

## **SPECIAL TOWN MEETING**

### **June 13, 2011**

Pursuant to the warrant issued by the Board of Selectmen, duly served and legally posted by a constable of the Town, Moderator Aaron Burke called the meeting to order at 6:37 P.M. at Apponequet Regional High School Auditorium when 100 registered voters had been checked in. Tellers had been appointed and sworn in by the Town Clerk, Janet L. Tracy. They included Marilyn Hunt, Joanne Upham, Robert Canessa and Chawner Hurd.

We began with the Pledge of Allegiance to the Flag of the United States of America. Mr. Burke read his usual ground rules of identifying oneself, going to the microphone to speak and submitting motions in writing. He then entertained a motion to waive the reading of the entire warrant – so moved and seconded and passed unanimously.

A motion was made to allow non-residents to speak or to be heard- so moved, seconded and passed unanimously.

**Article 1:** It was voted that the Town transfer and/or appropriate from available funds, certain sums of money in order to defray unanticipated costs for Fiscal Year 2011 for various accounts in the General Fund and Park Enterprise Account all as set forth on the document entitled, "Article #1 Special Town Meeting Transfers June 13, 2011.

Article #1 Special Town Meeting Transfers, June 13, 2011			
Transfer/Appropriate From:		Transfer/Appropriate To:	
GENERAL FUND			
Reserve Fund	\$5,925.00	Snow & Ice Wages	\$32,422.00
Stabilization Fund	\$200,815.00	Snow & Ice Expenses	\$156,833.00
Overlay Surplus	\$90,000.00	Special Needs OOD Tuition & Trans Article	\$102,000.00
LEAPS Revolving	\$22,000.00	Overlay Deficit 2004	\$3,500.00
AES Operating Budget	\$20,000.00	Overlay Deficit 2005	\$2,000.00
		Overlay Deficit 2006	\$7,000.00
		Overlay Deficit 2008	\$29,000.00
		Town Office Fire Station Exp	\$1,885.00
		Selectmen Expense (Advertising Printing)	\$3,500.00
		Street Lights	\$600.00
TOTALS:	\$338,740.00	TOTALS:	\$338,740.00
Park Wages	\$7,497.61	Park Wages	\$7,497.61
TOTALS	\$7,497.61	TOTALS:	\$7,497.61

**Unanimous**

**Article 2:** It was voted that the sum of \$500,000 is hereby appropriated to pay costs of reconstructing, remodeling, making extraordinary repairs to and installing a new septic system for the Ted Williams Camp Commissary Building and for the purpose of reconstructing and making improvements to the entrance ways to the Ted Williams Camp, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that although any borrowing pursuant to this vote shall constitute a pledge of the full faith and credit of the Town, any borrowing pursuant to this vote shall be repaid, in the first instance, from revenues derived from the sale of earth removed from the Ted Williams Camp property.

**123 Yes to 0 No**

**Article 3:** To see it the town will file a Home-Rule with the General Court of the Commonwealth of Massachusetts to enact a Special Law substantially in the following form:

AN ACT INCLUDING CERTAIN MEMBERS OF THE FIRE AND POLICE DEPARTMENTS OF THE TOWN OF LAKEVILLE UNDER THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority by the same, as follows:

**Section 1.** Notwithstanding any general or special law to the contrary, the positions of regular and permanent members of the Lakeville fire and police departments, excluding the position of the chief of the fire department and the chief of the police department in the town of Lakeville shall be subject to chapter 31 of General Laws. The persons now holding the titles of full-time firefighter, patrolman, sergeant, lieutenant, and deputy fire chief of the Lakeville fire and Lakeville police departments, excluding the position of the chiefs on the effective date of this act shall be tenured employees and subject to said Chapter 31.

**Section 2.** Firefighters and police personnel of the Lakeville fire and police departments hired during the six month period preceding the effective date of this act shall be included as civil service employees

under Chapter 31 of the General Laws, subject to any applicable probationary period.

**Section 3.** Incumbents of the Lakeville fire and police departments shall not be required to pass a qualifying examination for their current positions but shall be required to pass a competitive examination under chapter 31 of the General Laws to obtain a higher rank.

**Section 4.** This act shall take effect upon its passage.

After the reading of the main motion, a motion was made and seconded to amend Article #3 by adding the following sentence to the end of Section 1 of the proposed Home-Rule Petition:

Furthermore, notwithstanding the provisions of section 58 of said chapter 31, or any other general or special law or regulation of the Commonwealth, or of any local ordinance or by-law, no regular and permanent member of the Lakeville fire or police departments shall be required to establish residency within the Town of Lakeville or live within a designated distance of the border thereof, if their initial appointment as such a member occurred prior to July 1, 2011, and if they lived farther than ten miles from said border on that date.

Some discussion ensued and a vote was taken on the amended motion.

**69 Yes to 46 No**

A vote was then taken on the main motion as amended and the motion was defeated

**51 Yes to 75 No.**

Motion to dissolve came at 7:15 PM.

A true copy of the record:

ATTEST: Janet Tracy, Town Clerk