

TOWN OF TYNGSBOROUGH



FINANCE COMMITTEE REPORT AND THE ANNUAL AND SPECIAL TOWN MEETING GUIDE

ANNUAL and SPECIAL TOWN MEETINGS

JUNE 2, 2015 – 7:00 P.M.

**TYNGSBOROUGH ELEMENTARY SCHOOL
CAFETORIUM
205 WESTFORD ROAD**



TOWN OF TYNGSBOROUGH

Town Meeting – June 2, 2015

Report of the Finance Committee

May 19, 2015

To the Citizens of Tyngsborough:

Background

In Massachusetts, towns with a property valuation of over a million dollars are required to create a Finance Committee. Under Massachusetts General Law and Tyngsborough By-laws, a Finance Committee “shall consider any or all municipal questions for the purpose of making reports or recommendations to the town and shall submit a budget at the annual town meeting” (Massachusetts General Law, Chapter 39, section 16).

The Town of Tyngsborough By-laws state there shall be a Finance Committee consisting of five elected members. The By-laws also outline further duties of the Finance Committee including the consideration of all matters of business to be considered within the articles of any warrant and the requirements of a written report on such considerations. The Finance Committee Reports are made available at least seven days before town meeting.

FY2016 Operating Budget

During the past several months, the Finance Committee has worked diligently with various departments and boards, as well as the Town Administrator, Finance Coordinator and Town Accountant in developing the FY2016 operating budget for consideration at Town Meeting. As a starting point, revenues supporting the operating costs of the Town were allocated to Municipal Government and School Department using the same method of revenue allocation that has been previously used. Given that the budget is still in the final stages of the development process the Finance Committee will make a recommendation at Town Meeting on Article 5. Currently, the budget plan as developed adds no new employees to the town.

The Finance Committee recognizes that while the spending plan for FY2016 is a modest increase from last year's budget, the Town will be able to sustain services without any reduction in programs. The Finance Committee recommends a continued conservative budget management approach.

Free Cash Policy and Stabilization Account Funding

Free Cash is a term used in municipal finance that represents the amount of the fund balance that is available for appropriation by the Town Meeting. Free Cash is generated when actual revenue collections are in excess of the revenue estimates and/or actual expenditures are less than the appropriations for a particular fiscal year. The Director of the Bureau of Accounts of the Massachusetts Department of Revenue certifies the Free Cash amount as of July 1st of each fiscal year. It is only with this certification that the Free Cash is available for appropriation.

The Board of Selectmen, working with the Finance Committee and the School Committee, has established a policy regarding the use of Free Cash to prioritize its' use toward funding expenses rather than the Operating Budget. The Board of Selectmen and Finance Committee

reviewed the status of the following funds: Town Stabilization, Capital Asset Stabilization, Other Post Employment Benefits (OPEB), and the Compensated Absence Fund. **Articles 8 & 9** propose the appropriation of funds to these Stabilization accounts in the following amounts:

<u>Account Name</u>	<u>Current Balance</u>	<u>Proposed Appropriation</u>
Town Stabilization	\$857,505.00	\$34,522.18
Capital Asset Stabilization	\$241,531.00	\$75,000.00
OPEB	\$76,304.00	\$13,808.87
Compensated Absence Fund	\$81,022.00	\$13,808.87

The Finance Committee strongly suggests the approval of these appropriations as they continue to strengthen the Town's financial position both for today and the future.

Financial Planning

With the economic conditions for FY2016 showing signs of modest growth, the fiscal operating condition of the Town of Tyngsborough should continue to be conservatively managed by the financial team. The Finance Committee believes the Town should have a three-year rolling budget outlook and is working to develop that for FY2017. The Finance Committee is committed to working with the other committees, boards and departments to ensure that the Town continues to meet the needs of its residents and businesses.

