

ANNUAL TOWN MEETING  
MAY 3, 2007  
MEMORIAL TOWN HALL

The Meeting was called to order at 7:04 PM by the Moderator, Robert B. McPherson.

Robert P. Parsons, Fire Chief, led the Pledge of Allegiance.

William C. Locke and Joshua J. Gaucher from the Spencer Fire Brigade Pipe and Drum performed Amazing Grace.

Dustin P. Burnor-Voellings and Erika L. Burnor-Voellings sang the Star Spangled Banner.

Vincent P. Cloutier, Chairman of the Board of Selectmen, spoke briefly about the Water Emergency. A pamphlet was distributed at Town Meeting. He stated that the Town's Insurance Company would hold office hours at the Memorial Town Hall, Conference Room A, on Tuesday (May 8<sup>th</sup>) and Thursday (May 10<sup>th</sup>) from 6:00 PM to 8:00 PM, to take claims.

Chairman Cloutier also presented the Meritorious Service Award to Carol and Peter Gaucher.

The following articles were acted upon:

**Article 1:** Majority voted that the Town amend its Fiscal Year 2007 Operating and Capital/Special Projects Budget(s) by appropriating the sum of \$95,750 to various accounts, as identified below, and to transfer said sum from free cash to meet said appropriation.

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Town Counsel	11151-57000	\$ 7,500
Police Dept	11210-52000	\$ 5,000
Police Dept	11210-57000	\$ 2,500
Highway Dept.	11422-57000	\$ 7,500
Snow & Ice Personal Services	11423-51000	\$12,750
Snow & Ice Purchase of Services	11423-52000	\$ 3,500
Snow & Ice Other Charges & Expenditures	11423-57000	\$25,500
WRTA	60000-59076	\$ 7,500
Tree Warden	60000-59101	\$ 6,500
SFES/BoH (Mock Drill & EDS)	60000-TBA	\$10,000
Massasoit Parking Lot	60000-59058	\$ 7,500
	Total	\$95,750

**Article 2:** Majority voted that the Town transfer the sum total of \$10,000 from an account on the books of the Sewer Department entitled Copper Study (Account #20000-58500) to purchase of services (Account #20000-52000) in the amount of \$2,000, and other charges and expenditures (Account #20000-57000) in the amount of \$8,000.

**Article 3:** Majority voted, as a block, that the Town approve a consent agenda consisting of the following actions. (Such items may be voted as a block, or singly, or in any combination but

however voted, will be treated for accounting and legislative purposes as if each item voted were voted as a separate article).

**A.** Receive, in writing, the reports of the Town Officers and Committees.

**B.** Authorize the Planning Board to establish a revolving fund in conformity with Chapter 44, Section 53E ½ of the Massachusetts General Laws for the following purposes and subject to the following conditions:

1. To be the depository for monies received from ANR Fees and Subdivision Fees.
2. To be used to fund the administrative costs of the Planning Board.
3. To have a limit on the total amount to be expended from the fund in Fiscal Year 2008 at \$5,000.
4. To have the Planning Board be the only authority empowered to expend monies from this fund.

**C.** Authorize the establishment of a revolving fund for the Sugden Block in conformity with Chapter 44, Section 53E ½ of the Massachusetts General Laws, for the following purposes and subject to the following conditions:

1. To be the depository for receipts of rentals and charges from the Sugden Block.
2. To pay expenses associated with the operation of the Sugden Block.
3. To have a limit on the total amount to be expended from the fund in Fiscal Year 2008 at \$63,225.
4. To have the Town Administrator be the only authority empowered to expend monies from this fund.

*(Informational Note: This is an increase of \$4,239 from FY 2007.)*

**D.** To see if the Town will vote to authorize the Office of Development & Inspectional Services to establish a revolving fund in conformity with Chapter 44, Section 53E ½ of the Massachusetts General Laws, for the following purposes and subject to the following conditions:

1. To be the depository for 80% of the fees collected for Electrical Permits.
2. To compensate the Wiring Inspector.
3. To have a limit on the total amount to be expended from the fund in Fiscal Year 2008 at \$16,835.
4. To have the Director of the Office be the only authority empowered to expend monies from this fund.

