

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF GRAFTON  
SEMI-ANNUAL TOWN MEETING  
October 18, 2021**

**MINUTES**

The Semi-Annual Town Meeting for the Town of Grafton was held on Monday, October 18, 2021 in the Grafton High School auditorium at 7:30 p.m.

Upon order of the Moderator, Dawn Anderson, 228 Brigham Hill Road, checkers were stationed in the Commons area of the High School using poll pads with which to check the names of those persons who entered. Upon checking in, each voter was given a paddle – green on one side, red on the other. The red/green paddle should be used to indicate no/yes votes in order to facilitate vote counting during the meeting.

The Moderator opened the meeting at 7:30 p.m. and welcomed all present.

Ms. Anderson appointed David Robbins, 92 George Hill Road, as Deputy Moderator.

Ms. Anderson advised all present of the procedures used during Town Meeting.

Vice Chairman of the Select Board, Colleen Roy, led the Pledge of Allegiance.

Ms. Anderson introduced Evan Brassard, Town Administrator, Town Counsel Ginny Kremer, Town Clerk Kandy Lavallee, and Representative David Muradian. Representative Muradian gave a brief legislative update.

Town Clerk Kandy Lavallee read the return of the warrant.

Ms. Anderson asked Mr. Brassard to review the consent agenda procedure.

**RECOMMENDED CONSENT MOTION:**

To see if the Town will vote to act upon Article 1, 2, and 3 and that these articles be “passed by consent.”

MOTION by Select Board member Roy: I move that the Town vote to act upon Article 1, 2, and 3 and that these articles be “passed by consent.”

**ARTICLE 1 (CONSENT MOTION):**

*To see if the Town will vote to accept the donation of real estate comprising a parcel of land known and numbered as 101 Pine Street.*

*Submitted by: Town Administrator*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to allow the Select Board to accept the donation of a parcel of land known and numbered as 101 Pine Street.*

**ARTICLE 2 (CONSENT MOTION):**

*To see if the Town will vote to accept the donation of real estate comprising a parcel of land known and numbered as 5 Rear Carriage House Lane and place said land under the care of the Conservation Commission.*

*Submitted by: Conservation Commission*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to allow the Select Board to accept the donation of a parcel of land known and numbered as 5 Rear Carriage House Lane, and that the land be placed under the care of the Conservation Commission.*

**ARTICLE 3 (CONSENT MOTION):**

*To see if the Town will vote to accept the donation of real estate comprising a parcel of land known and numbered as 11 Rear Appaloosa Drive and place said land under the care of the Conservation Commission.*

*Submitted by: Conservation Commission*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to allow the Select Board to accept the donation of a parcel of land known and numbered as 11 Rear Appaloosa Drive, and that the land be placed under the care of the Conservation Commission.*

The consent motion was seconded.

A vote was taken.

The Moderator declared the consent motion carried.

**RECOMMENDED CONSENT MOTION:**

To see if the Town will vote to act upon Article 4 and 5 and that these articles be “passed by consent.”

MOTION by Select Board member Often: I move that the Town vote to act upon Article 4 and 5 and that these articles be “passed by consent.”

A hold was called on Article 4.

Ms. Anderson stated Article 4 would be removed from the consent motion and discussion would follow once the remaining Articles in the consent motion had been voted on.

**ARTICLE 5 (CONSENT MOTION):**

*To see if the Town will vote to appropriate the sum of Thirteen Thousand Dollars (\$13,000.00) from the Community Preservation Act Historical Reserve for the restoration of historic town records with such funds to be expended by June 30, 2024 unless the CPC by majority vote extends the deadline.*

*Submitted by: Community Preservation Committee*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to appropriate funds in the amount of Thirteen Thousand Dollars (\$13,000) from the Community Preservation Act Historical Reserve for the restoration of Historic Town Records, with such funds to be expended by June 30, 2024, unless the CPC by majority vote extends the deadline.*

The consent motion was seconded.

A vote was taken.

The Moderator declared the consent motion carried.

**ARTICLE 4:**

To see if the Town will vote to appropriate the sum of Forty-Seven Thousand Dollars (\$47,000.00) from the Community Preservation Act FY2022 Budgeted Reserve for design services to develop a passive recreation park on land located at 95 North Street and donated specifically for this purpose, with such funds to be expended by June 30, 2023, unless the CPC by majority vote extends the deadline.

