

Town of Ipswich  
Annual Town Meeting  
Tuesday - May 13, 2014 - 7:00 PM  
**WARRANT**

ESSEX, ss

To the Constable of the Town of Ipswich in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Ipswich qualified to vote in Town affairs to meet in the Performing Arts Center of the IPSWICH MIDDLE SCHOOL/HIGH SCHOOL, 134 High Street in said Ipswich, on TUESDAY, THE THIRTEENTH DAY OF MAY, 2014, at 7:00 o'clock in the evening, then and there to act on the following articles, viz:

**ARTICLE 1 – Election of Officers & School Override**

Requested By: Board of Selectmen

To see if the Town will vote on the following questions on one ballot at the YMCA Hall, County Road, on Tuesday, May 20, 2014; the polls shall open at 7:00 a.m. and shall close at 8:00 p.m:

- (1) To choose the following officers, viz: a Moderator for one [1] year; two [2] members of the Board of Selectmen for three [3] years; three [3] members of the School committee for three [3] years; one [1] member of the Housing Authority for five [5] years.
- (2) BALLOT QUESTION: Shall the Town of Ipswich be allowed to assess an additional \$2,750,000 in real estate and personal property taxes for the purposes of funding the School Department for the fiscal year beginning July 1, 2014?

*Summary:*

*The charter requires that any proposed ballot question for the annual election warrant be included in the annual town meeting warrant, as a notice to the public. This article is not voted upon by town meeting.*

*Recommended by the Board of Selectmen.*

**ARTICLE 2 – Consent Calendar**

Requested By: Board of Selectmen

To see if the Town will vote:

- (1) To fix the annual salary and compensation of all elected Town Officers as follows: Town Moderator: \$250.00; Board of Selectmen: member \$500.00; Chairperson \$750.00; School Committee: member \$ 200.00;
- (2) To transfer the sum of \$325,000 as a payment-in-lieu of taxes from the Electric Light Department;
- (3) To hear reports from Commuter Rail Committee, Hall-Haskell Committee, and Open Space & Recreation Committee, and to continue these as standing committees of Town Meeting;
- (4) To authorize the Board of Selectmen to temporarily appoint a member of said Board as Acting Town Manager for a limited period of time not to exceed the date of the 2014 Annual Town Meeting for purposes of vacation, leave, or absence in accordance with Massachusetts General Laws Chapter 268A, Section 20 and 21A;
- (5) To authorize and/or re-authorize for FY'2015 the following revolving funds established under Massachusetts General Laws Chapter 44, Section 53E½:
  - a. a Department of Public Safety revolving fund, the use of said fund to pay for the operation and maintenance of the Town Wharf, and to determine that no more than \$10,000 may be expended by the Department of Public Safety in FY 14 from such funds transferred into said fund during FY'2015. (Source of funds: Launching Fees);
  - b. a Department of Public Works revolving fund, the use of said fund to finance approved beautification projects and related expenses, and to determine that no more than \$5,000 may be expended by the Department of Public Works in FY'2015 from such funds transferred into said fund during FY'2015. (Source of funds: Sale of wood from the grand elm tree);
  - c. a Health Department Public Health revolving fund, to be funded through reimbursements from Medicare Part B, Medicare Senior Advantage Plans and other insurance plans for the administration of influenza and pneumococcal vaccines to be used to finance part-time wages and pay related expenditures such as the cost of vaccine, medical supplies, and other administrative costs, and to determine that no more than \$5,000 may be expended by the Public Health Department from monies transferred into said fund during FY'2015. (Source of funds: Medicare Part B, Medicare Senior Advantage Plans and other insurance plans);

- d. a Council on Aging revolving fund, the use of said fund to pay for special activities, expendable supplies and/or part-time wages, and to determine that no more than \$100,000 may be expended by the Council on Aging from monies transferred into said fund during FY'2015 (Source of funds: fees contributed by seniors participating in special activities);
- e. a Historical Commission revolving fund, the use of said fund to pay for preservation of Town records and to purchase expendable supplies, and to determine that no more than \$5,000 may be expended by the Historical Commission from monies transferred into said fund during FY'2015 (Source of funds: sale of publications);
- f. a Health Department revolving fund, the use of said fund to finance additional part-time help in the Health Department and to pay related expenses, and to determine that no more than \$7,000 may be expended by the Health Department in FY'2015 from such funds transferred into said fund during FY'2015 (Source of funds: Housing Code inspection fees);
- g. a Facilities Department revolving fund to pay for custodial services and other expenses associated with the use of the gymnasium and other Town Hall facilities by outside organizations or for special events sponsored by municipal departments; and to determine that no more than \$20,000 may be expended from the Facilities Department revolving fund from monies transferred into said fund during FY'2015 (Source of funds: user fees); and
- h. a Shellfish Department revolving fund, said funds to be used for enhancements to the shellfish resources of the Town, and to determine that no more than \$15,000 may be expended by the Shellfish Commissioners from monies transferred into said fund during any given fiscal year (Source of funds: surcharge on commercial shellfish licenses), or to take any other action relative thereto.

