

Town of Charlton



FY 2013 Special Town Meeting
Warrant with Motions Booklet

Tuesday, October 16, 2012



Town of Charlton, Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING
Tuesday, October 16, 2012**

To either of the Constables of the Town of Charlton:

In the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Charlton qualified to vote in elections to meet in the Charlton Middle School, Oxford Road in said Charlton, on **Tuesday, October 16, 2012** at seven o'clock in the evening, for the purpose of taking action on the following articles:

ARTICLE 1. APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR

To see if the Town will vote to raise by taxation, transfer or borrow and appropriate a sum or sums to accounts to be specified at the town meeting for payment of one or more prior fiscal year's bills not paid due to an insufficiency of appropriation or for other reasons, or take any action relative thereto or thereon.

SPONSOR: Various Town departments and Officials

Motion: I move that the following prior year bills, not previously paid due to insufficiency of appropriation or late billing, be paid from the following FY13 accounts as printed below:

<u>Unpaid Bills</u>	<u>For</u>	<u>Amount</u>	<u>From</u>
W/S Commission- McClure Engineering	Engineering Services -- Invoice # 10396	\$1,323.75	Water Retained Earnings
W/S Commission- McClure Engineering	Engineering Services -- Invoice # 10399	\$310.00	Water Retained Earnings
W/S Commission- McClure Engineering	Engineering Services -- Invoice # 10406	\$3,352.25	Water Retained Earnings
Tree Warden- Advantage Enterprises	Tree Service	\$500.00	Raise and Appropriate
Tree Warden- Advantage Enterprises	Tree Service	\$400.00	Raise and Appropriate
Highway- WB Mason	Office Supplies	\$598.00	Raise and Appropriate

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

VOTE NEEDED: 9/10THS to extent not paid due to insufficiency of appropriation

ARTICLE 2. INTER/INTRA DEPARTMENTAL TRANSFERS AND/OR APPROPRIATIONS FOR FY2013 BUDGET

To see if the Town will vote to raise by taxation, borrow or transfer, and appropriate from available funds, including so called "free cash" and /or funds previously appropriated to other uses, a sum or sums of money to accounts and for purposes to be specified at the Special Town Meeting, or take any action relative thereto or thereon.

SPONSOR: Board of Selectmen, Town Administrator and Various Town Departments

MOTION: I move that the following sums be raised by taxation or transferred, whichever is indicated below, and appropriated to the following accounts for any purpose for which funds may be expended from the latter accounts, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote, each item being considered a separate appropriation:

<u>To The following Accounts</u>	<u>Amount</u>	<u>From the following Source or Account</u>	<u>Purpose</u>
General Obligation Bonds- Landfill Capping- Interest	\$5,389	Raise and Appropriate	First Interest Payment
General Obligation Bonds- Prindle Pond Dam- Interest	\$2,857	Raise and Appropriate	First Interest Payment
FY2010 Overlay	\$26,944	FY2007 Overlay	Verizon ATB Settlement on taxation on poles and wires over public ways
FY2010 Overlay	\$26,444.86	FY2006 Overlay	Verizon ATB Settlement on taxation on poles and wires over public ways
FY2011 Overlay	\$23,378	FY2006 Overlay	Verizon ATB Settlement on taxation on poles and wires over public ways
FY13 Police Salaries	\$40,000	Raise and Appropriate	Negotiated wage increase of 2%
Short Term Interest	\$5,000	General Insurance	Borrowing Costs
Muggett Hill Pump Station 6200-440-5892-0000	\$17,683.71	Sewer truck fund (6200-440-5893-000)	Pump Station Repair
Grinder Pumps & parts 6200-440-5894-0000	\$45,000	Asphalt Plant & Drive (6200-440-5895-0000)	Replace grinder pumps

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

ARTICLE 3. CAPITAL ITEMS AND RELATED CONTRACTS

To see if the Town will vote to raise by taxation, borrow or transfer from available funds, including so called "free cash" and funds previously appropriated to other uses, and appropriate a sum or sums to purchase capital items and/or for service, repair, improvement, architectural, construction, renovation, improvement and/or other contracts relating to town buildings, facilities and other property, and to authorize the Board of Selectmen, Chief Procurement Officer, or other appropriate town official, board, commission or committee to enter into such contracts or leases, and to take such other action, as may be necessary or advisable to effectuate the purposes of such votes, or take any action relative thereto or thereon.

