

TOWN OF IPSWICH

MOTIONS

SPECIAL TOWN MEETING

October 25, 2010

SPECIAL TOWN MEETING MOTIONS

(October 25, 2010)

ARTICLE 1

FY'10 UNPAID BILLS

I move that the Town vote:

to appropriate the sum of **\$8,698.20** to pay unpaid bills incurred in prior years and remaining unpaid:

<u>ACCOUNT</u>	<u>VENDOR</u>	<u>AMOUNT</u>
<u>LEGAL</u>	Anderson & Kreiger	5,011.32
	Anderson & Kreiger	152.00
	Anderson & Kreiger	25.00
<u>POLICE</u>	Police Department	<u>3,509.88</u>
	TOTAL	8,698.20

and to meet this appropriation by transferring **\$8,698.20** from free cash.

(9/10 majority)

ARTICLE 2

FY'11 TOWN BUDGET AMENDMENTS

I move that the Town vote to amend its action taken under Article 4 of the May 11, 2010, Annual Town Meeting (the FY'11 Municipal Operating Budget) as follows:

- 1) to transfer from the Police Budget Salaries **\$220,917** to the newly established Civilian Dispatch Budget Salaries account; and
- 2) to transfer from the Police Budget Expenses **\$2,550** to the newly established Civilian Dispatch Budget Expenses account; and
- 3) to transfer **\$104,732** from free cash to the special Other Post Employment Benefits account (OPEB). These funds are from Federal Medicare Part D contributions and are transferred to the OPEB account as partial funding for other post employment benefits;
- 4) to amend its action under Article 4 of the May 11, 2010 Annual Town Meeting (the FY'11 Municipal Operating Budget) by amending the **\$14,191,874** Municipal Operating Budget by transferring **\$30,188** from the Waterways Improvement Fund to the Harbormaster

Budget leaving a net of **\$13,995,737** to be raised and assessed; and

- 5) to appropriate **\$50,000** from the **\$100,000** reserved under the levy limit to the D.P.W. Snow and Ice account;

so that the total Fiscal 2011 municipal operating budget of **\$14,191,874** as so amended and inclusive of override debt service, shall total **\$14,346,606** leaving the amount to be raised and assessed as **\$14,045,737**.

(Simple majority)

ARTICLE 3 **FY'11 SCHOOL BUDGET AMENDMENTS**

I move that the Town vote to amend its action taken under Article 5 of the May 11, 2010, Annual Town Meeting (the FY'11 School Operating Budget), as follows:

- 1) to transfer **\$76,572** from free cash to reimburse the School Department for Medicaid funds deposited into the General Fund during Fiscal 2010; and
- 2) to transfer **\$98,016** from free cash to the School Department to reimburse for the state School Building Authority's increase in reimbursements for the High School/Middle School project; and
- 3) to transfer **\$126,277.95** from a special insurance account to reimburse the School Department for the cost of roof damage to the High School and Doyan School during the severe storm in February 2010.

And further,

to reduce the School Department budget by **\$50,551** due to the change in Chapter 70 funding for FY 2011 that occurred after the School budget was voted at the Annual Town Meeting.

so that the total Fiscal 2011 school operating budget of **\$20,363,261** as so amended, shall total **\$20,613,575.95** leaving the amount to be raised and assessed as **\$20,220,210**.

(Simple majority)

ARTICLE 4 **WHITTIER REGIONAL HIGH SCHOOL BUDGET**

I move that the Town vote:

to raise and appropriate the sum of **\$350,095** for the Town's share of the FY 2011 annual operating, capital and debt service expenses of the Whittier Regional Vocational Technical High School District.

