

COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARDWICK
ANNUAL TOWN MEETING
JUNE 19, 2019
HARDWICK ELEMENTARY SCHOOL

Ryan Witkos, Moderator called this meeting to order at 6:31 pm at 76 Schoolhouse Drive, in the Village of Gilbertville and called for a recess of this meeting in order for voters to address the Special town Meeting Warrant called for this same date and time. This recessed Annual Town Meeting will be reconvened after the business of the Special Town Meeting has been concluded and dissolved.

Ryan Witkos, Moderator reconvened this Annual Town Meeting at 6:34 pm and called this Annual Town Meeting to order. The Moderator read the call and the ending of the warrant and declared this warrant has been posted as required by Town by-law and state law.

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Hardwick qualified to vote in Town affairs, to meet at the Hardwick Elementary School, 76 Schoolhouse Drive, Gilbertville, on Wednesday, June 19, 2019 at 6:30 PM then and there to act on the following articles:

Note: Funds acquired through borrowing require a 2/3 vote.

Note: Funds acquired through raise and appropriate (taxation) and transferring require a majority vote.

Note: Transfers in and out of Stabilization require a 2/3 vote.

Note: Zoning Bylaws and Amendments require a 2/3 vote.

Note: General Bylaws and Amendments require a majority vote.

Note: Petition the General Court for a Special Act require a 2/3 vote.

Motion made, seconded and voted unanimously to dispense with the reading of the articles and to take them up in their order as they appear on the warrant.

Article 1. To see if the Town will vote to accept the reports of all officers and committees as printed in the 2018 Annual Report, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

Article 2. To see if the Town will vote to authorize the Treasurer, with approval of the Board of Selectmen, to borrow money from time-to-time in anticipation of the revenue for the fiscal year beginning July 1, 2019, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously for the Town to authorize the Treasurer, with approval of the Board of Selectmen, to borrow money from time-to-time in anticipation of the revenue for the fiscal year beginning July 1, 2019.

The Moderator asked if there was anyone in the audience who did not have a copy of the warrant to follow along with the articles that are printed in the warrant. The Moderator stated for the record to show everyone has a copy of the annual town meeting warrant.

Article 3. To see if the Town will vote to authorize the following FY2020 Revolving Funds in accordance with MGL Chapter 44, section 53E1/2, to be expended under the authority and direction of the following agencies or officials, to be credited with receipts from the following revenue sources, to be expended for the following stated purposes, not to exceed the following spending limits respectively:

REVOLVING FUND	DEPARTMENT, BOARD, COMMITTEE, AGENCY OR OFFICER AUTHORIZED TO SPEND FROM FUND	FEES, CHARGES OR OTHER RECEIPTS CREDITED TO FUND	PROGRAM OR ACTIVITY EXPENSES PAYABLE FROM FUND	RESTRICTIONS OR CONDITIONS ON EXPENSES PAYABLE FROM FUND	OTHER REQUIREMENTS OR REPORTS	FISCAL YEARS
ELECTRICAL INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF ELECTRICAL INSPECTOR	WAGES	NOT TO EXCEED \$5,000.	80% OF FEE PAID TO THE INSPECTOR, 20% RETAINED BY THE TOWN	FY/2020 & SUBSEQUENT YEARS
ELECTRICAL INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF COMMERCIAL SOLAR PROJECTS	WAGES	50/50	50% OF FEE PAID TO THE INSPECTOR, 50% RETAINED BY THE TOWN	FY/2020 & SUBSEQUENT YEARS
RECYCLING COMMISSION	RECYCLING COMMISSION	FEES COLLECTED FOR HHW ITEMS, BULK WASTE	DISPOSAL OF HHW ITEMS, BULK WASTE	NOT TO EXCEED \$6,500.	NONE	FY/2020 & SUBSEQUENT YEARS
PLUMBING INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF PLUMBING INSPECTOR	WAGES	NOT TO EXCEED \$3,000.	NONE	FY/2020 & SUBSEQUENT YEARS
GAS INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF GAS INSPECTOR	WAGES	NOT TO EXCEED \$750.		FY/2020 & SUBSEQUENT YEARS
YOUTH COMMISSION	YOUTH COMMISSION	USER FEES & CHARGES COLLECTED BY THE YOUTH COMMISSION RELATING TO THE CONDUCT OF ITS PROGRAMS	TO MEET EXPENSES OF THE YOUTH COMMISSION	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS
AGRICULTURAL COMMISSION	AGRICULTURAL COMMISSION	USER FEES & CHARGES COLLECTED BY THE AGRICULTURAL COMMISSION RELATING TO THE CONDUCT	TO MEET EXPENSES OF THE AGRICULTURAL COMMISSION	NOT TO EXCEED \$1,000.	NONE	FY/2020 & SUBSEQUENT YEARS

		OF ITS PROGRAMS				
PARKS & RECREATION COMMISSION	PARKS & RECREATION COMMISSION	USER FEES & CHARGES COLLECTED BY PARKS & RECREATION COMMISSION RELATING TO THE CONDUCT OF ITS PROGRAMS	TO MEET EXPENSES OF PARKS & RECREATION COMMISSION	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS
CEMETERY COMMISSION	CEMETERY COMMISSION	FEES & CHARGES COLLECTED BY THE CEMETERY COMMISSION	TO MEET EXPENSES OF THE CEMETERY COMMISSION	NOT TO EXCEED \$2,500.	NONE	FY/2020 & SUBSEQUENT YEARS
TOWN HOUSE COMMITTEE	TOWN HOUSE COMMITTEE	RENTAL FEES & CHARGES COLLECTED BY THE TOWN HOUSE COMMITTEE	TO MEET JANITORIAL EXPENSES OF THE TOWN HOUSE	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS
PLANNING BOARD	PLANNING BOARD	SPECIAL PERMIT APPLICATIONS/ SITE PLAN REVIEW	TO MEET THE PLANNING BOARD EXPENSES AND PAYROLL RELATED TO PROCESSING APPLICATIONS	NOT TO EXCEED \$3000.	NONE	FY/2020 & SUBSEQUENT YEARS

Or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to authorize the following FY/2020 Revolving Funds in accordance with MGL Chapter 44, section 53E1/2, to be expended under the authority and direction of the following agencies or officials, to be credited with receipts from the following revenue sources, to be expended for the following stated purposes, not to exceed the following spending limits respectively:

REVOLVING FUND	DEPARTMENT, BOARD, COMMITTEE, AGENCY OR OFFICER AUTHORIZED TO SPEND FROM FUND	FEES, CHARGES OR OTHER RECEIPTS CREDITED TO FUND	PROGRAM OR ACTIVITY EXPENSES PAYABLE FROM FUND	RESTRICTIONS OR CONDITIONS ON EXPENSES PAYABLE FROM FUND	OTHER REQUIREMENTS OR REPORTS	FISCAL YEARS
ELECTRICAL INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF ELECTRICAL INSPECTOR	WAGES	NOT TO EXCEED \$5,000.	80% OF FEE PAID TO THE INSPECTOR, 20% RETAINED BY THE TOWN	FY/2020 & SUBSEQUENT YEARS
ELECTRICAL INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF	WAGES	50/50	50% OF FEE PAID TO THE INSPECTOR, 50% RETAINED BY THE	FY/2020 & SUBSEQUENT YEARS

