

TOWN OF IPSWICH

ANNUAL TOWN MEETING

MAY 8, 2012

Warrant Article Synopses

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ANNUAL TOWN MEETING

May 8, 2012

WARRANT ARTICLE SYNOPSES

ARTICLE 1 CONSENT CALENDAR

SUMMARY

- 1) The first two items set the salaries for all elected officials as presented in the Town's operating budget and designate the positions to be filled at the Town elections. The polls for the Town election will open at 7:00 a.m. and close at 8:00 p.m.
- 2) Article 1 authorizes payment-in-lieu-of-taxes of **\$325,000** to the Town from available funds in the Electric Light Department.
- 3) In accordance with Massachusetts General Laws, this article authorizes the Board of Selectmen to appoint an Acting Town Manager during vacation or leave of absence of the Town Manager with an exemption from the state conflict-of-interest law.
- 4) The article authorizes certain revolving funds under the terms of the 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. The following revolving funds are proposed for acceptance by Town Meeting:
 - a) A **Council on Aging Revolving Fund** to finance fee-based, special trips and functions for senior citizens. There is a **\$100,000** limit on COA Revolving Fund expenditures during the fiscal year. The Council on Aging requests a **\$100,000** limit because the department is sponsoring more trips for seniors to ever more distant places.
 - b) A **Health Department Revolving Fund**. The source of this fund is Health Department inspection fees. The fund is used to underwrite additional, administrative help in the Health Department and to pay related expenditures. No more than **\$7,000** may be expended by the Health Department Revolving Fund in FY'12.

- c) A **Health Department Public Health Revolving Fund** is created and funded through Medicare Part B, Medicare Senior Advantage Plans and other insurance plans for the administration of influenza and pneumococcal vaccines and fees charged for vaccine clinics and to be used to finance part-time wages and pay related expenditures such as the cost of vaccine, medical supplies, and other administrative costs. No more than **\$10,000** may be expended by the Health Department from monies transferred into the Public Health revolving fund during the fiscal year.
- d) A **Historical Commission Revolving Fund** is re-authorized. This fund will pay for preservation of town records and the purchase of expendable supplies. No more than **\$5,000** may be expended by the Historical Commission from monies transferred into this fund in FY'12. The source of funds is the sale of publications, such as replicas of the Declaration of Independence and other historical documents.
- e) A **Facilities Department Revolving Fund** is created to pay for custodial and other services associated with the use of the gymnasium and other Town Hall facilities by outside organizations, for special events sponsored by municipal departments. The source of funds is fees collected from organizations utilizing Town Hall facilities. No more than **\$20,000** may be expended from the Facilities Department Revolving Fund from monies transferred into the fund during the fiscal year.
- f) The **Shellfish Department Revolving Fund**. In Fiscal 2005, the Town authorized a surcharge of **\$50** on shellfish licenses with an understanding that all such funds would be spent on improvements to the shellfish resources of the Town. At the Special Town Meeting in October 2005, the Town created a revolving fund where the **\$50** license surcharge fees are deposited. There is an additional fee of **\$100** for license holders who are unable or unwilling to fulfill the community service requirement that is part of the regulations. Before any funds are expended from the shellfish fund, a plan and budget must be submitted to and approved by the Town Manager. No more than **\$15,000** may be expended from the Shellfish Revolving Fund during Fiscal 2012.

FISCAL IMPACT

This is a standard article that appears each year on the Annual Town Meeting Warrant. The payment-in-lieu-of-taxes (PILOT) from the Electric Light Department is determined according to a formula established by the Board of Selectmen acting as the Electric Light Commissioners at one fourth cent (**\$.002953**) for each kilowatt hour of electricity sold. The Electric Light Department PILOT payment provides additional revenue for the Town General Fund. Revolving funds operate outside the General Fund of the Town, and as such, they do not impact the local tax rate.

ARTICLE 2 FINANCE COMMITTEE ELECTION

SUMMARY

The article calls for election of one Finance Committee member, to be elected by the Town Meeting. The Finance Committee recommends the re-election of incumbent member Robert White for a term of three years.

FISCAL IMPACT

There is no financial impact.

