

Town of Leyden
Annual Town Meeting
Monday, June 3, 2024
6:00 PM at the Leyden Town Hall – 16 West Leyden Road

Moderator: John “Jack” Golden
Town Clerk: Paul McLatchy III
Select Board: Chair Glenn Caffery, Katherine DiMatteo, Erica Jensen
Coordinator: Michele Giarusso
Counsel: Donna MacNicol, Esq.

The Leyden Annual Town Meeting was called to order at 6:00 PM by Moderator Golden. He began by reviewing the rules of the meeting, followed by a note of appreciation for the Council on Aging and Library for providing refreshments. He asked for a moment to recognize outgoing Select Board member Glenn Caffery and the Highway Department for their hard work maintaining the roads. Both received a large round of applause. At this point Constable Philip Juliani delivered the warrant. In attendance were approximately seventy-one (71) voters and four (4) guests.

ARTICLE 1: A motion was made and seconded to vote to set the stipend compensation for whatever elected officials receive compensation from the Town as provided by M.G.L. c. 41, section 108 to be made effective from July 1, 2024, as contained in the budget.

Passed by Show of Hands, Unanimous

ARTICLE 2: A motion was made and seconded to vote to raise and appropriate, or transfer from available funds, a sum or sums in accordance with the proposed budget to defray the operating expenses of the town for the fiscal year ending June 30, 2025:

GENERAL GOVERNMENT

Moderator

114-5100	Stipend	\$150.00
114-5300	Expense	\$30.00
	Subtotal	\$180.00

Town Operations

122-5100	Selectboard Chair Stipend	\$2,000.00
122-5110	Selectboard Member Stipend	\$3,000.00
122-5340	Web Site / Internet Access	\$2,500.00
122-5380	Account	\$4,000.00
122-5420	Selectboard Equipment/Supplies	\$3,500.00
122-5210	Diesel Account	\$22,000.00
122-5300	Boards/Committees Expense	\$5,000.00

	Administrative Assistant Hourly	\$21,370.44
123-5100	Town Coordinator Salary	\$63,063.00
123-5300	Expense	\$750.00
	Subtotal	\$127,183.44

Finance Committee

131-5300	Finance Committee Expense	\$150.00
132-5780	Reserve Fund	\$5,000.00
	Subtotal	\$5,150.00

Town Accountant

135-5100	Salary	\$13,767.50
135-5300	Expense	\$4,791.25
	Subtotal	\$18,558.75

Assessors

141-5100	Chair Stipend	\$3,200.00
141-5110	Member Stipend	\$4,800.00
141-5120	Assistant Assessor Hourly	\$12,463.00
141-5300	Expense	\$8,800.00
	Subtotal	\$29,263.00

Treasurer

145-5100	Salary	\$13,767.50
145-5110	Treasurer's Certification	\$1,000.00
145-5420	Expense	\$1,642.00
145-5580	Treasurer Tax Taking Expense	\$12,000.00
145-5300	Payroll Expense	\$2,200.00
	Subtotal	\$30,609.50

Tax Collector

146-5100	Salary	\$13,767.50
146-5300	Expense	\$8,869.25
146-5580	Tax Lien Expense	\$2,500.00
	Subtotal	\$25,136.75

Town Counsel

151-5300	Town Counsel Fee & Expense	\$5,000.00
	Subtotal	\$5,000.00

Town Clerk

161-5100	Hourly	\$14,703.25
New Line	Registrar Stipend	\$400.00
161-5300	Expense	\$1,942.00
162-5120	Election Expense	\$5,451.00
	Subtotal	\$22,496.25

Planning Board

175-5100	Chair Stipend	\$800.00
175-5110	Member Stipend	\$1,000.00
175-5300	Expense	\$500.00
	Subtotal	\$2,300.00

Town Buildings

192-5240	Building Repairs/Maintenance	\$10,000.00
192-5210	Utilities	\$40,000.00
192-003	Grounds Maintenance	\$7,000.00
192-5111	Custodian Hourly	\$5,834.95
192-011	Elevator Repair and Maintenance	\$3,500.00
192-5291	East Hill Cemetery	\$900.00
	Subtotal	\$67,234.95