*Summary:*

- 1. *This item sets the annual salaries for all elected officials as presented in the Town's operating budget*
- 2. *This item authorizes payment-in-lieu-of-taxes of \$325,000 to the town from available funds in the Electric Light Department.*
- 3. *This item provides an opportunity for standing committees of Town Meeting to report.*
- 4. *In accordance with Massachusetts General Laws, this article authorizes the Board of Selectmen to appoint an Acting Town Manager from among its members during vacation or leave of absence of the Town Manager with the exemption from the state conflict-of-interest law.*
- 5. *This item authorizes certain revolving funds under the terms of Massachusetts General Laws, Chapter 44, Section 53 E ½. Fees collected by departments under this article are deposited into special, revolving accounts that are separate from the General Fund of the Town. Revolving fund monies must be expended for purposes directly related to the mission of their respective departments.*

*This requires a simple majority vote.*

*Recommended by the Board of Selectmen.*

**ARTICLE 3 – Finance Committee Election**

Requested By: Board of Selectmen

To see if the Town will vote to choose one [1] member of the Finance Committee for three [3] years, or to take any action relative thereto.

*Summary:*

*The article calls for election of one Finance Committee member, to be elected by the Town Meeting. This requires a simple majority vote.*

*Recommended by the Board of Selectmen.*

**ARTICLE 4 – FY'2014 Municipal Budget Amendments**

Requested By: Board of Selectmen

To see if the Town will vote to amend the Town's action taken under Article 5 of the May 13, 2013 Annual Town Meeting (FY'2014 Municipal Operating Budget) by transferring sums between departments; or to take any other action relative thereto.

*Summary:*

*This article allows the town to cover unanticipated expenses in Fiscal Year 2014 through transfers among departments. As of the date of the warrant approval, it is unknown if transfers will be necessary. This requires a simple majority vote.*

*RATM by the Board of Selectmen*

**ARTICLE 5 – Electronic Voting System**

Requested By: Citizens Petition – Philip J. Goguen

To direct the Board of Selectmen and the Town Moderator to accept from Options Technologies Interactive their offer of a no cost turn key demonstration of electronic voting system, such demonstrations to be in conjunction with the next special town meeting

*Recommended by the Board of Selectmen*

**ARTICLE 6 – Amend the Action taken under Article 4 of 2013 Annual Town Meeting**

Requested By: Board of Selectmen

To see if the town will vote to amend the Town’s action taken under Article 4 of the May 14, 2013 Annual Town Meeting ( Chapter 90) by reducing the amount from \$663,485 to \$442,110, which was the actual sum allocated from the state for highway improvements under the authority M.G.L. Chapter 90, or take any action relative thereto.

Or to take any other action relative thereto.

*Summary:*

*The state annually allocates to the Town a sum of money to be spent on Town roads. The amount must be appropriated by town meeting. Last year the amount appropriated was based on a letter from the state, but the actual amount received was less, so this will reconcile the amount appropriated to the amount received. This requires a simple majority vote.*

*Recommended by the Board of Selectmen.*

**ARTICLE 7 – Chapter 90**

Requested By: Board of Selectmen

To see if the town will vote to appropriate the sum of \$442,110, or a greater or lesser sum, from the state for highway improvements under the authority M.G.L. Chapter 90, or any such applicable laws, and to authorize the Board of Selectmen, if necessary, to apply for, accept and borrow in anticipation of state aid for such projects, or take any action relative there to.

*Summary:*

*The state annually allocates to the Town a sum of money to be spent on Town roads. The amount must be appropriated by town meeting. The Town spends the money first and is reimbursed by the state upon completion of the project. Amount is unknown at time of setting the warrant, but is generally expected to be the same as the prior year. This requires a 2/3 vote in case of borrowing.*

*Recommended by the Board of Selectmen*

**ARTICLE 8 – FY’2015 Municipal Budget**

Requested By: Board of Selectmen

To see if the Town will vote to hear and act upon the reports of the Board of Selectmen and Finance Committee relative to the Fiscal 2015 municipal budget, and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year's operations, including the compensation of elected Town officers, and to authorize the Town to enter into lease-purchase contracts for equipment having a term of five years or less; or to take any other action relative thereto.

*Summary:*

*An annual operating budget must be adopted and funded for Fiscal Year 2015 which begins July 1, 2014. A budget was adopted by the Board of Selectmen and submitted to the Finance Committee as required under the Town Charter and general by-laws. Detailed budget information is available on the town website [www.ipswichma.gov](http://www.ipswichma.gov). This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 9 – FY’2015 School Budget**

Requested By: School Committee

To see if the Town will vote to hear and act upon the reports of the School Committee and Finance Committee relative to the Fiscal 2015 School Department budget and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year’s operations and debt service, including entering into lease-purchase agreements having a term of five years of less for a school bus and/or for other purposes; and to act upon a request to reauthorize existing revolving funds pursuant to state law; or to take any other action relative thereto.

*Summary:*

*This article funds the operating and debt costs for the school department in Fiscal Year 2015. This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 10 – School Override**

Requested By: School Committee

To see if the Town will vote to raise and appropriate a sum of money to supplement the school budget for Fiscal Year 15, provided that this appropriation shall be contingent upon passage of a proposition 2 ½ referendum question, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 21C, or take any other action relative thereto.

*Summary:*

*This article requests that an additional sum of money be raised in Fiscal Year 2015 through an operating override to fund the school department operating budgets in Fiscal Years 2015-2019. This requires a simple majority vote*

*Recommended by the Board of Selectmen*

**ARTICLE 11– FY’2015 Whittier Regional High School Budget**

Requested By: Russ Bardsley, Whittier RVTHS Representative

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to cover the Town's share of the ensuing year's annual operating and debt service expenses of the Whittier Regional Vocational Technical High School; or to take any other action relative thereto.

