

# **WARRANT**

**TOWN OF IPSWICH**

**ANNUAL TOWN MEETING**

**MAY 11, 2010**

**Prepared by:  
Robert T. Markel  
Town Manager**

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**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 ELEVENTH DAY OF MAY, 2010, at 7:30 o'clock in the evening, then and there to act on the following articles, viz:

**ARTICLE 1** **CONSENT CALENDAR**

To see if the Town will vote: (1) to fix the salary and compensation of all elected Town Officers; (2) to choose the following officers, viz: a Moderator for one [1] year; two [2] Selectman for three [3] years; two [2] members of the School Committee for three [3] years; one [1] member of the Housing Authority for five years; the above officers to be voted on one ballot at the YMCA Hall, County Road, on Tuesday, May 25, 2010; the polls shall open at 7:00 a.m. and shall close at 8:00 p.m.; (3) to act on the transfer of a payment-in-lieu-of-taxes in the Electric Division, Department of Utilities; (4) to authorize the Board of Selectmen to temporarily appoint a member of said Board to Acting Town Manager for a limited period of time not to exceed the date of the 2011 Annual Town Meeting for purposes of vacation, leave, or absence in accordance with Massachusetts General Laws Chapter 268A, Sections 20 and 21A; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

**ARTICLE 2** **FINANCE COMMITTEE ELECTION**

To see if the Town will vote to choose one [1] member of the Finance Committee for three [3] years. *(Requested by: Board of Selectmen)*

**ARTICLE 3** **FY '10 TOWN BUDGET AMENDMENTS**

To see if the Town will vote to amend its actions taken under Article 4 of the May 12, 2009, Annual Town Meeting (the FY'10 Municipal Operating Budget), by appropriating sums of money in addition to that appropriated under said Article (said appropriations to be raised by taxes, by transfer of available funds or otherwise), by transferring sums between departments and/or categories within departments; and/or by determining if a portion of said additional appropriations shall be offset by estimated receipts of user fees, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sec. 53E½; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

**ARTICLE 4** **FY'11 MUNICIPAL BUDGET**

To hear and act upon the reports of the Board of Selectmen and Finance Committee relative to the Fiscal 2011 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 office equipment having a term of five years or less; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

**ARTICLE 5** **FY'11 SCHOOL BUDGET**

To hear and act upon the reports of the School Committee and Finance Committee relative to the Fiscal 2011 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, including entering into lease-purchase agreements having a term of five years or 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. *(Requested by: School Committee)*

**ARTICLE 6** **HIGH SCHOOL/MIDDLE SCHOOL DEBT PROJECT**

To see if the Town will vote: (1) to appropriate a sum of money for debt service payments and other costs related to the construction and furnishing of the Middle School and High School including, without limitation, moving expenses and expenses necessary to secure the former Whipple Middle School; and (2) to determine whether said appropriation shall be raised by taxes, by transfer from available funds, or otherwise; or to take any other action relative thereto. *(Requested by: School Committee)*

**ARTICLE 7** **FY'11 WHITTIER REGIONAL HIGH SCHOOL BUDGET**

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. *(Requested by: Whittier RVTHS Representative Raymond Morley)*

**ARTICLE 8** **FY'11 WATER & SEWER BUDGETS**

To see if the Town will vote: (1) to raise and appropriate a sum of money for the ensuing year's expenses of the Water Division, Department of Utilities, said sum to be offset by revenues of the Water Division during FY'11; and (2) to raise and appropriate a sum of money for the ensuing year's expenses of the Sewer Division, Department of Utilities, said sum to be offset by revenues of the Sewer Division during FY'11; or to take any other action relative thereto. *(Requested by: Board of Water/Sewer Commissioners)*

**ARTICLE 9** **CITIZENS' PETITION**

We, the undersigned, request that Town Meeting appropriate the sum of \$1,500 for Ipswich Illuminated, a town event on October 2, 2010.

**ARTICLE 10**

**CITIZENS' PETITION**

To see if the Town will vote to amend "Town of Ipswich, Massachusetts – Shellfish Rules and Regulations" by deleting "Section 13 – Shellfish Grant Regulations" ; or take any other action relative thereto.

**ARTICLE 11**

**COMMITTEE REPORTS**

To hear and act on the reports of the Committees and to continue such Committees as the Town may vote to continue; or to take any other action relative thereto.

**ARTICLE 12**

**SENIOR TAX DEFERRAL PROGRAM**

To see if the Town will vote to increase the gross receipts that senior citizens may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws, Chapter 59, Section 5, Clause 41A from \$20,000 to \$40,000, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on July 1, 2010; or take any action relative thereto.

*(Requested by: Board of Selectmen)*

**ARTICLE 13**

**PINE SWAMP ROAD LAND TRANSFER**

To see if the Town will vote to transfer the land described in a deed to the Town recorded with said Registry in Book 1449, Page 227 and shown as Parcel 3A on Town Assessors' Map 41A, consisting of approximately 0.8 acres, from such board as has care, custody, and control for the purposes for which it is presently held, to the Board or Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to convey such land, and to convey all the Town's right, title and interest in and to the land shown on the plan entitled: "Plan of Land, 35 Pine Swamp Road, Ipswich, Property of: Eugene Pelletier, Jr.", and recorded with the Essex South Registry of Deeds in Plan Book 353, Plan 47 (the "Plan"), which may be one and the same, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, which may include acquisition of interests in land hereinafter described, and further to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, easements and restrictions in the land shown on the Plan, for conservation and passive recreation purposes; or take any other action relative thereto.