Respectfully Submitted,

Tyngsborough Finance Committee

Darryl Wickens, Chair
Burt Buchman, Clerk
Marie Lambert, Member
Paul Morin, Member
Christopher Mellen, Member



**TOWN OF TYNGSBOROUGH
ANNUAL TOWN MEETING WARRANT**

**June 2, 2015
7:00 PM**

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 the said inhabitants of the Town of Tyngsborough, qualified to vote in town affairs, to meet for the Annual Town Meeting at the Tyngsborough Elementary School Cafetorium in said Tyngsborough on Tuesday the second day of June in the year two thousand fifteen at 7 o'clock in the evening then and there to act on the following articles:

GENERAL ARTICLES:

Article 1. To bring in their votes by ballot for 2 Selectmen for the term of three years, 1 Assessor for the term of three years, 1 Board of Health Member for the term of two years, 2 Board of Health Members for the term of three years, 1 Cemetery Commissioner for the term of two years, 1 Cemetery Commissioner for the term of three years, 2 Constables for the term of three years, 1 Finance Committee Member for the term of one year, 2 Finance Committee Members for the term of three years, 1 Tyngsborough Housing Authority Member for the term of five years, 2 Library Trustees for the term of three years, 1 Planning Board Member for the term of five years, 3 School Committee Members for the term of three years, 1 Greater Lowell Technical School Committee Member for the term of three years, 1 Sewer Commissioner for the term of three years, and 1 Town Clerk for the term of three years.

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.

Submitted by: Board of Selectmen

**The Finance Committee voted to recommend Article 2.
The Board of Selectmen voted to recommend Article 2.**

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

Submitted by: Board of Selectmen

**The Finance Committee voted to recommend Article 3.
The Board of Selectmen voted to recommend Article 3.**

FINANCIAL ARTICLES:

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 2016 (July 1, 2015 - June 30, 2016), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations to be submitted within Article 5.

	REQUEST		
	SALARIES	SALARIES	RECOMMENDED
	7/01/14 6/30/15	7/01/15 6/30/16	7/01/15 6/30/16
<u>Elective Town Officers</u>			
Moderator	\$ 0	\$ 0	\$ 0
Selectmen Members (5)	\$ 0	\$ 0	\$ 0
Tax Collector	\$ 62,424	\$ 64,627	\$ 64,627
Town Clerk	\$ 57,222	\$ 59,242	\$ 59,242
Assessors (3)			
Chairman	\$ 1	\$ 0	\$ 0
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	\$ 1,500	\$ 1,500
Member (1)	\$ 0	\$ 1,000	\$ 1,000
Member (1)	\$ 0	\$ 1,000	\$ 1,000
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 Reg. Voc. Tech. HS (1)	\$ 0	\$ 0	\$ 0

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee will make a recommendation on Article 4 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 4.

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 Fiscal Year 2016 (July 1, 2015 - June 30, 2016), or take any other action relative thereto.

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee will make a recommendation on Article 5 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 5 on Town Meeting Floor.

Article 6. To see if the Town will vote to appropriate by transfer from the Billboard Stabilization Fund the sum of \$20,000.00 to be expended by the Board of Selectmen to be used

to stabilize the tax rate for Fiscal Year 2016 by funding recreational, public safety, or other public purposes, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 6.

The Board of Selectmen voted to recommend Article 6.

Article 7. To see if the Town will vote to appropriate by transfer the sum of \$5,000.00 from the Wetland Protection Fund to stabilize the tax rate for FY 2016, or take any other action relative thereto.

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee voted to recommend Article 7.

The Board of Selectmen voted to recommend Article 7.

Article 8. To see if the Town will vote to appropriate by transfer the sum of \$109,522.18 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	\$109,522.18
Transfer to:	Stabilization Fund	\$34,522.18
	Capital Asset Stabilization Fund	\$75,000.00

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee voted to recommend Article 8.

The Board of Selectmen voted to recommend Article 8.

