

**ANNUAL TOWN MEETING MINUTES
JUNE 16, 2009**

Place: Tyngsborough Elementary School
Moderator: Robert L. Kydd, Jr.

Time: 7:03 pm
Voters Present: 279

The meeting opened with the Pledge of Allegiance. A moment of silence was observed in honor of recently deceased David E. Denomme, a town employee.

Motion: To allow the following non-residents to speak at the meeting if needed: Rosemary Cashman – Town Administrator, Darrell Lockwood – Superintendent of Schools, Charles Zaroulis – Town Counsel, Jacquelyn Cronin – Town Accountant, Pauline Guilmette – Town Treasurer, Barbara Reynolds – Council on Aging, Randy Robertshaw – Library Director, Donald Ciampa – HS Principal/Assistant Superintendent of Schools.

Action: Motion carries.

Article 2. To see if the Town will vote to accept the reports of the Town Officers and Committees as printed, or take any other action relative thereto.

Motion: That the Town vote to accept the reports of the Town officers and Committees as printed.

Action: Motion carries.

Article 3. To choose all officers not named in Article 1 of the Annual Town Election Warrant, or take any other action relative thereto.

Motion: That the Town vote to appoint Alan A. Sherburne as Surveyor of Wood, Bark and Lumber and to appoint Nancy A. Johnson and Kevin V. O'Connor to the Memorial Day Committee.

Action: Motion carries.

Article 4. To see if the Town will vote to fix the salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, for the Fiscal Year 2010 (July 1, 2009 - June 30, 2010), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations.

	SALARIES	REQUEST SALARIES	RECOMMENDED SALARIES
	7/01/08 6/30/09	7/01/09 6/30/10	7/01/09 6/30/10
<u>Elective Town Officers</u>			
Moderator	\$ 0	\$ 0	\$ 0
Selectmen Members (5)	\$ 0	\$ 0	\$ 0
Tax Collector	\$56,020	\$56,020	\$56,020
Town Clerk	\$52,094	\$52,094	\$52,094
Assessors (3)			
Chairman	\$ 1	\$ 1	\$ 1
Member (1)	\$ 0	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0	\$ 0
Board of Health			
Chairman	\$ 0	\$ 0	\$ 0
Members (4)	\$ 0	\$ 0	\$ 0
Tree Warden	\$ 0	\$ 0	\$ 0
Cemetery Commissioners (3)	\$ 0	\$ 0	\$ 0
School Committee (7)	\$ 0	\$ 0	\$ 0
Library Trustees (6)	\$ 0	\$ 0	\$ 0
Sewer Commissioners (3)			
Chairman	\$ 0	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0	\$ 0
Planning Board (5)			
Chairman	\$ 0	\$ 0	\$ 0

Members (4)	\$ 0	\$ 0	\$ 0
Finance Committee (5)	\$ 0	\$ 0	\$ 0
Constables (2)	\$ 0	\$ 0	\$ 0
Greater Lowell Technical High School (1)	\$ 0	\$ 0	\$ 0

Motion: That the Town fix the salary and compensation of elective officers as shown in the recommended column.
Action: Motion carries.

Article 5. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to fund town expenses for the Fiscal Year 2010 (July 1, 2009 - June 30, 2010), or take any other action relative thereto.

Motion #1: That the Town approve this article and that the sum of \$29,909,676 is raised and appropriated and to help meet this appropriation the sum of \$15,000 is transferred from Dog Licenses and Fees to be used as a funding source, and further that the budget for Department 301 Greater Lowell Regional School be reduced by \$23,133 and that the budget for Department 132 Reserve Fund be increased by \$23,133.

Motion #2: That the following line items be removed from Article 5: Line item 541 Council on Aging and Line item 424 Street Lighting.

Action on Motion #2: Motion carries.

Action on Motion #1: Article 5 carries as read with the exception of line items 541 and 424.

Motion #3: That the amount in line item 541 be changed from the requested amount of \$119,020 and recommended amount of \$77,131 to \$87,131.

