

**SPECIAL TOWN MEETING WARRANT**  
**FEBRUARY 10, 2009**  
**7:00 P.M.**

Middlesex, SS.

To either of the Constables of the Town of Tyngsborough, Massachusetts, in the County of Middlesex:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town of Tyngsborough, qualified to vote in elections and Town affairs, to meet at the Tyngsborough Elementary School Cafetorium, 205 Westford Road in said Tyngsborough on the tenth day of February, in the year two thousand nine next at 7:00 o'clock in the evening then and there to act on the following articles:

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

Submitted by: Board of Selectmen

The Finance Committee recommends that the Town appropriate by transfer from available funds the following sums of money to supplement the following accounts for fiscal year 2009:  
\$80,000 from Free Cash to Veterans Benefits Acct. #544  
\$52,500 from Free Cash to Assessors Reclassification Acct. #142

The Board of Selectmen recommends this article.

**Article 2.** To see if the Town will vote to appropriate by transfer from available funds a sum of money to supplement the Capital Asset Stabilization Fund, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee recommends that the Town appropriate by transfer the sum of \$200,000 from Free Cash to the Capital Asset Stabilization Fund.

The Board of Selectmen recommends this article.

**Article 3.** To see if the Town will vote to appropriate by transfer from available funds a sum of money to the Reserve Fund for fiscal year 2009, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee recommends that the Town appropriate by transfer the sum of \$20,000 from Free Cash to the Reserve Fund Acct. #132 for fiscal year 2009.

The Board of Selectmen recommends this article.

**Article 4.** To see if the Town will vote to appropriate by transfer from available funds the sum of \$44,212 to supplement the Tyngsborough School Budget for fiscal year 2009 to be expended by the School Committee. Said amount represents reimbursements made through June 30, 2008 from the Municipal Medicaid Program for school services provided to eligible residents. Or take any other action relative thereto.

Submitted by: School Committee

The Finance Committee recommends this article and that the Town appropriate by transfer the sum of \$44,212 from Free Cash to the Tyngsborough School Budget for fiscal year 2009.

The Board of Selectmen recommends this article.

**Article 5.** To see if the Town will vote to appropriate by transfer from available funds a sum of money to the Tyngsborough School Budget and the School Lunch Fund to be expended by the School Committee, or take any other action relative thereto.

Submitted by: School Committee

The Finance Committee recommends that the Town appropriate by transfer the following:  
\$25,000 from Free Cash to the School Lunch Fund  
\$15,000 from Health Insurance Account #910-5174 to the School Lunch Fund  
\$10,000 from Health Insurance Account #910-5174 to the School Budget for the purpose of transportation costs. This amount will be used to cover the shortfall in the transportation fee offsets relative to FY09 operations.

The Board of Selectmen recommends this article.

**Article 6.** To see if the Town will vote to appropriate by transfer from available funds 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.

Submitted by: Board of Selectmen

The Finance Committee recommends this article and that the Town appropriate by transfer the sum of \$117,207 from reserved MTBE funds.

The Board of Selectmen recommends this article.

**Article 7.** To see if the Town will vote to reduce appropriations in various municipal government accounts as voted at the Annual Town Meeting on May 20, 2008 for fiscal year 2009, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Town Meeting floor.  
The Board of Selectmen will make a recommendation on Town Meeting floor.

**Article 8.** To see if the Town will vote to authorize the Board of Selectmen and Board of Health to enter into a contract exceeding 5 years but not exceeding 10 years with Covanta Haverhill Associates for the tipping fees to dispose of solid waste, in accordance with Massachusetts General Laws, Chapter 30B, Section 12, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee recommends this article.  
The Board of Selectmen recommends this article.

**Article 9.** To see if the Town will vote that the following sums be reserved from estimated annual revenues for the Community Preservation Fund for fiscal year 2009, or take any other action relative thereto.

Reserves

To Reserve for Historic Preservation	\$ 5,400
To Reserve for Affordable Housing	\$ 5,400
To Reserve for Open Space	\$ 5,400
FY09 Budgeted Reserve	<u>\$ 37,031</u>
	\$ 53,231

Submitted by: Community Preservation Committee

The Finance Committee recommends this article.

The Board of Selectmen recommends this article.

The Community Preservation Committee will make a recommendation on Town Meeting floor.

**Article 10.** To see if the Town will vote to appropriate by transfer from existing Community Preservation Budgeted Reserve, Open Space Reserve, Unreserved Fund Balance, and/or borrow a sum of money to be expended by the Board of Selectmen for the creation of recreational fields at the Tyngsborough Elementary School, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Finance Committee will make a recommendation on Town Meeting floor.

The Board of Selectmen will make a recommendation on Town Meeting floor.

The Community Preservation Committee will make a recommendation on Town Meeting floor.

**Article 11.** To see if the Town will vote to appropriate by transfer from existing Community Preservation Budgeted Reserve, Open Space Reserve, Historic Preservation Reserve, Unreserved Fund Balance, and/or borrow a sum of money to be expended by the Board of Selectmen for the creation of a park at 76 and 86 Frost Road, of which 76 Frost Road has been previously known as the Tyngsborough Campgrounds, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Finance Committee will make a recommendation on Town Meeting floor.

The Board of Selectmen will make a recommendation on Town Meeting floor.

The Community Preservation Committee will make a recommendation on Town Meeting floor.

**Article 12.** To see if the Town will vote to appropriate by transfer from existing Community Preservation Budgeted Reserve, Open Space Reserve, Historic Preservation Reserve, Unreserved Fund Balance, and/or borrow a sum of money to be expended by the Board of Selectmen for the demolition of a portion of the Shur Fine Market building in the Town Center and any related costs, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Finance Committee will make a recommendation on Town Meeting floor.

The Board of Selectmen will make a recommendation on Town Meeting floor.

The Community Preservation Committee will make a recommendation on Town Meeting floor.

**Article 13.** To see if the Town will vote to appropriate by transfer 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 to be expended by the Board of Selectmen for a market analysis of the Town Center, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Finance Committee will make a recommendation on Town Meeting floor.

The Board of Selectmen will make a recommendation on Town Meeting floor.

The Community Preservation Committee will make a recommendation on Town Meeting floor.

And you are hereby directed to serve this Warrant, by posting attested copies thereof at the Town Hall, Kendall Road Fire Station No. 1, Flint's Convenience Store, Lakeview Avenue Community Center, and Lakeview Avenue Fire Station No. 2, in said Town, fourteen (14) days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return the Warrant, with your doings thereon to the Town Clerk at the time and place of meeting, aforesaid.

Given under our hands and seals this 26th day of January, in the year two thousand nine.

Board of Selectmen

Kevin V. O'Connor, Chairman

Karyn M. Puleo, Vice-Chairman

Jacqueline M. Schnackertz, Clerk

Richard B. Lemoine

Ashley L. O'Neill