

WARRANT

TOWN OF IPSWICH

ANNUAL TOWN MEETING

MAY 13, 2008

**Prepared by:
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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 THIRTEENTH DAY OF MAY, 2008, 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; three [3] members of the School Committee for three [3] years; [4] 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 20, 2008; 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 2009 Annual Town Meeting for purposes of vacation, leave, or absence in accordance with Massachusetts General Laws Chapter 268A, Sections 20 and 21A; and (5) to rescind the remaining balance of authorized but un-issued debt: Article 20 of the April 7, 2003 Annual Town Meeting (extension of the sanitary sewer); Article 12 of the October 16, 2006 Special Town Meeting (addition to Article 20 of the 2003 ATM, extension to the sanitary sewer); Article 22 of the April 2, 2007 Annual Town Meeting (High Street sewer extension); and Article 24 of the April 2, 2006 Annual Town Meeting (Library roof project); 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'08 TOWN BUDGET AMENDMENTS**

To see if the Town will vote to amend its action taken under Articles 7 and 8 of the April 2, 2007, Annual Town Meeting (the FY'08 Municipal Operating Budget), as amended by Article 2 of the October 15, 2007, Special Town Meeting: (a) by transferring sums of money between departmental accounts and/or by consolidating categories within departmental accounts, the total appropriation to remain the same as previously appropriated as a result of these transfers and/or consolidations; and (b) by appropriating additional sums, offset by available funds; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

ARTICLE 4 **PRIOR YEAR UNPAID BILLS**

To see if the Town will vote to raise and appropriate, or transfer a sum of money from available funds to pay unpaid bills incurred in prior years and remaining unpaid; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

ARTICLE 5 **FY'09 MUNICIPAL BUDGET**

To hear and act upon the reports of the Board of Selectmen and Finance Committee relative to the 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 6 **FY'09 SCHOOL BUDGET**

To hear and act upon the reports of the School Committee and Finance Committee relative to the FY'09 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 7 **GENERAL OVERRIDE**

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 21 C (g), to raise and appropriate **\$1,491,000** to fund a supplement to the FY'09 School Department Operating Budget, said appropriation to be contingent upon the passage of a General Override under the provisions of Massachusetts General Laws Chapter 59, Section 21C (m); *(Requested by: School Committee)*

ARTICLE 8 **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 new 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 9 **FY'08 SCHOOL BUDGET AMENDMENT**

To see if the Town will vote to amend its action taken under Article 9 of the Warrant for the April 2, 2007, Annual Town Meeting (the FY'08 School Department Operating Budget), as amended by Article 11 of the April 2, 2007 and Article 3 of the October 15, 2007 Special Town Meeting, by appropriating a sum of money in addition to that appropriated under the aforementioned Articles, by transferring a sum of **\$47,619.98** received as a rebate for energy efficiency improvement expenditures and paid to the Town by Keyspan, pursuant to an application made by the School Department for said purpose. *(Requested by: School Committee)*

ARTICLE 10 **CAPITAL IMPROVEMENTS STABILIZATION FUND APPROPRIATION**

To see if the Town will vote to appropriate a sum of money from the Capital Improvements Stabilization Fund for maintenance of public buildings, to conduct a feasibility study for a new Public Works garage, to upgrade the Geographic Information System and for computer equipment upgrades; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

ARTICLE 11 **FY'09 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 District; or to take any other action relative thereto. *(Requested by: Whittier RVTHS Representative Raymond Morley)*

ARTICLE 12 **FY'09 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'09; 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'09; or to take any other action relative thereto. *(Requested by: Board of Water/Sewer Commissioners)*

ARTICLE 13 **EQUIPMENT BOND**

To see if the Town will vote: (1) to appropriate a sum of money to purchase heavy equipment for the Department of Public Works; to fund overhaul of a fire engine; and to fund replacement of windows at Town Hall; to fund sidewalk construction and replacement 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: Board of Selectmen)*

ARTICLE 14

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 15 **COA, HEALTH DEPARTMENT, HISTORICAL COMMISSION & SHELLFISH DEPARTMENT REVOLVING FUNDS**