Submitted by: Community Preservation Committee

Required Vote: **MAJORITY**

MOTION by Select Board member Mead: I move that the Town vote to appropriate funds in the amount of Forty-Seven Thousand Dollars (\$47,000) from the Community Preservation Act FY2022 Budgeted Reserve for the design services to develop a passive recreation park on town owned land located at 95 North Street, with such funds to be expended by June 30, 2023, unless the CPC by majority vote extends the deadline.

The motion was seconded.

A discussion ensued by Town Meeting members.

A motion was made to move the question.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

A vote was taken on Article 4.

The Moderator declared the original motion carried.

**RECOMMENDED CONSENT MOTION:**

To see if the Town will vote to act upon Article 6, 7, 8, 9, 10, 11, 12, and 13 and that these articles be "passed by consent."

MOTION by Select Board member DeFazio: I move that the Town vote to act upon Article 6, 7, 8, 9, 10, 11, 12, and 13 and that these articles be "passed by consent."

**ARTICLE 6 (CONSENT MOTION):**

*To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Follette Street Well Project Account for the purpose of funding the Follette Street Well Project, pursuant to Article 10 of the May 11, 2009 Special Town Meeting.*

*Submitted by: Town Administrator*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to authorize the transfer of funds in the amount of Ten-Thousand Dollars (\$10,000) from Free Cash to the Follette Street Well Project Account for the testing of the Follette Street Well.*

**ARTICLE 7 (CONSENT MOTION):**

*To see if the Town will vote to appropriate and transfer the sum of \$100,000.00 from the Sewer Retained Earnings Account to the Plant Upgrade/Expansion Account.*

*Submitted by: Board of Sewer Commissioners*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town Vote to appropriate and transfer funds in the amount of One-Hundred Thousand Dollars (\$100,000) from the Sewer Retained Earnings Account to the Plant Upgrade/Expansion Account.*

**ARTICLE 8 (CONSENT MOTION):**

*To see if the Town will vote to appropriate and transfer the sum of \$100,000.00 from the Sewer Retained Earnings Account to the Major Equipment Repair/Replacement Account.*

*Submitted by: Board of Sewer Commissioners*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town Vote to appropriate and transfer funds in the amount of One-Hundred Thousand Dollars (\$100,000) from the Sewer Retained Earnings Account to the Major Equipment Repair/Replacement Account.*

**ARTICLE 9 (CONSENT MOTION):**

*To see if the Town will vote to appropriate and transfer the sum of \$1,000,000.00 from Sewer Retained Earnings Account to the Inflow & Infiltration Inspection and Repair Account.*

*Submitted by: Board of Sewer Commissioners*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to appropriate and transfer funds in the amount of One Million Dollars (\$1,000,000) from the Sewer Retained Earnings Account to the Inflow & Infiltration Inspection and Repair Account.*

**ARTICLE 10 (CONSENT MOTION):**

*To see if the Town will vote to appropriate and transfer a sum of money to the Long-Range Tree Removal Capital Account, established under Article 14 of the May 2019 Annual Town Meeting.*

*Submitted by: Department of Public Works*

*Required Vote: **MAJORITY***

CONSENT MOTION: I move that the Town vote to appropriate and transfer funds in the amount of Fifty-Thousand Dollars (\$50,000) from Free Cash to the Long-Range Tree Removal Capital Account.

**ARTICLE 11 (CONSENT MOTION):**

To see if the Town will vote to appropriate and transfer a sum of money from Free Cash for the design engineering of George Hill Road.

Submitted by: Department of Public Works

Required Vote: **MAJORITY**

CONSENT MOTION: I move to that the Town vote to appropriate Five-Hundred Thousand Dollars (\$500,000) from Free Cash for the design engineering of George Hill Road.

**ARTICLE 12 (CONSENT MOTION):**

To see if the Town will vote to appropriate and transfer a sum of money from the Rt. 30 Paving Account to the Road Stabilization Override Account.

