

SPECIAL TOWN MEETING

November 30, 2009

Pursuant to the warrant issued by the Board of Selectmen, duly served and legally posted by a constable of the Town, Moderator Gordon W. Goodfellow called the meeting to order at 7:00 P.M. at Apponequet High School Auditorium when 100 registered voters had been checked in. Tellers had been appointed and sworn in by Town Clerk, Janet L. Tracy. They included Marilyn Hunt, Joseph Chamberlain and Robert Canessa.

We began with Pledge of Allegiance to the Flag. Gordon read his usual ground rules of identifying oneself, going to the microphone to speak and submitting motions in writing. Then he entertained a motion to waive the reading of the entire warrant – so moved.

Article 1: It was voted that the Town amend the budget approved under Article 2 of the Annual Town Meeting dated June 15, 2009 by making certain funding source adjustments as follows:

Raise and appropriate the additional sum of \$21,504.00; Transfer from Free Cash the total amount of \$178,496.00; Transfer from Landfill Enterprise Retained Earnings the total amount of \$135,000.00; and Transfer from Park Enterprise Retained Earnings the total amount of \$20,000.00.

Unanimously

Article 2: It was voted that the Town vote to transfer and/ or appropriate from available funds certain sums of money in order to defray unanticipated costs for Fiscal Year 2010 for various accounts in the General Fund, all as set forth on the document entitled “Article #2 Special Town Meeting Transfers November 30, 2009.

ARTICLE #2
Special Town Meeting Transfers
November 30, 2009

GENERAL FUND

Transfer/Appropriate From:		Transfer/Appropriate To:	
Employee Benefits-Health Insurance	\$40,833.00	Town Clerk Wages	\$1,229.00
Fire Wages (Raise Freeze)	\$13,344.00	Treasurer Wages	\$1,232.00
		Selectmen Wages	\$5,290.00
		Accountant Wages	\$3,664.00
		Assessors Wages	\$4,059.00
		Treasurer/Collector Wages	\$5,246.00
		Town Clerk Wages	\$2,537.00
		Building Department Wages	\$3,007.00
		Animal Control Wages	\$823.00
		Highway Department Wages	\$10,478.00
		Board of Health Wages	\$6,123.00
		COA Wages	\$2,207.00
		Veterans Wages	\$54.00
		Library Wages	\$8,228.00
Subtotal	\$54,177.00	Subtotal	\$54,177.00
Debt Service Interest Expense (\$1.4M Bond)	\$7,000.00	Selectmen Clerical Wages (Landfill Clerk)	\$7,000.00
Old Colony Tuition (Budget re-certified after ATM)	\$3,400.00	Assessors Expenses (Field Cards for Website)	\$3,400.00
Employee Benefits-Health Insurance	\$2,500.00	Special Municipal Hearing Officer	\$2,500.00
Employee Benefits-Health Insurance	\$6,000.00	Town Clerk Expenses (Special Election)	\$6,000.00
Other General Government (Prev. Year unpaid Bill)	\$5,000.00	Assistant Animal Control Officers Wages	\$5,000.00
Police Expense	\$15,000.00	Police Wages	\$15,000.00
Water Infrastructure Stabilization Fund	\$150,000.00	Selectmen Contracted Services	\$150,000.00
TOTALS:	\$243,077.00	TOTALS:	\$243,077.00

Passed by Majority

Article 3: It was voted that the Town transfer Sixty-Four Thousand One Hundred Seventeen Dollars (\$64,117.00) from Employee Benefits for health insurance to wages for the School Department for the purpose of funding the Collective Bargaining Agreement with the Educators' Association of Freetown and Lakeville.

Passed by Majority

Article 4: It was voted that the Town transfer from the Stabilization Fund the sum of Eighty Six Thousand Six Hundred Twenty Five Dollars (\$86,625.00) to establish a tuition-based Elementary Level Substantially Separate Classroom program for special education students at the Assawompset Elementary School; provided, however, that such funds shall not be expended until such time as the Regional School District funds a full time special education teacher for the Assawompset Elementary School for the remainder of the 2009/2010 school year, and the Board of Selectmen and the Local School Committee enter into a memorandum of understanding concerning the administration and operation of the Elementary Level Substantially Separate Classroom; and further, that a revolving fund be created for the administration of such program, with tuition payments, fees and other receipts received in connection with operation of the program to be credited to such account, to be spent by the Local School Committee for the operation of the program in an amount not to exceed Eighty-Six Thousand Six Hundred Twenty-Five Dollars (\$86,625.00) for Fiscal Year 2010.