Article 9. To see if the Town will vote to appropriate by transfer the sum of \$27,617.74 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	\$27,617.74
Transfer to:	Other Post-Employment Benefits Liability Trust Fund	\$13,808.87
	Compensated Absence Fund	\$13,808.87

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee voted to recommend Article 9.

The Board of Selectmen voted to recommend Article 9.

Article 10. To see if the Town will vote to appropriate by transfer the sum of \$12,974.00 from Free Cash to stabilized the tax rate, for the purpose of funding increased inspections for the Greater Lowell Technical High School, or take any other action relative thereto.

Transfer from:	Free Cash	\$12,974.00
Transfer to:	General Fund (Reduce Tax Rate)	\$12,974.00

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee will make a recommendation on Article 10 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 10.

Article 11. To see if the Town will vote to raise and appropriate and transfer to a special purpose Compensated Absence Fund the sum of \$21,668.00 for the purpose of funding the future payment of accrued liabilities for compensated absences due any Town employee upon the termination of such employee's employment, or take any other action relative thereto

Submitted by: Board of Selectmen and Finance Committee

The Finance Committee will make a recommendation on Article 11 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 11.

Article 12. To see if the Town will vote to transfer from available funds or borrow the sum of \$255,000.00, and that the Town be authorized to accept any available grant dollars, for the following purposes:

<u>Department</u>	<u>Project</u>	<u>Amount</u>	<u>To be Expended by</u>
Fire	Pick-up Truck Replacement	\$35,000	Selectmen
Highway	Fuel Control System	\$30,000	Selectmen
Highway	Sander/Plow attachment for truck	\$40,000	Selectmen
Selectmen	Town Offices repairs/maintenance	\$35,000	Selectmen
Tax Collector	Financial Software Replacement	\$18,100	Selectmen
School	School security upgrades	\$21,900	School Committee
School	Technology Replacement	\$50,000	School Committee
School	Tyngsborough Public Schools Furniture Replacement	\$25,000	School Committee
		\$255,000	

for a total of \$255,000.00, and to meet this appropriation, if by borrowing, the Town Treasurer, with the approval of the Selectmen, is authorized to borrow a sum of money pursuant to any enabling authority, and is authorized to issue bonds or notes of the Town, or take any other action relative thereto.

Submitted by: Board of Selectmen and Capital Asset Management Committee

The Finance Committee voted to recommend Article 12.

The Board of Selectmen voted to recommend Article 12.

Article 13. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Sewer Commission to operate the Sewer Enterprise for Fiscal Year 2016, or take any other action relative thereto.