Action on Motion #3 (original lower amount of \$77,131 is voted first): Hand counted: 62 in favor of the lower amount and 126 opposed. Lower dollar amount does not carry.

Action on Motion #3 with the amended higher amount: Does carry. Line item 541 is increased to \$87,131 with \$5,000 going to salaries and \$5,000 going to expenses.

Motion #4: That the amount in line item 424 be amended from \$40,000 to \$30,000.

Action on Motion #4: Does carry.

<u>DEPARTMENT/DESCRIPTION</u>	<u>FY 2009 ADJUSTED BUDGET</u>	<u>FY 2010 DEPT REQUEST</u>	<u>FY 2010 SELECTMEN PROPOSED</u>	<u>FY 2010 FINCOM PROPOSED</u>
... 1 SALARIES & WAGES:	0.00	0.00	0.00	0.00
... 2 DEPT. EXPENSES:	0.00	0.00	0.00	0.00
DEPT 114 MODERATOR:	0.00	0.00	0.00	0.00
... 1 SALARIES & WAGES:	36,382.00	37,474.00	36,382.00	36,382.00
... 2 DEPT. EXPENSES:	8,700.00	8,650.00	8,650.00	8,650.00
DEPT 122 SELECTMEN:	45,082.00	46,124.00	45,032.00	45,032.00
... 1 SALARIES & WAGES:	110,326.00	113,083.00	111,450.00	111,450.00
... 2 DEPT. EXPENSES:	13,600.00	13,600.00	13,600.00	13,600.00
DEPT 123 TOWN ADMINISTRATOR:	123,926.00	126,683.00	125,050.00	125,050.00
... 1 SALARIES & WAGES:	0.00	0.00	0.00	0.00
... 2 DEPT. EXPENSES:	1,855.00	1,855.00	1,655.00	1,655.00
DEPT 131 FINANCE COMMITTEE:	1,855.00	1,855.00	1,655.00	1,655.00
... 2 DEPT. EXPENSES:	67,000.00	47,000.00	47,000.00	47,000.00
DEPT 132 RESERVE FUND:	67,000.00	47,000.00	47,000.00	47,000.00
... 1 SALARIES & WAGES:	83,856.00	84,200.00	77,317.00	77,317.00
... 2 DEPT. EXPENSES:	6,825.00	8,100.00	8,100.00	8,100.00
DEPT 135 ACCOUNTANT:	90,681.00	92,300.00	85,417.00	85,417.00
... 2 DEPT. EXPENSES:	27,000.00	27,000.00	27,000.00	27,000.00
DEPT 136 ANNUAL AUDITS:	27,000.00	27,000.00	27,000.00	27,000.00
... 1 SALARIES & WAGES:	101,515.00	105,244.00	97,190.00	97,190.00