Town Reports

195-5300	Annual Town Report Printing	\$750.00
	Subtotal	\$750.00

TOTAL GENERAL GOVERNMENT \$333,862.64

PROTECTION OF PEOPLE AND PROPERTY

Leyden/Bernardston Shared Policing

	Leyden/Bernardston Policing	\$99,705.98
210-5120	Constable	\$300.00
	Subtotal	\$100,005.98

Fire

220-5110	Chief Stipend	\$5,200.00
	Assistant Chief Stipend	\$500.00
	Captain Stipend	\$1,000.00
220-5115	Fire Employee Hourly	\$18,690.00
220-5300	Expense	\$23,860.00
	Subtotal	\$49,250.00

Emergency Medical

	RAVE 911	\$2,850.00
	EMS Coordinator Stipend	\$500.00
250-5110	EMS Hourly	\$3,605.00
250-5300	EMS Expense	\$2,500.00
	EMS Oversight/Training (Community 911)	\$5,000.00
	Ambulance	\$13,000.00
	Subtotal	\$27,455.00

Emergency Management

	Stipend	\$1,600.00
	Expense	\$4,700.00
	Community Educational Events	\$0.00
	REPC	\$150.00
	Subtotal	\$6,450.00

Animals and Trees

275-5300	Stipend	\$1,000.00
	Animal Control/Kennel	\$2,941.00
294-5300	Tree Warden	\$15,000.00
	Subtotal	\$18,941.00

TOTAL PROTECTION OF PEOPLE AND PROPERTY \$202,101.98

EDUCATION

Pioneer Valley Regional School

301-5320	Operating Budget	\$890,361.00
301-5710	Committee Travel	\$900.00
301-5820	Capital PVRSD	\$0.00
	Subtotal	\$891,261.00

Franklin County Technical School

303-5320	Operating Budget	\$52,373.00
303-5820	Capital	\$2,381.20
	Subtotal	\$54,754.20

TOTAL EDUCATION \$946,015.20

PUBLIC WORKS

Highway Department

	Highway Superintendent Salary	\$77,976.15
421-5100	Foreperson Salary	\$63,211.20
	Hourly	\$21,712.00
421-5300	Expense	\$6,800.00
421-5430	Maintenance	\$101,000.00
421-5240	Machinery	\$56,000.00
423-5300	Winter Maintenance	\$69,000.00
	Subtotal	\$395,699.35
	TOTAL PUBLIC WORKS	\$395,699.35

HUMAN SERVICES

Board of Health

510-5100	Chair Stipend	\$950.00*
510-5110	Member Stipend	\$1,500.00*
510-5300	Expense	\$1,000.00
519-5650	Service	\$4,605.00
	Subtotal Board of Health	\$8,055.00* /
		As Amended: \$9,045.00

Veteran Services

544-5770	Veteran Services	\$1,946.00
545-5770	Veteran 115 Benefit	\$6,953.00
	Subtotal Veteran	\$8,899.00

Council on Aging

541-5300	COA Expense	\$3,000.00
	Subtotal Council on Aging	\$3,000.00

TOTAL HUMAN SERVICES	Original Motion:	\$19,954.00*/
	As Amended:	\$20,944.00

CULTURE

Library

610-5100	Director Salary	\$19,471.25
610-5110	Custodian Hourly	\$792.75
610-5300	Expense	\$5,415.06
New Line	Material	\$6,500.00
	Subtotal Library	\$32,179.06

Recreation		
New Line	Expense	\$4,000.00
	Subtotal Recreation	\$4,000.00

TOTAL CULTURE **\$36,179.06**

DEBT SERVICE

752-5925	Notes and Interest	\$1,000.00
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TOTAL DEBT SERVICE **\$1,000.00**

INSURANCE

910-5300	General Insurance	\$117,000.00
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TOTAL INSURANCE **\$117,000.00**

REGIONAL

	Mosquito Control District	\$3,025.00
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Subtotal Mosquito Control District **\$3,025.00**

FRCOG

850-5676	FRCOG Procurement	\$1,800.00
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241-5580	FRCOG Inspection Service	\$4,600.00
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851-5677	Assessment	\$5,099.00
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Subtotal FRCOG **\$11,499.00**

852-5678	Retirement Assessment	\$43,786.00
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Subtotal Retirement **\$43,786.00**

TOTAL REGIONAL **\$58,310.00**

TOTAL BUDGET

Original Motion: \$2,110,122.23/

As Amended: \$2,111,112.23*

A motion was made and seconded to amend the article to increase the highway foreperson wage line from \$63,211.20 to \$63,706.40. After discussion, the mover and second withdrew the motion.

