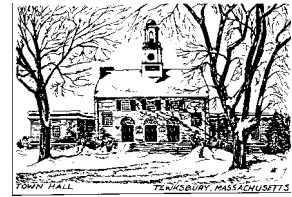


Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Tewksbury Memorial High School
320 Pleasant Street
Special Town Meeting
May 4, 2016

Phone: 978-640-4355

Fax: 978-851-8610

dgraffeo@tewbury-ma.gov

Moderator Jerome Selissen called to order the May 4, 2016 Special Town Meeting at 7:00 PM given that a quorum of voters was present and a properly served and returned warrant was in possession.

On Wednesday May 4, 2016, there were 262 voters and 20 visitors in attendance.

The Moderator reminded those who have cell phones to turn them off or to put them on vibrate.

Moderator Selissen noted the following Scrivener's Error on Page 5 of the Warrant, and there were no objections: Article 7 under the Executive Summary, first sentence the "Adopt and Island Program" should read "Adopt an Island Program"

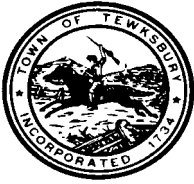
Mr. Raymond Lisiecki, Chairman of the Finance Committee, will make the first motion on every article unless the Finance Committee is deferring to another board.

Finance Committee Chairman, Raymond Lisiecki, motioned to Waive the Reading of the Warrant Articles and this motion was Adopted Unanimously 7:02 PM 5/4/16

Finance Committee Chairman Raymond Lisiecki motioned to recess the May 4, 2016 Special Town Meeting at 8:00 PM in order to re-open the May 2, 2016 Annual Town Meeting.

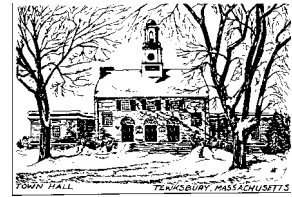
Moderator Selissen re-opened the May 4, 2016 Special Town Meeting at 8:01 PM.

Finance Committee Chairman, Raymond Lisiecki, motioned to Adjourn the May 4, 2016 Special Town Meeting Sine Die, and this motion was Adopted. 8:20 PM 5/4/16



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Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee: Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Special Town Meeting, convened by proper Warrant, on May 4, 2016.

APPROPRIATION CERTIFICATE - SPECIAL TOWN MEETING – MAY 4, 2016

ARTICLE	FREE CASH	TRANSFER FROM OTHER AVAILABLE FUNDS	CPA RESERVE	WATER ENTER RETAINED	SEWER ENTER RETAINED	MEMO
1	FY16 BUDGET TRANSFERS					397,021 WITHIN FY 16 BUDGET
2	NEW FIRE LADDER TRUCK	975,000.00				STABILIZATION
3	DPW SNOW & ICE OPERATIONS	160,000.00				
4	EQUIPMENT, VEHICLES & REPAIRS VARIOUS DEPTS	349,873.00				
5	VISIONING WORKSHOP	40,000.00				
6	OUTSTANDING BILLS (CONSTELLATION)	50,126.05				
7	ADOPT AN ISLAND REALLOCATION					3,702.54
8	INSURANCE RECOVERY POLICE CRUISER					32,860.00
9	INSURANCE RECOVERY POLICE STATION					151,690.00
10	FY17 SCHOOL DEPT CIRCUIT BREAKER					32,050.76 VALLEY COLLABORATIVE REFUND SETTLEMENT
11	WATER ENTERPRISE CAPITAL			553,000.00		
12	SEWER ENTERPRISE CAPITAL				628,000.00	
14	WATER ENTERPRISE STABILIZATION FUND			1,801,615.00		
16	SEWER ENTERPRISE STABILIZATION FUND				3,700,000.00	
17	WAMESIT INDIAN PARK		38,000.00			
18	SCHOOL FEASIBILITY STUDY	1,100,000.00				STABILIZATION
		599,999.05	2,075,000.00	38,000.00	2,354,615.00	4,328,000.00