*(Requested by: The Planning Director)*

**ARTICLE 14**

**PAVEMENT MANAGEMENT PROGRAM BOND**

To see if the Town will vote: (1) to appropriate a sum of money to fund the Pavement Management Program in the Department of Public Works and (2) to raise this appropriation by authorizing the treasurer, with the approval of the Board of Selectmen, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended; or to take any other action relative thereto.

*(Requested by: The DPW Director)*

**ARTICLE 15**

**CHAPTER 90**

To see if the Town will vote: (1) to appropriate a sum of money under the provisions of Chapter 90 of the Massachusetts General Laws, and to obtain any material, equipment and/or services incidental thereto; (2) to authorize the Board of Selectmen to acquire easements in conjunction therewith by purchase, gift, lease, eminent domain, or otherwise; (3) in furtherance of the project(s), to authorize the Board of Selectmen to apply for, accept, and expend any federal, state and/or private grants without further appropriation thereof; and (4) to determine whether said appropriation shall be raised by taxes, by transfer from available funds, or by borrowing; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

**ARTICLE 16**

**REVOLVING FUNDS**

To see if the Town will vote to re-authorize for FY'11 the following revolving funds established under Massachusetts General Laws Chapter 44, Section 53E½:

- (a) 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'11;
- (b) an 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'11 (source of funds: sale of publications);
- (c) 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'11 from such funds transferred into said fund during FY'11 (source of funds: Housing Code inspection fees);
- (d) a Health Department Public Health revolving fund, to be funded through Medicare Part B reimbursements 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, and to determine that no more than \$10,000 may be expended by the Health Department from monies transferred into said fund during FY'11.
- (e) a Facilities Department revolving fund to pay for custodial services associated with the use of the gymnasium and other Town Hall facilities by outside organizations or for special events sponsored by municipal departments, to accept rental income from Ipswich Community Access Media, 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 the fiscal year; and
- (f) 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, and to use the surcharge on commercial shellfish licenses as the source of funds; or to take any other action relative thereto.

*(Requested by: Board of Selectmen)*

**ARTICLE 17** **ASCENSION CHURCH PARKING LOT EASEMENT**

To see if the Town will vote to authorize the Board of Selectmen to accept a non-exclusive easement from the Ascension Memorial Church to use its parking lot on County Street for parking associated with public use of the Town's adjacent playing fields off Green Street, or take any other action relative thereto.

*(Requested by: Board of Selectmen)*

**ARTICLE 18** **WETLANDS PROTECTION BY-LAW AMENDMENT**

To amend Section 4 "Filing Procedure" of Chapter XVIII "Ipswich Wetlands Protection By-Law" of the General Bylaws by deleting, at the end of the first sentence of the third paragraph thereof, the phrase "up to a maximum of one thousand dollars (\$1000.00)." and inserting a period after the word "Applicability" in that sentence.

*(Requested by: Conservation Commission)*

**ARTICLE 19** **POSTING OF WARRANTS**

To see if the Town will vote to amend the Town By-Laws, Chapter II, Section 3 (b) "Warrants" to read as follows:

"All warrants for town meetings, except notices of adjournment, shall be served by posting attested copies thereof in the Town Hall and in at least one public place in each precinct and by publication in a newspaper published, or having a general circulation in, the Town of Ipswich, at least seven days prior to the time for holding the Annual Town Meeting and at least fourteen days prior to the time for holding any Special Town Meeting. Newspaper publication shall not be required for warrants solely related to elections."

*(Requested by: Town Clerk)*

**ARTICLE 20** **WASTEWATER TREATMENT PLANT UPGRADE**

To see if the Town will vote (1) to raise and appropriate a sum of money to construct and rehabilitate the sludge dewatering facilities at the wastewater treatment facility and to obtain all material and services incidental thereto; (2) to meet said appropriation for construction by raising rates, by transfer from available funds, or by authorizing the Treasurer, with the approval of the Board of Selectmen, to issue bonds or serial notes under the provisions of MGL c144, section 7 (1); and (3) to authorize the Board of Selectmen to apply for, accept and expend any state, federal and/or private grants for the aforementioned purposes; or to take any other action relative thereto.

*(Requested by: The Utilities Director)*

**ARTICLE 21**

**FEOFFEES TRUST**

To see if the Town will vote to request the School Committee to continue its action in Probate Court to effectuate the modification of the Trust creating the Feoffees of the Grammar School to assure a publically appointed board and a resolution fo the Feoffees litigation with Little Neck residents in a manner that fully protects the interests of the Ipswich Public Schools and the Town of Ipswich, and to do so in consultation with other Town bodies including the Board of Selectmen and Finance Committee.

*(Requested by: The Finance Committee)*

**ARTICLE 22**

**RECONSIDERATION**

To see if the Town will vote to reconsider any or all previous articles raising and/or appropriating money which have a direct impact on the levy for the next ensuing fiscal year, as contained in this warrant, for the purpose of completing a budget which is balanced and in compliance with the levy limit provisions of Proposition 2½, so called; or to take any other action relative thereto.

*(Requested by: Board of Selectmen)*



And you are directed to serve this Warrant by posting attested copies thereof at the Post Office and at each of the meeting houses in the Town, by publication 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 Twelfth day of April in the year of our Lord, Two Thousand Ten.

TOWN OF IPSWICH  
BOARD OF SELECTMEN

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Chair, Patrick J. McNally

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Vice-Chair, Elizabeth A. Kilcoyne

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Charles D. Surpitski, Member

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Ingrid F. Miles, Member

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Raymond K. Morley, Member