

SPECIAL TOWN MEETING

**2015
WARRANT**



**TOWN OF TEWKSBURY
COMMONWEALTH OF MASSACHUSETTS**

Finance Committee Public Hearing

April 22, 2015 7:00 P.M.
Pike House, 464 Main Street

Special Town Meeting

May 6, 2015 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.

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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 6, 2015, 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:
Unclassified: Fire and Liability Insurance	27,450
Accountant Salary	8,443
Accountant Operating	2,500
Assessors Salaries	1,200
Treasurer/Tax Collector	2,000
Board of Health Salaries	12,820
Community Development Salaries	5,000
Emergency Management Salaries	4,637
Emergency Management Operating	4,200
Cable Salaries Part-Time	2,160
DPW Highway Salaries	15,000
DPW Fleet Salaries	4,500
Solid Waste Operating	3,290
Town Health Insurance	<u>87,000</u>
Total	\$180,200
TO:	
Veterans Benefits	30,000
Street Lights	9,000
Town Unemployment	5,200
Fire Overtime	<u>136,000</u>
Total	\$180,200

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 \$100,000 to be expended by the Town Manager for the following purposes; or take any action relative thereto.

Real and Personal Property Revaluation	100,000
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Town Manager

Executive Summary: This article allows the Town to utilize funds from the Stabilization Fund to fund the three (3) year Department of Revenue mandated revaluation of all Town Real and Personal Property.

ARTICLE 3

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$600,000 to the D.P.W. Fiscal Year 2015 Snow and Ice Budget; or take any action relative thereto.

Town Manager

Executive Summary: This article utilizes Free Cash certified as of July 1, 2014 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 following Fiscal Year 2015 budgets to pay for the following outstanding bills from the previous year; or take any action relative thereto.

From Account:	Outstanding Bill:	
Recreation - Operating	Barry's Auto Supply	93.07
Town Hall – Utilities	Constellation	2,416.99
	Total	<u>\$2,510.06</u>

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 5

To see if the Town will vote to re-allocate \$14,918 or any amount remaining from the original appropriation of \$353,590.00 as approved at the October 7, 2014 Special Town Meeting for Article 4 specifically concerning the DPW Highway Volvo Loader and DPW Holder Tractor with Boom and Snow Blower Attachments. This re-allocation of funds shall be for the purpose of purchasing attachments for equipment; or take any action relative thereto.

Town Manager

Executive Summary: At Special Town Meeting in October 2014, funds were approved to purchase a new DPW Highway Volvo Loader 179,900 DPW Holder Tractor with Boom and Snow Blower Attachments. The \$353,900 appropriation for these vehicles has a balance of \$14,918 and this article is asking the Town for approval to use those remaining funds to purchase attachments for D.P.W. equipment.

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to National Grid and its successor's and assigns for the purpose of placing and maintaining a pole and underground cables, wires and conduit with the necessary appurtenances which would provide for the electric transmission in, on and over a certain parcel of land to service the Town Hall Town Hall Annex and Central Fire Station owned by the Town and described below:

1009 Main Street, Tewksbury, Massachusetts
Parcel of land shown on Map 47, block 90. Recorded Deed, Page at the Middlesex North District Registry of Deeds, Lowell Massachusetts.

Town Manager

Executive Summary: This article requests the Town authorize an easement for National Grid for new electric service to the Town Hall, Town Hall Annex and Central Fire Station.

ARTICLE 7

To see if the Town will vote to authorize the Board of Selectmen to petition the State Legislature to amend Section 3 of chapter 251 of the acts of 2002 by striking out the first paragraph and inserting in place thereof the following paragraph:

The consideration for the conveyances authorized by sections 1 and 2 shall be \$60,000, the difference between the full and fair market value of parcels (1) and (3) at the time of initial independent appraisal in 2005 and the full and fair market value of parcels (2) and (4) at the time of initial independent appraisal in 2005.

Town Manager

Executive Summary: This article seeks legislation to utilize the original appraisal figure for the transfer of Cemetery Land, Town Land, and State Land for the expansion of the Cemetery located on East Street.

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 10th day of February in the Year of Our Lord, Two Thousand and Fifteen.

BOARD OF SELECTMEN



Todd R. Johnson, Esq., Chairman



Scott Wilson, Vice Chairman



Bruce Panilaitis, Ph.D., 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, by-law 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 By-Law 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 By-Laws 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, scrivener's 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.

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