Free Cash \$599,999.05

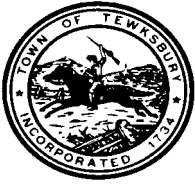
Transfers \$2,075,000.00

CPA Reserve \$38,000.00

Water Enterprise Retained \$2,354,615.00

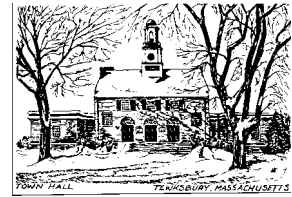
Sewer Enterprise Retained \$4,328,000.00

ATTEST:
DENISE GRAFFEO, TOWN CLERK



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ARTICLE 1

To see if the Town will vote to transfer the following sums of money; or take any action related thereto:

From:	Amount:
School Health Insurance	244,000
Town Manager Unclassified: Health Insurance	40,000
Town Manager Unclassified: Property and Liability Insurance	87,021
Library Salary: Full-Time Salaries:	<u>26,000</u>
Total	397,021
To:	
School Operating	222,000
School Unemployment	22,000
Board of Selectmen Operating: Professional Services	20,000
Administrative Service Operating: Medical	1,000
Administrative Service Operating: Postage	10,000
Town Hall Operating: Utilities	20,000
Town Manager Unclassified: Street Lights	15,000
Fire Operating: Repairs and Maintenance	19,728
Fire Operating: Ambulance Billing	12,400
Community Events	6,000
COA Operating: Communications	1,600
COA Operating: Repairs and Maintenance	1,293
Veterans Operating: Veteran's Aid	20,000
Library Capital Outlay	<u>26,000</u>
Total	397,021

Town Manager

Motion: The Finance Committee motioned to Adopt

Vote: Article 1 was Adopted Unanimously 7:02 PM 5/4/16

Executive Summary: This article is a regular Special Town Meeting article where the Town transfers funds from accounts with a projected surplus to accounts with a projected deficit or to accounts to allow for the purchase of needed items or services.

ARTICLE 2

To see if the Town will vote to transfer from the Stabilization Fund the sum of \$975,000 to be expended by the Town Manager for the following purposes; or take any action relative thereto.

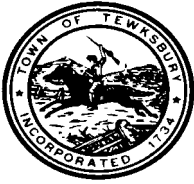
Fire Ladder Truck \$975,000

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$975,000 from the Stabilization Fund for the purpose of the Article

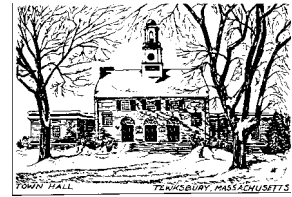
Vote: Article 2 was Adopted Unanimously (2/3 Required) 7:02 PM 5/4/16

Executive Summary: This article allows the Town to utilize funds to replace the 1986 Ladder Truck in the Fire Department.



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ARTICLE 3

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$160,000 to the D.P.W. Fiscal Year 2016 Snow and Ice Budget Operating; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$160,000 from Certified Free Cash for the purpose of the Article

Vote: Article 3 was Adopted Unanimously 7:02 PM 5/4/16

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund Department of Public Works - Snow and Ice due to the amount of snow and ice events during the winter which exceeded the amount budgeted.

ARTICLE 4

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$349,873 to fund the following items; or take any action relative thereto.

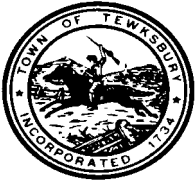
School	Video Replay	10,000
School	Phone System	50,534
School	Ella Fleming School Repairs	21,100
DPW:	Wing-Plow Assembly and controls	35,000
DPW:	Ford-550 Dump w/toolbox and plow	75,000
DPW:	Dump body (uni-body)	20,000
DPW:	6-Yard sander	15,000
DPW:	Replace Ford F350 Highway	18,000
Parks:	Service Box and Electrical Repairs/Installation, Livingston Fields	22,275
Parks:	Recreation Center and Patio Improvements	7,064
Fire:	Command Vehicle:	51,000
Police:	2 All-Terrain Vehicles and Trailer	<u>24,900</u>
Total:		349,873

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$349,873 for the purpose of the Article

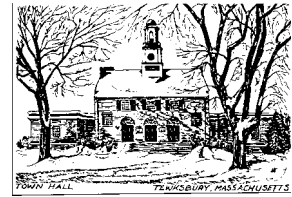
Vote: Article 4 was Adopted Unanimously 7:02 PM 5/4/16

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund new vehicles, equipment and facility improvements for various departments.