ARTICLE 3 PRIOR YEAR UNPAID BILLS

SUMMARY

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Facilities	VERIZON	27.98
	VERIZON	33.18
Misc. Finance	NORTHEAST	<u>27.25</u>
	HOSP.	\$88.41

These bills were submitted after the July 1, 2011 date for payment.

FISCAL IMPACT

These bills will be paid from free cash; there is no impact upon the tax rate.

ARTICLE 4 FY'12 TOWN BUDGET AMENDMENTS

This article transfers sums of money within the Fiscal 2012 budget to 1) purchase a replacement vehicle for snow removal; 2) to cover a shortfall in the legal services budget; 3) to cover a resignation settlement in the Fire Department; 4) to cover various unexpected overtime shortages and a sick leave buy back; 5) to cover an increase in unexpected veterans benefits; and 6) a transfer from recreation salaries to program expenses.

Department	Description	From	To
Recreation	Appointed salary	\$4,200	
Recreation	Permanent wages	\$12,000	
Recreation	Temporary PT	\$16,000	
Snow and Ice	Overtime	\$66,000	
Snow and Ice	Other DPW supplies	\$54,913	
Snow and Ice	Vehicle Rental	\$83,500	
Snow and Ice	Parts Snow Repair	\$39,988	
Highway	Vehicles		\$57,000
Legal	Legal Services		\$66,488
Fire	Appointed salary		\$72,848
Civilian Dispatch	Overtime		\$7,474
Facilities	Overtime		\$8,743
Veterans	Medical		\$55,000
Library	Sick leave buyback		\$6,048
Recreation	Program services		\$3,000
TOTAL		\$276,601	\$276,601

FISCAL IMPACT

These are transfers from within the FY 2012 budget and do not have a fiscal impact.

ARTICLE 5 FY'13 MUNICIPAL OPERATING BUDGET

SUMMARY

The Fiscal 2013 operating budget for Town departments, according to the guideline set by the Finance Committee is **\$14,173,606** plus **\$936,567** in excluded debt service for the Library addition, New Town Hall and the open space bond, for a total **\$15,110,173**. This budget is offset by **\$159,508** in non-tax revenues, leaving **\$14,950,665** net to be raised and appropriated.

FISCAL IMPACT

The operating budget for Town departments represents **\$2,123** of the average tax bill of **\$5,545**. The town budget of **\$15,110,173** represents an increase in spending of **2.8 %** over Fiscal 2012. The Town budget represents **38.29 %** of total General Fund spending.

ARTICLE 6 FY'13 TOWN BUDGET AMENDMENT

SUMMARY

This article will appropriate **\$61,214** from the Waterways Improvement account and to the Harbormaster account to support the budget of the Harbormaster.

Fees from mooring fees go into the special Waterways Improvement account.

FISCAL IMPACT

This shift of funds will have no impact on the tax rate.

ARTICLE 7 FY'12 SCHOOL BUDGET AMENDMENT

SUMMARY

This article will transfer **\$28,798.79** from an insurance reimbursement account for a freeze up of the HVAC system causing water damage in the CAD lab at the Middle School/High School in December 2011 to the Fiscal 2012 school budget.

FISCAL IMPACT

There is no impact on the tax rate.

ARTICLE 8 FY 2013 SCHOOL OPERATING BUDGET

SUMMARY

The Fiscal 2013 School Department operating budget totaling **\$21,819,907** is presented according to the guideline set by the Finance Committee. The FY'13 School Budget is offset by **\$301,000** in non-tax revenues, leaving **\$21,518,907** net to be raised and appropriated.

Funding for the FY'13 budget includes **\$2,591,679** under the Massachusetts Chapter 70 school aid program. This is the amount recommended by the Governor and may change during legislative consideration of the state budget.

FISCAL IMPACT

The operating budget of the School Department represents **\$3,422** on the average tax bill of **\$5,545**. The Ipswich School Department budget of **\$21,819,907** represents a **2.9 %** increase over Fiscal 2012. The School budget represents **61.71%** of total General Fund spending.