(Simple majority)

ARTICLE 5

FEOFFEEES TRUST AGREEMENT

I move that the Town vote

- 1) to request that the School Committee proceed in consultation with the Board of Selectmen and the Finance Committee to promptly take such actions in Probate Court to modify the Trust establishing the Feoffees of the Grammar School as the governing board of the Trust by establishing a publically appointed board and to seek a resolution of the Feoffees litigation with Little Neck residents that fully protects the interests of the Ipswich Public Schools and the Town of Ipswich; and
- 2) to transfer **\$300,000** from free cash to a special legal account within the FY2011 municipal budget to pay for legal, real estate and other professional services required by the School Committee, Board of Selectmen and/or Finance Committee related to the Feoffees litigation and modification of the Trust creating the Feoffees of the Grammar School, the School Committee having agreed that the legal strategy will be determined by the School Committee in consultation with the Board of Selectmen and Finance Committee, and pursuant to a procedure devised by the three boards; and
- 3) to establish a requirement that any funds expended from this account by the School Committee shall be repaid by the School Committee to the Town of Ipswich general fund as soon as possible, but not to exceed 3 years, after receipt of the Feoffee disbursements to the School Committee which total or exceed the amount of such funds.

(Simple Majority)

ARTICLE 6

AMENDMENTS TO WETLANDS BYLAW

I move that the Town vote:

to amend Section 2 of Chapter XVIII of the Town By-Laws (the Ipswich Wetlands Protection By-Law) to extend the jurisdiction of the Conservation Commission for the purpose of stormwater management under circumstances as set forth in Article 6 of the warrant for the October 25, 2010 Special Town Meeting.

(Simple Majority)

ARTICLE 7

CONVERSION OF ACCESSORY BUILDINGS

I move that the Town vote:

to amend the Protective Zoning Bylaw of the Town of Ipswich as set forth in Article 7 of the warrant for the October 25, 2010 Special Town Meeting.

(2/3rds Majority)

ARTICLE 8 **MISCELLANEOUS ZONING CHANGES**

I move that the Town vote:

to amend the Protective Zoning Bylaw of the Town of Ipswich as set forth in Article 8 of the warrant for the October 25, 2010 Special Town Meeting.

(2/3rds Majority)

ARTICLE 9 **NORTH GREEN SIDEWALK EASEMENT**

I move that the Town vote:

- 1) to assign care, custody, and control of areas of the North Green, as set forth in Article 9 of the warrant for the October 25, 2010 Special Town Meeting, to the Cemetery and Parks Commission; and
- 2) to authorize the Cemetery and Parks Commission to authorize the Board of Selectmen to grant easements for several areas of sidewalk, as set forth in Article 9 of the warrant for the said Town Meeting; and
- 3) to authorize the Board of Selectmen to petition the Massachusetts General Court to authorize the Board of Selectmen to grant the sidewalk easements for the areas set forth in Article 9 of the warrant for the October 25, 2010 Special Town Meeting.

(Simple majority)

ARTICLE 10 **LAND SWAP WITH EBSCO AT THE COMMUTER RAIL STATION**

I move that the Town vote:

to authorize the Board of Selectmen to convey 153 square feet of Town-owned land (Lot 49 on Assessor's Map 42C), near the entrance/exit to the commuter station parking lot to EBSCO (Lot 194 on Assessor's Map 42A), in exchange for 477 square feet of land owned by EBSCO that will be conveyed to the Town.

(Simple majority)

ARTICLE 11 **COMMUNITY SEPTIC MANAGEMENT PROGRAM**

I move that the Town vote:

to raise and appropriate the sum of **\$1,000,000** by borrowing from the Massachusetts Water Pollution Abatement Trust, pursuant to MGL, Ch. 29c, for the purpose of funding the Town's program to repair, replace and upgrade septic waste disposal systems.

(Simple majority)

ARTICLE 12 **SENIOR TAX DEFERRAL PROGRAM**

I move that the Town vote:

to reduce the interest rate assessed under the Senior Tax Deferral Program (MGL, Chapter 59, Section 5, Clause 41A) from eight (8) percent to four (4) percent, such change to be effective for deferrals granted for taxes assessed for any fiscal year beginning on July 1, 2011.

(Simple majority)

ARTICLE 13 **ACCEPTANCE OF STATE LEGISLATION**

I move that the Town vote:

to accept local option legislation, M.G.L. 138, 33B, as amended, which authorizes the Board of Selectmen, as the Local Liquor Licensing Authority, to issue licenses allowing licensees to sell alcoholic beverages starting at 10 a.m. on Sundays and certain legal holidays.

(Simple majority)

ARTICLE 14 **RECONSIDERATION**

I move that action on this article be postponed indefinitely.

(Simple majority)