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ARTICLE 5

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$40,000 to fund a visioning workshop and session for the Town; or take any action relative thereto.

Town Manager

Motion: Board of Selectman Chairman, Bruce Panilaitis motioned to Adopt Article 5
The Board of Selectmen supported the Article

Vote: Article 5 was Adopted Unanimously 7:09 PM 5/4/16

Executive Summary: This article utilizes Free Cash certified as of July 1, 2015 to fund a consultant to conduct a Town-wide visioning session for residents to set goals and priorities for the Town's future.

ARTICLE 6

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$50,126.05 for the following outstanding bills from the previous year; or take any action relative thereto.

Constellation Energy: \$50,126.05

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$50,126.05 from Certified Free Cash for the purpose of the Article

Vote: Article 6 was Adopted 115 Yes/ 1 No (9/10 required=104) 7:12 PM 5/4/16

Executive Summary: According to Massachusetts General Laws, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

ARTICLE 7

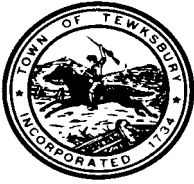
To see if the Town will vote to re-allocate \$3,702.54 or any amount remaining from the original appropriation of \$3,900 as approved at the October 7, 2014 Special Town Meeting for Article 2, specifically concerning the Adopt an Island Program. This re-allocation of funds shall be for the purpose of expenses associated with the Tewksbury Beautification Committee for the Committee's programs, projects and events as approved by the Town Manager.

Town Manager

Motion: The Finance Committee motioned to Adopt; reallocate \$3,702.54 or any amount remaining for the purpose of the Article

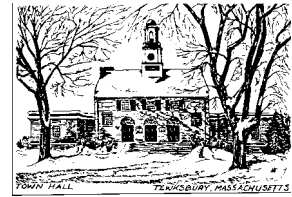
Vote: Article 7 was Adopted Unanimously 7:13 PM 5/4/16

Executive Summary: At Special Town Meeting in October 2014, funds were approved to fund an Adopt an Island Program. The Beautification Committee would like to expand the use of funds for the Committee's other programs, projects and events.



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ARTICLE 8

To see if the Town will vote to transfer \$32,860 from the Town's Insurance Recovery Account which is greater than \$20,000 to the Fiscal Year 2017 Finance Committee Reserve Account; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$32,860 from the Town's Insurance Recovery Account for the purpose of the Article

Vote: Article 8 was Adopted Unanimously 7:14 PM 5/4/16

Executive Summary: This article transfers funds received from an insurance claim to purchase a new police cruiser. A police cruiser was in an accident that rendered the vehicle unsafe to drive. The insurance company paid the Town \$32,860 for replacement value but the funds are deposited in the Town's Insurance Recovery Account and needs Town Meeting approval to spend. The Finance Committee approved a transfer from the Reserve Fund to have the cruiser replaced immediately and now this article will replace the funds transferred from the Reserve Fund.

ARTICLE 9

To see if the Town will vote to transfer \$151,690.00 from the Town's Insurance Recovery Account which is greater than \$20,000 for the purpose of engineering and construction of roof and gutter replacement and repair at the Police Station; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$151,690 from the Town's Insurance Recovery Account for the purpose of the Article

Vote: Article 9 was Adopted Unanimously 7:14 PM 5/4/16

Executive Summary: This article transfers funds received from an insurance claim for engineering and construction of roof and gutter replacement and repair at the Police Station. The roof at the Police Station was damaged during the winter of 2015 from ice and heavy snow. A report by an engineering consultant recommended areas of the roof be repaired and replaced. A claim was filed with the Town's insurance carrier and the Town received a check to undertake the work. Town meeting needs to approve spending the funds from the insurance recovery account.

