

**SPECIAL TOWN MEETING MOTIONS**

*(October 16, 2006)*

**ARTICLE 1**

**FY'06 Unpaid Bills**

I move that the Town vote:

(a) to appropriate the sum of **\$757.55** to pay unpaid bills incurred in prior years and remaining unpaid:

Overhead Door Co.	Consolidated Maint.	305.00
Ipswich Utilities	Consolidated Maint.	10.84
Avaya	Police	267.71
Dept. Veteran Affairs	Veteran Services	<u>174.00</u>
	<b>TOTAL:</b>	<b>757.55</b>

and (b) to meet this appropriation by raising \$757.55 from Fiscal 2007 taxes.

*(9/10 majority)*

**ARTICLE 2**

**FY'07 Town Budget Amendments**

I move that the Town vote to amend its action taken under Article 5 of the April 3, 2006, Annual Town Meeting (the FY'07 Municipal Operating Budget), as follows:

- a) transfer **\$45,000** from free cash to be added to the Miscellaneous Finance, Management Transfer Account (193-5110) to fund the 1% salary and wage increase for bargaining and exempt employees scheduled for January 1, 2007; and
- b) transfer **\$4,500** from free cash to the Library Department, Salaries Account (610-5116) to replace a Library employee for a period of four months on unanticipated medical leave; and
- c) transfer **\$5,542** from free cash to the Legal Department, Expenses Account (124-5312) to reimburse the Town for legal fees expended for the NUFIC litigation; and
- d) transfer **\$188,517** from the General Fund -- FEMA reimbursements to the Public Works Department, Highway Division, Road Treatment Account (424-5242) for expenses incurred during the May 2006 flood emergency;

so that the total Fiscal 2007 municipal operating budget of **\$12,804,986**, as so amended and inclusive of override debt service shall total **\$13,048,545**

*(Simple majority)*

**ARTICLE 3** **FY'07 School Budget Amendments**

I move that the Town vote to amend its action taken under Article 6 of the April 3, 2006, Annual Town Meeting (the FY'07 School Operating Budget):

- a) by transferring a sum of **\$133,386** from free cash (Medicaid reimbursement); and
- b) by transferring a sum of **\$81,313** be added from free cash (NUFIC lawsuit settlement); and
- c) by appropriating a sum of **\$48,659** in available Chapter 70 funds be added to the School Department budget;

so that the total appropriation under this article will increase from **\$17,484,172** to **\$17,747,530**.

*(Simple majority)*

**ARTICLE 4** **FY'07 Whittier Budget Amendment**

I move that the Town vote:

to amend its action taken under Article 9 of the April 3, 2006, Annual Town Meeting (the FY'07 Whittier budget) by increasing the appropriation from **\$400,720** to **\$509,935** to meet the FY'07 assessment, said sum to be transferred from free cash.

*(Simple majority)*

**ARTICLE 5** **FY'07 Sewer Budget**

I move that the Town vote:

to amend its action taken under Article 10 of the April 3, 2006, Annual Town Meeting (the FY'07 Sewer Division Operating Budget) by increasing the appropriation to be raised and assessed from **\$1,275,272** to **\$1,355,669**, said sum to be offset by revenues from the Sewer Division during FY'07.

*(Simple majority)*

**ARTICLE 6**

**Chapter 90**

I move that the Town vote:

to amend its action taken under Article 11 of the April 3, 2006, Annual Town Meeting (Chapter 90 appropriation), by increasing the Chapter 90 appropriation by **\$120,120** so that the total Chapter 90 appropriation for FY'07 totals **\$512,120**, the additional amount to be offset by increased Chapter 90 funds from the Commonwealth of Massachusetts.

*(Simple majority)*

**ARTICLE 7**

**Proceeds from the Sale of the Former Town Hall**

I move that action on this article be postponed indefinitely.

*(Simple majority)*

**ARTICLE 8**

**Committee Reports**

I move that the Town vote:

to accept the report of the Community Development Plan Implementation Task Force and any other town standing committees or boards as deemed necessary.

**ARTICLE 9**

**Acceptance of State Enabling Legislation**

I move that the Town vote:

to accept Section 37M of M.G.L. Chapter 71 (Consolidation of Administrative Functions with the Town).

*(Simple majority)*

**ARTICLE 10**

**Open Space Program**

I move that the Town vote to amend Article 18 of the Warrant for the April 3, 2000 Annual Town Meeting by adding the following parcels to the Open Space Parcels List:

- a) Land now/formerly of Frederick A. Wegzyn, 71 Town Farm Road, also known as Assessor's Map 21, Parcel 82, consisting of approximately 7.0 acres at the corner of Town Farm and Greens Point Roads;
- b) Land now/formerly of Pony Express Farms, Inc., 24 Candlewood Road, also known as Assessor's Map 63, Parcel 4, consisting of approximately 94.17 acres;

c) Land now/formerly of M+L Realty Trust, Assessor's Map 53B, Lot 44, consisting of approximately 44 acres between Ipswich Woods Drive and the Ipswich River, just south of Colonial Drive.