*Summary:*

*To appropriate the Town’s share of the Fiscal Year 2015 annual operating budget for the Whittier Regional Vocational Technical High School District. This requires a simple majority vote.*

*RATM by the Board of Selectmen*

**ARTICLE 12– FY15 Essex County Technical Institute Budget**

Requested By: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to cover the Town's share of the ensuing year's annual operating and debt service expenses of the Essex County Technical Institute; or to take any other action relative thereto

*Summary:*

*To appropriate the Town’s share of the Fiscal Year 2015 annual operating budget for the Essex County Technical Institute. This requires a simple majority vote.*

*RATM by the Board of Selectmen*

**ARTICLE 13– Town By-Laws – Correct Chapter Numberings**

Requested By: Town Clerk, Pam Carakatsane

To see if the Town will vote to correct the Chapter numbering of the Town of Ipswich By-laws as follows:

From: Chapter XIX – Ipswich Right to Farm By-law

To: Chapter XX – Ipswich Right to Farm By-law

From: Chapter XX – Keeping of Chickens on Residential Lots of Less Than One Acre To: Chapter XXI – Keeping of Chickens on Residential Lots of Less Than One Acre

Or to take any action relative thereto.

*Summary:*

*This will correct duplicate and inaccurate numbering of the Town’s By-laws. Presently these bylaws share Chapter numbers with other by-laws, which was unintentional. This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 14– Amendments to Town Meeting Related By-Laws**

Requested By: Moderator Tom Murphy

To see if the Town will amend the General By-Laws of the Town of Ipswich as follows:

[Note: ~~strikethrough~~ indicates deletions; **bold italics** indicates additions.]

- 1. By amending Chapter II, Section 6 (“Bond Appropriations”) as follows:

Section 6. Bond Appropriations

No appropriation to be raised by the bonds of the Town of Ipswich, except for an appropriation of an amount of less than one tenth of one percent (0.1%) of the current total equalized valuation of the Town for any purpose, shall be adopted unless ~~the article and~~ the motion calling for such appropriation first shall have received a two-thirds majority vote by Town Meeting, in accordance with the provisions of Chapter 44 of the General Laws, as amended, after there has been ~~full~~ **an** opportunity for debate on the merits of the said article, and second shall have received a majority vote on a printed ballot. **If the main motion under** said article shall have received at **least a 2/3rds** majority vote of Town Meeting, the Board of Selectmen shall forthwith call for a special election for the purpose of voting on such appropriations, ~~set said~~ election to be called in accordance with the Massachusetts General Laws. Notwithstanding the previous sentence, the Board of Selectmen may, but are not required to, vote to include a ballot question required by this section on the town's annual election ballot, which vote will only be effective if the corresponding Annual Town Meeting has approved the appropriate **corresponding motion** pursuant to this section. ~~The statement of the purpose of the appropriation shall be substantially the same in the article as in the ballot question.~~ **The statement of the purpose of the ballot question shall be substantially the same as the statement of the purpose of the article for the corresponding Town Meeting; provided, however, that approval of a ballot question exempting the principal and interest on such bonds from the levy limit under G.L. c. 59, § 21C ("Proposition 2 1/2") shall be sufficient to meet the requirements of this Section.**

2. By amending Chapter III, Section 5 ("Rules for Conduct of Meetings") by inserting the following sub-sections:

- (a) **The proponent of any article(s) on the warrant for any town meeting shall submit the main motion(s) for the respective article(s) to the Moderator in writing at least three business days before the first day of such meeting.**
- (b) **A subsidiary motion for indefinite postponement shall be out of order.**
- (c) **Once final action has been taken under an article and the meeting has taken up the next order of business, or has adjourned, the subject matter of a given article may not again be taken under consideration unless, in the discretion of the Moderator, a significant error or omission occurred in the language or the process of the original action under that article, or a significant change in circumstances has occurred, such that there is a substantial likelihood that the outcome could change upon reconsideration or that reconsideration is in the Town's best interest.**
- (d) **Any errors, omissions or changes of circumstance referred to in sub-section (c) shall be brought to the Moderator's attention as soon as practicable and the Moderator shall determine if and when the matter will be taken up anew. The Moderator shall announce that decision to the meeting and if the Moderator determines that the matter may be taken under consideration again, a two-thirds vote shall be necessary in order to proceed with reconsideration.**
- (e) **Notwithstanding sub-sections (c) and (d), if after all other votes and reconsideration from the floor are complete under a given article and the appropriations voted appear to make necessary a ballot override vote (either levy, capital outlay, or debt exclusion) under G.L. c. 59, § 21C ("Proposition 2 1/2"), then the conditions for reconsideration shall be deemed to have been met, and the Moderator shall accept a motion for reconsideration on any appropriation from the Finance Committee only, for the purpose of reducing any appropriations so as to meet the requirements of Proposition 2 1/2, or for the purpose of making certain appropriations contingent upon an override vote on a printed ballot.**
- (f) **Any member who moves the previous question immediately after speaking on a given topic shall be out of order.**
- (g) **The Moderator may appoint a member of the meeting to perform the duties of the Moderator while the Moderator addresses the meeting, has a conflict of interest in presiding over a given matter, or is otherwise unavailable.**