*(Informational Note: This is an increase of 3.6% from FY 2007.)*

**E.** Appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance to be expended upon any state-approved road during Fiscal Year 2008, with such funds to be reimbursed 100% from such program for approved projects under the State Highway Guidelines.

**F.** Authorize the SelectBoard to apply for, accept, and expend the following funds:

Community Development Block Grant funds

**G.** Appropriate the sum of 100% of all fines, penalties, and assessments received in FY 2008 as payment under the provisions of Massachusetts General Laws, Chapter 148A, as amended by Chapter 304 of the Acts of 2004, to an account entitled “Building & Fire Code Enforcement Fines.”

*(Informational Note: This item has appeared before, and is now included in the consent agenda in its same format.)*

**H.** Authorize the Town Treasurer/Collector to enter into a compensating balance agreement(s) for Fiscal Year 2008 pursuant to Massachusetts General Laws, Chapter 44, Section 53F, and further vote to authorize the Town Treasurer/Collector to borrow such sums of money as she may deem necessary, with the consent of the Finance Committee, in anticipation of revenue and/or reimbursements and to issue notes of the Town payable thereof in accordance with applicable law.

**Article 4:** Majority voted, as a block, that the Town:

**A.** Fix the salaries of the elected officials or employees for Fiscal Year 2008 as follows:

Board of Selectmen	\$2,020.00	yearly
Moderator	\$128.00	yearly
Board of Assessors (Term Ending 2008)	\$14,710.00	yearly
Board of Assessors (Term Ending 2009)	\$904.00	yearly
Board of Assessors (Term Ending 2010)	\$904.00	yearly
Town Treasurer/Collector	\$52,500.00	yearly
Town Clerk	\$50,000.00	yearly
Water Commissioners	\$685.00	yearly
Sewer Commissioners	\$685.00	yearly
Board of Health	\$685.00	yearly

**B.** Authorize the Town Administrator to transfer funds from the Fiscal Year 2008 General Fund (Account #11123-56000), Water Fund (Account #15000-31510), and Sewer Fund (Account #20000-31510) as required to meet the additional expense, if any, thereof.

**Article 5:** Majority voted, as a block, that the Town:

**A.** Amend the Personnel By-Laws by:

*(Informational Note: These rates all generally go up 3.6%.)*

**1.** Substituting the following new compensation schedule:

Section 7, Schedule B  
Weekly Salary Schedule

	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
Grade S-2	\$329.31	\$350.87	\$377.79	\$404.84	\$431.80
Grade S-3	\$377.79	\$404.84	\$431.80	\$458.79	\$487.09
Grade S-4	\$431.80	\$458.79	\$487.09	\$512.80	\$539.73
Grade S-5	\$487.09	\$512.80	\$539.73	\$566.82	\$593.67
Grade S-6	\$539.73	\$566.82	\$593.67	\$619.96	\$661.23
Grade S-7	\$593.67	\$619.96	\$661.23	\$701.67	\$742.21
Grade S-8	\$661.23	\$701.67	\$742.21	\$782.69	\$823.20
Grade S-9	\$742.21	\$782.69	\$823.20	\$859.88	\$911.15
Grade S-9A	\$782.69	\$824.27	\$863.10	\$911.15	\$963.01
Grade S-10	\$823.20	\$859.88	\$911.15	\$961.18	\$1,014.05
Grade S-11	\$911.15	\$961.18	\$1,014.05	\$1,069.83	\$1,129.34
Grade S-12	\$1,014.05	\$1,069.83	\$1,129.34	\$1,167.87	\$1,256.20
Grade S-13	\$1,129.34	\$1,167.87	\$1,256.20	\$1,325.27	\$1,398.83
Grade S-14	\$1,256.20	\$1,325.27	\$1,398.83	\$1,475.76	\$1,557.67