		COMMERCIAL SOLAR PROJECTS			TOWN	
RECYCLING COMMISSION	RECYCLING COMMISSION	FEES COLLECTED FOR HHW ITEMS, BULK WASTE	DISPOSAL OF HHW ITEMS, BULK WASTE	NOT TO EXCEED \$6,500.	NONE	FY/2020 & SUBSEQUENT YEARS
PLUMBING INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF PLUMBING INSPECTOR	WAGES	NOT TO EXCEED \$3,000.	NONE	FY/2020 & SUBSEQUENT YEARS
GAS INSPECTOR	INSPECTOR, ASST. INSPECTOR	PERMIT FEES & INSPECTIONS OF GAS INSPECTOR	WAGES	NOT TO EXCEED \$750.		FY/2020 & SUBSEQUENT YEARS
YOUTH COMMISSION	YOUTH COMMISSION	USER FEES & CHARGES COLLECTED BY THE YOUTH COMMISSION RELATING TO THE CONDUCT OF ITS PROGRAMS	TO MEET EXPENSES OF THE YOUTH COMMISSION	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS
AGRICULTURAL COMMISSION	AGRICULTURAL COMMISSION	USER FEES & CHARGES COLLECTED BY THE AGRICULTURAL COMMISSION RELATING TO THE CONDUCT OF ITS PROGRAMS	TO MEET EXPENSES OF THE AGRICULTURAL COMMISSION	NOT TO EXCEED \$1,000.	NONE	FY/2020 & SUBSEQUENT YEARS
PARKS & RECREATION COMMISSION	PARKS & RECREATION COMMISSION	USER FEES & CHARGES COLLECTED BY PARKS & RECREATION COMMISSION RELATING TO THE CONDUCT OF ITS PROGRAMS	TO MEET EXPENSES OF PARKS & RECREATION COMMISSION	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS
CEMETERY COMMISSION	CEMETERY COMMISSION	FEES & CHARGES COLLECTED BY THE CEMETERY COMMISSION	TO MEET EXPENSES OF THE CEMETERY COMMISSION	NOT TO EXCEED \$2,500.	NONE	FY/2020 & SUBSEQUENT YEARS
TOWN HOUSE COMMITTEE	TOWN HOUSE COMMITTEE	RENTAL FEES & CHARGES COLLECTED BY THE TOWN HOUSE COMMITTEE	TO MEET JANITORIAL EXPENSES OF THE TOWN HOUSE	NOT TO EXCEED \$500.	NONE	FY/2020 & SUBSEQUENT YEARS

PLANNING BOARD	PLANNING BOARD	SPECIAL PERMIT APPLICATIONS/ SITE PLAN REVIEW	TO MEET THE PLANNING BOARD EXPENSES AND PAYROLL RELATED TO PROCESSING APPLICATIONS	NOT TO EXCEED \$3000.	NONE	FY/2020 & SUBSEQUENT YEARS
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NOTE: When the motion was made the sponsor referred to FY/2019 Revolving Funds. The Moderator brought this to the attention of the sponsor and the sponsor corrected his motion to be FY/2020.

Article 4. To see if the Town will vote to allow the Board of Assessors to appoint one of its members to a full-time position under its supervision as allowed by MGL Chapter 268A, section 21A, or take any other action relative thereto.

Sponsor: Board of Assessors

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to allow the Board of Assessors to appoint one of its members to a full-time position under its supervision as allowed by MGL Chapter 268A, section 21A.

Article 5. To see if the Town will vote to allow the Board of Health to appoint one of its members to a part-time position under its supervision as allowed by MGL Chapter 268A, section 21A, or take any other action relative thereto.

Sponsor: Board of Health

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to allow the Board of Health to appoint one of its members to a part-time position under its supervision as allowed by MGL Chapter 268A, section 21A.

Article 6. To see if the Town will vote to appropriate a sum of money from the Sale of Lots Fund and Burial Fees to the Cemetery Commission Expense Account for the care, improvement and embellishment, or enlargement of Town cemeteries, or take any other action relative thereto.

Sponsor: Cemetery Commission

Motion made, seconded and voted unanimously for the Town to transfer the sum of Four Thousand, Three Hundred Seventy Five Dollars (\$4,375.) from the Sale of Lots Fund Account #216-491-4320-0000 to the Cemetery Commission Expense Account #001-491-5700-0000 for the care, improvement and embellishment, or enlargement of Town cemeteries. FCA

Article 7. To see if the Town will vote to transfer a sum of money in the Cemetery Perpetual Care Account to the Cemetery Commission Expense Account for care, improvement and embellishment, or enlargement of Town cemeteries, or take any other action relative thereto.

Sponsor: Cemetery Commission

Motion made, seconded and voted unanimously to table this article.

Article 8. To see if the Town will vote to raise and appropriate or otherwise fund a sum of money for the Reserve Fund, or take any other action relative thereto.

Sponsor: Finance Committee

Motion made, seconded and voted unanimously for the Town to transfer the sum of Twenty Five Thousand Dollars (\$25,000.) from the Stabilization Account #250-000-1040-0000 to the Reserve Fund #001-132-5700-0000. FCA

Article 9. To see if the Town will vote to raise and appropriate, or otherwise fund a sum of money to be used in conjunction with, and in addition to, any funds allotted by the Commonwealth for the construction, and/or improvement of town roads, as requested by the Board of Selectmen, in their discretion, to be returned to the Treasury when reimbursed by the Commonwealth of Massachusetts, or take any other action relative thereto.

Sponsor: Superintendent of Streets

Motion made, seconded and voted unanimously for the Town to borrow the sum of Three Hundred Fifty Nine Thousand, Three Hundred Sixty Dollars (\$359,360.) to be used in conjunction with, and in addition to, any funds allotted by the Commonwealth for the construction, and/or improvement of town roads, as requested by the Board of Selectmen, in their discretion, to be returned to the Treasury when reimbursed by the Commonwealth of Massachusetts. FCA

The Moderator asked if there was anyone in the audience who did not have a copy of the green handout which outlines the Water Pollution Control Facilities Budget. The Moderator stated for the record to show everyone has a copy of the green handout to follow along with the Water Pollution Control Facilities Budget in Article #10.

Article 10. To see if the Town will vote to raise and appropriate from sewer revenues a sum of money to the Water Pollution Control Facilities Enterprise Fund for the operation of the Gilbertville and Wheelwright Water Pollution Control Facilities, or take any other action relative thereto.