Submitted by: Sewer Commissioners

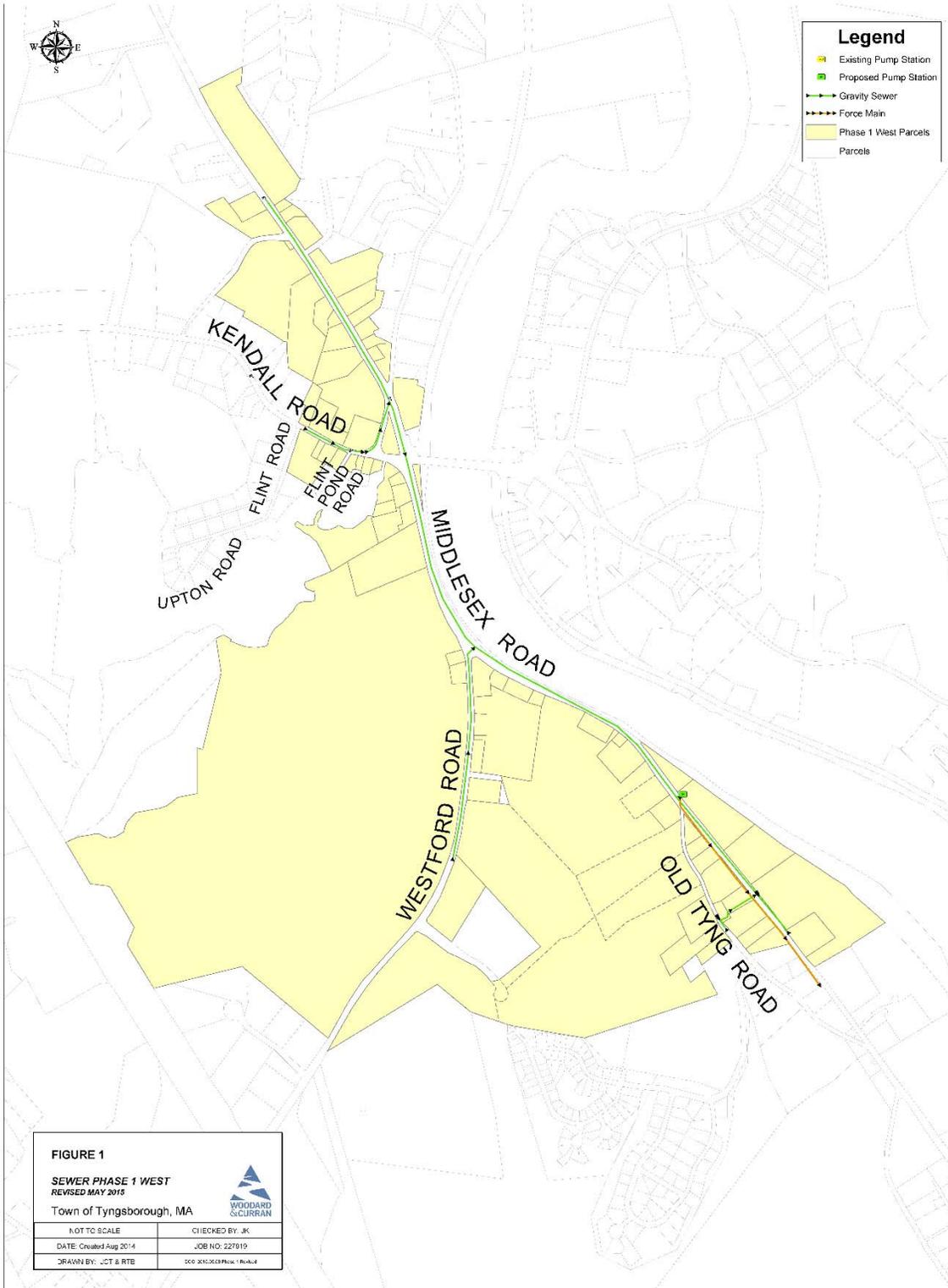
The Finance Committee will make a recommendation on Article 13 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 13 on Town Meeting Floor.

Article 14. To see if the Town will vote to (i) appropriate a sum of money for construction and land acquisition costs of the Phase I West Sewer System infrastructure project (the "Project"), identified as Needs Area 1, Phase 1 West of the 2009 Comprehensive Wastewater Management Plan as shown on Figure 1 attached to this Article, and filed with the Office of the Town Clerk, including without limitation all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise; and (ii) authorize the Board of Selectmen to take by eminent domain, by purchase, by gift, or otherwise acquire easements and other interests in land as necessary or convenient for public sewer purposes related to the Project in accordance with M.G.L. c. 40, § 14, and M.G.L. c. 79, and M.G.L. c. 82, or by any and every other power and authority in any way enabling, including, but not limited to, land and/or easements situated on the following parcels of land:

135 Middlesex Road, Assessors Map 21, Lot 14,
48 Kendall Road, Assessors Map 20A, Lot 18,

36 Kendall Road, Assessors Map 20A, Lot 17,
 122 Middlesex Road, Assessors Map 21, Lot 18, and
 37 Old Tyng Road, Assessors Map 21, Lot18A;



or to take any other action relative thereto.

Submitted by: Sewer Commission

The Finance Committee will make a recommendation on Article 14 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 14.