**A motion was made and seconded to amend the article to decrease the Board of Health Chair Stipend line from \$950.00 to \$800.00, decrease the Board of Health Member Stipend line from \$1,500.00 to \$1,200.00, and to add a new line in the Board of Health budget for Training Expenses funded at \$1,440.00 (for a total departmental budget of \$9,045.00). The motion passed.*

***The article, as amended, passed by show of hands,
near-unanimous with one (1) no vote.***

ARTICLE 3: A motion was made and seconded to vote to authorize the Treasurer to enter into compensating balance agreements during the fiscal year ending June 30, 2025 as permitted by M.G.L. c. 44, section 53F.

Passed by Show of Hands, Unanimous

ARTICLE 4: A motion was made and seconded to vote to transfer from the Highway Capital Stabilization account \$199,080.10 and \$28,920.00 from Free Cash, for a total sum of \$228,000.10, to purchase a new highway loader.

Passed by Show of Hands, Unanimous

ARTICLE 5: A motion was made and seconded to vote to transfer from Free Cash the sum of \$10,000.00 to the Police Capital Stabilization account per the Intermunicipal Agreement.

Passed by Show of Hands, Near-Unanimous, One (1) "No" Vote

ARTICLE 6: A motion was made and seconded to vote to transfer from Free Cash the sum of \$29,349.00 to the Building Needs account.

Passed by Show of Hands, Unanimous

ARTICLE 7: A motion was made and seconded to vote to transfer from General Stabilization the sum of \$4,000.00 to the Conservation Commission knotweed project account.

Note: Articles withdrawing funds from a stabilization account require a 2/3 vote.

Passed by Show of Hands, Unanimous

ARTICLE 8: A motion was made and seconded to see if the town will vote to authorize the Select Board and Conservation Commission to accept a conservation restriction on approximately 30 acres of land owned by Penfield Trust on Hunt Hill Road.

Passed by Show of Hands, Unanimous

ARTICLE 9: A motion was made and seconded to vote to abandon and discontinue a portion of Hunt Hill Rd, effective September 1, 2024, more particularly described as follows:

From a point 943’ from the intersection with East Hill Road to a point 1726’ from the intersection with East Hill Road, more or less in a westerly direction, marked by a 7/8” steel pipe next to an 18” poplar tree, the point of the current discontinuance approved by the Town Meeting vote of June 20, 2023.

Passed by Show of Hands, Three (3) “No” Votes and One (1) Abstention

ARTICLE 10: A motion was made and seconded to vote to accept the layout of a statutory private way, effective September 1, 2024, of a portion of Hunt Hill Rd more particularly described as follows:

Running a width of 2 rods and beginning 943’ from the intersection with East Hill Road to a point 1726’ from the intersection with East Hill Road, more or less, in a westerly direction, marked by a 7/8” steel pipe next to an 18” poplar tree, the point of the current discontinuance approved by the Town Meeting vote of June 20, 2023.

Passed by Show of Hands, Unanimous

ARTICLE 11: A motion was made and seconded to vote to adopt the following amendments and additions to the Town of Leyden Zoning Bylaws: SECTION 3. DEFINITIONS, SECTION 4. USE REGULATIONS, including 4.1 Permitted Uses, 4.2 Uses Requiring a Special Permit, 4.3 Prohibited Uses Section, and to adopt a new SECTION 5.13 Detached Accessory Dwelling Units (ADU’s), as follows:

[Note: items in italics are included for information purposes only and will not be included in the revised zoning bylaw.]

SECTION 3. DEFINITIONS: *[new and revised definitions to be inserted in appropriate alphabetical order]*

Accessory Dwelling Unit: A self-contained detached dwelling unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling that is subordinate to the principal structure, including site-built, modular, and/or manufactured homes. See Section 5.13.

Modular or Manufactured Home: A completely factory-built house, either as a single complete structure or built in sections, that is constructed according to national HUD standards, local building codes and MA Sanitary Code, 310 CMR 15.000 and Housing Code 105 CMR 410. This home or sections of a home, sit atop a frame that allows for delivery by truck to a home site and placed upon a permanent foundation constructed in compliance with the MA Building Code 780 CMR.