ARTICLE #4 FY 10 TUITION BASED ELEMENTARY LEVEL SUBSTANTIALLY SEPARATE CLASSROOM PROGRAM BUDGET November 30,2009			
Transfer/Appropriate From:		Transfer/Appropriate To:	
Stabilization Fund	\$86,625.00	SPED Teacher (Salary & Benefits 6 months)	\$42,000.00
		2 Paraprofessionals (Salaries & Benefits 6 months)	\$30,000.00

		Part-time counseling (Contracted)	\$7,000.00
		Behavior Consultants	\$2,000.00
		Supplies/ Materials	\$1,500.00
		Administrative (5%) (Actual to be determined)	\$4,125.00
TOTAL	\$86,625.00	TOTAL	\$86,625.00

157 Yes to 3 No

Article 5: It was voted that the Town authorize leasing for a term of five (5) years one (1) new Front-end Loader for the use of the Highway Department.

Unanimous

Article 6: It was voted that the Town establish a water supply and water distribution system under the authority of Section 39A of Chapter 40 of the General Laws, and will vote pursuant to Section 69A of Chapter 41 of the General Laws to authorize its Board of Selectmen to act as a Board of Water Commissioners.

129 Yes to 33 No

Article 7: It was voted that the Town accept the provisions of G.L. c.44, sec. 53F ½, for the purpose of establishing a water facility enterprise fund effective fiscal year 2010 for the revenues and payment of costs associated with water infrastructure improvement projects, to be known as the Water Enterprise Fund, and further, to transfer a sum of Six Hundred and Fifty Thousand Dollars (\$650,000.00) from the Water Infrastructure Improvements Stabilization Fund to the Water Enterprise Fund created hereunder and to appropriate the Water Enterprise Fund budget for 2010 as set forth in "Article #7 FY10 Water Enterprise Fund Budget November 30, 2009."

ARTICLE #7
FY 10 WATER ENTERPRISE FUND BUDGET
November 30,2009

Transfer/Appropriate From:		Transfer/Appropriate To:	
Water Infrastructure Improvements Stabilization Fund	\$650,000.00	Clerical Wages	\$22,000.00
		Workers Compensation (Assessed Annually)	\$500.00
		Medicare	\$300.00
		Education and Training	\$2,500.00
		Postage	\$1,500.00
		Printing	\$2,000.00
		Office Supplies	\$4,700.00
		Telephone	\$500.00
		Legal Services	\$15,000.00
		Administrative Services Assessed by Town Depts.	\$20,000.00
		Consultant Fees and Contractor Services	\$50,000.00
		Computer, Software & Server	\$50,000.00
		SRF Loan Origination Fee	\$31,000.00
		Capital Improvement Projects	\$450,000.00
TOTAL	\$650,000.00	TOTAL	\$650,000.00

114 Yes to 25 No

Article 8: It was voted to accept the provisions of M.G.L. c.40, Sec 42A through 42F, inclusive.

Passed by Majority

Article 9: To see if the Town will vote to amend the official Zoning Map by rezoning from R- Residential to B-Business land on Main Street as described as follows:

237 Main Street, 239 Main Street (formerly the McGuire property) now the Lakeville Assessors Office and 241 Main Street (formerly the Lakeville Public Library) now the Somethin's Brewin Café And Book Store, or take any action relative thereto.

After much discussion, a motion was made to call the question and the motion was seconded. A vote was taken and the motion to call the question passed by majority.

The motion to amend the official zoning map failed.

82 Yes to 92 No

Article 10: It was voted to accept DeMoranville Drive as a Town Way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by gift and easement or fee simple in the way and any related easements as shown on the plan on file with the Town Clerk drawn by Cullinan Engineering Co., Inc. entitled "Road and Drainage As-Built DeMoranville Subdivision, Pickens Street, Lakeville, MA" dated November 8, 2007.

Passed by Majority

Motion to dissolve came at 8:37 p m.

A true copy of the record.

Attest: **Janet L. Tracy, Town Clerk**