

RECORD OF ACTION
TOWN OF IPSWICH
ANNUAL TOWN MEETING
APRIL 3, 2006

Pursuant to the foregoing warrant, the legal voters of the Town of Ipswich met in the Performing Arts Center at the Ipswich High School in said Town of Ipswich on Monday, April 3, 2006. A quorum being present (531 present-200 required) the meeting was called to order by the Moderator, Arthur James Grimes, III, at 7:45p.m.

Non registered persons were given permission to attend the meeting as spectators and seated on the floor to the left of the stage.

ARTICLE 1 On motion of Mr. Patrick McNally, duly seconded, it was

UNANIMOUSLY VOTED to:

- (1) to fix the salary and compensation of all elected Town Officers as presented in the town and school operating budgets;
- (2) to choose the following officers, viz: A Moderator for one [1] year; one [1] Selectmen for three [3] years; two [2] members of the School Committee for three [3] years; and one [1] member of the Housing Authority for five [5] years; the above officers to be voted on one ballot at the YMCA Gymnasium, 110 County Road, on **TUESDAY, APRIL 11, 2006; the polls shall open at 7:00 a.m. and shall close at 8:00 p.m.;**
- (3) to transfer \$260,754 from surplus funds in the Electric Division; and
- (4) to authorize the Board of Selectmen to appoint temporarily a member of said Board to Acting Town Manager for a limited period of time not to exceed the date of the 2007 Annual Town Meeting for purposes of vacation, leave, or absence in accordance with Massachusetts General Laws Chapter 268A, sections 20 and 21A.

ARTICLE 2 On motion of Mr. Daniel Clasby, duly seconded, it was

UNANIMOUSLY VOTED that the Town elect Robert White to the Finance Committee for a term of three (3) years.

ARTICLE 3 On motion of Mr. James Foley, duly seconded, it was

UNANIMOUSLY VOTED to amend its action taken under Article 7 of the April 4, 2005, Annual Town Meeting (the FY'06 Municipal Operating Budget), as amended by Article 1 of the October

17, 2005, Special Town Meeting to transfer:

<i>Department & Category</i>	<i>From</i>	<i>To</i>
Town Manager Expense	(3,554)	
Board of Selectmen Expense	(4,400)	
Treasurer Salary	(2,132)	
Treasurer Salary	(1,272)	
Treasurer Expense	(300)	
Sanitation Expense	(43,230)	
Legal Expense		54,688
Town Manager Salary		200
Highway Salaries	(32,200)	
Forestry Salaries	(12,800)	
Sanitation Expense	(30,000)	
Highway Expense		75,000
Police Salaries	(11,000)	
Animal Control Salaries		11,000
Police Salaries	(500)	
Animal Control Expense		500
Misc Finance Salary	(2,400)	
Town Manager Expense		2,400
Management Transfer	(12,225)	
Fire Department		12,225

So that total FY'06 municipal operating budget, as so amended and inclusive of override debt service, shall total **\$12,324,364**, offset by revenues totaling **\$537,016** leaving an amount to be raised and assessed of **\$11,787,348**.

ARTICLE 4 On motion of Ms. Ingrid Miles, duly seconded, it was

UNANIMOUSLY VOTED to appropriate the sum of **\$29,966.12** to pay bills incurred in prior years and remaining unpaid:

<u>Department</u>	<u>Category & Vendor</u>	<u>Amount</u>
Consolidated Maintenance	Edwards Systems Technology	\$ 1,350.00
Police Dept	Riverside Foreign Auto	\$ 29.00
Health Dept	Riverside Foreign Auto	\$ 29.00
Animal Control	Riverside Foreign Auto	\$ 29.00
<u>Health Insurance</u>	<u>Rebate to Retirees</u>	<u>\$ 28,529.12</u>
Total		\$ 29,966.12

And to meet this appropriation by raising **\$29,966.12** in taxes.