Sponsor: Sewer Commissioners

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to appropriate from Sewer Revenues the sum of Five Hundred Sixty Nine Thousand, Five Hundred Sixty Seven Dollars and Eight Cents (\$569,567.08) to the Water Pollution Control Facilities Enterprise Fund for the operation of the Gilbertville and Wheelwright Water Pollution Control Facilities as follows:

**ANNUAL TOWN
MEETING
FY2020 SEWER BUDGET**

**FY19
Direct Costs**

**FY20
Direct Costs**

Total Salaries:		185291.50	237904.18
600.000.5110.000 0	Superintendent	74584.20	76821.73
600.000.5110.000 2	Superintendent OT (Wkend+Hol)	8065.00	8306.95
600.000.5110.000 0	Operator 1	43200.00	44064.00
600.000.5110.000 2	Operator 1 OT (Wkend+Hol)	6140.00	6262.80
600.000.5110.000 0	Operator 2 OT	43200.00	44064.00
600.000.5110.000 2	Operator 2 OT (Wkend+Hol)	4680.00	4773.60
600.000.5110.000 2	Operator 3	0.00	38188.80
600.000.5110.000 1	Commissioners	2922.30	2922.30
600.000.5110.000 4	Substitut Operator	0.00	10000.00
	Emergency OT	2500.00	2500.00
Subtotal:		185291.50	237904.18

Operation and Maintenance

600.000.5700.0001	Gilbertville Expense Total	114350.00	113300.00
	G'ville WPCF Electrical	24250.00	26000.00
	GIPS Electrical	6000.00	7000.00
	OPRPS Electrical	3100.00	3500.00
	PAC	7500.00	9500.00
	Sodium Hypochlorite	1500.00	2300.00
	O&M, Fuel, Lab	72000.00	65000.00
600.000.5700.0000	Wheelwright Expense Total	99260.00	100840.00
	Wheelwright WPCF Electrical	28000.00	28840.00
	Wheelwright PS Electrical	1160.00	1200.00
	PAC	4000.00	4500.00
	Sodium Hypochlorite	1100.00	1300.00
	O&M, Fuel, Lab	65000.00	65000.00
600.000.5700.0003	Truck Expense (4 year lease)	8500.00	10885.90
	Capital Outlay	0.00	0.00
600.750.5925.0000	Sewer Debt	55403.96	21388.56
600.710.5910.0000	Interest on Sewer Debt	68080.39	49948.44

600.000.5705.0000	Contract Operation Services	25000.00	
600.000.5780.0000	Reserve for Abatements	14000.00	25000.00
Subtotal:		569885.85	559267.08

<u>Indirect Costs</u>	<u>Indirect Costs</u>	<u>Indirect Costs</u>
Retirement Assesment	30530.75	
Health Insurance	31668.57	
Sewer - General Insurance	6500.00	6695.00
Medicare	3500.00	3605.00
Indirect Costs (Retirement & Health Insurance)	72199.32	10300.00
Total Budget	642085.17	569567.08

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Article 11. To see if the Town will vote to raise and appropriate or transfer from available funds in the town treasury a sum of money to fund the training of the Town Clerk in Fiscal Year 2020, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

The Moderator asked if there was anyone in the audience who did not have a copy of the proposed FY/2020 Budget. The Moderator stated for the record to show everyone has a copy of the proposed FY/2020 Budget to follow along with Article #12.

Article 12. To see if the Town will vote to raise and appropriate transfer from available funds in the treasury, borrow or any combination thereof a sum of money to pay the necessary Town charges for the Fiscal Year 2020 beginning July 1, 2019, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made and seconded for the Town to raise and appropriate the sum of \$5,479,381.09 to pay the necessary Town charges for the Fiscal Year 2020 beginning July 1, 2019.

Motion made and seconded to amend to FY/2020 School budget and to raise and appropriate an additional sum of \$45,000. to increase the line item 001-300-5700-0000 – K-12 SCHOOL ASSESSMENT to \$2,398,724.61, the total school budget would increase to \$2,774,006.11 and the total FY/2020 budget would increase to \$5,524,381.09. The Finance Committee had no recommendation to this amendment to the budget as this increase had not been brought before them. The Moderator stated he has a motion and a second on the amendment to add \$45,000. to the K-12 School Assessment and called for a vote and declared this amendment is defeated by a 2/3 vote or more*.

The Moderator stated he has a motion and a second on the main motion to raise and appropriate the sum of \$5,479,381.09 and called for a vote and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to raise and appropriate the sum of \$5,479,381.09 to pay the necessary Town charges for the Fiscal Year 2020 beginning July 1, 2019 in the following manner:

DEPARTMENT	FY2019 BUDGET APPROVED	FY2020 BUDGET - DEPT REQUESTS	FY2020 BUDGET
MODERATORS SALARY	323.20	323.20	325.00
SELECTMEN'S SALARIES	6300.29	6300.29	6300.29
SELECTMEN EXPENSE	2775.00	2775.00	2775.00
TOWN ADMINISTRATOR SALARY (Contracted)	66950.00	66950.00	68958.50
TOWN ADMINISTRATOR SALARY (Contracted NEW BRAINTREE)	21500.00		
ADMIN ASST	24024.00	24024.00	25056.00
REGIONAL ECONOMIC DEVELOPMENT COORDINATOR SALARY & EXPENSES	0.00	0.00	4600.00
ALL BOARDS EXPENSE	8000.00	8000.00	8000.00
EMERGENCY SERVICES (Intermunicipal Agrmt.)	60000.00	60000.00	60000.00
IT SERVICES/OFFICE EQUIPMENT	18000.00	18000.00	18000.00
FINANCE COMMITTEE EXPENSES	0.00	0.00	0.00
ACCOUNTANT SALARY	42665.00	42665.00	42665.00
INDEPENDENT AUDIT	17000.00	17000.00	20000.00
ACCOUNTANT EXPENSE	3600.00	3600.00	3200.00
ACCOUNTANT SOFTWARE CONTRACT	6908.57	6908.67	6908.67
ASSESSORS SALARIES	6300.29	6300.29	6300.29
ASSESSORS CERTIFIED COMP	1000.00	1000.00	1000.00
ASSESSORS FULL TIME SALARY	56239.77	56239.77	56239.77
ASSESSORS PROPERTY UPDATE	10000.00	10000.00	10000.00
ASSESSORS EXPENSE	9596.88	9976.88	9976.88
TREASURER SALARY	42665.00	42665.00	42665.00
BANK FEES & INTEREST EXPENSE	2000.00	2000.00	2000.00
TREASURER EXPENSE	5000.00	4200.00	4000.00
TREASURER PAYROLL EXPENSE	4500.00	3900.00	3900.00
TREASURER TAX TAKING EXPENSE	5250.00	4200.00	4000.00
TOWN COLLECTOR SALARY	42665.00	42665.00	42665.00
TOWN COLLECTOR EXPENSE	10050.13	10050.13	9800.00
TOWN COLLECTOR TAX TITLE	5500.00	5500.00	5500.00
LEGAL SERVICES - GENERAL	8000.00	8000.00	8000.00
TOWN CLERK SALARY	30987.84	30987.84	30987.84
ASSISTANT TOWN CLERK SALARY	0.00	0.00	17606.16