... 2 DEPT. EXPENSES:	19,950.00	19,950.00	19,950.00	19,950.00
DEPT 141 ASSESSORS:	121,465.00	125,194.00	117,140.00	117,140.00
... 2 DEPT. EXPENSES:	87,500.00	52,500.00	52,500.00	52,500.00
DEPT 142 REVALUATION:	87,500.00	52,500.00	52,500.00	52,500.00
... 1 SALARIES & WAGES:	100,851.00	105,850.00	96,221.00	96,221.00
... 2 DEPT. EXPENSES:	20,245.00	20,595.00	20,595.00	20,595.00
DEPT 145 TREASURER:	121,096.00	126,445.00	116,816.00	116,816.00
... 1 SALARIES & WAGES:	98,760.00	102,570.00	96,459.00	96,459.00
... 2 DEPT. EXPENSES:	29,748.00	29,748.00	29,748.00	29,748.00
DEPT 146 TOWN COLLECTOR:	128,508.00	132,318.00	126,207.00	126,207.00
... 2 DEPT. EXPENSES:	61,092.00	61,092.00	61,092.00	61,092.00
DEPT 151 TOWN COUNSEL:	61,092.00	61,092.00	61,092.00	61,092.00
... 2 DEPT. EXPENSES:	55,000.00	55,000.00	55,000.00	55,000.00
DEPT 159 SPECIAL LEGAL SERVICES:	55,000.00	55,000.00	55,000.00	55,000.00
... 1 SALARIES & WAGES:	72,313.00	74,801.00	70,025.00	70,025.00
... 2 DEPT. EXPENSES:	2,150.00	2,150.00	2,150.00	2,150.00
DEPT 160 TOWN CLERK:	74,463.00	76,951.00	72,175.00	72,175.00
... 1 SALARIES & WAGES:	10,001.00	5,560.00	5,560.00	5,560.00
... 2 DEPT. EXPENSES:	18,670.00	11,170.00	11,170.00	11,170.00
DEPT 162 ELECTION/REGISTRATION:	28,671.00	16,730.00	16,730.00	16,730.00
... 1 SALARIES & WAGES:	0.00	0.00	0.00	0.00
... 2 DEPT. EXPENSES:	250.00	250.00	250.00	250.00
DEPT 169 OTHER LICENSING & REG:	250.00	250.00	250.00	250.00
... 1 SALARIES & WAGES:	36,123.00	37,635.00	33,910.00	33,910.00
... 2 DEPT. EXPENSES:	6,250.00	4,455.00	4,455.00	4,455.00
DEPT 171 CONSERVATION COMMISSION:	42,373.00	42,090.00	38,365.00	38,365.00
... 1 SALARIES & WAGES:	15,175.00	16,015.00	14,469.00	14,469.00
... 2 DEPT. EXPENSES:	13,500.00	7,700.00	7,700.00	7,700.00
DEPT 175 PLANNING BOARD:	28,675.00	23,715.00	22,169.00	22,169.00
... 1 SALARIES & WAGES:	1,000.00	1,000.00	1,000.00	1,000.00
... 2 DEPT. EXPENSES:	4,616.00	4,500.00	2,700.00	2,700.00
DEPT 176 ZONING BD OF APPEALS:	5,616.00	5,500.00	3,700.00	3,700.00
... 2 DEPT. EXPENSES:	5,000.00	5,000.00	3,000.00	3,000.00
DEPT 182 ECONOMIC DEVELOPMENT:	5,000.00	5,000.00	3,000.00	3,000.00
... 2 DEPT. EXPENSES:	140,791.00	130,325.00	123,325.00	123,325.00
DEPT 192 PUBLIC BLDGS AND PROPERTY:	140,791.00	130,325.00	123,325.00	123,325.00
... 2 DEPT. EXPENSES:	4,000.00	4,000.00	500.00	500.00
DEPT 195 TOWN REPORTS:	4,000.00	4,000.00	500.00	500.00
... 2 DEPT. EXPENSES:	200.00	200.00	200.00	200.00
DEPT 198 CAPITAL MANAGEMENT:	200.00	200.00	200.00	200.00
... 1 SALARIES & WAGES:	1,804,886.00	1,889,750.00	1,776,245.00	1,776,245.00