ARTICLE 5 On Motion of Mr. Daniel Clasby, duly seconded, it was

VOTED BY A MAJORITY:

(1) To raise and appropriate the sum of **\$11,798,051** for the purposes indicated in the FY'07 Municipal Operating Budget as outlined in the Finance Committee Report, and that, in addition to the **\$11,798,051**, the Town vote to raise and appropriate:

for Excluded Debt Service..... **\$1,006,935**
for a Total Appropriation of.....**\$12,804,986**; and

(2) To transfer from available funds:

from Free Cash..... **\$265,340**
from Free Cash (restricted revenue - Library).....**\$17,586**
from Plum Is. National Wildlife Refuge In Lieu of Taxes.....**\$36,266**
from 4% Tourism **\$ 689**
from Open Space Recreation Fund (stewardship position)..... **\$17,880**
from Library Construction Grant..... **\$60,300**
from the overlay surplus..... **\$94,500**

Total Available Funds..... **\$492,561**

Leaving a net to be raised and assessed of..... **\$12,312,425**

ARTICLE 6 On motion of Mr. Jeff Loeb, duly seconded, it was

UNANIMOUSLY VOTED to raise and appropriate the sum of **\$17,484,172** for the School Department budget for FY'07, and for the FY'07 School Department budget of **\$17,484,172**, transfer from available funds:

Free Cash..... **\$265,339**
Plum Island National Wildlife Refuge In Lieu of Taxes..... **\$ 36,265**
Overlay Surplus..... **\$ 94,500**
Total Available Funds..... **\$396,104**

Leaving a net to be raised and assessed of... .. **\$17,088,068**

ARTICLE 7 On motion of Ms. Dianne Ross, duly seconded, it was

UNANIMOUSLY VOTED to raise and appropriate the sum of **\$2,565,372** for FY'07 debt service payments 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.

ARTICLE 8 On motion of Dr. Hugh O'Flynn, duly seconded, it was

UNANIMOUSLY VOTED:

(1) to appropriate the sum of **\$590,000** to survey, design and construct extraordinary repairs to the Winthrop and Doyon Elementary Schools, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair, and to obtain any materiel and/or services necessary and incidental thereto;

(2) to authorize appropriate town officials to apply for, accept and expend any federal and/or state grants and private gifts therefor; and

(3) to raise said 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, Section 7 (3A)

ARTICLE 9 On motion of Mr. Daniel Clasby, duly seconded, it was

UNANIMOUSLY VOTED to raise and appropriate the sum of **\$400,720** for the Town's share of the FY'07 annual operating, capital and debt service expenses of the Whittier Regional Vocational Technical High School District.

ARTICLE 10 On motion of Ms. Ingrid Miles, duly seconded, it was

UNANIMOUSLY VOTED:

(1) to raise and appropriate the sum of **\$2,288,705** for the FY'07 operating, debt service, and capital expenses of the Water Division, Department of Utilities, said sum to be offset in part by the water surplus of **\$103,205**, the balance of said appropriation to be met by revenues of the Water Division during FY'06; and

(2) to raise and appropriate the sum of **\$1,275,272** for the FY'07 operating, debt service, and capital expenses of the Wastewater Division, Department of Utilities, said sum to be offset in part by the Wastewater surplus of **\$66,669**, the balance of said appropriation to be met by revenues of the Wastewater Division during FY'07.

ARTICLE 11 On motion of Ms. Elizabeth Kilcoyne, duly seconded, it was

UNANIMOUSLY VOTED to appropriate the sum of **\$392,000** under the provisions of Chapter 90 of the General Laws to obtain any materiel, equipment and/or services incidental thereto; and

to authorize the Board of Selectmen to acquire easements in conjunction therewith by purchase, gift, lease, eminent domain or otherwise; and 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; and to meet this appropriation by transferring an equal sum from Chapter 90 available funds.

ARTICLE 12 On motion of Ms. Ingrid Miles, duly seconded, it was

UNANIMOUSLY VOTED:

- (1) to transfer the sum of **\$5,000** from the Waterways Improvement Fund to fund the repair and repainting the hull of the Harbor Master's boat; and
- (2) to transfer the sum of **\$20,000** from the Waterways Improvement Fund to purchase a new rescue boat to replace the existing rescue craft in the Fire Department; and
- (3) to transfer the sum of **\$2,300** from the Waterways Improvement Fund to replace the boat used by the Shellfish Constable.