TOWN CLERK EXPENSE	6200.00	6200.00	6000.00
TOWN CLERK CERTIFIED SALARY	1000.00	1000.00	1000.00
ELECTION & REGISTRATION SALARY	7950.00	6000.00	6000.00
ELECTION/REGISTRATION EXPENSE	7500.00	6000.00	6000.00
CONSERVATION CLERK SALARY	6458.15	9685.00	9685.00
CONSERVATION EXPENSE	555.00	555.00	555.00
PLANNING BOARD CLERK SALARY	2000.00	3000.00	3000.00
PLANNING BOARD EXPENSE	800.00	800.00	800.00
CENTRAL MASS. REGIONAL EXPENSE	835.38	856.25	856.25
BOARD OF APPEALS CLERK SALARY	0.00		
BOARD OF APPEALS EXPENSE	0.00		
TOWN BUILDING (TOWN HOUSE) EXPENSE	7000.00	7000.00	5000.00
MUNICIPAL BLDGS. EXPENSE	35200.00	35200.00	33600.00
MUNICIPAL BLDG. FUEL EXPENSE	12000.00	12000.00	12000.00
GEO. GILBERT BLDG. EXPENSE	0.00		1600.00
MUNICIPAL BLDGS REPAIRS	3000.00	3000.00	3000.00
TOWN REPORT EXPENSE	462.00	462.00	462.00
TOTAL GENERAL GOV'T	608761.50	585989.32	610987.65

POLICE CHIEF SALARY (Contracted)	86463.35	89057.25	89057.25
POLICE LT. SALARY (Contracted)	68871.00	70901.00	70901.00
CLERK SALARY	10404.00	10404.00	10404.00
POLICE PATROLMAN SALARIES:			
POLICE PATROLMAN SALARY #1	59257.20	64659.00	64659.00
POLICE PATROLMAN SALARY #2	51598.80	56601.00	56601.00
POLICE PATROLMAN SALARY #3			0.00
NEW FULL-TIME OFFICER			
POLICE RESERVE OFFICERS SALARY	66950.00	66950.00	66950.00
POLICE OVERTIME	30000.00	40000.00	30000.00
POLICE TRAINING EXPENSE	17204.60	17800.00	22500.00
POLICE CRUISER REPAIRS/MAINTENANCE EXP	73288.00	75788.00	31146.41
POLICE 2017 F350 SUPERCAB LEASE PAYMENT			14630.60

POLICE 2017 FORD INTERCEPTOR LEASE PAYMENT			11506.02
POLICE 2017 FORD INTERCEPTOR LEASE PAYMENT			7844.61
POLICE 2016 FORD INTERCEPTOR LEASE PAYMENT			8160.36
BUILDING EXPENSE (402 LOWER ROAD)	5000.00	6000.00	4000.00
POLICE EXPENSE	25000.00	30000.00	25000.00
POLICE UNIFORMS	10900.00	11900.00	11900.00
POLICE PROTECTIVE VESTS	2700.00	2700.00	2700.00
SUB TOTAL HARDWICK POLICE	507636.95	542760.25	527960.25
NEW BRAINTREE POLICE AGREEMENT			
CHIEF SALARY	14850.00	15296.00	15296.00
LT. SALARY	7062.89	7275.00	7275.00
FULL TIME OFFICER ACCOUNT	47463.20	49041.00	49041.00
RESERVE OFFICER ACCOUNT	13951.77	17388.00	17388.00
EXPENSE ACCOUNT	15446.14	16130.35	16130.35
SUB TOTAL NEW BRAINTREE POLICE	98774.00	105130.35	105130.35
TOTAL POLICE	606410.95	647890.60	633090.60
FIRE CHIEF SALARY	27552.50	27552.50	28379.08
FIRE CLERK SALARY	0.00		
FIREFIGHTERS LABOR	25000.00	25000.00	25000.00
DEPUTY FIRE CHIEF	920.75	920.75	920.75
FIRE TRAINING EXPENSE	3700.00	3700.00	3700.00
FIREMEN TRAINING SALARY	11000.00	11000.00	11000.00
FIRE DEPT. EXPENSE	37000.00	37000.00	24000.00
EQUIPMENT MAINTENANCE	9000.00	9000.00	6000.00
TOTAL FIRE	114173.25	114173.25	98999.83
REGIONAL BUILDING INSPECTION SERVICES ASSESSMENT		15631.98	15631.98
BLDG. INSP/SALARY	1307.15	0.00	0.00
BLDG. COMMISSIONER SALARY	14200.55	0.00	0.00
BLDG. INSP EXPENSE	3263.22	1400.00	1400.00
ELECTRICAL INSPECTOR EXPENSE	277.00	277.00	277.00

EMERGENCY MANAGEMENT DIR. SALARY	1456.56	1500.00	1500.00
EMERGENCY MANAGEMENT EXPENSE	3700.00	3700.00	3700.00
TOTAL PROTECTION	24204.48	22508.98	22508.98
K-12 ASSESSMENT	2424706.62	2398724.61	2353724.61
PATHFINDER ASSESSMENT	216789.00	216789.00	303612.00
SMITH VOCATIONAL	51000.00	51000.00	35929.50
SMITH VOCATIONAL TRANSPORTATION	20000.00	20000.00	15000.00
EDUCATIONAL SUPPORT BUILDING DEBT ASSESS	0.00		
HIGH SCHOOL CONSTRUCTION DEBT ASSESS	0.00		
ATRIUM /GREEN REPAIR PROJECT	22800.23	22800.23	20740.00
TANTASQUA REGIONAL TECHNICAL ASSESSMENT	0.00		0.00
TOTAL SCHOOLS	2735295.85	2709313.84	2729006.11
HIGHWAY SURVEYOR (Contracted)	74707.96	76949.20	76949.20
HIGHWAY PAYROLL - ITEMIZED BELOW:	136503.56	174537.98	174538.00
FOREMAN	45760.00	45760.00	45760.00
TR. DRIVER/LABORER 1	40165.58	41600.00	41600.00
TR.DRIVER/LABORER 2	37440.00	41600.00	41600.00
CLERK	8137.98	8137.98	8138.00
MOWING & LABORER Full-Time	5000.00	37440.00	37440.00
HIGHWAY OVERTIME	14000.00	14000.00	14000.00
HIGHWAY GENERAL EXPENSE	28000.00	28000.00	28000.00
TOWN ROADS EXPENSE	20000.00	30000.00	28000.00
SNOW & ICE SALARY	10000.00	10000.00	10000.00
SNOW & ICE EXPENSE	70000.00	70000.00	70000.00
HIGHWAY FUEL	30000.00	30000.00	30000.00
STREET LIGHTING	13000.00	13000.00	13000.00
TREE MAINTENANCE	6000.00	6000.00	6000.00
HIGHWAY ROAD MACH MAINT	40000.00	40000.00	40000.00
2016 F250 SUPERCAB LEASE PAYMENT	18000.00	20000.00	10038.49
TOTAL HIGHWAY	460211.52	512487.18	500525.69
CEMETERY CONTRACT SERVICE	19800.00	20000.00	15995.00
CEMETERY EXPENSE	925.00	2500.00	1500.00
TOTAL CEMETERY	20725.00	22500.00	17495.00