Submitted by: Department of Public Works

Required Vote: **MAJORITY**

CONSENT MOTION: I move that the Town vote to appropriate and transfer funds in the amount of Two-Hundred and Thirty-One Thousand Six-Hundred and Forty Dollars (\$231,640) from the Rt. 30 Paving Account to the Road Stabilization Override Account.

**ARTICLE 13 (CONSENT MOTION):**

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money for the Loader 38 rehabilitation project.

Submitted by: Department of Public Works

Required Vote: **MAJORITY**

CONSENT MOTION: I move that the Town vote to appropriate funds in the amount of Nineteen-Thousand Six Hundred and Ninety-Eight Dollars (\$19,698) from the Town Truck #44 Replacement Account, Six Thousand Four-Hundred and Ninety-Five Dollars and Twenty-Five Cents (\$6,495.25) from the Town Dump Truck #47 Account and Ten-Thousand Dollars (\$10,000) from Free Cash for the Loader 38 Rehabilitation Project.

The consent motion was seconded.

A brief discussion ensued among Town Meeting members.

A vote was taken.

The Moderator declared the consent motion carried.

**RECOMMENDED CONSENT MOTION:**

To see if the Town will vote to act upon Article 14, 15, and 16 and that these articles be "passed by consent."

MOTION by Select Board member Mead: I move that the Town vote to act upon Article 14, 15, and 16 and that these articles be “passed by consent.”

A hold was called on Article 16.

Ms. Anderson stated Article 16 would be removed from the consent motion and discussion would follow once the remaining Articles in the consent motion had been voted on.

**ARTICLE 14 (CONSENT MOTION):**

*To see if the Town will vote to authorize the Select Board to negotiate with property owners the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting Millbury Street and Crosby Road, that are necessary for the laying of sidewalk.*

*Submitted by: Department of Public Works*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to authorize the Select Board to negotiate with property owners for the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting Millbury Street and Crosby Road, that are necessary for the laying of a sidewalk.*

**ARTICLE 15 (CONSENT MOTION):**

*To see if the Town will vote to authorize the Select Board to negotiate with property owners the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting Follette Street, that are necessary for the replacement of the Depot Street Sutton Bridge.*

*Submitted by: Department of Public Works*

*Required Vote: **MAJORITY***

*CONSENT MOTION: I move that the Town vote to authorize the Select Board to negotiate with property owners for the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting Follette Street, that are necessary for the replacement of the Depot Street Sutton Bridge.*

The consent motion was seconded.

A vote was taken.

The Moderator declared the consent motion carried.

**ARTICLE 16:**

To see if the Town will vote to authorize the Select Board to negotiate with property owners the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting George Hill Road, Leland Street, Soap Hill Road, Stowe Road, and Fay Mountain Road, that are necessary for the improvements of George Hill Road, Leland Street, Soap Hill Road, Stowe Road, and Fay Mountain Road.

Submitted by: Department of Public Works

Required Vote: **MAJORITY**

MOTION by Select Board member Mead: I move that the Town vote to authorize the Select Board to negotiate with property owners for the acquisition by gift, purchase, or Eminent Domain, of certain temporary and permanent easements to real property abutting George Hill Road, Leland Street, Soap Hill Road, Stowe Road, and Fay Mountain Road, that are necessary for the improvements of George Hill Road, Leland Street, Soap Hill Road, Stowe Road, and Fay Mountain Road.

The motion was seconded.

A brief discussion ensued by Town Meeting members.

A vote was taken.

The Moderator declared the motion carried.

**ARTICLE 17:**

To see if the Town will vote to identify the specific programs and/or activities on which funds may be expended that are held in the School Extended Services Revolving Fund established by Article 7 on May 13, 2019.

Submitted by: Town Administrator

Required Vote: **MAJORITY**

MOTION by Select Board member Roy: I move that the Town vote to pass over Article 17.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

**ARTICLE 18:**

To see if the Town will vote to appropriate a sum of money toward a program of lease payments on capital items, purchases, improvements, and special articles as generally illustrated in Appendix A.

Submitted by: Town Administrator

Required Vote: **TWO-THIRDS**

MOTION by Select Board member Often: I move that the Town vote to appropriate funds in the amount of One-Hundred Forty-Six Thousand Six-Hundred and Twenty-Five Dollars (\$146,625) from Free Cash the funding of Capital Items.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds.