Article 15. To see if the Town will vote to accept the State Grant of Chapter 90 Highway Funds and authorize the Board of Selectmen to expend said funds for Highway purposes in accordance with the terms of said grants; or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 15.

The Board of Selectmen voted to recommend Article 15.

Article 16. 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 FY15 and FY16 shall remain in the revolving accounts for each of the following town entities:

Fund	Programs and Purposes	Departmental Receipts	Authorization	Max. Annual Expenditure
Fire Department	Fire programs and materials	Hazmat fees	Board of Fire Engineers	\$10,000.00
Recreation Committee	Recreational programs and activities	Fees collected from participants	Board of Selectmen	\$120,000.00
School Field Use Committee	Field maintenance	Field use fees	School Field Use Committee	\$50,000.00
Recycling Committee	Recycling programs and materials	Fees collected from participants	Board of Health	\$ 7,000.00
Board of Health	Collection and disposal of bulky items and appliances	Fees collected from participants	Board of Health	\$35,000.00
Board of Health	Reimbursement program for Medicare Plan members	Medicare reimbursements	Board of Health	\$ 6,000.00
Conservation Commission	Conservation Commission activities	Fees from local Wetland Protection By-law	Conservation Commission	\$ 5,000.00
Sealer of Weights and Measures	Inspection activities	Fees collected from participants	Board of Selectmen	\$ 3,000.00

or take any other action relative thereto.

Submitted by: Town Entities as shown

The Finance Committee voted to recommend Article 16.

The Board of Selectmen voted to recommend Article 16.

Article 17. To see if the Town will vote to establish a Tyngsborough Fire Department Ambulance Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by the dispatch fees received by the Town for contracted ambulance services. These funds may be expended without further appropriation for expenses related to dispatch and ambulance service. The Fire Department may expend from this account an amount not to exceed \$30,000 for the fiscal year beginning July 1, 2015, or take any action in relation thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 17.

The Board of Selectmen voted to recommend Article 17.

Article 18. To see if the Town will vote to establish an Old Town Hall Revolving Fund as authorized by Chapter 44, §53E½ of the Massachusetts General Laws. This fund shall be funded by fees charged for use of the building. These funds may be expended without further appropriation for wages and expenses related to operation and maintenance of Old Town Hall. The Board of Selectmen may expend from this account an amount not to exceed \$25,000 for the fiscal year beginning July 1, 2015, or take any action in relation thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 18.

The Board of Selectmen voted to recommend Article 18.

Article 19. To see if the Town will vote to accept the provisions of G.L. c.44, §53F¾ (inserted by c.352 of the Acts of 2014) for the purpose of establishing a separate revenue account (a receipts reserved for appropriation account) to be known as the “PEG Access and Cable Related Fund”, into which shall be deposited cable television license proceeds, which funds may be appropriated by Town Meeting for cable-related purposes in accordance with law, including, but not limited to: (1) support of public, educational, or governmental (“PEG”) access cable television services; (2) monitoring compliance of the cable operator with the cable television license(s); or (3) preparing for the renewal of the cable license(s); and to transfer from said fund or from previously received cable television license proceeds or otherwise fund a sum of money as a grant for PEG purposes, and to authorize the Board of Selectmen to enter into a grant agreement for the expenditure of such funds for cable-related purposes in accordance with law; or to take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 19.

The Board of Selectmen voted to recommend Article 19.

Article 20. To see if the Town will vote to authorize the Board of Selectmen to enter into Lease/Purchase Agreements up to five years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee has no recommendation on Article 20 due to a split vote.

The Board of Selectmen voted to recommend Article 20.

Article 21. To see if the Town will vote to transfer an amount in FY16 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the payment of debt principal and interest for the Early Childhood Center (ECC) Roof, 135 Coburn Road, and the Greater Lowell Technical High School for Debt Assessment; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$59,645.00
Transfer to:	Long Term Debt Principal	\$50,000.00
	Long Term Debt Interest	\$ 9,645.00
Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$72,707.00
Transfer to:	Vocational School Assessment	\$72,707.00

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Article 21 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 21.