**Summary:**

*This Article proposes making changes to two Chapters of our by-laws; one is to the powers of and the other is to the procedure at town meeting. The first change is to make seven edits, mostly clerical, to Chapter II, Section 6, on Bond Appropriations. The second is to insert a series of sub-sections to Chapter III, Section 5, on the Rules for Conduct of Town Meeting. Following is a brief summary of the reasons each of these changes.*

Chapter II, Section 6 ("Bond Appropriations"):

1. *This change removes the phrase "the article and" which is unnecessary because a Meeting votes on the motion, not the article. Therefore it is the motion that passes, or not, and not the article under which the motion is made.*

2. *The next change strikes the word “full” which modifies debate. As it is, one could read “full” to mean endless debate, meaning that nobody could stop the debate (not even the Moderator). By deleting the word “full” we avoid that risk.*
3. *The reason for the third change is similar to that for the first. It is the motion that carries, or not, and not the article under which the motion is made. Therefore we need to insert this phrase.*
4. *The fourth change is simply to insert two missing words so as to give the clause meaning.*
5. *The fifth change corrects a typographical error by changing “set” to “said.”*
6. *The sixth change corrects a clerical error and inserts two missing words.*
7. *The last change is to rewrite the last sentence so that it is clearer. Upon recommendation of Town Counsel the last clause (“provided, however, that approval...”) provides that a ballot vote excluding borrowing from Prop. 2 ½ satisfies this section.*

Chapter III, Section 5 (“Rules for Conduct of Meetings”):

As it is now, our by-law simply instructs the Moderator to follow Town Meeting Time, the manual used to regulate Town Meeting in many New England communities. Unfortunately, parts of the manual are not particularly instructive and these new sub-sections would clarify the process, allow for a more efficient meeting, and lower the risk of confusion in the members:

- (a) *Requiring written motions in advance of the meeting promotes order, gives the Clerk and Moderator proper notice, and has been recommended by Town Counsel.*
- (b) *A “subsidiary” motion for indefinite postponement only promotes delay and risks confusion. The better practice is to dispose of its use as was also recommended by Town Counsel.*
- (c) *The manual we follow, Town Meeting Time, is unclear whether or not the Moderator should entertain motions for reconsideration and if so how to manage them. While a Moderator has wide discretion in this area, ideally motions for reconsideration should be used only if there has been a mistake along the way or new information arises. This by-law would authorize that standard.*
- (d) *This is a corollary to the restriction on motions for reconsideration addressed in the previous sub-section and requires someone who wishes to so move to do so promptly. It also allows the Moderator ample discretion and with a 2/3-vote requirement makes reconsideration that much more difficult. The result is a higher standard for reconsideration which gives the original vote a sense of finality.*
- (e) *This is the exception to the new rule on reconsideration in case the meeting exceeds the levy limit imposed by Proposition 2½. If so, grounds for reconsideration “shall be deemed to have been met” and the Finance Committee would then be free to so move in which case the Moderator must accept the motion. This is simply an exception to the restrictions imposed by the other sub-sections.*
- (f) *This puts in place the Moderator’s current practice of not allowing someone, immediately after speaking on any matter, to try to stop the debate. To do so would be decidedly unfair; this puts the rule in place and is another improvement recommended by Town Counsel.*
- (g) *Appointing an Assistant Moderator is a good idea and is currently in use, but it is wise to have the process inscribed in our by-laws for future Moderators.*

*This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 15– Amend Sections 27 and 28 of the Charter**

Requested By: Town Clerk, Pam Carakatsane

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation to amend the Charter of the Town of Ipswich substantially in the form below.

To amend Section 27 of the Town Charter, Estimates of Expenditures by changing the date on which the Town Manager is required to submit a draft budget to the Board of Selectmen from “December 10” to “no later than one hundred (100) days prior to the Annual Town Meeting” ; and to amend Section 28 of the Town Charter, Annual Budgets by changing the date on which the Board of Selectmen is required to submit a proposed budget to the Finance Committee from “January 12” to “no later than 65 days prior to the Annual Town Meeting.” This act shall take effect upon its passage.

Or to take any action relative thereto.

*Summary:*

The Special Town Meeting of October 17, 2007 approved these changes with language that these changes would take effect only if they were approved a second time at the May 2008 Town Meeting. No such subsequent vote took place, but the language was incorporated in to the Charter and has been practice since that time. After a review of this matter, Town Counsel opined that the proper mechanism for this amendment to take effect is an affirmative 2/3 vote by town meeting, a subsequent hearing by the Board of Selectmen, followed by approval by the Attorney General and, finally, approval by voters at the annual election of 2015.

The reason for these changes is that the original dates in the Charter are too early to be able to effectively project revenues and to compile, review and hold hearings on a proposed budget. The present schedule, as approved by the 2007 meeting vote, has been working well. This requires a 2/3 vote.