ARTICLE 9 HIGH SCHOOL/MIDDLE SCHOOL DEBT

SUMMARY

This article appropriates **\$2,535,613** in scheduled debt service for the High School/Middle School project. Debt service for the High School/Middle School project was excluded from the Proposition 2 ½ tax limitation in a Town election in 1996. The Massachusetts School Building Authority will reimburse the Town for **\$1,389,800** of the debt service for this project in FY'13

FISCAL IMPACT

The net cost to the taxpayer in FY'13 for the High School/Middle School project will be **\$1,145,813**. The net cost represents **\$0.49** on the tax rate. It will account for **\$210.51** of the average tax bill of **\$5,545** on the average house valued at **\$434,240**.

ARTICLE 10 EQUIPMENT BOND

SUMMARY

This article would authorize the Treasurer to borrow a sum of \$525,000 to replace 1981 Mack Engine One Fire Pumper. The 1981 Fire Pumper would be sold in conjunction with the purchase of the new vehicle. Fire vehicles generally have a life expectancy of 20 to 25 years. The current pumper is approximately 31 years old.

FISCAL IMPACT

Assuming we borrow \$525,000 for 10 years at 3.25% interest. In the first year, the cost would be \$12.78 on the average tax bill of \$5,545. Each year the amount would decrease, until the last year when it would cost approximately \$9.96 on the average tax bill.

ARTICLE 11

FY 2013 WHITTIER HIGH SCHOOL BUDGET

SUMMARY

\$272,957 is appropriated for the Whittier Regional Vocational Technical High School. This represents an increase of **\$2,000** over the FY '12 assessment. The FY'13 Whittier budget recommendation was approved by the Regional School Committee on April 11, 2012.

Enrollment of students from Ipswich remained at **18** from 2010 to October 1, 2011. The Town's assessment constitutes **1.7%** of the total assessment for the Whittier School.

FISCAL IMPACT

The proposed Whittier budget for Fiscal 2013 represents a **0.7%** increase in the assessment for Ipswich over Fiscal 2012.

ARTICLE 12

FY 2013 WATER AND WASTEWATER BUDGETS

SUMMARY

This article will raise and appropriate the sum of **\$2,992,076** for the FY 2013 operating budget, debt service, and capital expenses of the Water Division, Department of Utilities. This amount will to be offset in part by **\$320,328** from the water surplus account; **\$55,000** from water liens; **\$35,000** in application fees and other miscellaneous revenues, with the balance of the appropriation met by revenues of **\$2,511,748** of the Water Division during FY 2013.

In addition, this article will raise and appropriate the sum of **\$1,929,120** for the FY 2013 operating budget, debt service, and capital expenses of the Wastewater Division, Department of Utilities. This amount will be offset, in part, by **\$366,651** from the wastewater surplus account; **\$26,000** from sewer liens; **\$6,000** in sewer betterment payments; **\$425,200** in septage treatment fees, royalties from Agresource Company, application fees and other miscellaneous revenues. The balance of this appropriation will be met by revenues of **\$1,105,269** of the Wastewater Division during FY 2013.

FISCAL IMPACT

The Water and Wastewater Division budgets are funded through user charges. There is no impact on the tax levy. The average cost to the homeowner will be about **\$765** per year for water service and (if connected) about **\$600** for wastewater treatment service. These calculations are based on an average 12,000 cubic feet of water (90,000 gallons) consumption per year.

ARTICLE 13 RESCIND AUTHORIZED BUT UNISSUED DEBT

SUMMARY

The article rescinds the various bond authorizations (see below) that were not issued since these projects were completed for an amount less than was authorized in bonding.

Item Description	Warrant Article#	Town Meeting Year	Remaining Amount Authorized
Electric Substation	20	October 2007	\$900,000
Wind Turbine	18	April 2006	\$136,000
Public Works Computers	14	April 2007	\$44,122
Equipment (Fire Truck)	13	May 2008	\$23,000
Recreation (Bialek Park)	14	May 2009	\$20,321

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 14 OPEB RESOLUTION

SUMMARY

This article would ask our State Representative and State Senator to file legislation to adopt changes to the current structure of Other Post Employment Benefits (OPEB) for employees that may enable such changes as adjusting the eligibility age higher, lengthening minimum service requirements and other changes that will provide flexibility to adjust this benefit.

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 15 CITIZEN'S PETITION

SUMMARY

This petition would adopt a non-binding resolution regarding the proposed sale of Little Neck by the Feofees of the Grammar School in Ipswich as it relates to the terms under which William Paine donated the land at Little Neck in 1660 for the benefit of the Ipswich Public Schools.