Article 22. To see if the Town will vote a sum of money to be appropriated or reserved from estimated annual revenues of the Community Preservation Fund for the fiscal year 2016, 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, or take any other action relative thereto.

Submitted by: Community Preservation Committee

The Finance Committee will make a recommendation on Article 22 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 22 on Town Meeting Floor.

Article 23. To see if the Town will vote to close the following account of the Community Preservation Fund by transferring the remaining balance of the account to the Community Preservation Account from which the funds were originally transferred as listed below or take any other action relative thereto.

FROM: Acct. #230-183-6202-000	CPC Advance Community Housing Pgms.	\$39,686.90
TO: Acct. #230	CPC Reserve for Affordable Housing	\$39,686.90

Submitted by: Community Preservation Committee

The Finance Committee voted to recommend Article 23.

The Board of Selectmen voted to recommend Article 23.

MISCELLANEOUS ARTICLES

Article 24. To see if the Town will vote, as provided by M.G.L. c. 41, § 1B, that the position of Tax Collector become an appointed position, or take any action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Article 24 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 24.

Article 25. To see if the Town will vote to amend the Town Bylaws by adding the below as Article XLV; or to take any other action relative thereto.

All elective and appointed Boards, Committees, Sub-Committees and Commissions (Boards) of the Town shall keep and maintain accurate and detailed minutes of all meetings and hearings, in accordance with the requirements, the Open Meeting Law, M.G.L. c. 30A § 22, and the Public Records Law, M.G.L. c. 66 § 5A, and except for executive session minutes shall within a reasonable time after the adjournment of any meeting or hearing of such Boards, the Clerks of the respective Boards, or some person they designate, shall file with the Town of Tyngsborough Town Administrator or designee a copy of the minutes and proceedings. Such minutes, except for executive session minutes, shall be made available to the public at reasonable times at the offices of the Boards.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 25.
The Board of Selectmen voted to recommend Article 25.

Article 26. To see if the Town will vote to authorize the Board of Selectmen to convey any right, title or interest the town may have to land shown as Assessor's map 33, parcel 32, lot 0, to GESI Realty, LLC, for the amount of \$1,000.00, or take any action relative thereto.

Submitted by: Board of Assessors

The Finance Committee voted to recommend Article 26.
The Board of Selectmen voted to recommend Article 26.

Article 27. To see if the Town will vote to accept the conveyance of 1,613 square feet of land along Bryants Lane (also known as Bryant Lane) from Applewood Construction Corp., shown on Plan of Land 81 Kendall Road, Tyngsborough, Massachusetts, dated November 1, 2012, prepared for Applewood Construction Corp., 92 Middlesex Road, Tyngsborough, MA 01879, by Norse Design Services, Inc, 3 Pondview Place, Tyngsborough, MA 01879, recorded at the Middlesex North Registry of Deeds in Plan Book 235, Plan No. 42, or take any action relative thereto.

Submitted by: Board of Selectmen, Board of Assessors

The Finance Committee voted to recommend Article 27.
The Board of Selectmen voted to recommend Article 27.

Article 28. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town Administrator to sign warrants for payment, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to Signing of Warrants for Payment in the Town of Tyngsborough Notwithstanding the provisions of §56 of chapter 41 of the General Laws, or of any other general or special law to the contrary; the town administrator in the town of Tyngsborough, and in the absence of the town administrator, the assistant town administrator, is hereby authorized to approve all warrants for payment of town funds, including payroll warrants. The approval of all such warrants by the town administrator or assistant town administrator, as the case may be, shall be sufficient authority to authorize payment of the same by the town treasurer, but a majority of the board of selectmen shall approve all such warrants in the event of the absence of said town administrator, or assistant town administrator, or a vacancy in the office of town administrator.

or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Article 28 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 28.