BOARD OF HEALTH SALARY	2066.52	2066.52	2066.52
BOARD OF HEALTH AGENT SALARY	11000.00	15000.00	13000.00
BOARD OF HEALTH CLERK SALARY	7914.40	7914.40	7914.40
BOARD OF HEALTH EXPENSE	3700.00	3700.00	3700.00
ANIMAL INSPECTOR SALARY	1505.56	1505.56	1505.56
ANIMAL CONTROL SALARY	3011.12	3011.12	3011.12
ANIMAL INSPECTOR EXPENSE	231.00	231.00	231.00
ANIMAL CONTROL EXPENSE	2323.75	2323.75	2323.75
TOTAL HEALTH & SANITATION	31752.35	35752.35	33752.35
SR. CENTER INTERMUNICIPAL AGREEMENT	9500.00	19645.00	19645.00
NUTRITION CONTRACT SERVICE	500.00	500.00	500.00
COUNCIL ON AGING OFFICE EXPENSE	0.00		
COUNCIL ON AGING RECREATION	0.00		
TOTAL COA	10000.00	20145.00	20145.00
YOUTH CENTER PAYROLL - ITEMIZED BELOW	12599.69	15000.00	15000.00
DIRECTOR/COORDINATOR SALARY	0.00	10000.00	10000.00
ASSISTANT COORDINATOR SALARY	0.00	5000.00	5000.00
NEW PARTIME ASSISTANT	0.00		0.00
YOUTH CENTER EXPENSE	462.50	0.00	0.00
TOTAL YOUTH	13062.19	15000.00	15000.00
VETERAN AGENT SALARY	1881.67	1881.67	1881.67
VETERAN AGENT EXPENSE	740.00	740.00	740.00
VETERANS BENEFITS	30000.00	36000.00	36000.00
TOTAL VETERANS	32621.67	38621.67	38621.67
PAIGE LIBRARY PAYROLL - ITEMIZED BELOW	31932.20	31932.20	31932.20
PAIGE LIBRARY DIRECTOR SALARY	17952.00	17952.00	17952.00
PAIGE LIBRARY ASSISTANT	13980.20	13980.20	13980.20
PAIGE LIBRARY EXPENSE	22226.00	22657.80	22657.80
GILBERTVILLE LIBRARY EXPENSE	22226.00	24100.40	22657.80
TOTAL LIBRARIES	76384.20	78690.40	77247.80
PARKS & RECREATION EXPENSE	925.00	925.00	925.00
MEMORIAL DAY EXPENSE	1200.00	1200.00	1200.00
MATURING DEBT	75566.30	77360.60	77360.60

INTEREST	19955.44	12274.88	12274.88
WORCESTER COUNTY RETIRE ASSESSMENT	188234.00	195323.00	195323.00
UNEMPLOYMENT INSURANCE	20000.00	20000.00	20000.00
TOWN SHARE HEALTH INSURANCE	182239.39	218665.00	218665.00
TOWN SHARE LIFE INSURANCE - TOWN SHARE	1296.00	3622.00	3622.00
TOWN SHARE MEDICARE - TOWN SHARE	25000.00	28500.00	28500.00
WORKMEN'S COMPENSATION INS.	15877.00	21371.00	21371.00
GENERAL INSURANCE	50532.00	50532.00	42168.00
POLICE & FIRE INSURANCE	25000.00	25000.00	23775.00
TOTAL UNCLASSIFIED	605825.13	654773.48	645184.48
RECYCLING PAYROLL - ITEMIZED BELOW:			
RECYCLING COORDINATOR SALARY	5527.98	5527.98	5527.98
LABORER 1	3150.01	3150.01	3150.01
LABORER 2	2720.14	2720.14	2720.14
LABORER 3	2583.90	2583.90	2583.90
LABORER 4	2583.90	2583.90	2583.90
RECYCLING EXPENSES	4266.00	4266.00	4250.00
TOTAL RECYCLING	20831.93	20831.93	20815.93
WATER PAYROLL			
WATER EXPENSE	15000.00	15000.00	16000.00
TOTAL HCWD	15000.00	15000.00	16000.00
GRAND TOTAL OF BUDGETS			
	5375260.01	5493678.00	5479381.09

FCA

Article 13. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for engineering costs associated with requirements of the Comprehensive Site Assessment (CSA) Permit, recording, annual third party inspection, annual monitoring of gas, ground water, private water supply wells and surface water for the old landfills located at 444 Lower Road and 197 River Run as outlined in the Massachusetts Department of Environmental Protection Amended Comprehensive Site Assessment (CSA) Permit dated September 22, 2016, or take any other action relative thereto.

Sponsor: Board of Health

Motion made, seconded and voted unanimously for the Town to transfer from available funds in the Stabilization Account #250-000-1040-0000 to the Comprehensive Site assessment Account #001-510-5300-000 the sum of Twelve Thousand, Five Hundred Dollars (\$12,500.) for engineering costs associated with requirements of the Comprehensive Site Assessment (CSA) Permit, recording, annual third party inspection, annual monitoring of gas, ground water, private water supply wells and surface water for the old landfills located

at 444 Lower Road and 197 River Run as outlined in the Massachusetts Department of Environmental Protection Amended Comprehensive Site Assessment (CSA) Permit dated September 22, 2016. FCA

Article 14. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Fiscal Year 2020 Final Lease Payment on the Police Department 2016 Ford Interceptor Utility Vehicle with Equipment, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

Article 15. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Fiscal Year 2020 Final Lease Payment on the Police Department 2017 Ford Interceptor Utility Vehicle with Equipment, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* to table this article.

Article 16. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Fiscal Year 2020 Lease Payment on the Police Department 2017 Ford Interceptor Utility Vehicle with Uplift, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

Article 17. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Fiscal Year 2020 Final Lease Payment on the Police Department 2017 F350 Super Cab Truck with Equipment, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

Article 18. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Lease of a new Waste Water Pollution Control Department 2019 F250 Super Cab Truck with Equipment, or take any other action relative thereto.

Sponsor: Sewer Commissioners

Motion made, seconded and voted unanimously to table this article.

Article 19. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Lease of a new Highway Department 2019 F350 Super Cab Truck with Equipment, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to transfer the sum of Nine Thousand, Three Hundred Eighty Six Dollars and Four Cents (\$9,386.04) from the Stabilization Account #250-000-1040-0000 for the Lease of a new Highway Department 2019 F350 Super Cab Truck with Equipment. FCA

Article 20. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for the Fiscal Year 2020 Final Lease Payment the Highway Departments 2016 F250 Super Cab Truck with Equipment, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously to table this article.