Recommended by the Board of Selectmen

**ARTICLE 16 – Annual Capital Plan**

Requested By: Town Manager

To see if the town will vote to transfer from the Capital Stabilization Fund the sum of 498,971 for the following purposes:

Facilities:

Computer Equipment	\$29,000
Network Equipment	\$32,000
School Computer Equipment	\$50,000
Project Reserve	\$ 4,500
Payne – Repair Deck & Entrance	\$14,000
Doyon – Library Air Conditioner	\$10,000
Winthrop – Tile & Floor Replacement	\$45,000
Middle/High Schools - Repair Stage	\$11,000
Town Hall – Carpet Replacement	\$15,500
Town Hall – Replace COA Windows	\$20,000
Library – Replace Carpet Phase 2 of 2	\$15,500
Linebrook Station – Repair concrete Apron	\$ 7,000

Equipment:

DPW- Loader Year 1 of 5	\$35,404
DPW – Dump Truck with Plow Year 1 of 5	\$36,567
Police – Crossmatch Fingerprint System	\$25,000
Police – Replace Radar Units	\$11,500
Fire – Replace Administrative Vehicle	\$40,000
Fire – Set aside for pumper replacement	\$40,000
Fire – Set aside for SCBA replacement	\$20,000
Emergency Management- Message Board	\$17,000

Other:

Hammett Street Parking – On-going Design	\$20,000
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And to see if the Town will vote to transfer from the Waterways Funds the sum of \$50,000 for the following purposes:

Waterways Funds:

Harbormaster Truck:	\$35,000
Floating Docks	\$15,000

Or to take any action relative thereto.

Summary:

A five year capital plan has been developed with the input from all town departments and the schools. The 2013 fall town meeting transferred \$500,000 from free cash into the Capital Stabilization Fund to fund the capital plan for Fiscal Year 2015. This requires a 2/3 majority vote to transfer funds from the Capital Stabilization Fund.

Recommended by the Board of Selectmen

**ARTICLE 17– Interior Painting of Library & Schools**

Requested By: Town Manager Robin Crosbie

To see if the town will vote to transfer the sum of \$89,000 from free cash to paint the interiors of the following facilities: Library - \$24,000; Middle School/High School - \$35,000; Doyon School - \$30,000, or take any action relative thereto.

*Summary:*

*This appropriation will complete painting of Library interior and begin phased painting of the High/Middle, Doyon and Winthrop schools. This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 18– Town Website**

Requested By: Town Manager, Robin Crosbie

To see if the town will vote to transfer from free cash the sum of \$34,100 for design, hosting and related website services to upgrade the Town website or take any action relative thereto.

*Summary:*

*This upgrade is requested by the Website Task Force and will provide content and capabilities the present site is unable to do. Present open source technology is out of date and creates a security risk for the current website. This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 19– Public Safety Facility Feasibility Study**

Requested By: Chief Paul Nikas & Public Safety Facility Task Force

To see if the Town will vote to transfer from free cash a sum up to \$100,000, and no more, for a Feasibility Study and Preliminary Design of a new Public Safety Complex, located on the Elm St/South Main St/County St campus or an alternative site, as approved by the Board of Selectmen, of equal size and proximity to downtown, and any other services relative to this project.

*Summary:*

*This article will fund a feasibility study and preliminary design for a combined Public Safety Building. The Public Safety Facility Task Force spent the last 10 months researching past studies and documents related to the conditions of the Police and Fire Stations. The consensus of all the various studies and documents stated both stations were drastically undersized for modern programming functions, vehicle and equipment storage, and range of operations required of Public Safety. Both the Police Station and Central Fire Station are in such poor condition, rehabilitation or expansion is not a financially prudent option. These studies also researched various locations and determined the Elm St/South Main St/County St location, where the Police station is located, is the most favorable location. This study will be undertaken with input from residents, town officials and public safety personnel in order to address the community and operational needs. This article requires a simple majority vote.*

*Recommended by the Board of Selectmen (3-1)*

**ARTICLE 20– Athletic Field Engineering for Mile Lane**

Requested By: Glenn Gibbs on behalf of the Athletic Fields Sub-Committee

To see if the Town will vote to transfer from free cash the sum of \$70,000 to complete engineering for field expansion and development activities related to Mile Lane fields, including design, permitting, bidding and construction related engineering services, or to take any other action relative thereto.

*Summary:*

*The Athletic Fields Study Committee (AFSC) has engaged an engineer to evaluate Mile Lane fields for expansion. Phases I through III have already been funded and completed. This sum will complete the engineering work through all phases of the design. The engineering costs for Mile Lane have increased somewhat (from \$63,000 to \$70,000), primarily because of the determination that the project will require Site Plan Review from the Planning Board. This article was considered by the 2013 Special Town Meeting but deferred until the 2014 Annual Town Meeting. This article requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 21– Appropriation of Unexpended Bond Proceeds to Jeffrey's Neck Booster Station Equipment Replacement and Linebrook Road Water Main Replacement ( Article 17, 2000 Special Town Meeting)**

Requested By: Vicki Halmen, Water & Wastewater Manager

To see if the Town will vote to transfer unexpended bond proceeds borrowed under Article 17 of the October 16, 2000, Special Town Meeting appropriation for the acquisition of a parcel of land on High Street to protect Browns Well water supply, which project is complete and for which no liability remains, for the purpose of Jeffrey's Neck Booster Station equipment replacement and Linebrook Road water main replacement, or take any other action relative thereto.

*Summary:*

Article 17 of the 2000 Special Town Meeting appropriated a sum of \$325,000 for the purchase of Map 30A Parcel 9 to protect Browns Well water supply. The entire authorization was issued, the property was acquired and \$69,178.17 remains unspent. The Water Department requests authorization to use these funds for the purpose of Jeffrey's Neck Booster Station equipment replacement and Jeffrey's Neck and Linebrook Road water main replacements. This requires a 2/3 majority vote.

