SPECIAL TOWN MEETING

2016
WARRANT

TOWN OF TEWKSBURY
COMMONWEALTH OF MASSACHUSETTS

Finance Committee Public Hearing

April 27, 2016 7:00 P.M.
Town Hall

Special Town Meeting

May 4, 2016 7:00 P.M.
Tewksbury Memorial High School

Town of Tewksbury Website: http://www.tewksbury-ma.gov

TOWN MEETING GUIDELINES

** Voters and Visitors shall have their identification ribbons conspicuously displayed.

** Visitors shall sit in the designated VISITORS SECTION unless they are assigned to a designated area.

** Standing at the doors or in the aisles inside the gymnasium or auditorium is prohibited.

** No one shall enter the gymnasium or auditorium while voting is in progress.

** Everyone shall be at a seat so as to allow the vote to be counted without hindrance.

** Collecting signatures upon petitions or nomination papers is prohibited in the building where the Town Meeting is being held.

** Food and beverages are not allowed in the gymnasium or auditorium as per order of the School Committee.

** Smoking is not allowed in the School Building or on School Property.

** To prevent active interference with the conduct of the Town Meeting, any person taping, videotaping or using any other means of sonic reproduction is assigned to the designated Press Table or the side aisle perimeters of the gymnasium or auditorium.

This meeting is being held at a site which is physically accessible to persons with disabilities.
For further information please call 978-640-4355.
CART services need to be requested as early as possible, as CART providers often fill their schedule 2-3 months in advance. Other reasonable accommodations for disability related needs will be provided upon request.

FACEBOOK: Library: www.facebook.com/TewksburyLib
Tewksbury Farmers Market: www.facebook.com/pages/Tewksbury-Farmers-Market/1503117429909936
Town: www.facebook.com/pages/Town-of-Tewksbury/393895750722817
TWITTER: Library: @TewksburyLib Police: @TewksburyPD Tewksbury Farmers Market: @FarmerMkt Town: @TownofTewksbury
WEBSITE: Library's Website: www.tewksburypl.org/Pages/index Town's Website: www.tewksbury-ma.gov

Middlesex, ss:

To any of the Constables of the Town of Tewksbury, in said County:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Tewksbury, qualified to vote in Town affairs, to meet and assemble at Tewksbury Memorial High School, 320 Pleasant Street, in said Tewksbury on Wednesday, May 4, 2016, at 7:00 P.M. to act on the following articles:

ARTICLE 1

To see if the Town will vote to transfer the following sums of money; or take any action related thereto:

From:	Amount:
School Health Insurance	244,000
Town Manager Unclassified: Health Insurance	40,000
Town Manager Unclassified: Property and Liability Insurance	87,021
Library Salary: Full-Time Salaries:	26,000
Total	397,021

To:	
School Operating	222,000
School Unemployment	22,000
Board of Selectmen Operating: Professional Services	20,000
Administrative Service Operating: Medical	1,000
Administrative Service Operating: Postage	10,000
Town Hall Operating: Utilities	20,000
Town Manager Unclassified: Street Lights	15,000
Fire Operating: Repairs and Maintenance	19,728
Fire Operating: Ambulance Billing	12,400
Community Events	6,000
COA Operating: Communications	1,600
COA Operating: Repairs and Maintenance	1,293
Veterans Operating: Veteran's Aid	20,000
Library Capital Outlay	26,000
Total	397,021

Town Manager

Executive Summary: This article is a regular Special Town Meeting article where the Town transfers funds from accounts with a projected surplus to accounts with a projected deficit or to accounts to allow for the purchase of needed items or services.

ARTICLE 2

To see if the Town will vote to transfer from the Stabilization Fund the sum of $975,000 to be expended by the Town Manager for the following purposes; or take any action relative thereto.

Fire Ladder Truck $975,000

Town Manager

Executive Summary: This article allows the Town to utilize funds to replace the 1986 Ladder Truck in the Fire Department.

ARTICLE 3

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of $160,000 to the D.P.W. Fiscal Year 2016 Snow and Ice Budget Operating; or take any action relative thereto.

Town Manager

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund Department of Public Works - Snow and Ice due to the amount of snow and ice events during the winter which exceeded the amount budgeted.

ARTICLE 4

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of $349,873 to fund the following items; or take any action relative thereto.

