration

Section 8. Local Licenses and Permits – Failure to Pay Municipal Taxes or Charges

2. Certified List of Delinquent Property Owners & Service Users

The Town Collector of Taxes shall furnish to each department board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charge for not less than a six month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

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or take any action in relation thereto. (*Petition of the Board of Selectmen and Town Administrator*)

Article 23: *Finance Committee unanimously recommended approval but also recommended approval of a clarifying amendment should one be proposed.*

AUTHORIZATION TO AMEND THE GENERAL BYLAWS

The Moderator declared a vote of 37 in favor and 11 opposed to amend Article 23 by inserting the following text to Section B(1):

“Single family residential properties actively listed for sale shall be exempt from the registration fee provided there is compliance with the Maintenance Requirements of clause C of this bylaw.”

The Moderator declared a vote of 37 in favor and 11 opposed to the Amended article to amend the General Bylaws of the Town by inserting the following new Bylaw:

Article 10 – Planning and Zoning

Section 8. Registration of Vacant Buildings Required

A. Registration

- (1) Within thirty (30) days of a building becoming vacant, each owner of such building shall register said building with the Town of Spencer’s Building Inspector. All registrations must state the owner’s name, mailing address, telephone number and e-mail address if the individual has an e-mail address. The mailing address shall not be a post office box.
- (2) If none of the owner(s) has an address within the Commonwealth of Massachusetts, the registration shall also include the name, address, phone number, and e-mail address of a person who resides in the Commonwealth of Massachusetts, who shall be designated as the responsible local agent for purposes of notification in the event of an emergency affecting the public health, safety and welfare, and for service of any and all notices issued pursuant to this chapter.
- (3) The failure to timely register a vacant building shall be violation of this chapter.

B. Registration Fees

- (1) There shall be a one hundred dollar (\$100.00) fee associated with registering vacant buildings. Buildings which are in the process of foreclosure shall not be required to register until a foreclosure deed has been recorded at the Worcester County Registry of Deeds and the building is vacant at the time of recording, at which time the 30-day registration requirement will commence.
- (2) On January first of each year subsequent to initial registration, provided the initial registration has remained in effect at least for one (1) calendar

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year, there shall be a one hundred dollar (\$100.00) fee to maintain such registration with the Town.

- (3) Failure to timely register or to maintain registration of any vacant building or shall be a violation of this chapter, and a one hundred dollar (\$100.00) fee shall be imposed as a municipal charges lien on the property in accordance with Massachusetts General Laws, Chapter 40, Section 58.

C. Maintenance Requirements

- (1) Properties subject to this section shall comply with 780 CMR 116.2, standards for making buildings safe or secure, and shall be maintained in accordance with all applicable sanitary codes, building codes, and local regulations;
- (2) The local owner or local agent must inspect and maintain the property on a monthly basis for the duration of the vacancy.
- (3) The property must contain a posting with the name and twenty-four hour contact phone number of the local owner or agent responsible for the maintenance. This sign must be posted at the front of the property and must be legible and clearly visible from the public way and / or street.

D. Once the property is no longer vacant or is sold, the owner must provide proof of sale or written notice of occupancy to the Building Inspector.

E. This section shall be enforced by the Building Inspector, the Health Inspector, the Police Chief, the Fire Chief and / or their designees.

F. Penalties.

- (1) Each separate offense of this section shall be punishable of a fine of:

- a. First offense: \$100
- b. Second offense: \$200
- c. Third and each subsequent offense: \$300

- (2) Each violation of any provision of this section shall be considered a separate offense, and each day that any violation continues shall constitute a separate offense.

G. Upon failure to comply with any order issued under this section, the Town may, in addition to other penalties and actions, bring civil or legal action against the owner to require compliance with the order, including but not limited to seeking a court-appointed receiver for the property in violation.