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 16 CITIZEN'S PETITION

SUMMARY

This petition would approve the construction of an extension of the Town's sewer system in the area of 119-149 County Road to provide sewage service to a proposed assisted living center. Since the extension is in excess of 500 lineal feet, it will require approval of the Town Meeting. The costs of the construction and installation will be borne by the proponent.

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 17 CITIZEN'S PETITION

SUMMARY

This Citizen's Petition would create a recall process for elected officials of the Town of Ipswich. The Town does not have a recall process. This citizen's petition describes the reasons to recall an elected official, the process to obtain the necessary number of signatures to file for a recall election, the process for notification of the special recall election, the process of succession in a recall election, the wording for the ballot of the recall election and the timing of when an official can be recalled and returned to future town office.

The only elected officers who could be recalled pursuant to this proposed process in the Town of Ipswich are the Board of Selectmen, the School Committee, Housing Authority, Constable and the Moderator.

FISCAL IMPACT

The article has no immediate fiscal impact but any special recall election would have an impact on the Town's Election Budget.

ARTICLE 18 COMMITTEE REPORTS

SUMMARY

Standing Committees of the Town report at the Annual Town Meeting on their activities during the previous year. Sometimes laced with humor, these reports provide a breather from action on the other business of the meeting.

The Standing Committees of the Town include the Historic District Study Committee; the Commuter Rail Committee; the Ipswich Coalition on Youth; the Hall-Haskell Committee; the Open Space & Recreation Committee and the *Ad Hoc* Committee examining the Feoffees of the Grammar School. These committees were established by the Town Meeting and are entitled to report.

Other committees have been established by the Board of Selectmen and the Town Manager. Reports of Selectmen appointed committees are carried in the Town Report, and the Moderator feels that this is sufficient. However, any committee not established by Town Meeting may offer a verbal report under this article with prior permission from the Moderator.

The list of functioning committees not established by Town Meeting includes: the Affordable Housing Trust Fund Committee; the Agricultural Commission; the Council on Aging; the Athletic Playing Fields Study Committee; the Audit Committee; the Historic Bridge Advisory Committee; the Commission on Energy Use and Climate Protection; the ICAM Board; the Cemetery and Parks Commission; the Community Development Plan Implementation Task Force; the Coastal Pollution Control Committee; the Cultural Council; the Deer Management Committee; the Eight Towns and the Bay Committee; the Emergency Management Committee; the Fair Housing Committee; the Government Study Committee; the Ipswich Bay Circuit Trail Committee; the Library Trustees; the Open Space Committee; the Mosquito Control Advisory Board; the Parking Committee; the Recreation Committee; the Public Safety Facilities Committee; the Recycling Committee; the Sandy Point Advisory Committee; the Shellfish Sub-Committee; the Shade Tree and Beautification Committee; the Storm Water Advisory Committee and the Waterways Advisory Committee.

FISCAL IMPACT

The reports themselves have no fiscal impact.

ARTICLE 19 CHAPTER 90

SUMMARY

Each year the state contributes funds to the cities and towns for street and road improvements under the “Chapter 90” program. This year, the Patrick Administration will provide **\$442,076** to the Town under Chapter 90, which is a decrease of **\$34** below Chapter 90 funding in FY 2012.

Passage of Article 19 accepts Chapter 90 funds from the Commonwealth.

FISCAL IMPACT

Chapter 90 monies are provided by the Commonwealth of Massachusetts; the local fiscal impact will be zero.

ARTICLE 20 COUNTY ROAD SEWER EXTENSION

SUMMARY

This petition would approve the construction of an extension of the Town's sewer system in the area of 119-149 County Road to provide sewage service to a proposed assisted living center. Since the extension is in excess of 500 lineal feet, it will require approval of the Town Meeting. The costs of the construction and installation will be borne by the proponent.

THIS ARTICLE IS THE SAME AS ARTICLE 16 AND WILL BE MOVED TO INDEFINITELY POSTPONE AFTER ACTION IS TAKEN ON ARTICLE 16

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 21 COUNTY ROAD SEWER EXTENSION

SUMMARY

This article will be ***INDEFINITELY POSTPONED*** due to Article 16 being placed on the warrant since the area of 119-136 County Road would be encompassed by the area being proposed for a sewer system in Article 16.