Short-Term Vacation Rental: A furnished dwelling unit that is rented by the owner to another party for a period of not more than 30 consecutive days which is subject to M.G.L. Chapter 64G regulations.

Temporary Housing: any structure used for human habitation which is:

- (1) A mobile structure, including a tent that is attached to the ground, to another structure, or to any utility system, on the same premises for less than 30 calendar days; or
- (2) A mobile structure that provides basic shelter and contains at least one habitable room for living, sleeping, eating, cooking or sanitation that is intended to be occupied by a single family or household for intermittent
- (3) periods of time not to exceed 90 consecutive days, unless extended by the Leyden Board of Health.

[Revise the following definitions as follows:]

Camper: A portable dwelling, containing complete electrical, plumbing and sanitary facilities, eligible to be registered and insured for highway use, designed to be used for travel, recreational and vacation uses, but not for permanent residence. Includes equipment commonly called travel trailers, pick-up coaches or campers, motorized campers, tent trailers, tiny homes on wheels, and motor homes.

[Current definition: "Camper - A portable dwelling, eligible to be registered and insured for highway use, designed to be used for travel, recreational and vacation uses, but not for permanent residence. Includes equipment commonly called travel trailers, pick-up coaches or campers, motorized campers, tent trailers, and motor homes, but not mobile homes."]

Dwelling: A building used in whole or in part for human habitation, whether for single, two-family, or multiple family use.

[Current definition: "Dwelling - Any structure, including mobile homes, containing one or more dwelling units."]

Dwelling Unit: the group of rooms within a residence used or intended for use by an individual, family, or household for living, sleeping, cooking, and eating, and other areas of which the occupants have exclusive use.

[Current definition: "Dwelling Unit – Living quarters for a single family plus not more than four (4) boarders or lodgers, with cooking (stove plus either or both a refrigerator and sink), living, sanitary and sleeping facilities independent of any other unit; or quarters for not more than four (4) persons in a lodging house or dormitory."]

Family: A number of individuals living and cooking together on the premises as a single unit.

[Current definition: "Family – An individual or two or more persons related by blood or marriage, or a group of not more than five persons not so related, living together as a single housekeeping unit."]

SECTION 4. USE REGULATIONS

4.1 Permitted Uses *[delete current paragraph A.1. and replace with the following:]*

A.1 detached one-family and two-family dwellings, including modular and manufactured homes, but not including campers or mobile homes;

[Current paragraph: "detached one-family dwellings, not including temporary or mobile structures, provided that no lot shall contain more than one dwelling";]

4.1 Permitted Uses *[add the following to A.4]*

A.4 any use customarily accessory to and clearly incidental to a permitted use on the lot, including, but not limited to:

- g. detached accessory dwellings, see Section 5.13;
- h. short term vacation rentals provided that no lot shall contain more than one such rental unit;
- i. temporary housing, including mobile homes on wheels, provided:
 - 1) no person may allow temporary housing to be occupied without the written permission of the board of health through the issuance of a temporary occupancy permit.
 - 2) All temporary housing shall be subject to the requirements of the State Housing Code, 105 CMR 410.000, and the state Sanitary Code 310 CMR 15.000, except as the board of health may otherwise provide in its written permission.

4.2 Uses requiring a Special Permit *[delete current paragraph A.2. and replace with the following and add a new part A.4]*

A. The following uses require a Special Permit according to the requirements of Section 8 Special Permits:

2. Multi-family Dwellings (three to four dwelling units).

[current paragraph "A.2 - Two-Family (two dwelling units) and MultiFamily Dwellings (three to four dwelling units)."]

4. Additional detached ADU(s) on a lot where one (1) already exists.

4.3 Prohibited Uses, *[delete current paragraph A. and replace with the following:]*

A. Mobile Homes, Campers or RVs converted for permanent residences, and Mobile Home Parks.

[Current paragraph: "A. Mobile Homes and Mobile Home Parks".]

[Add the following new section.]

SECTION 5.13 Detached Accessory Dwelling Units (ADUs)

A. APPLICABILITY

For the purposes of this bylaw a detached accessory dwelling unit (ADU) shall mean one additional dwelling unit on lot with a primary dwelling unit, in a new or existing detached accessory structure. The ADU shall consist of no more than 900 square feet of living area and shall be designed and built to meet the requirements of the Massachusetts Building, Housing and Sanitary Codes and include a permanent foundation.