**2.** Substituting the following new compensation schedule:

Section 7, Schedule D

Class Title	Compensation	
Administrative Intern / Co-op Student	\$8.05	hourly
Animal Control & Inspection Officer	\$11,000.00	yearly
Animal Control & Inspection Officer-Alternate	\$600.00	yearly
COA Director	\$15.80	hourly
Election Inspectors	\$9.10	hourly
Election Wardens / Clerks	\$10.10	hourly
Engineering Aide	\$10.00	hourly
Facilities Maintenance Worker	\$10.65	hourly
Finance Committee Clerk	\$350.00	yearly
Fluoride Coordinator	\$10.75	hourly
Gas Inspector	\$3,350.00	yearly
Laborer (Seasonal/Intermittent)	\$10.00	hourly
Library Childhood Literacy Coordinator	\$95.30	weekly
Library Home Delivery	\$11.50	hourly
Parks & Rec Adventure Prog. Director	\$15.25	hourly
Parks & Rec Adventure Prog. Head Counselor	\$11.00	hourly

Parks & Rec Adventure Prog. Counselor	\$9.00	hourly
Parks & Rec Waterfront Director	\$13.90	hourly
Parks & Rec Lifeguard	\$11.00	hourly
Parks & Rec Water Safety Instructor	\$12.45	hourly
Parks & Rec Parking Attendant	\$7.50	hourly
Parks & Rec Chair	\$350.00	yearly
Parks & Rec Clerk	\$350.00	yearly
Planning Board	\$904.00	yearly
Planning Board Alternate	\$426.00	yearly
Plumbing Inspector	\$4,500.00	yearly
Police Dispatcher	\$13.60	hourly
Registrar of Voters	\$1,106.00	yearly
Sealer of Weights & Measures	\$3,775.00	yearly
SFES, Director of Operations	\$1,970.00	yearly
SFES Deputy Chief	\$7,650.00	yearly
SFES Captain	\$16.10	hourly
SFES Lieutenant	\$14.85	hourly
SFES Fire Science Instructor	\$17.50	hourly
SFES Firefighter (over 10 years)	\$13.60	hourly
SFES Firefighter (5-10 years)	\$12.35	hourly
SFES Firefighter (under 5 years)	\$11.15	hourly
SFES Firefighter (sub)	\$8.35	hourly
SFES Truck Engineer Back Line	\$385.00	yearly
SFES Truck Engineer Front Line	\$510.00	yearly
Tree Climber	\$16.70	hourly
Tree Groundman	\$14.40	hourly
Tree Warden	\$19.60	hourly
Veteran Agent	\$9,805.00	yearly
Wiring Inspector	80% of collected fees	
Zoning Board of Appeals	\$904.00	yearly
Zoning Board of Appeals Alternate	\$426.00	yearly

3. Substituting the following new compensation schedule:

Section 8  
Hourly Rate Schedule

	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
Grade H-1	\$8.15	\$8.68	\$9.24	\$9.81	\$10.51
Grade H-2	\$9.24	\$9.81	\$10.51	\$11.40	\$12.06
Grade H-3	\$10.51	\$11.40	\$12.06	\$12.90	\$13.51
Grade H-4	\$12.06	\$12.90	\$13.51	\$14.43	\$15.07
Grade H-5	\$13.51	\$14.43	\$15.07	\$15.93	\$16.63
Grade H-6	\$15.07	\$15.93	\$16.63	\$17.46	\$18.61
Grade H-7	\$16.63	\$17.46	\$18.61	\$19.63	\$20.73
Grade H-8	\$18.61	\$19.54	\$20.52	\$21.55	\$22.62
Grade H-9	\$20.52	\$21.55	\$22.62	\$23.74	\$24.93
Grade H-10	\$22.62	\$23.74	\$24.93	\$26.18	\$27.48

Grade H-11	\$24.93	\$26.17	\$27.48	\$28.86	\$30.31
Grade H-12	\$27.48	\$28.86	\$30.31	\$31.80	\$33.40

**B.** Authorize the Town Administrator to transfer funds from the FY 2008 General Fund (Account #11123-56000), the Water Fund (Account #15000-56000), and the Sewer Fund (Account #20000-56000) as required to meet the additional expense, if any, thereof.

