

*(Edition: October 9, 2008)*

# **TOWN OF IPSWICH**

## **MOTIONS**

***SPECIAL TOWN MEETING***

**October 20, 2008**

## SPECIAL TOWN MEETING MOTIONS

(October 20, 2008)

### ARTICLE 1

### FY'08 UNPAID BILLS

I move that the Town vote:

to appropriate the sum of **\$3,365.39** to pay unpaid bills incurred in prior years and remaining unpaid:

<u>ACCOUNT</u>	<u>VENDOR</u>	<u>AMOUNT</u>	<u>TOTAL</u>
Consolidated Maintenance	Verizon Wireless	50.01	
	David Horwitz Associates	180.00	230.01
Fire Dept./Emergency Mgt	RanMark Unlimited	300.00	300.00
Veterans' Services	Beacon Family Medicine	25.08	
	Dept. of Veterans' Affairs	16.00	
	Lahey Clinic	11.00	
	"	10.00	
	"	16.00	
	"	18.82	
	Northeast Hospital Corp.	33.48	
	North Shore Urological Inc.	15.00	
The Ipswich Center	100.00	245.38	
Town Manager	Vermont Tennis Court Surfacing	2,249.00	2,249.00
Purchasing/Risk Mgt	Community Newspapers	91.00	91.00
Police	North Shore Magnetic Imaging	250.00	<u>250.00</u>
	<b>GRAND TOTAL</b>		<b>\$3,365.39</b>

and to meet this appropriation by transferring **\$3,365.39** from free cash.

(9/10 majority)

**ARTICLE 2**

**FY'09 TOWN BUDGET AMENDMENTS**

I move that the Town vote to amend its action taken under Article 5 of the May 13, 2008, Annual Town Meeting (the FY'09 Municipal Operating Budget) as follows:

- 1) appropriate **\$100,000** to be added to the DPW Snow and Ice Division budget (14232-5272) to increase funding for snow and ice operations for the winter of 2008-09; and
- 2) transfer **\$30,564** from the Waterways Improvement Account into the General Fund to support the operations of the Harbormaster; and
- 3) transfer **\$2,875** from free cash to the Treasurer/Collector (1138-5112) for services as Tax Title Custodian; and
- 4) transfer **\$50,000** from free cash to the Town Manager consultants account (1123-5310) as partial funding for design and construction of a town wide gateway and wayfinding signage program; and
- 5) transfer **\$10,000** from free cash to the Recreation Gift Account to continue the five year funding program to replace the wooden play structure at Bialek Park;

so that the total Fiscal 2009 municipal operating budget of **\$13,707,447**, as so amended and inclusive of override debt service, shall total **\$13,900,886** leaving the amount to be raised and assessed as **\$13,516,146**.

*(Simple majority)*

**ARTICLE 3**

**FY'09 SCHOOL BUDGET AMENDMENTS**

I move that the Town vote to amend its action taken under Article 6 of the May 13, 2008, Annual Town Meeting (the FY'09 School Operating Budget), as amended by Article 7 of the May 13, 2008 Annual Town Meeting as follows:

- 1) transfer **\$56,315.29** from free cash to the School Department for Medicaid funds deposited into the General Fund during Fiscal 2008; and

so that the total appropriation under this article will increase from **\$19,980,995** to **\$20,037,310.29**, leaving the amount to be raised and assessed as **\$19,786,995**.

*(Simple majority)*

**ARTICLE 4**

**CHAPTER 90**

I move that the Town vote to:

- 1) amend Article 11 of the April 3, 2006 Annual Town Meeting reducing the acceptance of **\$392,000** in Chapter 90 funds to **\$262,413**; and
- 2) amend Article 15 of the April 2, 2007 Annual Town Meeting reducing the acceptance of **\$328,017** in Chapter 90 funds to **\$327,836**.

*(Simple majority)*

**ARTICLE 5**

**CITIZENS PETITION**

I move that the Town vote to postpone this article indefinitely.

*(Simple majority)*

**ARTICLE 6**

**SAFETY IMPROVEMENTS AT MBTA CROSSINGS**

I move that the Town vote:

to appropriate the sum of **\$68,700** to design safety improvements at the Topsfield Road grade crossing and other public grade crossings of the MBTA within the Town, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow **\$68,700** under G.L. c.44, §8 or any other enabling authority to meet this appropriation;

*(2/3rds majority)*

**ARTICLE 7**

**375th ANNIVERSARY CELEBRATION**

I move that the Town vote:

to transfer **\$70,000** from free cash to be contributed to the Ipswich Partnership, a 501 (c) 3 nonprofit corporation, as the Town's portion of the funding for the 375<sup>th</sup> Anniversary celebration of the founding of the Town of Ipswich.