SPONSOR: Board of Selectmen/Various Departments

MOTION 3-A: I move that the town vote to transfer from free cash and to appropriate the following amounts to the Fire Department, for the FY2013 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Replace Jaws of Life	53,493
Dive Team Equipment	5,000

3-A: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-B: I move that the town vote to transfer from free cash and to appropriate the following amounts to the Highway Department, for the FY2013 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

John Deer Brush Cutter	100,570
11' Plow	10,000

Sander Unit (trk mounted)	5,000
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3-B: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-C: I move that the town vote to transfer from free cash and to appropriate the following amounts to the Police Department, for the FY2013 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Cruiser Replacement (1)	43,000
Replace Fingerprint Scanner	11,436
Purchase Fuming Chamber	11,650

3-C: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-D: I move that the town vote to transfer from free cash and to appropriate the following amounts to the Cemetery Department, for the FY2013 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

John Deer Utility Tractor w/loader	17,000
Replace Landscaping Trailer / an enclosed unit	9,500

3-D: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-E: I move that the town vote to transfer and appropriate \$25,000 from free cash to the Technology Committee to Computer Network/Replacement and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote.

3-E: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-F: I move that the town vote to transfer from free cash and to appropriate the following amounts to the Town Hall, for the FY2013 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Floor Refinishing- BOS and Town Clerk	5,000
Furniture Replacement	25,000
Central Air Conditioning and Electric Wiring Upgrade	80,000

3-F: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-G I move that the town vote to transfer from free cash and appropriate \$51,000 plus Raise and Appropriate \$129,000 for a total of \$180,000 to design, implementation and equip to upgrade Town radios and communications for the Police, Fire and Highway Departments; that the Board of Selectmen and/or the Town Administrator as Chief Procurement Officer are authorized to enter into such contract(s), and to take any and all other action which it or she deems necessary or advisable for such purposes.

3-G: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-H: I move that the town vote to transfer and appropriate \$10,000 from free cash to the Library Department for the purposes of installing outside cameras and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote.

3-H: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

MOTION 3-I: I move that the town vote to transfer and appropriate \$2,000 from free cash to the Municipal Building Expense for the purposes of repairing the Police Station parking lot and to authorize the Board of Selectmen, Chief Procurement Officer or other appropriate town official, board, commission or committee to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote.

3-I: Majority Vote

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

ARTICLE 4. ADDITIONAL PERSONNEL

To see if the Town will vote to create the following additional, full time personnel positions and to raise by taxation and appropriate to the respective accounts listed in the second column below the respective sums set forth in the third column below for the purpose of partially funding the cost of salaries and benefits for such positions:

<u>Position</u>	<u>To The following Accounts</u>	<u>Amount</u>	<u>From the following Source or Account</u>	<i>Information only – Annual Salary Cost FY13</i>
Police Officer	Police Salaries	\$38,474	Raise and Appropriate	\$58,843
Fire Prevention Officer	Fire Salaries	\$33,644	Raise and Appropriate	\$51,455
FT Custodian- Library	Municipal Offices	\$4,641	Raise and Appropriate	\$9,882

or take any action relative thereto or thereon.

(For informational purposes: Health Insurance Town Share [80%]- Family Plan/\$15,485 and Individual Plan/\$5,904)

SPONSOR: Various Boards/Departments *(amended for Town Meeting Booklet)*

Motion: I move that Article 4 be accepted as printed.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom does not support this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Majority Vote Needed.

ARTICLE 5: BORROWING AUTHORIZATION REDUCTION

To see if the Town will vote to rescind unissued borrowing authorizations as follows:

Purpose	Date of Vote	Amount Authorized	Unissued
Street Lights	10/2/1997	\$57,875	\$15,875
Town Building Well	11/1/2005	\$250,000	\$250,000
Sewer Phase II	3/10/1998	\$20,083	\$20,083
Water System Expansion	10/28/2008	\$1,855,326	\$290,076
Sewer Plant Expansion	3/27/2007	\$3,528,000	\$700,724

, or take any other action relative thereto or thereon.