**Article 6:** Majority voted that the Town amend the present Personnel By-Law of the Town of Spencer, by adding a new Paragraph Q to Section 3, Benefits and Leaves, to read as follows:

**Q. Academics.**

The Town will reimburse full-time employees a maximum of \$500.00 per year towards the cost of not more than two college courses. The course to be taken must be approved by the Town Administrator, on a form to be prescribed by the Town, prior to signing up for said course, and must be in an area of study in which the Town is presently providing services or considering providing services. If the course is not in such an area of study it must be part of an approved degree program relating to a service the Town currently provides.

In order to receive this reimbursement, the employee must produce satisfactory evidence that the course has been completed and the employee attained a mark of B or better for that course. If the employee leaves Town service, for any reason, within two years of course completion, the employee will repay the Town of Spencer the reimbursement.

Should the Town expend monies on behalf of any employee for the employee to obtain entry required certifications, the employee shall agree to repay the Town said sum, on a form to be prescribed by the Town, if the employee should leave Town employment within two years thereafter.

**Article 7:** Majority voted, as a block, that the Town:

A. Amend its FY 2007 operating budget by appropriating the sum of \$3,550 to fund the agreement reached between the Town of Spencer and Massachusetts Coalition of Police Local #175A for the permanent full-time police dispatchers of the so-called "Dispatchers Unit" and to authorize the Town Administrator to transfer said monies from General Fund Account #11123-56000 to Account #11210-51000.

B. Authorize the Town Administrator to transfer \$8,000 from the FY 2008 General Fund Account #11123-56000, as required, to effectuate the purposes of this article.

**Article 8:** Majority voted that the Town appropriate the sum of \$16,000 to fund various departments in accord with the agreement reached between the Town of Spencer and Teamster Local 170 for the permanent full-time employees of the Utilities & Facilities Unit, and further to authorize the Town Administrator to transfer within the approved FY 2008 budgets the required sums from the Town Administrator's Intergovernmental Account #11123-56000, the Water Fund Intergovernmental Account #15000-56000 and the Sewer Fund Intergovernmental Account #20000-56000 as required to meet said agreement and this appropriation.

**Article 9:** Unanimously voted that the Town authorize the SelectBoard to sell, upon such terms and conditions as it deems reasonable, appropriate, and in the best interests of the town, a parcel of approximately 1,300 s.f. being a portion of the property generally known as the Highway Garage located at 30 West Main Street (identified as being a portion of Map U11 Parcel 8 on the records of the Board of Assessors), and further to authorize the SelectBoard to negotiate, execute, and deliver such deeds and other documents it deems necessary to carry out the purposes of this article.

**Article 10:** Defeated by a Majority vote a motion that the Town vote as a block to:

**A.** Authorize the SelectBoard to sell or lease, upon such terms and conditions as it deems reasonable, appropriate, and in the best interests of the town, a parcel of land of approximately 11,500 s.f. with a building on it generally known as the Sugden Block at 117 Main Street (to be herein known as the "Granted Parcel" and being a portion of Map U13 Parcel 119 on the records of the Board of Assessors which shall herein be known as the "Granting Parcel"), together with such easements over the Granting Parcel as shall be necessary for the enjoyment of the Granted Parcel, and further to authorize the SelectBoard to negotiate, execute, and deliver such deeds and other documents it deems necessary to carry out the purposes of this article.

**B.** Appropriate the sum of \$10,000 to an account to be entitled Sugden Sale (Account #60000-TBD) to pay for the costs of associated survey, advertising, title, and legal work and to meet said appropriation by a transfer from free cash.

**Article 11:** Unanimously voted, as a block, that the Town:

**A.** Appropriate the sum of \$50,000 for an account entitled Burncoat Pond Land Acquisition for the acquisition and related costs thereof and to meet said appropriation by a transfer from free cash.

**B.** Authorize the SelectBoard, upon such terms and conditions as it deems reasonable, appropriate, and in the best interests of the Town, to acquire a conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, on certain property located on Greenville Street, now or formerly of Green, consisting of approximately 4.3 acres, more or less, (being land generally identified as Lots 7 and 8 on Assessors' Map R26) and to further authorize the SelectBoard to negotiate, execute, deliver, and accept such deeds and other documents it deems necessary to carry out the purposes of this article.