*(Simple majority)*

**ARTICLE 11**

**M+L Realty Acquisition**

I move that the Town vote:

to appropriate, and authorize the Treasurer with the approval of the Selectmen, under Article 18 of the April 3, 2000, Annual Town Meeting, to borrow a sum of money for the purpose of purchasing for conservation and passive recreation purposes, by negotiated purchase or otherwise, the fee simple interest in a tract of land totaling 44 acres, more or less, shown as Lot 44 on Map 53B of the Ipswich Assessor's maps, and further identified as Parcel A (36+ acres) and Parcel C (8.2+ acres) on a survey plan titled "Plan Accompanying A.N.R.A.D.", prepared for Habitech, Inc. by Northpoint Survey Services, 180 Water Street, Haverhill, MA, 01830, dated January 26, 2004, including costs incidental and related thereto; that said land be conveyed to the Town of Ipswich acting by and through its Conservation Commission under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of the Town of Ipswich, and that the Conservation Commission be authorized to file on behalf of the Town of Ipswich any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the Self-Help Act pursuant to Chapter 132A, Section 11 and/or any other state and/or federal programs in any way connected with the scope of this Article, and that the Board of Selectmen and the Conservation Commission be authorized to take all actions, enter and execute any and all instruments, including a Self-Help Project Agreement with the Commonwealth of Massachusetts, which may contain restrictions and covenants, as may be necessary on behalf of the Town to effect said acquisition.

*(Simple majority)*

**ARTICLE 12**

**High Street Sewer Line Extension**

I move that the Town vote:

to amend its action taken under Article 20 of the April 7, 2003, Annual Town Meeting (High Street Sewer Extension) by appropriating **\$159,000** in addition to **\$116,000** appropriated under said Article 20 bringing the total appropriation to **\$275,000** for construction of a sanitary sewer extension to serve the area of 199-225; and to raise this appropriation by authorizing the treasurer, with the approval of the Board of Selectmen, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended.

*(Simple majority)*

**ARTICLE 13**

**Affordable Housing Revisions**

I move that the Town vote to amend the Protective Zoning Bylaw of the Town of Ipswich by amending “IX. SPECIAL REGULATIONS, I. Inclusionary Housing Regulations” as follows:

1. by revising “3.a.” as follows:
  - a) by deleting in the first sentence the words “70% for rental housing” and substituting in lieu thereof “60 percent for rental housing”; and
  - b) by adding a new second sentence, said sentence to read as follows: “The sales price or monthly rent shall, in all instances, be such that the dwelling unit qualifies as local initiative unit under the Commonwealth’s Local Initiative Program (LIP) and meets the requirements of a subsidized housing unit for the purposes of listing in the Town’s subsidized housing inventory under G.L.C. 40B Sec. 20-23.”; and
  - c) by deleting in the second sentence the words “60 percent” and substituting in lieu thereof “50 percent”; and
  - d) by deleting in the third sentence the words “33 percent” and substituting in lieu thereof “30 percent”; and
2. by revising “2.b.” by deleting the words “minimum lot size of the new lot is 43,560 square feet” and substituting in lieu thereof the words “minimum lot sizes of the new lot and the remaining parcel are 43,560 square feet each, or for large lot exceptions, three acres.”

*(2/3rds majority)*

**ARTICLE 14**

**Miscellaneous Zoning Revisions**

I move that the Town vote to amend the Protective Zoning Bylaw of the Town of Ipswich as presented in Article 14 of the Warrant for the October 16, 2006, Special Town Meeting, with the following change: Under (1) b), 2<sup>nd</sup> bullet, delete the words “enhance the historical integrity of the building” and substitute in lieu thereof the words “, in the opinion of the Planning Board, enhance the historical or architectural character of the building”

*(2/3rds majority)*

**ARTICLE 15**

**Ipswich Historical Society Property**

I move that the Town vote:

to authorize the Board of Selectmen to accept the deed from the Ipswich Historical Society of a gift of the fee simple interest in land located on County Street near its intersection with Elm Street, said property being 4,050 square feet in area and shown as Lot 4 on Land Court Plan

3401, on file with the town clerk's office; and further that the Board be authorized to accept the gift pursuant to certain terms and conditions, one of which shall be a restriction prohibiting any building from being erected on the property and others of which may include, but not necessarily be limited to, requirements to make certain improvements to the property subject to approval of the Historical Society, and a release and hold harmless of the Historical Society from liability or any hazardous materials that may be contained within the property.

*(Simple majority)*

**ARTICLE 16** **Acceptance of Mullin Rule Statute**

I move that the Town vote:

to accept the provisions of Section 23D of MGL Ch. 39 (allowing members of any municipal board, committee or commission not to be disqualified from voting in an adjudicatory hearing solely due to the absence from no more than a single session of the hearing at which testimony or other evidence is received).

*(Simple majority)*

**ARTICLE 17** **Acceptance of Town Streets**

I move that action on this article be postponed indefinitely.

*(Simple majority)*

**ARTICLE 18** **General Bylaws Administrative Modification**

I move that the Town vote:

to modify Chapter XI of the Town's General Bylaws, Section 2. Conveyances of Land by adding the following section 2(d):

- (d) The Board of Selectmen is authorized to grant nonexclusive easements for walkway and sidewalk purposes, storm drainage, including above ground and below ground purposes, utility purposes, building or signage overhang purposes and for the purpose of rounding street corners, which the Board of Assessors have determined to have a fair market value of less than \$25,000 or which are less than 5,000 square feet in size without a Town Meeting vote for such consideration as the Board of Selectmen deems appropriate, including nominal consideration.

*(2/3rds majority)*

**ARTICLE 19**

**Alcoholic License – Former Town Hall Property**

I move that the Town vote:

to authorize the Board of Selectmen to petition the General Court for special legislation as set forth in Article 19 of the Warrant for the October 16, 2006, Special Town Meeting.

*(Simple majority)*

**ARTICLE 20**

**RECONSIDERATION**

I move that action on this article be postponed indefinitely.

*(Simple majority)*