... 2 DEPT. EXPENSES:	227,716.00	243,716.00	197,716.00	197,716.00
DEPT 210 POLICE DEPARTMENT:	2,032,602.00	2,133,466.00	1,973,961.00	1,973,961.00
... 1 SALARIES & WAGES:	19,975.00	20,580.00	18,977.00	18,977.00
... 2 DEPT. EXPENSES:	46,750.00	46,750.00	46,750.00	46,750.00
DEPT 211 POLICE STATION:	66,725.00	67,330.00	65,727.00	65,727.00
... 1 SALARIES & WAGES:	303,850.00	310,908.00	310,908.00	310,908.00
... 2 DEPT. EXPENSES:	51,900.00	51,900.00	48,400.00	48,400.00
DEPT 215 COMMUNICATION CENTER:	355,750.00	362,808.00	359,308.00	359,308.00
... 1 SALARIES & WAGES:	398,751.00	408,719.00	398,751.00	398,751.00
... 2 DEPT. EXPENSES:	155,997.00	155,997.00	150,997.00	150,997.00
DEPT 220 FIRE DEPARTMENT:	554,748.00	564,716.00	549,748.00	549,748.00
... 1 SALARIES & WAGES:	99,969.00	102,938.00	88,652.00	88,652.00
... 2 DEPT. EXPENSES:	11,260.00	11,260.00	11,260.00	11,260.00
DEPT 241 BUILDING INSPECTOR:	111,229.00	114,198.00	99,912.00	99,912.00
... 1 SALARIES & WAGES:	9,512.00	9,797.00	8,817.00	8,817.00
... 2 DEPT. EXPENSES:	900.00	900.00	900.00	900.00
DEPT 242 GAS INSPECTOR:	10,412.00	10,697.00	9,717.00	9,717.00
... 1 SALARIES & WAGES:	9,512.00	9,797.00	8,817.00	8,817.00
... 2 DEPT. EXPENSES:	1,000.00	1,000.00	1,000.00	1,000.00
DEPT 243 PLUMBING INSPECTOR:	10,512.00	10,797.00	9,817.00	9,817.00
... 2 DEPT. EXPENSES:	1,000.00	0.00	0.00	0.00
DEPT 244 WEIGHTS & MEASURERS:	1,000.00	0.00	0.00	0.00
... 1 SALARIES & WAGES:	13,975.00	14,394.00	12,955.00	12,955.00
... 2 DEPT. EXPENSES:	1,900.00	1,900.00	1,900.00	1,900.00
DEPT 245 ELECTRICAL INSPECTOR:	15,875.00	16,294.00	14,855.00	14,855.00
... 1 SALARIES & WAGES:	1,200.00	1,200.00	1,200.00	1,200.00
... 2 DEPT. EXPENSES:	1,300.00	1,300.00	1,000.00	1,000.00
DEPT 291 EMERGENCY MANAGEMENT:	2,500.00	2,500.00	2,200.00	2,200.00
... 1 SALARIES & WAGES:	775.00	775.00	775.00	775.00
... 2 DEPT. EXPENSES:	40,000.00	42,000.00	42,000.00	42,000.00
DEPT 292 ANIMAL INSPECTION & CONTROL:	40,775.00	42,775.00	42,775.00	42,775.00
... 2 DEPT. EXPENSES:	7,050.00	7,450.00	7,450.00	7,450.00
DEPT 294 FORESTRY:	7,050.00	7,450.00	7,450.00	7,450.00
... 1 SALARIES & WAGES:				
... 2 DEPT. EXPENSES:				
DEPT 300 SCHOOL DEPARTMENT:	16,670,998.00	15,816,422.00	15,816,422.00	15,816,422.00
... 2 DEPT. EXPENSES:	804,646.00	940,703.00	940,703.00	940,703.00
DEPT 301 GR. LOWELL REG. SCHOOL:	804,646.00	940,703.00	940,703.00	940,703.00
... 1 SALARIES & WAGES:	0.00	0.00	0.00	0.00
... 2 DEPT. EXPENSES:	11,000.00	11,000.00	11,000.00	11,000.00
DEPT 420 TOWN ENGINEER	11,000.00	11,000.00	11,000.00	11,000.00

