

SPECIAL TOWN MEETING

**2014
WARRANT**



**TOWN OF TEWKSBURY
COMMONWEALTH OF MASSACHUSETTS**

Finance Committee Public Hearing

April 23, 2014 7:00 P.M.
Town Hall Auditorium

Special Town Meeting

May 7, 2014 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.

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 7, 2014, 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:	60,000
Unclassified: Town Unemployment:	15,000
Computer Services Salaries:	8,000
Admin. Services Salaries	3,100
Treasurer/Collector Salaries:	5,000
Assessor's Salaries:	20,000
COA Salaries:	12,000
Building Salaries:	1,900
DPW Highway Salaries:	55,000
DPW Engineering Salaries	17,500
DPW Fleet Salaries	29,000
Solid Waste Operating:	21,000
Library Salaries:	<u>13,000</u>
Total	260,500
TO:	
Veterans Aid	77,000
Computer Services Operating	10,000
Auxiliary Building Operating	5,000
Occupational Health	35,000
Parks and Recreation Salaries:	7,000
Police Overtime:	60,000
Fire Overtime:	<u>66,500</u>
Total	260,500

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 certified General Fund Free Cash the sum of \$600,000 to the following Fiscal Year 2014 Budgets; or take any action relative thereto.

DPW	Snow and Ice	\$600,000
Total		\$600,000

Town Manager

Executive Summary: This Article utilizes Free Cash certified as of July 1, 2013 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 3

To see if the Town will vote to transfer from the Stabilization Fund the sum of \$870,292 to be expended by the Town Manager for the following purposes; or take any action relative thereto.

Two (2) Twin Fire Engine/Pumpers:	\$700,000
Sick Leave Buyback:	\$170,292

Town Manager

Executive Summary: This article utilizes the Stabilization Fund, for the following: Two (2) Twin Fire Engine/Pumpers: Two front line Engines have been out of service due to rust and corrosion of the frame. One of the vehicles did not pass inspection and the other will not. The Vehicles are Engine 2 bought in 2009 and Engine 3 bought in 2003. The plan is to purchase two, 2008 Pierce Engines with 13,000 and 12,000 miles. Sick Leave Buyback: Funds will be used to pay for sick leave buy back as required in the Town's Collective Bargaining Agreements or Personnel By-law.

ARTICLE 4

To see if the Town will vote to amend the Personnel By-Laws Section III(e) Salaries and Wages, by inserting the position of Town Clerk into Group A-4.

Insert Town Clerk Group A-4;
Minimum - \$69,160/Maximum - \$84,059

or take any other action relative thereto.

Town Manager

Executive Summary: The purpose of this article is to add the Town Clerk's Position to the Personnel By-Law now that it is an appointed position instead of elected.

ARTICLE 5

To see if the Town will vote to amend the By-Laws Article II Town Officers by deleting Section 2.04.230.

~~2.04.230 Town Clerk's salary.~~

~~A. The salary of the Town Clerk shall be determined by the Personnel Relations Review Board Wage Grid using the salary amounts in Group A4 and applying the merit rating system used for these positions.~~

~~B. If and when the minimum and maximum amounts in the Wage Grid Group A4 are changed, the Town Clerk's salary shall be adjusted proportionately.~~

~~C. The Town Clerk shall not receive overtime.~~

~~D. The Town Clerk shall not receive Longevity. (Art. 19, STM October 2007)~~

Executive Summary: The purpose of this article is to delete the Town Clerk position from this section since it is no longer an elected position but an appointed position governed by the Personnel by-Law.

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.

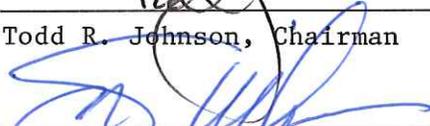
HEREOF, FAIL NOT, AND MAKE DUE RETURNS OF THIS WARRANT, with your doings thereon, to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 8th day of April in the Year of Our Lord, Two Thousand and Fourteen.

BOARD OF SELECTMEN



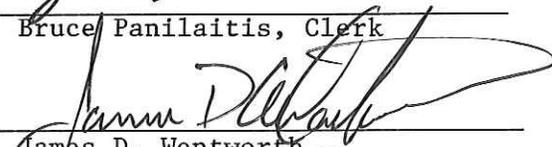
Todd R. Johnson, Chairman



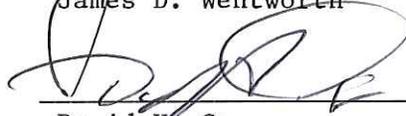
Scott Wilson, Vice Chairman



Bruce Panilaitis, Clerk



James D. Wentworth



David H. Gay

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 www.tewksbury-ma.gov/Pages/TewksburyMA_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.