FISCAL IMPACT

There is no fiscal impact.

ARTICLE 22 WASTEWATER TREATMENT PLANT UPGRADE

SUMMARY

This article will authorize the Treasurer to borrow **\$2,400,000** for the purchase of equipment for the construction and rehabilitation of the wastewater facilities including plant head works, septage receiving area, clarifiers, sludge holding tank and digester at the at the Wastewater Treatment Plant. The equipment has reached the end of its normal service life.

The Ipswich Treasurer would be authorized to raise this appropriation, with the approval of the Board of Wastewater Commissioners, i.e., the Board of Selectmen, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended.

FISCAL IMPACT

The cost of this project will be borne by the Wastewater Department rate payers. There is no impact on the FY 2013 tax rate.

ARTICLE 23 MOODY ISLAND AND BAGWELL ISLAND PARCELS

SUMMARY

In 2007, the Town of Ipswich was awarded a \$1 million National Coastal Wetlands Conservation Grant by the United States Fish and Wildlife Service (USFWS) for the purpose of assisting the Town with the acquisition cost of the Proprietors' Great Neck property, now known as the Great Neck Conservation Area. One of the conditions of the grant was that the Town convey conservation restrictions (CRs) on four "match" parcels of town-owned land to the State's Department of Conservation and Recreation. In the course of the Town's due diligence, it was learned that the Town did not have clear title to the lots. After a multi-year process, the Land Court issued final decrees on the four parcels, giving us the clear title needed fulfill the grant condition.

This article authorizes the Town to complete its obligations under the grant award by doing the following:

- placing the four parcels, a total of approximately 182 acres of unbuildable marsh land located in the Great Marsh between Town Farm Road and Great Neck, in the care, custody, and control of the Conservation Commission; and
- conveying a CR on the 182 acres of land to the State Department of Conservation and Recreation.

FISCAL IMPACT

No direct cost to the Town. By taking this action, however, the Town fulfills a condition of the grant funding, thus removing any possibility that the Town would be required to forfeit the grant funds. The land to be restricted is entirely unbuildable marshland and does not include any of the upland owned by the Town at the end of Town Farm Road near the wind turbine or the transfer station.

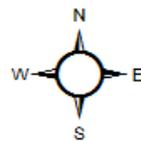
Moody Island and Bagwell Island parcels
Approximately 182 acres
Ipswich, Massachusetts



Legend

 Intertidal Estuaries

0 850 1,700 3,400 Feet



ARTICLE 24 REVISION TO FLOOD PLAIN REGULATIONS

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 a Flood Insurance Rate Map (FIRM) prepared by FEMA and made available to the Town. Periodically, FEMA updates the FIRM, and when it does so the Town must modify its regulations accordingly. The updated FIRM becomes effective on July 3, 2012, and to retain its participation in the Program, the Town must have its updated regulations in place by that date. That is why this article has been initiated for the spring town meeting, instead of the fall town meeting when zoning revisions are typically considered. The last time the Town updated its flood plain district regulations in response to FEMA's updating of the FIRM was in 1999.

This article makes the following changes, none of which are substantive, to the existing Flood Plain District regulations in Section IX.D. of the zoning bylaw:

- References the new Essex County Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) pertaining to flood hazard areas within the Town
- Updates the references to the Massachusetts State Building Code and other regulations pertaining to building in flood-prone areas
- Re-names two of the flood hazard areas mapped in the Town
- Updates the notification requirements when watercourses are relocated or altered

FISCAL IMPACT

No direct cost to the Town. Non-compliance with FEMA requirements, however, could lead to the Town losing its eligibility for the Flood Insurance Program, which would pose significant adverse financial impacts on residents seeking flood insurance coverage.

ARTICLE 25 RECONSIDERATION

SUMMARY

This article will permit the Town Meeting to reconsider any and all previous articles raising and appropriating money which have a direct impact on the tax levy for the next fiscal year. The purpose is to finalize a budget to be balanced and in compliance with the levy limit provisions of Proposition 2½, so that certification of the FY 2012 tax rate can be completed successfully.

FISCAL IMPACT

The impact will not be known until all other money articles have been acted upon.