Article 21. To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury, borrow or any combination thereof a sum of money for Consulting Services for the Financial Departments of the town, or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously for the Town to transfer the sum of Forty Five Thousand Dollars (\$45,000.) from the Stabilization Account #250-000-1040-0000 for Consulting Services for the Financial Departments of the Town. FCA

Article 22. To see if the Town will vote to authorize the Board of Selectmen to grant and convey a parcel of land shown as "Parcel B," containing 5,581.71 square feet, more or less, as shown on a plan entitled "Plan of Land in Hardwick Surveyed for Joseph J. Valardi," dated September 23, 1985, prepared by R.H. LeMaitre, recorded with the Worcester South Registry of Deeds in Plan Book 561, Plan 36, said plan on file with the Town Clerk, to the owner of the property known as Ruggles Street, Wheelwright, and, in consideration for and in exchange for said grant and conveyance, the owner of Ruggles Street, Wheelwright shall grant and convey to the Town two (2) parcels of land shown as "Parcel D," containing 1,760.67 square feet, more or less, and "Parcel E," containing 6,386.12 square feet, more or less, as shown on the aforesaid plan; and, further, to authorize the Board of Selectmen to accept said parcels on such terms and conditions as the Board of Selectmen deems appropriate and to enter into such agreements and execute such instruments to carry out the intent of this article; or take any other action relative thereto.

Sponsor: Board of Selectmen

Motion made, seconded and voted unanimously for the Town to authorize the Board of Selectmen to grant and convey a parcel of land shown as "Parcel B," containing 5,581.71 square feet, more or less, as shown on a plan entitled "Plan of Land in Hardwick Surveyed for Joseph J. Valardi," dated September 23, 1985, prepared by R.H. LeMaitre, recorded with the Worcester South Registry of Deeds in Plan Book 561, Plan 36, said plan on file with the Town Clerk, to the owner of the property known as Ruggles Street, Wheelwright, and, in consideration for and in exchange for said grant and conveyance, the owner of Ruggles Street, Wheelwright shall grant and convey to the Town two (2) parcels of land shown as "Parcel D," containing 1,760.67 square feet, more or less, and "Parcel E," containing 6,386.12 square feet, more or less, as shown on the aforesaid plan; and, further, to authorize the Board of Selectmen to accept said parcels on such terms and conditions as the Board of Selectmen deems appropriate and to enter into such agreements and execute such instruments to carry out the intent of this article.

Article 23. To see if the Town will vote to accept a gift of land for general municipal purposes of land now or formerly owned by Ernest Gordon McMillan, the first parcel identified as being recorded in the Worcester Registry of Deeds, Book 2615, Page 231 containing approximately 23,750 square feet of land, the second parcel identified as being recorded in the Worcester Registry of Deeds, Book 2565, Page 489 containing approximately 11,350 square feet of land, and any other parcels' of land now or formally owned by Ernest Gordon McMillan contiguous to the Hardwick Upper Cemetery, and further to raise and appropriate , transfer from available funds a sum of money for the expenses associated with this acquisition on such terms and conditions as the Select Board may deem in the best interests of the Town, and to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to effect said acquisition, or take any other action relative thereto.

Sponsor: Cemetery Commission

Motion made, seconded and voted unanimously for the Town to accept a gift of land for general municipal purposes of land now or formerly owned by Ernest Gordon McMillan, the first parcel identified as being recorded in the Worcester Registry of Deeds, Book 2615, Page 231 containing approximately 23,750 square feet of land, the second parcel identified as being recorded in the Worcester Registry of Deeds, Book 2565, Page 489 containing approximately 11,350 square feet of land, and any other parcels of land now or formally owned by Ernest Gordon McMillan contiguous to the Hardwick Upper Cemetery, and further to transfer the sum of Four Thousand, Five Hundred Seventy Five Dollars (\$4,575.) from the Stabilization Account #250-000-1040-0000 for surveying services, recording the plans in the Worcester of Deeds, legal fees and any other expenses associated with this acquisition on such terms and conditions as the Select Board may deem in the best interests of the Town, and to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to effect said acquisition.

FCA

The Moderator asked if there was anyone in the audience who does not have a copy of the tan handout which is a copy of the old Transient Vendor By-law to be deleted. The Moderator stated for the record to show everyone has a copy of the tan handout of the old Transient Vendor By-law to be deleted under Article #24. The proposed new Transient Vendor By-law is included in the warrant under Article #24.

Article 24. To see if the Town will vote to delete ARTICLE XVIII Section 4 from the Hardwick General By-laws entitled "Transient Vender and Hawkers and Peddler By-law" as voted at the special Town Meeting of November 11, 2013 under Article #2, and to replace it with the following General Bylaw under ARTICLE XVIII, SECTION 4 - "**TRANSIENT VENDORS/BUSINESSES; HAWKERS AND PEDDLERS; DOOR-TO-DOOR SOLICITATIONS**" in the following manner:

TRANSIENT VENDORS/BUSINESSES; HAWKERS AND PEDDLERS; DOOR-TO-DOOR SOLICITATIONS

This by-law governing for-profit transient vendors/businesses, hawkers and peddlers, and door-to-door solicitations are hereby enacted pursuant to the authority of M.G.L. c. 101.

I. Definitions. The following terms shall have the meaning and are summarized for the purposes of this by-law as follows:

- A. "Transient Vendor" and "Transient business." A transient vendor is a person who conducts a transient business for profit. A transient business (also called a temporary business) is any exhibition and sale of goods, wares, or merchandise which is carried on in any structure (such as a building, tent, or booth) unless it is the intent of the applicant that such place be open for business during usual business hours for a period of at least 12 consecutive months.
- B. "Hawker and Peddler." Any person who goes from place to place within the Town selling goods, wares or merchandise, whether on foot or in a vehicle, for profit, is a hawker or peddler (these two terms are interchangeable), unless such person is excluded from the operations of M.G.L., Ch. 101 by the provisions of Section 15 of said chapter.
- C. "Door-to-Door Solicitations." Any person who travels from door to door within the Town soliciting something for any organization not incorporated under Chapter 180 of the General Laws (non-profit organizations) whether selling something or not, in conducting door-to-door solicitations.
- D. "Person." For purposes of these regulations, the persons being regulated herein are those persons who are engaging in the activities regulated herein for or on behalf of any for profit organization.
- E. "Garage Sale" or Yard Sale." The sale, at the primary residence the seller(s), of goods that were used personally by the seller(s) of such goods.
- F. "Chief of Police." The Chief of Police of Hardwick or such person designated by him to perform his/her duties under these regulations.

II. Purpose. The purpose of this by-law is to recognize the importance of communicating ideas on the one hand, while at the same time ensuring public safety by requiring persons conducting the foregoing activities to be licensed, either at the state level or locally so that the Town's citizenry will know who is conducting these activities and that to the degree set forth herein or in the applicable general laws, they have identified themselves to the proper authorities, are bonded if required, and satisfy the minimum criteria. The purpose of these regulations is also to ensure that to the extent the Town's citizens wish to "post" their property, they will be assured the right to be left alone.