ARTICLE 10

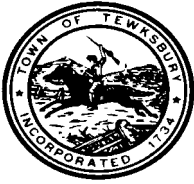
To see if the Town will vote to transfer the sum of \$32,050.76 from the Valley Collaborative Refund Settlement to the Fiscal Year 2017 School Department Circuit Breaker Fund; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$32,050.76 from the Valley Collaborative Refund Settlement for the purpose of the Article

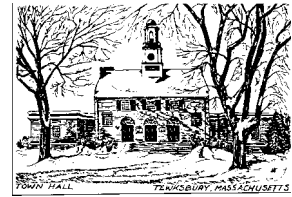
Vote: Article 10 was Adopted Unanimously 7:15 PM 5/4/16

Executive Summary: Funds are available from a settlement with the Valley Collaborative. The funds were placed into the General Fund and must be appropriated into a budget for expenditure. The funds will then be placed into the School Department Circuit Breaker Fund.



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ARTICLE 11

To see if the Town will vote to transfer the sum of \$553,000 from Water Enterprise Fund Retained Earnings to be expended by the Town Manager to undertake the following:

Hydrant Replacement Program	125,000
Water Main Repair and Replacement	350,000
Water Distribution Master Plan	60,000
Repair Vacuum/Rodder Truck	<u>18,000</u>
Total	553,000

or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$553,000 from Water Enterprise Fund Retained Earnings for the purpose of the Article

Vote: Article 11 was Adopted Unanimously 7:15 PM 5/4/16

Executive Summary: Hydrant Replacement Program: funds will replace 25 hydrants in FY17 as part of the ongoing hydrant replacement program. Water Main Repair and Replacement: funds will be used to repair and replace a broken water main under and in the vicinity of Strongwater Brook. Any remaining funds will be used at other locations. Water Distribution Master Plan: funds will be used to develop a Town-wide water distribution master plan to better understand which areas of Town need to be prioritized and addressed. Repair Vacuum/Rodder Truck: the current 2003 truck needs to be repaired for use by the water and sewer departments.

ARTICLE 12

To see if the if the Town will vote to transfer the sum of \$628,000 from Sewer Enterprise Fund Retained Earnings to be expended by the Town Manager to undertake the following:

Sewer Main Repair and Replacement:	100,000
Pump Station Upgrades:	60,000
Purchase Mack Vacuum/Rodder Truck	450,000
Repair Vacuum/Rodder Truck	<u>18,000</u>
Total	628,000

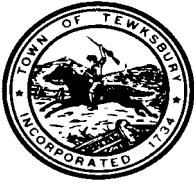
or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$628,000 from Sewer Enterprise Fund Retained Earnings for the purpose of the Article

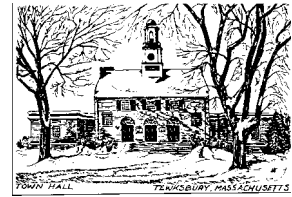
Vote: Article 12 was Adopted Unanimously 7:17 PM 5/4/16

Executive Summary: Sewer Main Repair and Replacement: funds will be used to repair and replace a damaged sewer main under and in the vicinity Strongwater Brook. Any remaining funds will be used at other locations. Pump Station Upgrades: this project is for installation of portable generator plug-in outlets at sewer pump stations not currently capable of connecting to a portable generator. Purchase Mack Vacuum/Rodder Truck: funds will be used to purchase Vacuum/Rodder Truck for the Sewer Department. Repair Vacuum/Rodder Truck: the current 2003 truck needs to be repaired for use by the water and sewer departments.