The imposition of any fine shall not be construed to prevent the enforcement of other laws upon the premises or prevent the initiation of other enforcement measures or penalties. Failure to pay any fine arising from the enforcement of this section shall

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constitute a debt in favor of the Town. The Town may place a lien on the property for such debt and / or initiate a civil action against the owner in a court of competent jurisdiction to recover the debt.

or take any other action in relation thereto. (*Petition of the Board of Selectmen and Town Administrator*)

Article 24: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO AMEND THE GENERAL BYLAWS

The Moderator declared a vote of 48 in favor and 2 opposed to amend the General Bylaws of the Town by inserting the following new Bylaw:

Article 8 – Law Enforcement

Section 19. Engine Size Limitation for Watercraft Operating on Browning Pond

No person shall operate a boat or other watercraft using an internal combustion engine greater than twenty (20) horsepower on Browning Pond. Each separate offense of this section shall be punishable of a fine of:

- | | |
|---------------------------------------|-------|
| a. First offense: | \$50 |
| b. Second offense: | \$100 |
| c. Third and each subsequent offense: | \$150 |

or take any other action in relation thereto. (*Petition of the Board of Selectmen and Town Administrator*)

Article 25: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO ACCEPT THE STRETCH ENERGY CODE

The Moderator declared a vote of 48 in favor and 2 opposed to amend the General Bylaws of the Town by inserting the following new Bylaw, Stretch Energy Code, as set forth below, to adopt the “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, including future editions, amendments and modifications thereto, with an effective date of July 1, 2019, a copy of which is on file with the Town Clerk

ARTICLE 11 – Miscellaneous

Section 6 – Stretch Energy Code

1. Definitions

The terms below shall have the following meanings for the purposes of this Article XXIII.

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International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 8th edition Massachusetts Building Code, the Stretch Energy Code is an appendix to the Massachusetts Building Code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this Code.

2. Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the Building Code for both new construction and existing buildings.

3. Applicability

The Stretch Code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

4. Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into these General Bylaws, Article XXIII.

5. Enforcement

The Stretch Code is enforceable by the Building Inspector, and is effective as of July 1, 2019.

or take any action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 26: *Finance Committee unanimously recommended approval.*

AUTHORIZATION TO SELL OR LEASE THE LAKE STREET SCHOOL

The Moderator declared a unanimous vote to authorize the Board of Selectmen to sell or lease the Town owned real estate commonly known as Lake Street School, located at 17 Lake Street and 42 Highland Street, Spencer, and generally described as Parcel 1, Map U15 in the records of the Board of Assessors, including the land, buildings, structures and fixtures thereon, on such terms, conditions, and consideration as the said Board of Selectmen deems to be reasonable, appropriate and in the best interests of the Town, and

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further to authorize the Board of Selectmen to negotiate, execute, and deliver such deeds and other documents as may be necessary to carry out the purpose of this article; or take any action in relation thereto. (*Sponsored by the Board of Selectmen and the Town Administrator*)

Article 27: *Finance Committee recommended approval with 7 in favor and 2 abstentions.*

AUTHORIZATION TO TRANFER FUNDS TO SPENCER CABLE ACCESS

The Moderator declared the motion carried to raise and appropriate and/or transfer from the PEG Access and Cable Related Fund authorized by General Laws, Chapter 44, Section 53F¾, the sum of Sixty Five Thousand Dollars and No Cents (\$65,000.00), or any other sum, as a grant for capital expenditures to Spencer Cable Access; or take any other action in relation thereto. (*Sponsored by the Board of Selectmen and the Town Administrator*)

Article 28: : *Finance Committee recommended approval with 7 in favor and 2 abstentions.*

AUTHORIZATION TO TRANFER FUNDS TO SPENCER CABLE ACCESS

The Moderator declared the motion carried to raise and appropriate and/or transfer from the PEG Access and Cable Related Fund authorized by General Laws, Chapter 44, Section 53F¾, the sum of Fifty Thousand Five Hundred Ninety Dollars and No Cents (\$50,590.00), or any other sum, to Spencer Cable Access for sound system and studio improvements to Town Hall; or take any other action in relation thereto. (*Sponsored by the Board of Selectmen and the Town Administrator*)

A motion to adjourn (Ralph Hicks/Kurt Nordquist) was unanimously approved and the meeting ended at 8:15 p.m.

160 Registered Voters were in attendance.

Respectfully Submitted,

Laura J. Torti,
Town Clerk