SPONSOR: Town Treasurer

Motion: I move that the rescissions listed in Article 5 as printed be accepted.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

ARTICLE 6. TRANSFER TO/FROM STABILIZATION FUNDS

To see if the Town will vote to transfer and appropriate a sum or sums to or from the Stabilization Fund Account, or take any action relative thereto or thereon.

SPONSOR: Board of Selectmen

Motion: I move that the town vote to transfer and appropriate the following sums to and from the following Accounts and Funds.

<u>To The following Accounts:</u>	<u>Amount:</u>	<u>Source from:</u>	<u>Purpose:</u>
Stabilization Fund	\$148,071	Free Cash	reserves
Water Stabilization Fund	\$363,216	Inter-municipal Connection-Exxon	Fund Water Related Purposes; original purpose completed (connection from Exxon waterline to Southbridge water line)
Water/Sewer- Burlingame Water Loop	\$ 4,096	Water Stabilization Fund	Interest
Residential and Charlton Elementary School Water Hook-up; Well Decommissioning as needed	\$110,000	Water Stabilization Fund	Hook up residences contaminated from petroleum release on Town property and Charlton Elementary School to Public Water as required by DEP

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Two-Thirds Vote Needed. [G.L. c. 40, sec. 5B]

ARTICLE 7. AMENDMENT TO TOWN PERSONNEL BYLAW-CLASSIFICATION PLAN

To see if the Town will vote, pursuant to Mass. General Laws, Chapter 41, Section 108A and in accordance with the recommendation of the Personnel Board, to amend its Personnel Bylaw by revising "CHAPTER III CLASSIFICATION PLAN" thereof, such amendment to become effective upon adoption, as follows:

by changing therein under GRADE 4, under the column entitled "TITLE" the position of "Agent" to "Agent/Mapping Specialist/Recreation Staff", or take any action relative thereto or thereon.

SPONSOR: Personnel Board

Motion: I move that the proposed amendment to the Town's Personnel Bylaw set forth in Article 7 be accepted as printed.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

ARTICLE 8. SPECIAL LEGISLATION TO ELECT SELECTMEN BY HIGHEST VOTES WINS AND TO REPEAL EARLIER BYLAW, MAY 2003 ELECTION AND ACTION TAKEN PURSUANT TO SAME

To see if the town will vote to authorize and direct the selectmen: (1) to seek special legislation from the general court which would: (a) provide for the election of members of the board of selectmen, as to all elections commencing with the May 2013 annual town election, and any special election which might occur to fill a vacancy between the effective date of the special election and such May 2013 annual town election, in accordance with the provisions of the Mass. General Laws which ordinarily apply to such elections absent special legislation or local charter provisions to the contrary, so that the person(s) receiving the greatest number of votes is for a position or positions on the board of selectmen is or are elected and (b) repeal Chapter 13 of the Mass. Acts of 2003, which provides for such election by numbered seat; and (2) contingent upon passage and signing of the foregoing special legislation by the Governor, to amend the Town of Charlton General Bylaws by deleting therefrom Article III, Sec. 1, second and third sentences, which read, "As the terms of office of the incumbent members of the selectmen thereafter expire, candidates shall run for the office of selectman by the number assigned to a specific 'seat'. No person may be a candidate for more than one numbered "seat" at any one election.", such bylaw amendment to take effect only as of the effective date of such aforementioned special legislation, or take any action relative thereto or thereon.

SPONSOR: Board of Health

Motion: I move: (1) that it be Voted, to authorize the Selectmen to petition the Legislature to enact legislation which would: (a) provide for the election of members of the town of Charlton board of selectmen, as to all elections commencing with the May 2013 annual town election, and any special election which might occur to fill a vacancy between the effective date of the special election and such May 2013 annual town election, in accordance with the provisions of the Mass. General Laws which ordinarily apply to such elections absent special legislation or local charter provisions to the contrary, so that the person(s) receiving the greatest number of votes for a position or positions on the board of selectmen is or are elected and (b) repeal Section 1 of Chapter 13 of the Mass. Acts of 2003, which provides for such election by numbered seat; provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition; and (2) that the town further vote, contingent upon passage and signing of the foregoing special legislation by the Governor, to amend the Town of Charlton General Bylaws by deleting therefrom Article III, Sec. 1, second and third sentences, which read, "As the terms of office of the incumbent members of the selectmen thereafter expire, candidates shall run for the office of selectman by the number assigned to a specific 'seat'. No person may be a candidate for more than one numbered "seat" at any one election.", such bylaw amendment to take effect only as of the effective date of such aforementioned special legislation.