ARTICLE 13 On motion of Ms. Elizabeth Kilcoyne, duly seconded, it was

UNANIMOUSLY VOTED to re-authorize for FY'07 the following revolving funds established under Massachusetts General Laws Chapter 44, Section 53E ½:

- (1) A **Council on Aging Revolving Fund**, to be funded through activity fees. The COA Fund may be used to pay for special activities, expendable supplies and/or part-time wages. No more than **\$10,000** may be expended by the Council on Aging from monies transferred into said fund during FY'07; and
- (2) An **Historical Commission Revolving Fund**, to 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 said fund during FY'07. The source of funds shall be the sale of publications, such as replicas of the Declaration of Independence and other historical documents; and
- (3) A **Health Division Revolving Fund**, the use of said fund to finance additional part-time help in the Health Division and to pay related expenditures. No more than **\$7,000** may be expended by the Health Division in FY'07 from such excess funds transferred into said fund during FY'07. The source of funds shall be housing code inspection fees; and
- (4) A **Shellfish Department Revolving Fund**, to be funded through a surcharge of **\$50** on commercial shellfish licenses, the use of said fund to enhance the shellfish resources of the town under the guidance of the Shellfish Advisory Board and Town Manager. No more than **\$7,000** may be expended the Shellfish Department Revolving Fund during Fiscal 2007.

ARTICLE 14 On motion of Mr. Patrick McNally, duly seconded, it was

UNANIMOUSLY VOTED to re-authorize for FY'07 the following revolving fund established under Massachusetts General Laws Chapter 44, Section 53E ½:

A **Code Enforcement Department Revolving Fund** to be funded through building permit fees (net of plumbing and gas fees) collected in excess of \$150,000, the purpose of said fund being to finance additional part-time help in the Code Enforcement Departments and other related expenditures, and to determine that no more than \$40,000 may be expended by the Code Enforcement Department in FY'07 from such excess funds transferred into the revolving fund; and further that the FY'06 Building Department Revolving Fund authorized under Article 5 of the Annual Town Meeting held on April 4, 2005 be discontinued and that the funds remaining in said account be transferred into the Code Enforcement Department Revolving Fund.

ARTICLE 15 On motion of Mr. James Foley, duly seconded, it was

UNANIMOUSLY VOTED to accept the reports of, and continue the following committees as standing committees of the Town:

the Hall-Haskell Committee; the Athletic Playing Fields Study Committee; the Cable TV Advisory Board; the Commuter Rail Committee; the Community Development Plan Implementation Task Force; the Coastal Pollution Control Committee; the Eight Towns and the Bay Committee; the Government Study Committee; the Ipswich Bay Circuit Trail Committee; the Mosquito Control Advisory Board; the Open Space & Recreation Committee; the Parking Committee; the Ad Hoc Committee examining the Feoffees of the Grammar School; the Ipswich Coalition for Youth; the Public Safety Facilities Study Committee; the Shade Tree and Beautification Committee; the Recreation Committee; the Sandy Point Advisory Committee; the Shellfish Advisory Board; the Wind Power Committee; the Waterways Advisory Board and the Recycling Committee, the School Building Needs Committee and any other committee approved by the Town Meeting.

ARTICLE 16 On motion of Ms. Elizabeth Kilcoyne, duly seconded, it was

UNANIMOUSLY VOTED to accept **\$85,000** from the sale of Unit 12 at 19 New Mill Place, said funds representing the proceeds that exceed the cost of the loan payoff and related expenses resulting from the foreclosure of this unit of Town supported "affordable housing," and further to transfer the aforementioned **\$85,000** from the General Fund into the Town's Affordable Housing Trust Fund.

ARTICLE 17 On motion of Ms. Ingrid Miles, amended by Mr. Glen Gibbs, and duly seconded, it was

UNANIMOUSLY VOTED to confirm the acceptance and layout of the following streets as public ways: Meetinghouse Green; North Main Street from Central Street to Meetinghouse Green; and Market Street between Union Street and Central Street, as shown on a plan entitled "Market & North Main Streets and Meeting House Green, Road Layout Plan of Land in Ipswich, MA, dated February 17, 2006, prepared by Hancock Associates, Professional Land Surveyors.

ARTICLE 18 On motion of Ms. Elizabeth Kilcoyne, duly seconded it was

VOTED BY A 2/3 MAJORITY (30 YES TO 8 NO):

- (1) to borrow the sum of **\$136,000** to undertake design and permitting for a wind turbine generator to be operated by the Ipswich Electric Light Department; and
- (2) to meet such appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum under the U.S. Clean Renewable Energy Bonds program or to borrow said sum in accordance with G.L. c44 or any other enabling authority.

ARTICLE 19 On motion of Mr. James Foley, duly seconded, it was

Voted BY A MAJORITY to submit a Special Act to the Massachusetts Legislature to permit the Town to issue an additional all alcoholic license to sell alcoholic beverages to replace the seasonal alcoholic license to be held by the Hellenic Center, as set forth in Article 19 of the Warrant for the Annual Town Meeting held on April 3, 2006.