Article 29. To see if the Town will vote to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee voted to recommend Article 29.

The Board of Selectmen voted to recommend Article 29.

Article 30. To see if the Town will vote to authorize the Board of Selectmen to enter into a payment in lieu of taxes agreement, said agreement not to exceed 20 years duration and subject to other terms in conditions the Selectmen deem appropriate, pursuant to G.L. C. 59, §38H, and regulations promulgated thereunder, with respect to annual payments in lieu of real and personal property taxes relative to land located at the corner of Dunstable and Cummings Roads, otherwise known as the Charles George Reclamation Site; said agreement is based upon the proposed construction and operation of a solar photovoltaic power plant with a capacity of approximately 2.4 megawatts and to be executed with a solar energy company, or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Article 30 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 30 on Town Meeting Floor.

Article 31: To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement for the purchase of net metering credits generated by a renewable energy facility for a term of up to 25 years upon such terms and conditions as the Board of Selectmen deem in the best interests of the Town, and to authorize the Board of Selectmen to take such other actions as may be necessary to implement and administer such agreement; or take any other action relative thereto.

Submitted by: Board of Selectmen

The Finance Committee will make a recommendation on Article 31 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 31.

Article 32. The Conservation Commission seeks voter approval to change the language on the following section of the local wetlands by-law:

Section 7.7 Replace: “Any permit may be renewed once for up to an additional three year period...” with: “Any permit may be renewed for up to an additional three year period...” removing the word “once”, or take any other action thereto.

Submitted by: Conservation Commission

The Finance Committee voted to recommend Article 32.

The Board of Selectmen voted to recommend Article 32.

CITIZEN PETITIONS:

Article 33. To see if the Town will vote to amend the Zoning Map and Re-Zone from B2 to B3 a certain parcel of land in Tyngsborough, Massachusetts, containing 1 acre more or less, and identified as Tyngsborough Tax Assessor's Map 18, Block 46A. Said land is known as 194 Frost Road, Tyngsborough, Massachusetts and is more specifically identified in a deed dated April 4, 2012 and recorded at Book 25873, Page 040 in the Middlesex North District Registry of Deeds.

Submitted by: Citizens' Petition

The Planning Board voted to recommend Article 33.

The Finance Committee voted to recommend Article 33.

The Board of Selectmen voted to recommend Article 33.

Article 34. To see if the Town will vote to revoke the action taken under Article 12 of the October 16, 2012, Special Town Meeting where \$82,434.00 was transferred from several accounts to restore and refurbish Adam's Barn" and under Article 20 of the 2013 Annual Town Meeting which appropriated \$76,000.00 for the restoration of Adam's Barn, or to take any other action thereto.

Submitted by: Citizens' Petition

The Finance Committee voted to recommend Article 34.

The Board of Selectmen will make a recommendation on Article 34 on Town Meeting Floor.

Article 35. To see if the Town will vote to transfer from available funds such as Capital Asset Stabilization, Free Cash, or any other appropriate fund, or raise and appropriate up to \$50,000.00 to be expended by the Board of Selectmen to fund the deconstruction of the barn located at 216 Middlesex Road, or to take any other action thereto. The deconstruction should be done in such a manner as to preserve any useful building materials for use by the town as it sees fit.

Submitted by: Citizens' Petition

The Finance Committee voted to recommend Article 35.

The Board of Selectmen will make a recommendation on Article 35 on Town Meeting Floor.

Article 36. 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 the sum of \$59,242 to fund the salary of the Town Clerk or take any other action thereto.

Submitted by: Citizens' Petition

The Finance Committee voted to recommend Article 36.

The Board of Selectmen will make a recommendation on Article 36 on Town Meeting Floor.

Article 37. To see if the Town will vote to raise and appropriate or transfer from available funds \$65,563.00 to fund the salary of the Town Collector or take any other action thereto.

Submitted by: Citizens' Petition

The Finance Committee voted to recommend Article 37.