School	Video Replay	10,000
School	Phone System	50,534
School	Ella Fleming School Repairs	21,100
DPW:	Wing-Plow Assembly and controls	35,000
DPW:	Ford-550 Dump w/toolbox and plow	75,000
DPW:	Dump body (uni-body)	20,000
DPW:	6-Yard sander	15,000
DPW:	Replace Ford F350 Highway	18,000
Parks:	Service Box and Electrical Repairs/Installation, Livingston Fields	22,275
Parks:	Recreation Center and Patio Improvements	7,064
Fire:	Command Vehicle:	51,000
Police:	2 All-Terrain Vehicles and Trailer	24,900
Total:		349,873

Town Manager

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund new vehicles, equipment and facility improvements for various departments.

ARTICLE 5

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of $40,000 to fund a visioning workshop and session for the Town; or take any action relative thereto.

Town Manager

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund a consultant to conduct a Town-wide visioning session for residents to set goals and priorities for the Town's future.

ARTICLE 6

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of $50,126.05 for the following outstanding bills from the previous year; or take any action relative thereto.

Constellation Energy: $50,126.05

Town Manager

Executive Summary: According to Massachusetts General Laws, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

ARTICLE 7

To see if the Town will vote to re-allocate $3,702.54 or any amount remaining from the original appropriation of $3,900 as approved at the October 7, 2014 Special Town Meeting for Article 2, specifically concerning the Adopt an Island Program. This re-allocation of funds shall be for the purpose of expenses associated with the Tewksbury Beautification Committee for the Committee's programs, projects and events as approved by the Town Manager.

Town Manager

Executive Summary: At Special Town Meeting in October 2014, funds were approved to fund an Adopt and Island Program. The Beautification Committee would like to expand the use of funds for the Committee's other programs, projects and events.

ARTICLE 8

To see if the Town will vote to transfer $32,860 from the Town's Insurance Recovery Account which is greater than $20,000 to the Fiscal Year 2017 Finance Committee Reserve Account; or take any action relative thereto.

Town Manager

Executive Summary: This article transfers funds received from an insurance claim to purchase a new police cruiser. A police cruiser was in an accident that rendered the vehicle unsafe to drive. The insurance company paid the Town $32,860 for replacement value but the funds are deposited in the Town's Insurance Recovery Account and needs Town Meeting approval to spend. The Finance Committee approved a transfer from the Reserve Fund to have the cruiser replaced immediately and now this article will replace the funds transferred from the Reserve Fund.

ARTICLE 9

To see if the Town will vote to transfer $151,690.00 from the Town's Insurance Recovery Account which is greater than $20,000 for the purpose of engineering and construction of roof and gutter replacement and repair at the Police Station; or take any action relative thereto.

Town Manager

Executive Summary: This article transfers funds received from an insurance claim for engineering and construction of roof and gutter replacement and repair at the Police Station. The roof at the Police Station was damaged during the winter of 2015 from ice and heavy snow. A report by an engineering consultant recommended areas of the roof be repaired and replaced. A claim was filed with the Town's insurance carrier and the Town received a check to undertake the work. Town meeting needs to approve spending the funds from the insurance recovery account.

ARTICLE 10

To see if the Town will vote to transfer the sum of $32,050.76 from the Valley Collaborative Refund Settlement to the Fiscal Year 2017 School Department Circuit Breaker Fund; or take any action relative thereto.

Town Manager

Executive Summary: Funds are available from a settlement with the Valley Collaborative. The funds were placed into the General Fund and must be appropriated into a budget for expenditure. The funds will then be placed into the School Department Circuit Breaker Fund.

ARTICLE 11

To see if the Town will vote to transfer the sum of $553,000 from Water Enterprise Fund Retained Earnings to be expended by the Town Manager to undertake the following:

Hydrant Replacement Program	125,000
Water Main Repair and Replacement	350,000
Water Distribution Master Plan	60,000
Repair Vacuum/Rodder Truck	18,000
Total	553,000

or take any action relative thereto.