... 1 SALARIES & WAGES:	15,723.00	16,280.00	14,700.00	14,700.00
... 2 DEPT. EXPENSES:	27,116.00	27,155.00	27,155.00	27,155.00
DEPT 421 HIGHWAY & STREETS ADMIN:	42,839.00	43,435.00	41,855.00	41,855.00
... 1 SALARIES & WAGES:	455,831.00	468,032.00	439,366.00	439,366.00
... 2 DEPT. EXPENSES:	111,000.00	111,000.00	111,000.00	111,000.00
DEPT 422 HWY & STREETS CONSTRUCTION:	566,831.00	579,032.00	550,366.00	550,366.00
... 1 SALARIES & WAGES:	37,500.00	37,500.00	37,500.00	37,500.00
... 2 DEPT. EXPENSES:	87,500.00	87,500.00	87,500.00	87,500.00
DEPT 423 HWY SNOW EXPENSE:	125,000.00	125,000.00	125,000.00	125,000.00
... 2 DEPT. EXPENSES:	58,380.00	50,000.00	40,000.00	40,000.00
DEPT 424 HWY STREET LIGHTING:	58,380.00	50,000.00	40,000.00	40,000.00*
... 1 SALARIES & WAGES:	0.00	0.00	0.00	0.00
... 2 DEPT. EXPENSES:	60,711.00	66,128.00	60,750.00	60,750.00
DEPT 425 HWY VEHICLE MAINTENANCE:	60,711.00	66,128.00	60,750.00	60,750.00
... 2 DEPT. EXPENSES:	860,175.00	892,000.00	877,000.00	877,000.00
DEPT 430 WASTE COLLECTION & DISPOSAL:	860,175.00	892,000.00	877,000.00	877,000.00
... 1 SALARIES & WAGES:	37,822.00	38,956.00	36,200.00	36,200.00
... 2 DEPT. EXPENSES:	10,675.00	11,650.00	11,650.00	11,650.00
DEPT 491 CEMETERY DEPARTMENT:	48,497.00	50,606.00	47,850.00	47,850.00
... 1 SALARIES & WAGES:	42,783.00	45,125.00	38,378.00	38,378.00
... 2 DEPT. EXPENSES:	40,225.00	40,225.00	30,225.00	30,225.00
DEPT 510 BOARD OF HEALTH:	83,008.00	85,350.00	68,603.00	68,603.00
... 2 DEPT. EXPENSES:	200.00	200.00	200.00	200.00
DEPT 520 OTHER CLINICAL SERVICES:	200.00	200.00	200.00	200.00
... 1 SALARIES & WAGES:	93,310.00	96,191.00	58,802.00	58,802.00
... 2 DEPT. EXPENSES:	24,009.00	22,829.00	18,329.00	18,329.00
DEPT 541 COUNCIL ON AGING:	117,319.00	119,020.00	77,131.00	77,131.00*
... 1 SALARIES & WAGES:	41,250.00	42,763.00	38,375.00	38,375.00
... 2 DEPT. EXPENSES:	183,225.00	203,225.00	203,225.00	203,225.00
DEPT 543 VETERANS AGENT:	224,475.00	245,988.00	241,600.00	241,600.00
... 1 SALARIES & WAGES:	211,136.00	220,311.00	186,311.00	186,311.00
... 2 DEPT. EXPENSES:	81,728.00	88,105.00	58,000.00	58,000.00
DEPT 610 LIBRARY:	292,864.00	308,416.00	244,311.00	244,311.00
... 1 SALARIES & WAGES:	25,074.00	25,826.00	25,826.00	25,826.00
... 2 DEPT. EXPENSES:	25,715.00	26,890.00	10,000.00	10,000.00
DEPT 630 RECREATION DEPARTMENT:	50,789.00	52,716.00	35,826.00	35,826.00
... 2 DEPT. EXPENSES:	850.00	850.00	850.00	850.00
DEPT 691 HISTORICAL COMMISSION:	850.00	850.00	850.00	850.00
... 2 DEPT. EXPENSES:	900.00	900.00	900.00	900.00
DEPT 692 MEMORIAL DAY COMM:	900.00	900.00	900.00	900.00

... 2 DEPT. EXPENSES:	1,184,781.00	1,121,454.00	1,121,454.00	1,121,454.00
DEPT 710 LONG TERM DEBT PRINCIPAL:	1,184,781.00	1,121,454.00	1,121,454.00	1,121,454.00
... 2 DEPT. EXPENSES:	346,307.00	293,329.00	293,329.00	293,329.00
DEPT 751 LONG TERM DEBT INTEREST:	346,307.00	293,329.00	293,329.00	293,329.00
... 2 DEPT. EXPENSES:	7,240.00	22,516.00	22,516.00	22,516.00
DEPT 760 SHORT TERM DEBT INTEREST:	7,240.00	22,516.00	22,516.00	22,516.00
... 2 DEPT. EXPENSES:	2,875.00	2,962.00	2,962.00	2,962.00
DEPT 840 N. MIDDX. COUNCIL OF GOV'T:	2,875.00	2,962.00	2,962.00	2,962.00
... 2 DEPT. EXPENSES:	4,583,366.00	4,778,542.00	4,778,542.00	4,778,542.00
DEPT 910 EMPLOYEE BENEFITS:	4,583,366.00	4,778,542.00	4,778,542.00	4,778,542.00
... 2 DEPT. EXPENSES:	232,704.00	234,713.00	234,713.00	234,713.00
DEPT 940 OTHER INSURANCE:	232,704.00	234,713.00	234,713.00	234,713.00
TOTALS:	30,846,177.00	30,372,585.00	29,909,676.00	29,909,676.00