III. Scope. These regulations shall apply to all persons conducting the foregoing activities within the Town.

IV. Compliance Requirements. Each person who acts as a transient vendor, hawker, peddler or conducts door to door solicitations within the Town of Hardwick shall be subject to, responsible for and fully compliant at all times with the following requirements:

1) Registration Requirements:

(a) Persons not registered (licensed) by the state shall make application for a Hardwick registration card to the Chief of Police on a form containing the following information: The applicant's name, signature, home address; the name and address of the owner or parties in whose interest the business is to be conducted, and their business address; a brief description of the business to be conducted within the Town; identification of vehicles that will be utilized for the purpose; the applicant's social security number; whether the applicant has ever been convicted of a crime or is presently charged with a crime. The application shall be made under oath. The applicant shall be photographed, and his or her fingerprints taken for the purpose of identification.

(b) The Chief shall approve the application within twenty days of its filing unless he/she determines either that the application is incomplete, or that the applicant has been convicted of a crime or has criminal charges pending against him or her, punishable by imprisonment. In the event the applicant has been convicted of a crime or has criminal charges pending, punishable by imprisonment, the Chief shall deny such a license if he/she determines the issuing of a license to the applicant poses a threat to residents of the Town of Hardwick. The Chief may take into consideration the circumstances of the convictions and charges pending. The Chief shall deny such a license if the Chief determines the applicant is a fugitive from justice.

(c) If the application is approved, the Chief shall cause to have a registration card issued within ten business days. The registration card shall be in the form of an identification card, containing the name, signature and photograph of the licensee. Such card shall be non-transferable and valid only for the person identified therein and for the purpose as shown on the license. The card shall be valid for a period of ninety days from the date of issuance (or if the expiration date is not on a business day, the expiration date will be on the next business day following). Any such registration card shall be void upon its surrender or revocation, or upon the filing of a report of loss or theft with the Police Department.

a. Persons registered (licensed) by the State shall not be subject to the foregoing paragraph, but shall report to the Chief prior to conducting his or her business within the Town and shall provide to the chief of Police a copy of his or her State registration or license.

2) Registration Cards or License to be Visibly Displayed.

Such state or local registration card or license shall be displayed at all times while the business activity is being conducted, and shall be provided to any police officer upon request or command. The license shall also be affixed conspicuously on the outer garment of the licensee whenever he or she shall be engaged in the activity, except in the case of a transient business when the license shall be displayed visibly within the structure where such business is being conducted. Such registration card or license, if issued locally, shall be the property of the town of Hardwick and shall be surrendered to the chief upon its expiration, suspension or revocation.

3) Hours of Operation.

Operating hours will only be allowed Monday thru Friday 9:00 am to dusk and Saturdays 10:00 am to 2:00 pm

4) Registration Card (License) Fee:

The filing of a state license as required shall not be subject to a fee; the fee for a local registration card shall be \$25.00.

5) Restrictions on Activity.

No activity governed by these regulations shall be conducted upon public or private premises which have been duly posted "No Solicitations", "No Trespassing" or words of similar meaning.

V. VIOLATIONS AND PENALTIES.

A. Any and all violations of this by-law shall be enforceable by the Chief of Police or his designee, either by initiating criminal proceedings or by a non-criminal disposition (citation) as provide by MGL, C40.,s.21D.

B. Any person violating any one or more of this by-law shall be subject to the following fines:

1. Twenty-five dollars for the first offense.
2. Fifty dollars for each subsequent offense within any one twelve month period, each such subsequent offense constituting a separate offense.

C. Any person found committing a violation of this by-law regulations may be arrested by a police officer and kept in custody in a convenient place, not more than twenty-four hours, Saturday, Sunday and legal holidays excepted, until a complaint can be made against him or her for the offense, and he or she be taken upon a warrant issued upon such a complaint.

VI. Exemptions. This by-law shall not apply to any person conducting a "garage sale" or "yard Sale", nor to any person engaged in the foregoing activities for or on behalf of a not-for-profit organization (incorporated under Chapter 180 of the Massachusetts General Laws), or take any other action relative thereto.

Sponsor: Police Department

Motion made and seconded for the Town to delete ARTICLE XVIII Section 4 from the Hardwick General By-laws entitled "Transient Vender and Hawkers and Peddler By-law" as voted at the special Town Meeting of November 11, 2013 under Article #2, and to replace it with the following General Bylaw under ARTICLE XVIII, SECTION 4 - "TRANSIENT VENDORS/BUSINESSES; HAWKERS AND PEDDLERS; DOOR-TO-DOOR SOLICITATIONS".

Motion made, seconded and voted unanimously to amend the motion on the floor by inserting the word "provisions" after the word "more" in the first sentence of Section V - VIOLATIONS AND PENALTIES – B.

The moderator stated he has a motion and a second on the floor for the main motion which now includes the amendment to add the word "provisions" and called for a vote and it was voted unanimously for the Town to delete ARTICLE XVIII Section 4 from the Hardwick General By-laws entitled "Transient Vender and Hawkers and Peddler By-law" as voted at the special Town Meeting of November 11, 2013 under Article #2, and to replace it with the following General Bylaw under ARTICLE XVIII, SECTION 4 - "TRANSIENT VENDORS/BUSINESSES; HAWKERS AND PEDDLERS; DOOR-TO-DOOR SOLICITATIONS" in the following manner -

TRANSIENT VENDORS/BUSINESSES; HAWKERS AND PEDDLERS; DOOR-TO-DOOR SOLICITATIONS

This by-law governing for-profit transient vendors/businesses, hawkers and peddlers, and door-to-door solicitations are hereby enacted pursuant to the authority of M.G.L. c. 101.

VI. **Definitions.** The following terms shall have the meaning and are summarized for the purposes of this by-law as follows:

- G. "Transient Vendor" and "Transient business." A transient vendor is a person who conducts a transient business for profit. A transient business (also called a temporary business) is any exhibition and sale of goods, wares, or merchandise which is carried on in any structure (such as a building, tent, or booth) unless it is the intent of the applicant that such place be open for business during usual business hours for a period of at least 12 consecutive months.
- H. "Hawker and Peddler." Any person who goes from place to place within the Town selling goods, wares or merchandise, whether on foot or in a vehicle, for profit, is a hawker or peddler (these two terms are interchangeable), unless such person is excluded from the operations of M.G.L., Ch. 101 by the provisions of Section 15 of said chapter.
- I. "Door-to-Door Solicitations." Any person who travels from door to door within the Town soliciting something for any organization not incorporated under Chapter 180 of the General Laws (non-profit organizations) whether selling something or not, in conducting door-to-door solicitations.
- J. "Person." For purposes of these regulations, the persons being regulated herein are those persons who are engaging in the activities regulated herein for or on behalf of any for profit organization.
- K. "Garage Sale" or Yard Sale." The sale, at the primary residence the seller(s), of goods that were used personally by the seller(s) of such goods.
- L. "Chief of Police." The Chief of Police of Hardwick or such person designated by him to perform his/her duties under these regulations.