B. PURPOSE

The purpose of permitting accessory dwelling units is to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Provide younger homeowners with a means of obtaining rental income and thereby enabling them to own a home they might otherwise not afford;
3. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing;
4. Provide housing units for persons with disabilities.
5. Provide housing units for farmworkers in support of Leyden's agricultural community.

C. CONDITIONS AND REQUIREMENTS

The Building Inspector may issue a building permit for the installation and use of a detached ADU only after a site plan review by the Planning Board in accordance with Section 5.6 of these Zoning Bylaws, as well as subsequent recording of the results of said Review in the chain of title of the property, at the Franklin County Registry of Deeds in a form provided by said Board. The Site Plan will be conducted in compliance with Section 5.6 and shall consider the following.

1. The ADU will be a complete dwelling unit with a separate entry and contain a kitchen and bathroom.
2. The gross floor area of the ADU shall not be greater than 900 square feet. Floor area means finished living space, but does not include unfinished attic space, unfinished basement space, unfinished garage or barn space, porch, or patio. An

accessory dwelling unit of less than 900 square feet, may be enlarged by a future addition but only following site plan review and up to a maximum of 900 square feet in size.

3. Only one ADU may be created on a lot unless granted a Special Permit per Section 4.2.A.4 of these Bylaws, as well as a Site Plan Review, as above.

4. An ADU may be located in an existing accessory structure, such as a garage or barn, or within a new accessory structure or new modular or manufactured home located on the same lot as the principal single-family dwelling. The accessory dwelling unit must meet all front, side, and rear yard setbacks. unless a Special Permit is issued by the Planning Board under Section 2.3 of this bylaw.

5. The ADU must have a minimum of one (1) off-street parking space provided in addition to the off-street parking spaces required for the single-family dwelling. No more than one curb cut or driveway access shall be permitted for the lot, unless the Planning Board determines that a second driveway will improve public safety and not detract from the rural character of the road during the site plan review.

6. The design and room sizes of the accessory dwelling unit must conform to all applicable standards in the health, building, and other codes. A building permit for an accessory dwelling unit may only be approved subject to obtaining any required approvals from the Board of Health, including compliance with the State Sanitary Code 310 CMR 15 (“Title 5”) for septic systems, and compliance with any well regulations, where applicable.

7. An application for building permit or Special Permit for an accessory dwelling unit shall include any information necessary to show proposed interior and exterior designs to determine compliance with the conditions of this section, including a plot plan and floor plans.

8. Only one dwelling unit on a lot with an ADU may be used as a short-term vacation rental and would be subject to M.G.L. Chapter 64G regulations.

Note: Most Zoning Bylaw Changes Require A 2/3 vote.

Planning Board Chair James Brodeur read the Planning Board report into the record, which indicated unanimous support for passage of the article.

A motion was made and seconded to amend the article as follows:

Delete the following:

- 1. The revised definition of Camper*
- 2. The proposed revisions to Section 4.3 Prohibited Uses A. regarding Mobile Homes and Mobile Home Parks*
- 3. The reference to “4.3 Prohibited Uses” in the initial warrant article motion*
- 4. Section 4.1, A.1 – delete “or mobile homes” at the end of that sentence*
- 5. The definition of Short-Term Vacation Rental*
- 6. The last sentence of Section 5.13 that states “only one dwelling unit on a lot with an ADU may be used as a short-term vacation rental and would be subject to M.G.L. Chapter 64G regulations”*
- 7. The definition of temporary housing in Section 4.1. h & i*

A motion was then made and seconded to pass over Article 11. Discussion ensued, with a motion and a second to call the question. No vote was taken on whether to call the question.

The motion to pass over Article 11 passed with four (4) “no” votes and two (2) abstentions.

The moderator called for a fifteen (15) minute recess, encouraging voters to head downstairs for refreshments. The meeting recessed at 7:32 PM.

The Town Meeting was called back to order at 7:48 PM.

ARTICLE 12: A motion was made and seconded to adopt the following bylaw:

Curb Cut General Leyden Town By-Law

SECTION 1: DEFINITIONS

PUBLIC WAY: a way accepted and maintained by a public agency.

DRIVEWAY: privately owned access to and from a public way.

SECTION 2: PURPOSES

A) To provide better protection of public safety through the orderly control of traffic entering and exiting a public way.

B) To provide the necessary grade and drainage to protect the public way from damage and potential hazards on public roadway.