**C.** Authorize the SelectBoard to file applications, to enter into agreements, and to execute any and all instruments as may be necessary on behalf of the Town of Spencer to seek reimbursement and effectuate said purchase using Self-Help Grant funding under Section 11 of Chapter 132A of the Massachusetts General Laws and/or any other grant or reimbursement sources.

**D.** Authorize the SelectBoard to enter into such cooperating agreements with Massachusetts Audubon Society as it shall deem reasonable, appropriate, and in the best interests of the Town, to accept a grant of funds from said society and to apply the proceeds thereof to the purchase price incurred in connection with this article.

**E.** Declare that said conservation restriction is being acquired for conservation and passive outdoor recreation purposes and will be in the care and control of the Spencer Conservation Commission under the provisions of Massachusetts General Laws Chapter 40, Section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation.

**Article 12:** Defeated by a Majority vote a motion to designate Northwest Road as a scenic road, in accordance with Massachusetts General Laws, Chapter 40, Section 15C. The Moderator appointed Tellers and the vote was 87 voting In Favor and 121 voting Opposed.

**Article 13:** Defeated by a Majority vote a motion to designate Brooks Pond Road as a scenic road, in accordance with Massachusetts General Laws, Chapter 40, Section 15C.

**Article 14:** Defeated by a Majority vote a motion to authorize the SelectBoard to petition the Massachusetts Legislature to enact Special Legislation to be entitled “An Act Establishing an Office of Utilities and Facilities in the Town of Spencer” and reading substantially as follows:

**SPECIAL LEGISLATION  
(Office of Utilities and Facilities)**

AN ACT establishing an Office of Utilities and Facilities in the Town of Spencer.

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

SECTION 1.

A. Notwithstanding the provisions of any general or special law to the contrary, there is hereby established in the Town of Spencer, hereinafter referred to as the “Town,” an Office of Utilities and Facilities (hereinafter the “Office”), which shall be responsible for the overall management, maintenance, and administration of the Town’s utilities of sewer and water and the like; its streets, roadways, and drains; facilities of cemeteries, parking lots, dams, buildings, parks, provided, however, that the Parks and Recreation Commission may continue to exercise such authority related thereto as granted to it by statute or town by-law, and the like; and the vehicles and equipment related thereto.

The Office shall have all of the powers, functions, duties, and responsibilities now vested by any general or special law or by-law in, or exercised by, the following departments, boards, commissions, or offices: Highway Department, Board of Sewer Commissioners, Board of Water Commissioners, and Board of Old Cemetery Commissioners, and the same are hereby abolished. No existing contract or liability shall be affected or abolished but the Office shall be the lawful successor of the boards, departments, and offices so abolished.

B. The Office shall be comprised of the divisions of (a) utilities, (b) streets and drains, and (c) facilities, or such other divisions as may from time to time be established to reflect the functions then being performed or best management practices. It shall be under the direction of a Director of Utilities and Facilities (hereinafter the “Director”), who shall be responsible to the Town Administrator for the duties specified in this act.

C. The Director shall be appointed for a three (3) year term and shall be a person qualified in accordance with applicable by-laws of the Town, if any, and shall especially be suited by education, training, and experience to perform the duties of Director. The Director shall devote full time to the duties of this position and shall not engage in any non-Town business or occupation during his or her term, except with the prior written approval of the Town Administrator. Such approval shall be made on the basis of whether or not the business or occupation would conflict with the Director's responsibilities to the Town or with the Director's ability to discharge his or her duties for the Town with undivided loyalty and fidelity.

D. The responsibilities and duties of the Director shall include, but not be limited to, supervising and directing the Office and performing such other related duties and responsibilities as may be assigned by the Town Administrator or required by statute or by-law.

## SECTION 2.

A. There shall be a Utilities Commission (hereinafter the "Commission") comprised of five members elected to staggered terms of three years. Town officers and Town employees are not eligible to be members of the Commission. The five elected members shall be first those persons who are currently elected to the Board of Water Commissioners and the Board of Sewer Commissioners. Notwithstanding that the Commission is to be comprised of five members, the members of the boards of Water Commissioners and Sewer Commissioners in office on the effective date of this act shall continue in office as members of the Commission for the term for which they were individually elected; provided, however, that if any such member should be ineligible to serve on the Commission, the Town Clerk shall declare the position he or she holds vacated and shall so notify said member, the remaining members of the Commission, and the Board of Selectmen.