*(Simple majority)*

**ARTICLE 8**

**STORMWATER BYLAW**

I move that the Town vote:

to amend the General Bylaws of the Town of Ipswich by adding: "Chapter XIX. Stormwater Management", as set forth in Article 8 of the warrant for the October 20, 2008 Special Town Meeting

*(Simple majority)*

**ARTICLE 9**

**HAZARDOUS AND TOXIC MATERIALS REGULATION**

I move that the Town vote:

to amend the Protective Zoning Bylaw of the Town of Ipswich as set forth in Article 9 of the warrant for the October 20, 2008 Special Town Meeting, with the following amendment:.

Amend (2) “N. Requirements for Uses Involving Hazardous and Toxic Materials, 2. Definitions” 2<sup>nd</sup> paragraph, by deleting the word “Agency” and substituting in lieu thereof the word “Association”

*(2/3rds Majority)*

**ARTICLE 10**

**GREEN SPACE PRESERVATION DEVELOPMENT**

I move that the Town vote:

to amend the Protective Zoning Bylaw and the Official Zoning Map of the Town of Ipswich as set forth in Article 10 of the warrant for the October 20, 2008 Special Town Meeting, with the following amendment:

Amend (1) “O. Green Space Preservation Development (GSPD), 3. Density Standards, a. Floor Area of Development”, last sentence, by deleting the words “two acres” and substituting in lieu thereof the words “one acre”.

*(2/3rds Majority)*

**ARTICLE 11**

**GREEN BUILDING INCENTIVES**

I move that the Town vote:

to amend the Protective Zoning Bylaw of the Town of Ipswich as set forth in Article 11 of the warrant for the October 20, 2008 Special Town Meeting.

*(2/3rds Majority)*

**ARTICLE 12**

**MISCELLANEOUS CHANGES**

I move that the Town vote:

to amend the Protective Zoning Bylaw of the Town of Ipswich as set forth in Article 12 of the warrant for the October 20, 2008 Special Town Meeting.

*(2/3rds Majority)*

**ARTICLE 13**

**DISPOSITION OF PARCELS**

I move that the Town vote to take the following actions:

- 1) accept a parcel of land located in the Cross Banks, consisting of approximately 11.1 acres and further identified as Lot 17 on Assessor's Map 15A, as a gift of land;
- 2) convey a parcel of land located at Rear Argilla Road, consisting of approximately 3.4 acres and further identified as Lot 10 on Assessor's Map 64, to the Essex County Greenbelt Association;
- 3) transfer care, custody and control of a parcel of land located at 90 Paradise Road, consisting of approximately 2.3 acres and further identified as Lot 3 on Assessor's Map 13, to the Conservation Commission;
- 4) transfer care, custody and control of a parcel of land located on High Street, consisting of approximately 2.4 acres and further identified as Lot 6 on Assessor's Map 20C, to the Water Commissioners/Utilities Department;

*(Simple majority)*

**ARTICLE 14**

**TAX INCREMENT FINANCING: MERCURY BREWING**

I move that the Town vote:

- 1) to approve the Project Certification Application, submitted by Mercury Brewing Inc. on September 18, 2008, for a facility located within the Downtown Ipswich Economic Opportunity Area (EOA), at 2 Soffron Lane, further identified as Parcel 281 on Assessors Map 41B; and
- 2) to approve the form of the Tax Increment Financing Agreement between Mercury Brewing Inc. and the Town of Ipswich, and the corresponding TIF plan; and
- 3) to confirm that the proposed project (a) is consistent with the goals of the Downtown Ipswich EOA and will benefit significantly from its development in said EOA; (b) will not overburden the Town's municipal services, infrastructure, and utilities servicing the EOA; (c) will increase employment opportunities for residents of Ipswich and the Cape Ann Economic Target Area, thereby reducing blight, economic depression, and reliance of public assistance; and (d) will be designated as a certified project for a term not to exceed six (6) years; and
- 4) to authorize the Board of Selectmen to take such actions as are necessary to obtain approval of the certified project application and to implement the tax increment financing plan;

*(Simple majority)*

**ARTICLE 15**

**SPECIAL ACT: FUNDING OF ACCRUED LIABILITY  
FOR POST-EMPLOYMENT BENEFITS (GASB 45)**

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 15 of the warrant for the October 20, 2008 Special Town Meeting.

*(Simple majority)*

**ARTICLE 16**

**VEHICLE REPLACEMENT PROGRAM**

I move that the Town vote:

to appropriate the sum of **\$160,000** to fund replacement of seven large and highly inefficient vehicles in the Town fleet, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$7,500,000 under G.L. c.44, §8 or any other enabling authority to meet this appropriation;

*(2/3rds majority)*

**ARTICLE 17**

**CEMETERY AND PARKS VEHICLE PURCHASE**

I move that the Town vote:

to authorize the Board of Cemetery and Parks to purchase a new truck costing **\$52,000** by utilizing the "Sale of Lots Trust Fund."

*(Simple majority)*

**ARTICLE 18**

**RECONSIDERATION**

I move that action on this article be postponed indefinitely.

*(Simple majority)*