SECTION 3: APPLICATION FOR A PERMIT

A) Any property owner desiring to construct a driveway which accesses a public way shall do so only after securing a written permit for such driveway from the Highway Superintendent who has charge of the maintenance and repair of such public ways.

B) A driveway shall be designed and must receive approval from the Highway Superintendent before a building permit for a newly constructed building is approved and the driveway construction shall be completed before any occupancy or use of the premise is permitted.

C) Any access from a public way that does not serve a building and is not used continuously on a year-round basis such as access for agricultural, forestry, vacation homes and other uses must still apply for a permit under this bylaw and will be subject to the design standards set forth in SECTION 5.

D) Driveways that would be exempt from this permit requirements are:

- 1) Driveways already in existence
- 2) Driveways subject to M.G.L. c. 81, s.21 (State Curb Cut Permit)

SECTION 4: PERMIT APPLICATION AND REVIEW PROCEDURES

A) The property owner seeking a curb cut permit shall make a written submission to the Highway Superintendent including two copies of the Application for Curb Cut Permit, including a plan showing:

- 1) Any driveway that is to be created, altered, or closed and the relationship to the public way.
- 2) Construction details to describe the compliance with SECTION 5, Design Standards.

B) The Highway Superintendent shall consult with the Police Chief and the Fire Chief and other interested town officials to obtain their comment on the plan.

C) The Highway Superintendent shall notify the property owner making the application within 21 days, in writing indicating:

- 1) The curb cut does conform to the town's standard set forth in the bylaw, or,
- 2) The curb cut does conform subject to certain modifications, conditions, restrictions, or,
- 3) The permit is denied based on certain stated reasons.

D) If the Highway Superintendent takes no action within 21 days of completed submission, the Curb Cut Permit is automatically issued in accordance with the plan and the Town Clerk may so certify. If the permit is denied, an appeal may be made within 20 days to the Select Board.

E) The Highway Superintendent will inspect the project during and after construction and shall have the authority to halt construction and/or prohibit access to said driveway if construction is not in accordance with the approved plan, until objectionable conditions are corrected.

F) The Highway Superintendent shall "sign off" on the Permit after satisfactory completion of construction.

SECTION 5: DESIGN STANDARDS—These standards are for the purpose of this by-law only.

A) Culverts and Drainage: Existing drainage ditches parallel to public ways from which driveways will be constructed shall not be obstructed by new driveway construction. If a culvert is necessary, culverts of appropriate size and durable material (such as asphalt-coated galvanized steel) shall be installed at the expense of the applicant. Culvert diameter shall be determined by the Highway Superintendent or by a licensed professional engineer hired by the applicant.

Where appropriate in the judgment of the Highway Superintendent, driveways shall be provided with parallel drainage swales and with culverts allowing storm water to cross the driveway without creating erosion or washouts at the expense of the applicant. The Highway Superintendent may also require drainage swales, grading, or other features on the driveway necessary to prevent water from draining down the driveway onto the public way. In any of the above instances, the installation and construction will be at the expense of the applicant and will not be exempt from the design and construction standards set forward in this bylaw.

B) Sight Distances: All new driveways shall be constructed to allow for a minimum sight distance in both directions along the public way. Per the standards of the US Department of Transportation, Federal Highway Administration, the following are the minimum sight line distances allowed:

- If operating speed on road is 20mph: minimum safe sight distance looking left is 225 feet. Minimum safe sight distance looking right is 195 feet.
- If operating speed on road is 30mph: minimum safe sight distance looking left is 335 feet. Minimum safe sight distance looking right is 290 feet.
- If operating speed on road is 40mph: minimum safe sight distance looking left is 445 feet. Minimum safe sight distance looking right is 385 feet.

The Highway Superintendent has discretion to approve reduced or increased sight lines based on the location and evaluation of a safe sight line. Distance shall be measured at the height of not more than four feet above the elevation of the driveway at its point of intersection with the public way (typical eye-level of car drivers).

C) Gradients: Maximum gradient of any new driveway shall not exceed 12% within 25 feet of the edge of the traveled way.

D) Construction Material: All new driveways must be provided with a minimum of 8 inches of sand and gravel (bank run or better) in which there are no stones greater than 4 inches in diameter. On slopes of between 5% and 12% within 35 feet of the edge of the way, the driveway shall be overlain by at least 4 inches of graded crushed gravel of “trap rock” gravel, in which the chip size does not exceed three-fourths of an inch to prevent un-stabilized driveway material from washing out into the road.