To see if the Town will vote: (1) to re-authorize for FY'09 the following revolving funds established under Massachusetts General Laws Chapter 44, Section 53E½: (a) Council on Aging activity fees, 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'09; (b) Historical Commission Revolving Fund, the use of said fund to be 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'09 (source of funds: sale of publications); (c) Health Department Revolving Fund, the use of said fund to finance additional part-time help in the Health Department and to pay related expenditures, and to determine that no more than \$7,000 may be expended by the Health Department in FY'09 from such excess funds transferred into said fund during FY'09 (source of funds: Housing Code Inspection Fees); and (d) a Shellfish Department Revolving Fund, said fund to be used for enhancements to the shellfish resources of the Town, and to determine that no more than \$10,000 may be expended by the Shellfish Commission 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 16

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.
(Requested by: Board of Selectmen)

ARTICLE 17

OPEN SPACE PROGRAM

To see if the Town will vote to add the following parcel to the Open Space Parcels List (as referenced in Article 18 of the Warrant for the April 3, 2000 Annual Town Meeting) on file in the office of the Director of Planning and Development and in the Office of the

Town Clerk, said changes having been placed on file in the office of the Director of Planning and Development and in the Office of the Town Clerk by April 15, 2008: Land now/formerly The Estate of Eugene R. Lynch, 215 Linebrook Road, also known as Assessor's Map 29C Parcel 3, consisting of approximately 5.4 acres; or to take any other action relative thereto. *(Requested by: The Open Space Committee)*

ARTICLE 18 **RIVERWALK BONDS**

To see if the Town will vote to amend its actions taken under Article 24 of the Warrant for the April 7, 2003, Annual Town Meeting ("Riverwalk Bonds") and Article 22 of the Warrant for the April 5, 2004, Annual Town Meeting (Riverwalk Supplemental Funding) by expanding the purpose for which the bonds were to be expended from: "...survey, design, and construct a pedestrian bridge across the Ipswich River, to be located in the area of South Main Street and Union Street, and to obtain any material and/or services incidental thereto", to: "...survey, design, and construct a pedestrian bridge across the Ipswich River, to be located in the area of South Main Street and Union Street, and to obtain any materiel and/or services incidental thereto, and further in conjunction with said project, to survey, design, and construct improvements such as crosswalks, landscaping, sidewalks, and foot paths, in the general vicinity of the Riverwalk entrance on South Main Street, and along the river near the Riverwalk entrance off Union Street, and to obtain any material and/or services incidental thereto"; or to take any other action relative thereto. *(Requested by: Board of Selectmen)*

ARTICLE 19 **WIND TURBINE PROJECT**

To see if the Town will vote to appropriate a sum of money to survey, design, purchase and undertake construction of a wind turbine electric generator and associated transmission equipment at the end of Town Farm Road on property owned by the Town; and to meet this appropriation by authorizing the Treasurer (1) 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 any other enabling authority and (2) with the approval of the Board of Selectmen and the School Committee, to issue a portion of such bonds as Clean Renewable Energy Bonds under section 54 of the Internal Revenue Code; or to take any other action thereto. *(Requested by the Electric Light Commissioners and the School Committee)*

ARTICLE 20 **PERSONAL PROPERTY ASSESSMENTS**

To see if the Town will vote to accept Massachusetts General Laws, Chapter 59, Section 5(54), added by Chapter 159 of the Acts of 2000 which allows a city or town to establish a minimum fair cash value not to exceed \$10,000 for personal property accounts to be taxed, starting in FY 2009; or to take any other action relative thereto. *(Requested by: The Board of Assessors)*

ARTICLE 21 INTER-MUNICIPAL AGREEMENTS

To see if the Town will authorize the Selectmen to enter into inter-municipal agreements with one or more municipalities to permit the member municipalities to lease municipal equipment or vehicles from one another, to acquire jointly, by lease, purchase, or otherwise, equipment or vehicles, or to share operational costs of such equipment or vehicles, all on terms satisfactory to the Board of Selectmen, or take any other action thereon or relative thereto *(Requested by: Board of Selectmen)*

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 Fourteenth day of April in the year of our Lord, Two Thousand and Eight.

TOWN OF IPSWICH
BOARD OF SELECTMEN

Elizabeth A. Kilcoyne, Chair

Ingrid F. Miles, Vice-Chair

Edward B. Rauscher, Member

James W. Foley, Member

Patrick J. McNally, Member