**ARTICLE 19:**

To see if the Town will vote to amend the Town of Grafton General By-Laws, by repealing Article 2 Section 1A and replacing it with the new wording below, and further that the Town authorize non-substantive changes to the lettering and numbering of the Town of Grafton General By-Laws.

**SECTION 1A.** The spring session of the annual town meeting shall be held on the second Saturday in May of each year and the fall session on the third Saturday in October, both sessions to begin at 10:30 AM. If there is unfinished business then subsequent meetings shall be held on the following Saturday mornings at 10:30 AM until final adjournment.

Submitted by: Select Board

Required Vote: **MAJORITY**

MOTION by Select Board member DeFazio: I move that the Town vote to accept the proposed amendments to Article 2 Section 1A of the Grafton General By-Laws as set forth in Article 19, and to further authorize the Town Administration to make non-substantive changes to the lettering, numbering and/or pagination in the General By-Laws going forward on an as needed basis.

The motion was seconded.

A discussion ensued among Town Meeting members.

A vote was taken.

The Moderator declared the motion defeated.

**ARTICLE 20:**

To see if the Town will vote to transfer and appropriate the sum of \$1,500,000.00 from the Road Improvement Stabilization fund to the Road Improvement Capital Expenditures Fund for road improvement projects consistent with Chapter 90 rules and regulations as recommended by the DPW Advisory committee and approved by the Town Administrator.

Submitted by: Town Administrator

Required Vote: **TWO-THIRDS**

MOTION by Select Board member Mead: I move that the Town vote to appropriate and transfer funds in the amount of One Million Five-Hundred Thousand Dollars (\$1,500,000) from the Road Improvement Stabilization Fund to the Road Improvement Capital Expenditures Fund.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds.

**ARTICLE 21:**

To see if the Town will vote to transfer and appropriate a sum of money from available sources to the Stabilization Fund, the OPEB Trust Account, and to the Municipal Capital Stabilization Fund.

Submitted by: Town Administrator

Required Vote: **TWO-THIRDS**



MOTION by Select Board member Roy: I move that the Town vote to appropriate and transfer funds in the amount of Nine-Hundred Seventy-Four Thousand Two Hundred and Ninety-Six Dollars and Fifty Cents (\$974,296.50) from the sale of 8 Pine Street to the following accounts and in the following amounts; One Hundred Thousand Dollars (\$100,000) to the OPEB Trust Account, Three Hundred Seventy Four Thousand Two-Hundred Ninety-Six Dollars and Fifty Cents to the Stabilization Fund (\$374,296.50), and Five Hundred Thousand Dollars (\$500,000) to the Municipal Capital Stabilization Fund.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds.

**ARTICLE 22:**

To see if the Town will vote to authorize payment of any prior fiscal year bills from available sources.

Submitted by: Finance Director

Required Vote: ***NINE-TENTHS***

MOTION by Select Board member Often: I move that the Town vote to authorize the payment of the following Prior Fiscal Year Invoices:

- One Thousand Thirty-Nine Dollars and Eighty Cents (\$1,239.80) to the New England Medical Billing Group, Ltd.;
- Two Hundred Forty-Eight Dollars and Twenty-One Cents (\$248.21) to the New England Medical Billing Group, Ltd.;
- One Thousand Two-Hundred Sixty-One Dollars and Forty-Two Cents (\$1,261.42) to E.L. Harvey;
- Seven Hundred Thirty-Three Dollars and Eighty-Four Cents (\$733.84) to the New England Medical Billing Group, Ltd.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried by the required nine-tenths.

**ARTICLE 23:**

To see if the Town will vote to amend the Grafton Town By-Laws by repealing Article 34, Chapter 1, and replacing it with the new wording below, and further that the Town authorize non-substantive changes to the lettering and numbering of the Town of Grafton General By-Laws.

Grafton hereby establishes a Community Preservation Committee consisting of nine (9) members pursuant to G.L. Chapter 44B. The Committee will be responsible for making recommendations to Town Meeting on Community Preservation.