Town Manager

Executive Summary: Hydrant Replacement Program: funds will replace 25 hydrants in FY17 as part of the ongoing hydrant replacement program. Water Main Repair and Replacement: funds will be used to repair and replace a broken water main under and in the vicinity of Strongwater Brook. Any remaining funds will be used at other locations. Water Distribution Master Plan: funds will be used to develop a Town-wide water distribution master plan to better understand which areas of Town need to be prioritized and addressed. Repair Vacuum/Rodder Truck: the current 2003 truck needs to be repaired for use by the water and sewer departments.

ARTICLE 12

To see if the if the Town will vote to transfer the sum of $628,000 from Sewer Enterprise Fund Retained Earnings to be expended by the Town Manager to undertake the following:

Sewer Main Repair and Replacement:	100,000
Pump Station Upgrades:	60,000
Purchase Mack Vacuum/Rodder Truck	450,000
Repair Vacuum/Rodder Truck	18,000
Total	628,000

or take any action relative thereto.

Town Manager

Executive Summary:. Sewer Main Repair and Replacement: funds will be used to repair and replace a damaged sewer main under and in the vicinity Strongwater Brook. Any remaining funds will be used at other locations. Pump Station Upgrades: this project is for installation of portable generator plug-in outlets at sewer pump stations not currently capable of connecting to a portable generator. Purchase Mack Vacuum/Rodder Truck: funds will be used to purchase Vacuum/Rodder Truck for the Sewer Department. Repair Vacuum/Rodder Truck: the current 2003 truck needs to be repaired for use by the water and sewer departments.

ARTICLE 13

To see if the Town will vote to create a Water Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B; or take any action relative thereto.

Town Manager

Executive Summary: This Article will allow the Water Enterprise Fund to have a Stabilization Fund to set funds aside for future use for Water Enterprise operations, capital improvements, emergencies and one-time expenditures.

ARTICLE 14

To see if the Town will vote to transfer the sum $2,801,615 from Water Enterprise Retained Earnings into the Water Enterprise Stabilization Fund; or take any action relative thereto.

Town Manager

Executive Summary: This article seeks approval to set aside these funds in the Stabilization Fund and used for future emergencies or one time purchases or projects.

ARTICLE 15

To see if the Town will vote to create a Sewer Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B; or take any action relative thereto.

Town Manager

Executive Summary: This Article will allow the Sewer Enterprise Fund to have a Stabilization Fund to set funds aside for future use for Water Enterprise operations, capital improvements, emergencies and one-time expenditures.

ARTICLE 16

To see if the Town will vote to transfer the sum $5,477,282 from Sewer Enterprise Retained Earnings into the Sewer Enterprise Stabilization Fund; or take any action relative thereto.

Town Manager

Executive Summary: This article seeks approval to set aside these funds in the Sewer Stabilization Fund and used for future emergencies or one time purchases or projects.

ARTICLE 17

To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Fund Open Space Reserve the sum of $38,000 for the completion of the Wamesit Indian Park Landscape Project; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds are to be expended under the direction of the Community Preservation Committee; or take any action relative thereto.

Community Preservation Committee

Executive Summary: The CPC seeks approval for these CPC funds, as submitted by the Town Manager, in order to complete the Wamesit Indian Park Landscape Project. The Planning Board received $25,000 from Walmart in 2010 and in 2015, $70,000 in CPA Funds were approved at Town Meeting. The bids came in higher than anticipated. This request will close the funding gap. Project start is anticipated late Spring 2016.

ARTICLE 18

To see if the Town of Tewksbury will vote to transfer from the Stabilization Fund , $1,100,000 to be expended under the direction of the Tewksbury School Building Committee for the cost of a feasibility study relating to the Trahan School, located at 12 Salem Road, in Tewksbury and also as part of the study, investigate the option of possible consolidation of school populations in accordance with the statement of interest submitted to Massachusetts School Building Authority ("MSBA") including the payment of all incidental costs, for which feasibility study the Town may be eligible for a grant from the MSBA. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, or act in any other manner in relation thereto.

Town Manager

Executive Summary: In May 2016, the Board of the Massachusetts School Building Authority is expected to vote on Tewksbury's application to accept the Trahan School into the MSBA reimbursement program. If the Town's application is approved at that time, this Article would fund the first phase of the process, conducting a feasibility study which would include the consolidation of school populations.

And you are directed to serve the within Warrant by posting up true and attested copies thereof upon the Town Hall and in each precinct, fourteen (14) days at least before the time of holding said meeting; also, leaving additional copies at the Town Hall or at such convenient places as the Selectmen shall think proper in said Town of Tewksbury.