*Recommended by the Board of Selectmen*

**ARTICLE 22 – Appropriation of Unexpended Bond Proceeds to Water Main Replacement ( Article 12, 2009 Town Meeting)**

Requested By: Vicki Halmen, Water & Wastewater Manager

To see if the Town will vote to transfer unexpended bond proceeds borrowed under Article 12 of the May 12, 2009, Annual Town Meeting for the replacement of water mains on Washington Street and North Main Street, which projects are completed and for which no liability remains, for the purpose of funding replacement of water mains on or contiguous with Jeffrey's Neck Road and Linebrook Road; or take any other action relative thereto.

*Summary:*

Article 12 of the 2009 Annual Town Meeting appropriated a sum of \$2,395,000 to replace water mains on Washington Street (\$814,220) and North Main Street (\$931,280) and to fund capital improvements at the Water Treatment Plant (\$649,500). A total of \$2,185,359 has been borrowed for these purposes. Of this amount, \$200,291 borrowed for the purposes of the replacement of water mains on North Main Street (\$191,240) and Washington Street (\$9,051) remains unspent. The Water Department requests the authority to use these funds for replacement of water mains on or contiguous with Jeffrey's Neck Road and Linebrook Road. This requires a 2/3 majority vote.

*Recommended by the Board of Selectmen*

**ARTICLE 23 – Historic Preservation Restriction – Old North Burying Ground**

Requested By: Glenn Gibbs on behalf of the Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to convey a historic preservation restriction over a portion of a public cemetery on Town-owned land identified as Parcel 21 on Assessor's Map 30D, and having frontage on High Street, said restriction encumbering the cemetery to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission, on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate. A map showing the location, size and configuration of the above-described parcel is available in the Town Clerk's Office, Town Hall;

or to take any other action relative thereto.

*Summary:*

The Old North Burying Ground on High Street is one of the most significant of any of the colonial era burying grounds in the country. Unfortunately, the burying ground is in poor condition, and suffers from many years of benign neglect. Because many of the gravestones are hundreds of years old, they are fragile and require special knowledge and techniques to if they are to be successfully preserved and restored.

The Town, through its historical commission, is undertaking an effort to restore this unique historic resource. After consulting with two firms having special expertise and experience in the field of burial ground conservation, the Commission has decided to hire, through an RFP process, an historical preservation consultant firm to prepare a preliminary study that will assess restoration needs and recommend strategies and techniques for accomplishing the restoration. To fund this effort, the Commission has targeted two funding sources: The Massachusetts Preservation Projects Fund, and the local Harold Bowen Trust Fund, which was established many years ago for the purpose of funding worthy historic preservation efforts in Ipswich.

The Preservation Projects Fund, which is administered by the Mass Historic Preservation Office, requires that any municipality receiving funds for preservation purposes must provide the state with an historic preservation restriction over the building or land being preserved. If the Town cannot provide the restriction by the time of grant deadline, which is March 14<sup>th</sup>, the State will accept evidence that a warrant article has been prepared which would enable the town to establish the restriction prior to the grant award this coming June. The article as described above would accomplish that objective. This requires a simple majority vote.

*Recommended by the Board of Selectmen*

**ARTICLE 24 – Revisions to Flood Plain Regulations**

Requested By: Planning Board

To see if the Town will vote to amend Section "IX. SPECIAL REGULATIONS, D. Flood Plain District" of the Protective Zoning Bylaw of the Town of Ipswich as follows:

(Proposed changes shown by use of ~~strike through~~ for deleted language and ***bold italics*** for new language.)

**“D. Floodplain District**

1. Purpose: The purposes of the Floodplain District are to: ...
2. Applicability

The Floodplain District is established as an overlay district to all other zoning districts. It includes all special flood hazard areas within the Town of Ipswich designated as Zone A, ~~and~~ AE, or VE on the Essex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Essex County FIRMs that are wholly or partially within the Town of Ipswich are panel numbers 25009C0258F, 25009C0259F, 25009C0262F, 25009C0266F, 25009C0267F, 25009C0269F, **25009C0286F and 25009C0288F dated July 3, 2012; and** 25009C0276~~FG~~, 25009C0277~~FG~~, 25009C0278~~FG~~, 25009C0279~~FG~~, 25009C0281~~FG~~, 25009C0282~~FG~~, 25009C0283~~FG~~, 25009C0284~~FG~~, 25009C0286F, 25009C0287~~FG~~, ~~25009C0288F~~, 25009C0289~~FG~~, 25009C0291~~FG~~, 25009C0292~~FG~~, 25009C0293~~FG~~, 25009C0311~~FG~~, dated ~~7/03/12~~ **July 16, 2014**. The exact boundaries of the district may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Essex County Flood Insurance Study (FIS) report dated ~~7/03/12~~ **July 16, 2014**. The FIRM and FIS report are incorporated herein by reference ...

or to take any other action relative thereto.”