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ARTICLE 13

To see if the Town will vote to create a Water Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt as Amended
Town Manager, Richard Montuori presented an Amendment

Vote:	The Amendment was Adopted Unanimously	7:26 PM	5/4/16
	Article 13 was Adopted as Amended 123Yes/ 6 No (2/3 required=86)	7:29 PM	5/4/16

AMENDMENT: To see if the Town will vote to create a Water Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B **for water related capital improvements, emergencies and one-time expenditures and the balance of such fund cannot exceed \$5,000,000;** or take any action relative thereto.

ARTICLE 13 AS AMENDED: To see if the Town will vote to create a Water Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B for water related capital improvements, emergencies and one-time expenditures and the balance of such fund cannot exceed \$5,000,000; or take any action relative thereto.

Executive Summary: This Article will allow the Water Enterprise Fund to have a Stabilization Fund to set funds aside for future use for Water Enterprise operations, capital improvements, emergencies and one-time expenditures.

ARTICLE 14

To see if the Town will vote to transfer the sum \$2,801,615 from Water Enterprise Retained Earnings into the Water Enterprise Stabilization Fund; or take any action relative thereto.

Town Manager

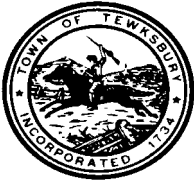
Motion: The Finance Committee motioned to Adopt as Amended
Town Manager, Richard Montuori presented an Amendment

Vote:	The Amendment was Adopted	7:33 PM	5/4/16
	Article 14 was Adopted as Amended 124Yes/ 4 No (2/3 required=85)	7:36 PM	5/4/16

AMENDMENT: To see if the Town will vote to transfer the sum ~~\$2,801,615~~ **\$1,801,615** from Water Enterprise Retained Earnings into the Water Enterprise Stabilization Fund; or take any action relative thereto.

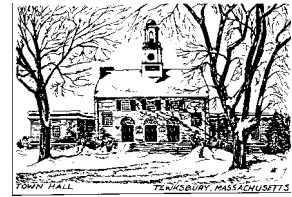
ARTICLE 14 AS AMENDED: To see if the Town will vote to transfer the sum \$1,801,615 from Water Enterprise Retained Earnings into the Water Enterprise Stabilization Fund; or take any action relative thereto.

Executive Summary: This article seeks approval to set aside these funds in the Stabilization Fund and used for future emergencies or one time purchases or projects.



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ARTICLE 15

To see if the Town will vote to create a Sewer Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt
Town Manager, Richard Montuori presented an Amendment

Vote: The Amendment was Adopted Unanimously 7:40 PM 5/4/16
Article 15 was Adopted as Amended 138Yes/ 7 No (2/3 required=97) 7:43 PM 5/4/16

AMENDMENT: To see if the Town will vote to create a Sewer Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B **for sewer related capital improvements, emergencies and one-time expenditures and the balance of such fund cannot exceed \$5,000,000;** or take any action relative thereto.

ARTICLE 15 AS AMENDED: To see if the Town will vote to create a Sewer Enterprise Stabilization Fund in accordance with M.G.L. Ch. 40 Section 5B for sewer related capital improvements, emergencies and one-time expenditures and the balance of such fund cannot exceed \$5,000,000; or take any action relative thereto.

Executive Summary: This Article will allow the Sewer Enterprise Fund to have a Stabilization Fund to set funds aside for future use for Water Enterprise operations, capital improvements, emergencies and one-time expenditures.

ARTICLE 16

To see if the Town will vote to transfer the sum \$5,477,282 from Sewer Enterprise Retained Earnings into the Sewer Enterprise Stabilization Fund; or take any action relative thereto.

Town Manager

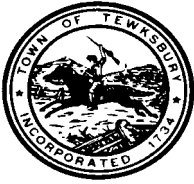
Motion: The Finance Committee motioned to Adopt as Amended; transfer \$3,700,000 from Sewer Enterprise Fund Retained Earnings for the purpose of the Article
Town Manager, Richard Montuori presented an Amendment

Vote: The Amendment was Adopted 7:45 PM 5/4/16
Article 16 was Adopted as Amended 161Yes/ 7 No (2/3 required=112) 7:48 PM 5/4/16

AMENDMENT: To see if the Town will vote to transfer the sum ~~\$5,477,282~~ **\$3,700,000** from Sewer Enterprise Retained Earnings into the Sewer Enterprise Stabilization Fund; or take any action relative thereto.