ARTICLE 20 On motion of Ms. Janice Clements-Skelton, duly seconded, it was

VOTED BY A MAJORITY (215 YES – 88 NO) to place on the ballot for the April 10, 2007, Town Elections, the following non-binding referendum:

“Shall the Town of Ipswich, acting through its various Town Boards, Committees, officials and interested citizens, seek to persuade and encourage the YMCA of the North Shore, Inc. to identify an alternative solution for the development of the so-called Powder House Village site, located at 108 and 112 County Road.

Said alternative shall include the creation of a minimum of 18 units of affordable housing, as defined in the Ipswich zoning By-law, and be guided by the following performance standards and objectives:

1. A significant reduction in the overall density of the development.
2. A significant scaling-back of the massing of the structures.
3. A significant increase in both the highway setbacks and landscaped areas.
4. Consider a combination of both ownership and rental units.

Or take any other action with respect thereto.

ARTICLE 21 On motion of Mr. Patrick McNally, duly seconded, it was

UNANIMOUSLY VOTED appropriate \$1,685,000 for the purpose of purchasing for conservation and passive recreation purposes the fee simple interest in 17 tracts of land totaling 86.04 acres,

more or less, described in Article 21 of the Warrant for the Annual Town Meeting held on April 3, 2006 ("Article 21"), including costs incidental and related thereto; that said land be managed and controlled by the Conservation Commission of the Town of Ipswich as further described in Article 21, and that the Town accept a total of \$1,411,000 in federal, state and private grants towards the acquisition of said parcels of land and that the Conservation Commission be authorized to file on behalf of the Town of Ipswich any and all additional applications deemed necessary for federal and state grants and/or reimbursements and to take all actions, enter and execute any and all instruments, including a Self-Help Project Agreement with the Commonwealth of Massachusetts, which may contain restrictions and covenants, as may be necessary on behalf of the Town to effect said acquisition; and further, authorize the Board of Selectmen and/or the Conservation Commission to grant two perpetual conservation restrictions to the Massachusetts Department of Conservation and Recreation in accordance with M.G.L. Chapter 184, Sections 31-33 encumbering the land described in Article 21; and approve the expenditure of Open Space bond funds authorized under Article 18 of the April 3, 2000, Annual Town Meeting for the purposes set forth herein.

ARTICLE 22 On motion of Mr. James Foley, duly seconded, it was

UNANIMOUSLY VOTED to submit a Special Act to the Massachusetts Legislature, as set forth in Article 22 of the Warrant for the Annual Town Meeting held on April 3, 2006, to authorize the Town, acting through the Board of Selectmen, to appeal a determination by the Massachusetts Department of Revenue as to the amount of state owned land within the Town.

ARTICLE 23 On motion of Ms. Elizabeth Kilcoyne, duly seconded, it was

UNANIMOUSLY VOTED to authorize the Town Manager to conclude a mutual aid agreement, as recommended by the Massachusetts Department of Public Health, with other communities in the region to increase the capacity of Ipswich and local communities in Essex County to cope with threats to the public health.

ARTICLE 24 On motion of Ms. Ingrid Miles, duly seconded, it was

VOTED BY A 2/3 MAJORITY (18-3):

- (1) to appropriate a sum of **\$180,000** to survey, design and construct a new roof for the Ipswich Public Library; and to obtain any materiel and/or services necessary and incidental thereto;
- (2) to authorize appropriate Town officials to apply for, accept and expend any federal and/or state grants and private gifts therefor; and
- (3) to raise said 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, Section 7 (3A)

ARTICLE 25 On motion of Mr. James Foley, duly seconded, it was

UNANIMOUSLY VOTED TO INDEFINITELY POSTPONE

ARTICLE 26 On motion of Mr. Clark Ziegler, duly seconded, it was

UNANIMOUSLY VOTED to appropriate the sum of **\$100,000** to the Town's Stabilization Fund.

ARTICLE 27 On motion of Mr. James Foley, duly seconded, it was

UNANIMOUSLY VOTED TO INDEFINITELY POSTPONE

On motion, duly seconded, it was **VOTED** to adjourn.

The meeting adjourned at 12:20 a.m., April 4, 2006.

Respectfully submitted,

Pamela Z. Carakatsane
Town Clerk