*Summary:*

*To remain eligible for inclusion in the National Flood Insurance Program, the Town must comply with the requirements of the Federal Emergency Management Agency (FEMA) as they relate to areas at risk of flooding during certain storm events. The Program requires communities to enact regulations (which Ipswich has done so through Section IX.D. of the Ipswich Protective Zoning Bylaw) that describe its purpose, applicability, and requirements, and which reference Flood Insurance Rate Maps (FIRM) prepared by FEMA and made available to the Town. Two years ago FEMA updated the FIRM, and the 2012 annual Town Meeting modified the regulations accordingly. FEMA has once again updated some of the Town’s FIRM, and those maps become effective in July of this year. To retain its participation in the Program, the Town must have the correct map references in place by that date, which is why the article has been initiated for the spring town meeting. Because the only changes under consideration are updating the references to the maps, this is a minor and non-substantive revision to the regulations. However, if not done now, could result in the Town losing its eligibility for the Flood Insurance Program, which would pose significant adverse financial impacts on residents seeking flood insurance coverage. This requires a 2/3 majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 25– Acceptance of Land**

**Requested By: Glenn Gibbs on behalf of the Board of Selectmen**

*To see if the Town will authorize the Board of Selectmen to accept the following gifts of land:*

- (1) 109 High Street, also known as parcel 19 on Assessor’s Map 30B, a 6,800 square foot parcel located at the intersection of High and Avery Streets; and

Maps showing the location, size and configuration of the above-described parcel are available in the Town Clerk’s Office, Town Hall; or to take any other action relative thereto.

*Summary:*

**109 High Street:** *This 6,800 s.f. parcel abuts Avery Street and the High Street Bridge, and is unbuildable. The owner offered to gift this property to the Town several years ago. Now that Avery Street has been closed to through traffic, the Town would like to establish an informal turnaround at its former intersection with High Street to allow vehicles to reverse direction. The subject parcel abuts this location, and contains within it a mostly non-treed and upland area that Town staff believes could be used to situate a portion of the turnaround. In accepting the parcel, the Town would forgo \$196 in annual tax revenue. This requires a 2/3 majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 26–Sale of Town Land**

**Requested By: Glenn Gibbs on behalf of the Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen to sell the following parcel of land: a 4,000<sup>+/-</sup> square foot portion of the 19,250 square foot property at 32 Turkey Shore Road, further identified as a portion of parcel 53 on Assessor’s Map 42A, subject to certain terms and conditions, which will include, but not necessarily be limited to, the following: (a) the minimum sale price shall be \$4,150; (b) the buyer shall be responsible for all costs associated with the disposition of the parcel, including survey costs and

recording fees; (c) no structures shall be built on the property besides the existing structure; and (d) the parcel shall be subject to a no-cut restriction;

Maps showing the location, approximate size, and configuration of the portions of town-owned property that would be sold pursuant to this article are available in the Town Clerk's Office, Town Hall.;

or take any other action relative thereto.

*Summary:*

*The owner and resident of 28 Turkey Shore Road, which abuts this property, seeks to purchase 4,000 square feet, or about one-fourth of this 19,250 square foot Town-owned parcel along the Ipswich River just west of the Green Street Bridge. A small shed and a chain link fence were constructed on the Town property by the previous owner of 28 Turkey Shore. The current owner, who purchased the property in 2001, parks his automobile on the Town parcel immediately adjacent to the shed, as did the previous owner.*

*Because the encroachment predates the current owner, has never been enforced by the Town, and is the only area within which the occupants of 28 Turkey Shore Road can park their vehicle, the Land Disposition Committee recommends the sale of this 4,000 square foot parcel subject to certain conditions, including a minimum sale price of \$4,150, a no-cut restriction and a prohibition on any new structures, and a requirement that the buyer be responsible for all costs associated with the disposition of the land.*

*This requires a 2/3 majority vote.*

*RATM by the Board of Selectmen*

**ARTICLE 27--Additional Liquor Licenses**

Requested By: Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; provided, however, that the General Court may make only clerical or editorial changes to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition:

**“An act authorizing the Town of Ipswich to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises to the establishments known as Bunz Burger, located at 20 Mitchell Road, Ipswich Massachusetts and Christopher DeStefano, located at 5 Depot Square, Ipswich Massachusetts.”**

**Section 1.** Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Ipswich may issue two additional licenses for the sale of alcoholic beverages to be drunk on the premises under section 12 of said chapter 138 to the establishments known as Bunz Burger, located at 20 Mitchell Road, Ipswich Massachusetts and Christopher DeStefano, located at 5 Depot Square, Ipswich Massachusetts. The licenses shall be subject to all of said chapter 138 except said section 17.

The licensing authority shall not approve the transfer of the licenses to any other location, but it may grant the license to a new applicant at the same location if the applicant files the appropriate transfer of license application.

If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

**Section 2.** This act shall take effect upon its passage.

*Summary: The town has reached its statutory limit for all-alcoholic licenses and must file special legislation to increase the limit. This has been determined to be important to the community's interest by supporting providing more and varied dining opportunities. It is also important to the local economy, by supporting local dining establishments and creating more job opportunities. This requires a simple majority vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 28 – OPEB**

Requested By: Board of Selectmen

To see if the Town will vote to transfer from free cash the sum of \$25,000, or greater or lesser sum, to the special Other Post-Employment Benefits account (OPEB) as established under Section 20 of Chapter 32B of the Massachusetts General Bylaws, or to take any other action relative thereto.

*Summary:*

The town established an irrevocable trust fund for other post-employment benefits - specifically for future costs of retiree health insurance. This action continues the town's progress on setting aside funds for these costs. The present balance in the Trust is approximately \$1.7 million. This requires a simple majority vote.

*Recommended by the Board of Selectmen*

**ARTICLE 29– Stabilization Fund**

Requested By: Board of Selectmen

To see if the Town will vote to transfer from free cash the sum of \$25,000, or a greater or lesser sum, to the Stabilization Fund, or to take and any action relative thereto.