The Board of Selectmen will make a recommendation on Article 37 on Town Meeting Floor.

Article 38. To see if the Town will vote to raise and appropriate or transfer from available funds \$5,024.00 estimated unused vacation time for the Town Collector's planned retirement in May of 2016, or take any other action thereto.

Submitted by: Citizens' Petition

The Finance Committee voted to not recommend Article 38.

The Board of Selectmen voted to not recommend Article 38.

Article 39. To see if the Town will vote to raise and appropriate or transfer from available funds \$7,536.00 sick time buy back for the Town Collector's planned retirement in May of 2016, or take any other action thereto.

Submitted by: Citizens' Petition

The Finance Committee voted to not recommend Article 39.

The Board of Selectmen voted to not recommend Article 39.

Article 40. To see if the Town will vote to appropriate funds estimated at \$400,000 to cover all costs associated with extending the water line from the Town Hall on Bryant Lane to Kendall Road for the purpose of mitigating impact of past and present town road salt storage and operations located nearby on the local well water of residents. The town should develop a timeline immediately to do the work swiftly as residents are suffering without potable water.

Submitted by: Citizens' Petition

The Finance Committee voted to not recommend Article 40.

The Board of Selectmen voted to not recommend Article 40.



TOWN OF TYNGSBOROUGH

SPECIAL TOWN MEETING WARRANT

June 2, 2015

7:30 PM

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 groups for fiscal year 2015, or take any other action relative thereto.

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 1 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 1 on Town Meeting Floor.

Article 2. To see if the Town will vote under the provisions of M.G.L. c.40, §5B to create a special purpose Stabilization Fund for the purpose of reserving funds intended for Debt or Debt Assessments; or to take any other action relative thereto.

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 2 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 2.

Article 3. To see if the Town will vote to transfer a sum of money from FY15 available funds to fund the Stabilization Fund for Debt & Debt Assessment; or to take any other action relative thereto.

Transfer from:	Fund Balance Reserved – Reduction of Future Debt	\$274,814.00
	Free Cash	\$387,026.00
Transfer to:	Stabilization Fund for Debt & Debt Assessment	\$661,840.00

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 3 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 3.

Article 4. To see if the Town will vote to transfer an amount in FY15 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the partial payment of debt principal for the Early Childhood Center (ECC) Roof, 135 Coburn Road; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$9,211.50
Transfer to:	Long Term Debt Principal	\$9,211.50

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 4 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 4.

Article 5. To see if the Town will vote to raise and appropriate or transfer from available funds an amount to fund the General Fund’s Snow & Ice accounts, or to take any other action relative thereto.

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 5 on Town Meeting Floor.

The Board of Selectmen will make a recommendation on Article 5 on Town Meeting Floor.

Article 6. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for items requested to the Capital Asset Committee for funding, or to take any other action relative thereto.

TRANSFER FROM:		TRANSFER TO:	
Long Term Debt Principal	\$9,211.50	Police IT Security	\$10,000.00
Engineering Services	\$788.50		
Assessor Expenses	\$7,000.00	Building Dept. Permit Tracking Software	\$10,000.00
Building Dept. Expenses	\$3,000.00		
Council On Aging Salaries	\$5,500.00	Council On Aging Equipment (Snow Thrower and Shed)	\$10,000.00
Council On Aging Expenses	\$3,500.00		
Cemetery Salary & Wages	\$1,000.00		

Petition of the Board of Selectmen

The Finance Committee will make a recommendation on Article 6 on Town Meeting Floor.

The Board of Selectmen voted to recommend Article 6.

Article 7. To see if the Town will vote to certify the Chapter 90 apportionment for Fiscal Year 2015 of up to an additional \$202,517.00 as an available fund to be expended by the Board of Selectmen, or to take any other action relative thereto.

Petition of the Board of Selectmen

The Finance Committee voted to recommend Article 7.

The Board of Selectmen voted to recommend Article 7.