HEREOF, FAIL NOT, AND MAKE DUE RETURNS OF THIS WARRANT, with your doings thereon, to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 29th day of March in the Year of Our Lord, Two Thousand and Sixteen.

BOARD OF SELECTMEN

Todd R. Johnson, Chairman

Bruce Panilaitis, Vice Chairman

Mark Kratman, Clerk

David H. Gay

James D. Wentworth

GLOSSARY OF TERMS

Town Meeting:
A duly called meeting in which all Town of Tewksbury registered voters are eligible to participate to act upon fiscal issues, zoning changes, bylaw amendments, and other matters affecting the Town. Each voter has one vote in the decision making process.
The Annual Town Meeting is held each May to decide issues for the fiscal year starting July first. Special Town Meeting(s) may be called at other times, to address issues that cannot wait for the next Annual Town Meeting, a Special Town Meeting is called by the Board of Selectmen; or by a petition of 200 registered voters.

Warrant:
Public notice of business to be considered at the Town Meeting. It is publicly posted in each Precinct throughout the Town, on the Town's Website http://www.tewksbury-ma.gov/board-of-selectmen/pages/town-warrants and describes all of the Articles which will be acted upon at the Town Meeting.

Article(s):
Individual subjects are described in the articles so that all voters are warned of potential action to be taken. The scope of each article sets the bounds of action that may be taken. Articles are submitted by the Town Departments or by voter petitions. Articles submitted by voter petitions require ten (10) or more registered voters' signatures for insertion in the Annual Town Meeting Warrant, and one hundred (100) or more registered voters signatures for insertion in a Special Town Meeting Warrant.

General Information:
The Moderator presides at the Town Meeting and is responsible for the ruling on procedural matters, overseeing an orderly debate, announcing the result of all votes and preserving decorum.
The proceedings are governed by Town Meeting Time, a handbook of parliamentary law prepared under the auspices of the Massachusetts Moderators Association. This guide may be simpler and easier to understand than the more widely known and consulted Robert's Rules of Order. Copies are available for reference at the Town Clerk's Office, Board of Selectmen's Office and the Tewksbury Public Library.
Registered voters are entitled to attend, address and vote at the Meeting. Visitors may attend the meeting and shall sit in the "reserved for visitors" section.
A voter desiring to speak should approach the microphone, await recognition by the Moderator, and identify him or herself when recognized by name and address.

Motions, Motions to Amend, and Votes Required:
An Article in the Warrant states a question for the Town Meeting voters to answer. Separate issues are described in the Town Meeting Articles so that all voters are warned of potential action to be taken. The scope or intent of each Article set the bounds of action that may be taken.
Customarily the Finance Committee Chairman makes the first or Main Motion or if the Article relates to the Zoning Bylaw the Planning Board Chairman will make the first or Main Motion. The sponsor or Petitioner of an article also may make the first or Main Motion.
The Motion is then open for discussion by the assembly.
Motions to Amend the Main Motion, which is within the scope or intent of the Article, may be made on the Town Meeting floor.
Ordinarily motions require a majority vote of the voters present and voting for an Article to pass. Certain motions require a 2/3, 4/5 or a 9/10 vote to pass because of the provisions of the Town Bylaws or Massachusetts General Laws. The Moderator will announce the voting requirement before each vote requiring more than a majority vote.

Motions For Indefinite Postponement of an Article:
A motion to Indefinitely Postpone an Article is equivalent to a motion to take no action on the Article. If the Motion to Indefinitely Postpone the Article is Adopted; the Article is Defeated.

Reconsideration of an Article:
No vote on a prior Article shall be Reconsidered except to correct a procedural defect, scriveners error or an oversight.
Reconsideration for the above exceptions requires a majority vote.

Move the Question:
The voters have heard all the discussion that they wish to hear on the pending Article and prefer to vote at once.
The Moderator shall allow those presently standing, at the time of the motion, the opportunity to be heard and then he or she will take the vote to Move the Question.

Rules to Govern Speakers:
No voter shall speak twice on any one subject, if any other voter who has not spoken already and is standing to be recognized by the Moderator. No voter shall speak for more than five minutes at one time, except by vote of permission of the Assembly.