*Summary:*

*The 2007 Fiscal Management Review report prepared by the Department of Revenue recommends the town establish a target of 3% to 5% of total general fund operating costs in reserve in the stabilization fund. Three to five percent is the recommend range by credit rating agencies. The present balance in the stabilization fund is \$ 1.2 million. An ongoing program of regular contribution will bring the reserve up to a suitable level. A healthy stabilization fund is important in the event of unforeseen events, such as major emergencies or to stabilize the budget in the event of unforeseen sudden economic changes. This appropriation requires a 2/3 vote.*

*Recommended by the Board of Selectmen*

**ARTICLE 30 – Homeowner Protection**

Requested By: Citizens Petition – Fred Blum

To see if the Town will vote in the interest of both neighborliness and fair play, any proposed Architectural Preservation District (“APD”) must be voluntary and not coercive for any homeowners in said District. Neither shall rules nor regulations be targeted for homeowners in the APD without their consent, that are not equally shared by homeowners outside the APD.

*Summary:*

*The pending APD proposal curtails the traditional ownership rights of homeowners within the APD without the homeowners’ consent and without provision for compensation. Such unilateral and selective taking of long-standing property rights from unconsenting homeowners violates basic standards of decency, neighborliness, and fairness.*

*Not Recommended by the Board of Selectmen*

**ARTICLE 31 – Finance Committee Report for Any Town Meeting**

Requested By: Citizens Petition – Jim Engel & Clark Ziegler

To see if the Town will amend Chapter V of the General By-Law to require distribution of a report from the Finance Committee on articles in the warrant for any Town Meeting or to take any other actions related thereto.

*Summary:*

*The General By-Law requires the Finance Committee to distribute a report on the articles contained in the Annual Town Meeting warrant. The by-law is silent regarding such a report for other than the Annual Town leaving it to the discretion of the Finance Committee. The proposed amendment to the by-law would extend the required distribution obligation to all Town Meetings, annual or otherwise. The Finance Committee reports are deemed by many voters to be a crucial part of their forming an informed position on the various articles as well as serving as a further warning that matters of importance to the Town are being voted on at a specific time and place.*

*Recommended by the Board of Selectmen*

**ARTICLE 32 – Operational Audit of the Ipswich School System by an Outside Audit Firm**

Requested By: Citizens Petition – KelleyJane Kloub

To direct the School committee and school superintendent to submit to a full operational audit of the Ipswich school system to be conducted by an outside audit firm specializing in school operational audits. The audit report would contain findings and recommendations which the School Committee and school superintendent would be required to present in an open meeting within four weeks of delivery of the report by the audit firm

The Board of Selectmen shall develop a Request for Proposals (RFP) and a scope of work in consultation with the School Committee with input from interested citizens. The audit firm will be selected by the Board of Selectmen after review of bids submitted as a result of the RFPs.

The operational audit shall commence within two months and be completed within eight months following approval of this article by the voters at Town Meeting.

Further, a transfer from free cash of an amount not to exceed \$75,000 is authorized for this purpose.

Definition of an Operational Audit:

Operational audits (often called performance audits) examine the use of an organization's resources to evaluate whether those resources are being used in the most efficient and effective way to fulfill the organization's mission and objectives.

*Recommended by the Board of Selectmen*

**ARTICLE 33 – To request the Board of Selectmen and School Committee that no Override be brought before Town Meeting until an Operational Audit has been completed by an Outside Audit Firm specializing in schools**

Requested By: Citizens Petition – KelleyJane Kloub

To see if the Town Meeting will request of the Board of Selectmen and the School Committee that until an operational audit of the Ipswich Public Schools is conducted no operational overrides to support the school budget be brought before the Ipswich Town Meeting.

*Recommended by the Board of Selectmen to Indefinitely Postpone*

**ARTICLE 34 – Reconsideration of Linebrook Road Projects**

Requested By: Citizens Petition – Linda Alexson

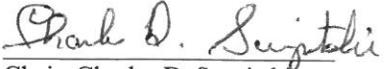
Whether the Town should (1) rescind the \$3,000,000 borrowing which was subject to debt exclusion for the Linebrook Road reconstruction project approved at the May 14, 2013 Annual Town Meeting and by vote at the May 21, 2013 Town Election; and (2) rescind the \$650,000 borrowing to fund reconstruction of a section of water main on Linebrook Road approved at the October 15, 2013 Special Town Meeting.

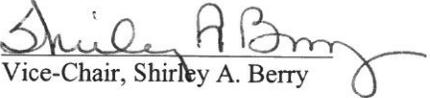
*RATM by the Board of Selectmen*

And you are directed to serve this Warrant by posting at least one attested copy in each precinct in the Town at least seven days prior to the time for holding said meeting in a newspaper published in, or having a general circulation in, the Town of Ipswich.

Given unto our hands this Seventeenth day of March in the year of our Lord, Two Thousand Fourteen.

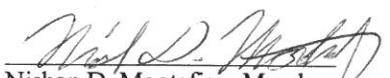
TOWN OF IPSWICH  
BOARD OF SELECTMEN

  
Chair, Charles D. Surpitski

  
Vice-Chair, Shirley A. Berry

  
Patrick J. McNally, Member

\_\_\_\_\_  
William M. Craft, Member

  
Nishan D. Mootafian, Member