SUMMARY BY FUNCTION				
GENERAL GOVERNMENT	1,263,119.00	1,201,234.00	1,143,285.00	1,143,285.00
PUBLIC SAFETY	3,209,178.00	3,333,031.00	3,135,470.00	3,135,470.00
EDUCATION	17,475,644.00	16,757,125.00	16,757,125.00	16,757,125.00
HIGHWAY & CEMETERY	1,773,433.00	1,817,201.00	1,753,821.00	1,753,821.00
HUMAN SERVICES	425,002.00	450,558.00	387,534.00	387,534.00
CULTURAL & RECREATION	345,403.00	362,882.00	281,887.00	281,887.00
DEBT	1,538,328.00	1,437,299.00	1,437,299.00	1,437,299.00
EMPLOYEE BENEFITS AND INSURANCE	<u>4,816,070.00</u>	<u>5,013,255.00</u>	<u>5,013,255.00</u>	<u>5,013,255.00</u>
TOTAL TOWN BUDGET	30,846,177.00	30,372,585.00	29,909,676.00	29,909,676.00

Article 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Enterprise for fiscal year 2010 as follows:

That the following sums be appropriated:

Salaries	\$ 169,896
Expenses	\$ 609,979
Capital outlay	\$ 211,500
Debt	\$ 56,000
Budgeted Surplus	<u>\$ 337</u>
Total	\$1,047,712

And that \$1,047,712 be raised as follows:

Department receipts	\$ 989,667
Capital Reserve Account	<u>\$ 58,045</u>
Total	\$1,047,712

Or take any other action relative thereto.

Motion: That the town accepts the figures as read.

Amended Motion: That the main motion is amended as follows:

1. The line item for Salaries is reduced by \$12,007 from \$169,896 to \$157,889.
2. The line item for Department receipts is reduced by \$12,007 from \$989,667 to \$977,660.

3. The total amount to be raised and appropriated is reduced by \$12,007 from \$1,047,712 to \$1,035,705.

Action on Amended Motion (voting the lower amount first): Does carry.

Article 7. To see if the Town will vote to appropriate \$177,654 from the Capital Asset Stabilization Fund and \$5,346 from the Highway Machinery Fund Reserve for the following purposes, or take any other action relative thereto.

<u>Department Item</u>	<u>Amount</u>	<u>To be Expended by</u>
1. Fire Update of design/cost of a new station	\$ 15,000	Board of Fire Engineers
2. Fire Replacement of pick-up truck	\$ 30,000	Board of Fire Engineers
3. Highway Replacement of truck	\$ 50,000	Board of Selectmen
4. School Upgrades to technology system	\$ 43,000	School Committee
5. School Paving projects	\$ 45,000	School Committee
Total	\$183,000	

Motion: That the Town approve this article as written.

Action: Passes unanimously.

Article 8. To see if the Town will vote to certify the Chapter 90 apportionment for Fiscal Year 2010 of \$269,274 as an available fund to be expended by the Board of Selectmen, or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 9. To see if the Town will vote to authorize pursuant to the authority granted under Massachusetts General Laws Chapter 44, Section 53E½ the following revolving funds for the purpose of receiving fees and making disbursements in connection with the duties of the following town entities or as so specified below, and that any surplus revenue accumulated in FY 2009 and FY 2010 shall remain in the revolving accounts for each of the following town entities.