VII. Purpose. The purpose of this by-law is to recognize the importance of communicating ideas on the one hand, while at the same time ensuring public safety by requiring persons conducting the foregoing activities to be licensed, either at the state level or locally so that the Town's citizenry will know who is conducting these activities and that to the degree set forth herein or in the applicable general laws, they have identified themselves to the proper authorities, are bonded if required, and satisfy the minimum criteria. The purpose of these regulations is also to ensure that to the extent the Town's citizens wish to "post" their property, they will be assured the right to be left alone.

VIII. Scope. These regulations shall apply to all persons conducting the foregoing activities within the Town.

IX. Compliance Requirements. Each person who acts as a transient vendor, hawker, peddler or conducts door to door solicitations within the Town of Hardwick shall be subject to, responsible for and fully compliant at all times with the following requirements:

2) **Registration Requirements:**

(d) Persons not registered (licensed) by the state shall make application for a Hardwick registration card to the Chief of Police on a form containing the following information: The applicant's name, signature, home address; the name and address of the owner or parties in whose interest the business is to be conducted, and their business address; a brief description of the business to be conducted within the Town; identification of vehicles that will be utilized for the purpose; the applicant's social security number; whether the applicant has ever been convicted of a crime or is presently charged with a crime. The application shall be made under oath. The applicant shall be photographed, and his or her fingerprints taken for the purpose of identification.

(e) The Chief shall approve the application within twenty days of its filing unless he/she determines either that the application is incomplete, or that the applicant has been convicted of a crime or has criminal charges pending against him or her, punishable by imprisonment. In the event the applicant has been convicted of a crime or has criminal charges pending, punishable by imprisonment, the Chief shall deny such a license if he/she determines the issuing of a license to the applicant poses a threat to residents of the Town of Hardwick. The Chief may take into consideration the circumstances of the convictions and charges pending. The Chief shall deny such a license if the Chief determines the applicant is a fugitive from justice.

(f) If the application is approved, the Chief shall cause to have a registration card issued within ten business days. The registration card shall be in the

form of an identification card, containing the name, signature and photograph of the licensee. Such card shall be non-transferable and valid only for the person identified therein and for the purpose as shown on the license. The card shall be valid for a period of ninety days from the date of issuance (or if the expiration date is not on a business day, the expiration date will be on the next business day following). Any such registration card shall be void upon its surrender or revocation, or upon the filing of a report of loss or theft with the Police Department.

- a. Persons registered (licensed) by the State shall not be subject to the foregoing paragraph, but shall report to the Chief prior to conducting his or her business within the Town and shall provide to the chief of Police a copy of his or her State registration or license.

2) **Registration Cards or License to be Visibly Displayed.**

Such state or local registration card or license shall be displayed at all times while the business activity is being conducted, and shall be provided to any police officer upon request or command. The license shall also be affixed conspicuously on the outer garment of the licensee whenever he or she shall be engaged in the activity, except in the case of a transient business when the license shall be displayed visibly within the structure where such business is being conducted. Such registration card or license, if issued locally, shall be the property of the town of Hardwick and shall be surrendered to the chief upon its expiration, suspension or revocation.

3) **Hours of Operation.**

Operating hours will only be allowed Monday thru Friday 9:00 am to dusk and Saturdays 10:00 am to 2:00 pm

4) **Registration Card (License) Fee:**

The filing of a state license as required shall not be subject to a fee; the fee for a local registration card shall be \$25.00.

5) **Restrictions on Activity.**

No activity governed by these regulations shall be conducted upon public or private premises which have been duly posted "No Solicitations", "No Trespassing" or words of similar meaning.

X. **VIOLATIONS AND PENALTIES.**

A. Any and all violations of this by-law shall be enforceable by the Chief of Police or his designee, either by initiating criminal proceedings or by a non-criminal disposition (citation) as provide by MGL, C40.,s.21D.

B. Any person violating any one or more provisions of this by-law shall be subject to the following fines:

1. Twenty-five dollars for the first offense.
2. Fifty dollars for each subsequent offense within any one twelve month period, each such subsequent offense constituting a separate offense.

- C. **Any person found committing a violation of this by-law regulations may be arrested by a police officer and kept in custody in a convenient place, not more than twenty-four hours, Saturday, Sunday and legal holidays excepted, until a complaint can be made against him or her for the offense, and he or she be taken upon a warrant issued upon such a complaint.**

VI. **Exemptions. This by-law shall not apply to any person conducting a "garage sale" or "yard Sale", nor to any person engaged in the foregoing activities for or on behalf of a not-for-profit organization (incorporated under Chapter 180 of the Massachusetts General Laws),**

Article 25. To see if the Town will vote to amend Article #6 of the Special Town Meeting of June 19, 1993, Conservation Commission, Determination Fees, which currently reads: "An applicant for a Determination of Applicability from the Conservation Commission shall pay a fee of \$20 to the Hardwick Conservation Commission in addition to any fees required pursuant to MGL, Chapter 131, Section 40 for the purpose of determining whether or not a proposed activity or area is subject to MGL, Chapter 131, Section 40"; to be amended to read as follows:

"An Applicant for a Determination of Applicability from the Conservation Commission shall pay a fee to the Hardwick Conservation Commission for the purpose of determining whether or not a proposed activity or area is subject to MGL, Chapter 131, Section 40;" or take any other action relative thereto.

Sponsor: Conservation Commission

Motion made, seconded and the Moderator declared this motion is passed by a 2/3 vote or more* for the Town to amend Article #6 of the Special Town Meeting of June 19, 1993, Conservation Commission, Determination Fees, which currently reads: "An applicant for a Determination of Applicability from the Conservation Commission shall pay a fee of \$20 to the Hardwick Conservation Commission in addition to any fees required pursuant to MGL, Chapter 131, Section 40 for the purpose of determining whether or not a proposed activity or area is subject to MGL, Chapter 131, Section 40"; to be amended to read as follows:

An Applicant for a Determination of Applicability from the Conservation Commission shall pay a fee to the Hardwick Conservation Commission for the purpose of determining whether or not a proposed activity or area is subject to MGL, Chapter 131, Section 40.

MOTION MADE, SECONDED AND VOTED UNANIMOUSLY TO DISSOLVE THIS MEETING AT 7:30 pm.

***(AS ALLOWED BY TOWN OF HARDWICK - ATM – 6/16/07 – A#27 & MGL, C39s15).**

And you are directed to serve this warrant by posting attested copies thereof in each of the Post Offices in said Hardwick, seven days at least before the time of said meeting. Hereof and fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the time of said meeting.

Given under our hands this 3rd day of June, 2019.

Kenan P. Young, Chairman
Kelly G. Allen
Julie M. Quink

HARDWICK BOARD OF SELECTMEN

This is a true copy. ATTEST. Eric Vollheim, Constable. DATE: June 4, 2019.

This day I have posted attested copies as directed. Eric Vollheim, Constable. DATE: June 4, 2019.

59 Voters in attendance.

No quorum required by town by-law.

5 Non-registered persons in attendance.

Respectfully submitted,

PAULA L. ROBERTS, CMMC

TOWN CLERK

TOWN OF HARDWICK