RECOMMENDATION OF THE FINANCE COMMITTEE: N/A

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS does not support this motion.

Majority Vote Needed.

ARTICLE 9. ACCESSORY APARTMENT ZONING BY-LAW REVISION

To see if the Town will vote to revise the Charlton Zoning By-Law by increasing the maximum allowed size of an accessory apartment from the current maximum allowed size of 500 square feet to a new maximum allowed size of 750 square feet, as listed in the "Accessory Apartment" definition in Section 2-Definitions, sub-section 2.1 Uses and Structures, or take any action relative thereto or thereon.

SPONSOR: Planning Board

Motion: I move that Article 9 be accepted as printed.

RECOMMENDATION OF THE PLANNING BOARD:

2/3rds Vote Needed.

* * * * *

And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices, one in Dexter Memorial Hall and one in the Charlton Municipal Offices (George C. McKinstry, III Building) in said Town, fourteen days at least before the time and place of holding meeting.

Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

Given under our hands this 1st day of October, in the Year of Our Lord Two Thousand and Twelve (2012).

Board of Selectmen



Peter J. Boria, Chairperson



Frederick C. Swensen, Vice-Chairperson



Brent Sellow, Clerk

David M. Singer, Member

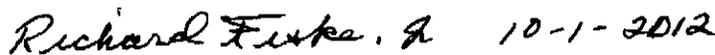
Kathleen W. Walker, Member

A true copy:

Attest: 

Posted as directed: 

Constable/Police Officer of Charlton, Massachusetts

 10-1-2012

FY13 Special Town Meeting
 October 16, 2012
 BOS FinCom Recommendations

	Requested	Raise & Appropriate	Free Cash	Intermunicipal Connect-Exxon	Stabilization Fund	Water Stabilization Fund	Water Retained Earnings	Sewer Retained Earnings	Other
FY13 Warrant Articles- Funding Sources									
		\$255,865	\$612,720	\$363,216	\$1,222,115	\$732,027	\$41,041	\$1,018,461	transfer between accounts
<i>Beginning Balances</i>									
1	APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR								
	W/S Commission- McClure Engineering	\$1,324					\$1,324		
	W/S Commission- McClure Engineering	\$310					\$310		
	W/S Commission- McClure Engineering	\$3,352					\$3,352		
	Tree Warden- Advantage Enterprises	\$500	\$500						
	Tree Warden- Advantage Enterprises	\$400	\$400						
	Highway- WB Mason	\$598	\$598						
2	INTER/INTRA DEPARTMENTAL TRANSFERS AND/OR APPROPRIATIONS FOR FY2013 BUDGET								
	General Obligation Bonds- Landfill Capping	\$5,389	\$5,389						
	General Obligation Bonds- Prindle Pond Dam	\$2,857	\$2,857						
	FY2010 Overlay	\$26,944							FY2007 Overlay
	FY2010 Overlay	\$26,445							FY2006 Overlay
	FY2011 Overlay	\$23,378							FY2006 Overlay
	FY13 Police Salaries	\$40,000	\$40,000						
	Short-term Interest	\$5,000							Gen Ins
	Muggett Hill Pump Station 6200-440-5892-0000	\$17,683							Sewer Truck Fund
	Grinder Pumps & parts 6200-440-5894-0000	\$45,000							Asphalt Plant & Drive
3	CAPITAL/CONTRACTS								
	Replace Jaws of Life	\$53,493							
	Dive Team Equipment	\$5,000							
	John Deer Brush Cutter	\$100,570							
	11' Plow	\$10,000							
	Sander Unit (trk mounted)	\$5,000							