<u>Fund</u>	<u>Programs & Purposes</u>	<u>Departmental Receipts</u>	<u>Authorization</u>	<u>Maximum Annual Expenditure</u>
Fire Department	Fire programs and materials	Hazmat fees	Board of Fire Engineers or designee	\$20,000.00
Recreation Committee	Recreational programs and activities	Fees collected from participants	Board of Selectmen or designee	\$120,000.00
School Field Use Committee	Field maintenance	Field use fees	School Field Use Committee or designee	\$10,000.00
Recycling Committee	Recycling programs and materials	Fees collected from participants	Board of Health or designee	\$ 7,000.00
Board of Health	Collection and disposal of bulky items and appliances	Fees collected from participants	Board of Health or designee	\$30,000.00
Board of Health	Reimbursement program for Medicare Plan members	Medicare reimbursements	Board of Health or designee	\$ 6,000.00
Conservation Commission	Conservation Commission activities	Fees from local Wetland Protection By-law	Conservation Commission or designee	\$ 5,000.00
Sealer of Weights and Measures	Inspection activities	Fees collected from participants	Sealer of Weights and Measures or designee	\$ 3,000.00

Or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 10. To see if the Town will vote to charge for each written demand issued by the Collector a fee of \$15 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective as of July 1, 2009, or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 11. To see if the Town will vote that the following sums be appropriated or reserved from estimated annual revenues for the Community Preservation Fund for fiscal year 2010, with each item to be considered a separate appropriation, for the payment of administrative expenses of the Community Preservation Committee, debt service, community preservation projects, and all other necessary and proper expenses.

Appropriations

Administrative Expenses	\$ 32,000
Debt Service (Long Pond)	\$ 58,944
Lake Mascuppic Weed Control Program	<u>\$ 6,500</u>
	\$ 97,444

Reserves

To Reserve for Historic Preservation	\$ 65,000
To Reserve for Affordable Housing	\$ 65,000
To Reserve for Open Space	\$ 65,000
FY10 Budgeted Reserve	<u>\$ 357,556</u>
	\$ 552,556

Total \$ 650,000

Or take any other action relative thereto.

Motion: That the Town approve this article as written.

Action: Motion carries.

Article 12. To see if the Town will vote to appropriate by transfer from available funds a sum of money to be expended by the Board of Selectmen to be used to stabilize the tax rate for fiscal year 2010, or take any other action relative thereto.

Motion: That the Town votes to appropriate by transfer from Free Cash the sum of \$100,000 to be expended by the Board of Selectmen to be used to stabilize the tax rate for fiscal year 2010.

Action: Motion carries.

Article 13. To see if the Town will vote to appropriate by transfer from the Capital Asset Stabilization Fund a sum of money to be expended by the Board of Selectmen to be used to stabilize the tax rate for fiscal year 2010, or take any other action relative thereto.

Motion: That the Town vote to appropriate by transfer from the Capital Asset Stabilization Fund the sum of \$110,000 to be expended by the Board of Selectmen to be used to stabilize the tax rate for fiscal 2010.

Action: Motion carries unanimously.

Article 14. To see if the Town will vote to adopt Chapter 137 of the Acts of 2003, as amended. An employee eligible under this section shall be paid his/her regular base salary as a public employee for each pay period of military leave of absence after September 11, 2001, reduced by any amount received from the United States as base pay for military service performed during the same period. For purposes of this section, base pay shall not include any allowances, overtime pay, shift differential, hazardous duty pay, or any other additional compensation received for military service; or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 15. To see if the Town will vote to amend the Tyngsborough Town By-law Article XVII, Regulation of Dogs – Section Nuisance Abatement to add the following paragraph:

It shall be deemed a public nuisance if any dog should trespass upon public or private property and deposit feces thereon, unless the feces is immediately removed by the owner or keeper of said dog, or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 16. To see if the Town would vote to authorize the Board of Selectmen to petition the General Court of Massachusetts to enact the following home rule petition:

An Act authorizing the Town of Tyngsborough to issue a license for the sale of All Alcohol Beverages to be Drunk on the Premises to Tyngsboro Sports Center, Inc. currently located at 18 Progress Avenue, Tyngsborough, Massachusetts 01879. Notwithstanding the provisions of Section seventeen of Chapter one hundred and thirty-eight of the General Laws, the Licensing Authority of the Town of Tyngsborough is hereby authorized to issue to Tyngsboro Sports Center, Inc., a license for the sale of all Alcoholic Beverages to be Drunk on the Premises under the provisions of Section fifteen of said Chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said Chapter one hundred and thirty-eight except said Section seventeen; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of first issuance of such license by said licensing authority; provided, further, that said licensing authority shall not approve the transfer, pledging or issuance of shares of stock of such corporation within one year after the date of first issuance, or take any other action relative thereto.

Motion: That the Town accept this article as written.

Action: Motion carries.

Article 17. To see if the Town will vote to mandate the Selectmen to rescind the fee approved by the Selectmen to be levied upon the taxpayers as a "Solid Waste Fee", or take any other action relative thereto.

Motion: That this article be withdrawn.

Action: Motion carries.

Motion: To adjourn the meeting.

Action: Meeting adjourned at 8:38 pm.

A true copy attest:

Joanne Shifres, Town Clerk

**SPECIAL TOWN MEETING MINUTES
JUNE 16, 2009**

Place: Tyngsborough Elementary School
Moderator: Robert L. Kydd, Jr.

Time: 7:40 pm
Voters Present: 279

Article 1. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government accounts for fiscal year 2009, or take any other action relative thereto.

Motion: That this article be withdrawn.

Action: Motion carries.

Article 2. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement the Reserve Fund for FY09, or take any other action relative thereto.

Motion: That the Town appropriate by transfer from FY09 available funds the following sums of money to the Reserve Fund Acct. #132 for FY09:

\$ 7,000 from Board of Health Expense Acct. #520

\$ 30,000 from Rubbish and Recycling Acct. #524

\$ 37,000

Action: Motion carries.

Article 3. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to be used as an other financing source in the general fund for fiscal year 2009, or take any other action relative thereto.

Motion: That this article be withdrawn.

Action: Motion carries.

Article 4. To see if the Town will vote to rescind the following borrowing authorizations:

1. \$25,000 of the \$400,000 authorized under Article 12 of the Annual Town Meeting of May 20, 2008 for a fire truck.

2. \$11,000 of the \$117,000 authorized under Article 7 of the Annual Town Meeting of May 16, 2006 for a highway dump truck.

Or take any other action relative thereto.

Motion: That the Town approve this article.

Action: Motion carries.

Article 5. To see if the Town will vote to appropriate by transfer a sum of money from the Sewer Enterprise Fund Retained Earnings Reserve Account to the Sewer Enterprise Fund Expense Account for fiscal year 2009, to be expended by the Sewer Commissioners, or take any other action relative thereto.

Motion: That this article be withdrawn.

Action: Motion carries.

Article 6. To see if the Town will vote to amend Article 12 of the Special Town Meeting of February 10, 2009 regarding the Shur Fine Market building in the Town Center by expanding the purpose of the article from the demolition of a portion of the building to the demolition of the entire building, and further that an additional sum of money be appropriated for said demolition from existing Community Preservation Budgeted Reserve, Open Space Reserve, Historic Preservation Reserve, Affordable Housing Reserve, Unreserved Fund Balance, and/or borrow a sum of money, including the payment of any and all costs incidental and related thereto, to be expended by the Board of Selectmen, or take any other action relative thereto.

Motion: That the Town vote to amend Article 12 of the Special Town Meeting of February 10, 2009 regarding the Shur Fine Market building in the Town Center by expanding the purpose of the article from the demolition of a portion of the building to the demolition of the entire building.

Action: Motion carries.

Motion: To adjourn the Special Town Meeting.
Meeting adjourned at 7:47 pm.

A true copy attest:
Joanne Shifres, Town Clerk