E) Width of the Driveway: the width of the entrance shall be at least 18 feet to allow safety vehicles to enter, and beyond the entrance, the driveway width shall be at least 10 feet to allow access for emergency vehicles.

F) Safety of the Public During Construction: persons securing a permit are responsible for insuring the safety of the public in the excavated area. Adequate safety and warning devices must be placed at appropriate locations to adequately warn and protect the motoring and pedestrian public. Such devices may include reflectorized signs, barricades and barrels along with lights. Any liability arising from improper safeguards shall be borne by the person to whom the permit was issued. The Town of Leyden is not responsible for providing devices for safety signage.

G) The Highway Superintendent may waive any provision of section 5 if they determines it is safe to do so.

Passed by Show of Hands, Near-Unanimous, One (1) "No" Vote

ARTICLE 13: A motion was made and seconded to vote to change the Board of Assessors from an elected board to an appointed board; said board members to be appointed by the Select Board for a term of 3 years beginning in FY2026 or when the board member's elected term expires.

Passed by Show of Hands, Unanimous

ARTICLE 14: A motion was made and seconded to vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, § 134 and, further, to adopt the following resolution:

WHEREAS, the Commonwealth of Massachusetts has engaged in a process to establish a competitive marketplace through the restructuring of the electricity market; and

WHEREAS, citizens of Leyden have a substantial economic and social interest in terms of greater customer choice and opportunities for savings in this restructured market; and

WHEREAS, the Town of Leyden hereby finds that it may be in the interest of its citizens who are electric ratepayers, both residential and commercial/industrial, to develop and secure such approvals and enter into appropriate agreements with consultants, experts and attorneys in connection with the establishment and operation of an electricity aggregation plan.

BE IT THEREFORE RESOLVED that the Town of Leyden hereby:

Publicly declares its intent to become an aggregator of electric power on behalf of its residential and business electric customers and to reestablish such plan if its operation is suspended; and

To negotiate and enter into such contracts for power supply pursuant to the plan or services for such plan, with the understanding that if a power supply contract is executed, individual

consumers would retain the option not to participate in the aggregation plan and, instead, to choose any electricity alternatives they desire and, further, to take such other action relative hereto as may be appropriate and necessary.

Passed by Show of Hands, Unanimous

Moderator Golden temporarily stepped down as moderator for Articles 15-17 as he is the MLP Manager. Nominations were opened for temporary moderator. Katherine DiMatteo was nominated and received a second. With no further nominations, a vote was taken and Katherine DiMatteo was unanimously elected temporary moderator.

ARTICLE 15: A motion was made and seconded to vote to recommend that the following sums be appropriated to operate the Leyden Municipal Light Plan (MLP) Enterprise Fund:

MLP Budget

Expenses	\$136,672.00
Administration	\$45,250.00
<u>ISP.....</u>	<u>\$161,226.00</u>
Total Expense.....	\$343,148.00

Revenue

<u>Internet and phone ...</u>	<u>\$343,148.00</u>
Total Revenues	\$343,148.00

Passed by Show of Hands, Unanimous

ARTICLE 16: A motion was made and seconded to vote to move \$79,846.13 from the Leyden MLP Certified Retained Earnings to pay down broadband debt.

Note: This article requires a 2/3 vote.

Passed by Show of Hands, Unanimous

ARTICLE 17: A motion was made and seconded to vote to establish a special purpose fund for Connect America Fund (CAF) II money.

Passed by Show of Hands, Unanimous

ARTICLE 18: A motion was made and seconded to vote to change the Annual report publication from an annual report to a fiscal year report according to MGL Chapter 40 section 49.

Passed by Show of Hands, Unanimous

ARTICLE 19: A motion was made and seconded to vote to accept the report of the Town Officers for the year 2023.

The Select Board indicated that in the dedication, Devorah Vester and Michael Morgan were inadvertently left out and asked for them to be recognized.

Passed by Show of Hands, Unanimous

ARTICLE 20: A motion was made and seconded to vote to authorize all Town departments, boards, and committees to apply for any new state or federal grants and authorize the Select Board to accept, approve and to expend such grants. Any grant requiring matching funds will be subject to a Town Meeting appropriation.