The composition, terms, and appointment of the Committee shall be as follows: One member of the Conservation Commission as designated by the Commission; on member

of the Historical Commission as designated by the Commission; one member of the Grafton Housing Authority as designated by the Authority, one member of the Planning Board as designated by the Board; one member of the Recreation Commission as designated by the Commission; one member of the Select Board as designated by the Board; one member of the Veterans Affairs Committee as designated by the Committee; and two at-large members as appointed by the Select Board.

At-large members shall be appointed to the following terms: one for a one year term and one for a two year term. All subsequent terms will be for three years and all members of the Committee may be reappointed.

Should any Commissions, Boards, or Committees who have appointment authority under this chapter no longer be in existence for whatever reason, the appointing authority for that Commission, Board, or Committee shall become the responsibility of the Select Board.

Submitted by: Select Board

Required Vote: **MAJORITY**

MOTION by Select Board member DeFazio: I move that the Town vote to pass over Article 23.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

**ARTICLE 24:**

To see if the Town will vote to amend the Town Charter as follows:

Section 3-1: General Provision

Amending Article 3, Section 3-1 by deleting "Town Clerk:

**(a) Elective offices** – The Town offices to be filled by ballot of the whole town shall be a Select Board, a School Committee, a Board of Library Trustees, and a Town Moderator Planning Board, ~~Town Clerk~~. In addition, members of a Housing Authority, and such members of regional authorities or districts as may be established by statute, inter-local agreement or otherwise shall also be elected at Town election.

Section 3-5: Town Clerk

Amending Article 3, Section 3-5 by deleting Section 3-5: Town Clerk in its entirety

~~**(a) Term of Office** — There shall be a town clerk elected for a term of three years.~~

~~**(b) Powers and Duties** — The town clerk shall be the keeper of vital statistics for the town; the custodian of the town seal; shall administer the oath of office to all persons, elected or appointed to any town office; shall issue such licenses and permits as are required by law to be issued by town clerks; supervise and manage the conduct of all elections and all other matters relating to elections be the clerk of the town meeting, keep its records and in the absence of the town moderator or deputy town moderator to preside pending the election of a temporary town~~

~~moderator. The town clerk shall have such other powers and duties as are given to town clerks by general law, by this charter, by by-law or by other vote of the town meeting.~~

And amending Article 5 – Administrative Organization by adding a new Section 5-7: Town Clerk to read as follows:

Section 5-7: Town Clerk

**(a) Term of Office** – There shall be a Town Clerk appointed by the Town Administrator for a term of three years.

**(b) Powers and Duties** – The town clerk shall be the keeper of vital statistics for the Town; the custodian of the town seal; shall administer the oath of office to all persons, elected or appointed to any town office; shall issue such licenses and permits as are required by law to be issued by town clerks; supervise and manage the conduct of all elections and all other matters relating to elections be the clerk of the town meeting, keep its records and in the absence of the town moderator or deputy town moderator to preside pending the election of a temporary town moderator. The town clerk shall have such other powers and duties as are given to town clerks by general law, by this charter, by by-law or by other vote of the town meeting.

Submitted by: Select Board

Required Vote: **MAJORITY**

MOTION by Select Board member Mead: I move that the Town vote to accept the proposed Charter amendments as set forth in Article 24, and to further authorize the Town to make non-substantive changes to lettering, numbering, and pagination of the Charter going forward on an as needed basis.

The motion was seconded.

A discussion ensued among Town Meeting members.

A motion was made to move the question.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

A vote was taken on the original motion.

The Moderator declared the original motion carried.

The Moderator incorrectly declared the motion defeated due to an error in transcribing the number of votes. The Moderator correctly declared the motion carried.

**ARTICLE 25:**

To see if the Town will vote to remove the restrictions placed on 25 Worcester Street, Grafton, Massachusetts, (“for the purpose of constructing senior (age 55 and over) affordable housing”) by Town Meeting in Article 41 on June 20, 2020.

Submitted by: Affordable Housing Trust

Required Vote: **MAJORITY**

MOTION by Select Board member Often: I move that the Town vote to pass over Article 25.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

A motion was made to adjourn at 8:45 p.m.

The motion was seconded.

A vote was taken.

The Moderator declared Town Meeting adjourned at 8:45 p.m.

A true copy,  
Attest,

Kandy L. Lavallee  
Town Clerk