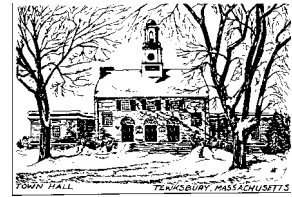
ARTICLE 16 AS AMENDED: : To see if the Town will vote to transfer the sum \$3,700,000 from Sewer Enterprise Retained Earnings into the Sewer Enterprise Stabilization Fund; or take any action relative thereto.

Executive Summary: This article seeks approval to set aside these funds in the Sewer Stabilization Fund and used for future emergencies or one time purchases or projects.



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ARTICLE 17

To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Fund Open Space Reserve the sum of \$38,000 for the completion of the Wamesit Indian Park Landscape Project; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds are to be expended under the direction of the Community Preservation Committee; or take any action relative thereto.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt as Amended; appropriate and transfer \$38,000 from Community Preservation Fund Undesignated for the purpose of the Article
Town Manager, Richard Montuori presented an Amendment
Community Preservation Chair, Nancy Reed supported Article 17

Vote: The Amendment was Adopted 7:55 PM 5/4/16
Article 17 was Adopted as Amended Unanimously 7:55 PM 5/4/16

AMENDMENT: To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Fund ~~Open Space Reserve~~ **Undesignated Fund Balance** the sum of \$38,000 for the completion of the Wamesit Indian Park Landscape Project; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds are to be expended under the direction of the Community Preservation Committee; or take any action relative thereto.

ARTICLE 17 AS AMENDED: : To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Fund Undesignated Fund Balance the sum of \$38,000 for the completion of the Wamesit Indian Park Landscape Project; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds are to be expended under the direction of the Community Preservation Committee; or take any action relative thereto.

Executive Summary: The CPC seeks approval for these CPC funds, as submitted by the Town Manager, in order to complete the Wamesit Indian Park Landscape Project. The Planning Board received \$25,000 from Walmart in 2010 and in 2015, \$70,000 in CPA Funds were approved at Town Meeting. The bids came in higher than anticipated. This request will close the funding gap. Project start is anticipated late Spring 2016.

ARTICLE 18

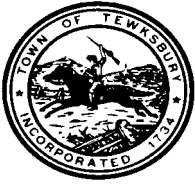
To see if the Town of Tewksbury will vote to transfer from the Stabilization Fund , \$1,100,000 to be expended under the direction of the Tewksbury School Building Committee for the cost of a feasibility study relating to the Trahan School, located at 12 Salem Road, in Tewksbury and also as part of the study, investigate the option of possible consolidation of school populations in accordance with the statement of interest submitted to Massachusetts School Building Authority ("MSBA") including the payment of all incidental costs, for which feasibility study the Town may be eligible for a grant from the MSBA. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, or act in any other manner in relation thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$1,100,000 from the Stabilization Fund for the purpose of the Article

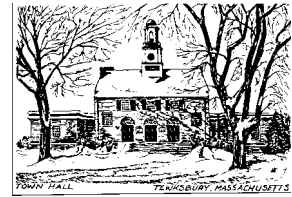
Vote: Article 18 was Adopted Unanimously 423 Yes/ 0 No (2/3 required=282) 8:19 PM 5/4/16

Executive Summary: In May 2016, the Board of the Massachusetts School Building Authority is expected to vote on Tewksbury's application to accept the Trahan School into the MSBA reimbursement program. If the Town's application is approved at that time, this Article would fund the first phase of the process, conducting a feasibility study which would include the consolidation of school populations.



Town of Tewksbury

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Finance Committee Chairman, Raymond Lisiecki motioned to Adjourn the May 4, 2016 Special Town Meeting Sine Die, and this motion was Adopted.

8:20 PM 5/4/16

RESPECTFULLY SUBMITTED:

DENISE GRAFFEO, TOWN CLERK