Passed by Show of Hands, Unanimous

ARTICLE 21: A motion was made and seconded to vote to accept the Library Incentive Grant, Municipal Equalization Grant, and the Non-Resident Circulation Grant (state aid award) and to transfer those sums to the Robertson Memorial Library account for expenditures.

Passed by Show of Hands, Unanimous

ARTICLE 22: A motion was made and seconded to vote to accept any sum of money that may be granted by the Quintus Allen Trust Fund, and to appropriate such funds for equipment, activities and supplies for the benefit of Leyden children.

Passed by Show of Hands, Unanimous

ARTICLE 23: A motion was made and seconded to vote to accept and expend any sum of money that may be available under the provisions of Chapter 90 of the Massachusetts General Laws and authorize the Select Board to enter into a contract with the Massachusetts Highway Department, and to authorize the Treasurer with the approval of the Select Board, to borrow in anticipation of 100% reimbursement of said amount.

Note: This Article Requires a 2/3 vote.

Passed by Show of Hands, Unanimous

ARTICLE 24: A motion was made and seconded to vote to raise and appropriate the sum of \$3,000 to the Assessment Revaluation account.

Passed by Show of Hands, Unanimous

ARTICLE 25: A motion was made and seconded to vote to raise and appropriate the sum of \$3,000 to the Audit Fund, to be administered by the Select Board for town audits.

Passed by Show of Hands, Unanimous

ARTICLE 26: A motion was made and seconded to vote to raise and appropriate the sum of \$1,500 to the Land Acquisition account.

A motion was made and seconded to amend the article to raise and appropriate the sum of \$2,500. The vote to amend passed by a vote of 21-15-5.

The article, as amended, passed by a vote of 35-6-6.

ARTICLE 27: A motion was made and seconded to vote to transfer from and close the Technology account (formerly Broadband) the sum of \$1,140.28 to the General Stabilization account.

Passed by Show of Hands, Unanimous With One (1) Abstention.

ARTICLE 28: A motion was made and seconded to vote to change the name of the Assessors Software Stabilization Fund to the Assessors Stabilization Fund.

Passed by Show of Hands, Unanimous

ARTICLE 29: A motion was made and seconded to vote to revoke the Opioid Settlement Stabilization Fund and transfer any dedicated funds to the Opioid Settlement Special Revenue Fund as per MGL Chapter 44, Section 53, clause 4; and as authorized by the Department of Revenue Division of Local Services Director of Accounts.

Passed by Show of Hands, Unanimous

ARTICLE 30: A motion was made and seconded to vote to authorize the following revolving funds under Massachusetts General Laws Chapter 44 § 53E ½ for the Fiscal Year 2025:

Fund	Revenue Source	Authority to Spend Fund	Use of Fund	Spending Limit	Disposition of FY24 Fund Balance	Restrictions/Comments
Recreation Committee Revolving Account	Fees Collected for Recreation Committee Events	Recreation Committee	Recreation Committee Expenses	\$2,000	Balance Available for Expenditure \$1075	
Animal Control Officer Revolving Account	Fees Collected for citations, licenses and registration	Animal Control Officer	Animal Control Expenses	\$5,000	Balance Available for Expenditure \$280	
Fire Safety Inspections Revolving Account	Fees Collected for Safety Inspections by the Fire Department	Fire Chief or Designee	Pay for the Safety Inspection Services	\$2,000	Balance Available for Expenditure \$25	
Planning Board Revolving Account	Fees collected from applications requiring public hearings, copies of bylaws	Planning Board	Planning Board advertising expenses	\$3,000	Balance Available for Expenditure \$1011	
Agricultural Commission Revolving Account	Fees collected for fines or Agricultural Commission events	Agricultural Commission	Agricultural Commission expenses	\$2,000	Balance Available for Expenditure \$929	
East Hill Cemetery Commission Revolving Account	Fees collected for burial plots or donations	Select Board or Designee	East Hill Cemetery Expenses	\$5,000	Balance Available for Expenditure \$0	

Passed by Show of Hands, Near-Unanimous, One (1) "No" Vote.

A motion was made and seconded and passed unanimously to dissolve the town meeting at 8:40 PM.

Respectfully Submitted,

Paul McLatchy III
Town Clerk
June XX, 2024

A True Copy, Attest: _____
Leyden Town Clerk

Date: _____