B. It shall be the duty of the Commission to:

1. Establish a schedule of charges for the sewer and water utilities, and such other utilities as the authority for which setting rates may be delegated to the Commission by the Board of Selectmen, which shall be adequate to recover the direct and indirect costs the Town may incur, less any subsidy which may be appropriated from general taxation, in providing such services to those who shall use them, and which shall be designed to encourage a conservation of resources, and avoid periodic rate spikes. Those rates in effect at the time this legislation takes effect shall continue in effect until amended. Rates may be modified thereafter only following a public hearing to be advertised in a newspaper of general local circulation and held with no fewer than fourteen (14) days' notice together with a mailing of said notice by first class mail to every user of record as of the date of publication.

2. Advise the Town on the sources and adequacy of the water system supply in terms of its quantity, quality, and distribution in pressure and geographic area, and improvements required therefore, together with the cost efficacy thereof.

3. Advise the Town on the adequacy of the sanitary sewer system in terms of its quantity, method of collection, treatment, discharge, and geographic area, and improvements required therefore.

4. Advise the Town on the adequacy of the storm water system in terms of its quantity, method of collection, treatment, discharge, and geographic area, and improvements required therefore.

5. Recommend such lands and easements as they shall identify as being necessary to the protection and laying out of the system of collection pipes, distribution pipes, pumping stations, storage facilities, treatment facilities, and appurtenances related thereto, for acquisition by purchase, gift, eminent domain, or otherwise, as are necessary to insure the Town is well served by a quality utility and infrastructure system serving its immediate and long-term needs.

6. Review and comment on any proposed betterment referred to it, within thirty (30) days of the referral, unless a greater amount of time shall be granted to it by the Board of Selectmen for such action.

### SECTION 3.

A. All current employees will retain their current positions subject to their promotion, resignation, termination/demotion for cause, or the abolition of the position by future budgetary or reorganization action.

B. The Town may establish additional powers, duties, responsibilities, requirements, and standards for the Office, as from time to time it deems necessary, by appropriation or by-law, provided, however, that all such modifications and amendments are not inconsistent with the provisions and purposes of this act. Nothing in this act shall preclude the Town from making any elected position an appointed position as otherwise permitted by law.

C. The appointment and removal of the Director and employees within the Office shall be made in accordance with the provisions of the Spencer Governmental Act except as modified herein.

D. The Town Administrator shall have the authority to assign additional related tasks to any division or office established herein as shall be consistent with best management practices or as required by statute, by-law, or policy directives of the Board of Selectmen.

E. All persons appointed to a position having a specific term hereunder shall continue to serve until their successor is appointed and duly qualified.

F. Upon the effective date of this act, all records, property, equipment, and facilities owned by the Town and under the control of the offices, boards, or commissions that are abolished or superseded by this act shall be transferred to and be under the control of the Office.

G. All laws, special legislation, by-laws, votes, rules, and regulations, whether enacted by authority of the Town or any other authority, which are in force in the Town on the effective date of this act, or any portion or portions thereof, that are inconsistent with the provisions of this act, shall be deemed rescinded or of no further force and effect to the extent of such inconsistency. Nothing contained herein shall impair contractual rights established prior to the effective date of this act.

SECTION 4.

This act shall take effect upon its passage.

**Article 15:** Majority voted that the Town appropriate the sum of \$781,671 as proposed in the Town Administrator's budget message and published on page 40 of the Finance Committee Recommendations, for the use of the Water Department for Fiscal Year 2008 and to fund said appropriation with a transfer of \$82,627 from an account on the books of the Water Department entitled "Water Unreserved Fund" and the balance from the receipts and revenue to collected by the Water Department for said Fiscal Year.

**Article 16:** Unanimously voted that the Town appropriate the sum of \$450,000 for the use of the Water Department for a meter replacement program and to authorize the borrowing of such sum with the debt service to be repaid from the future revenues of said department.

**Article 17:** Majority voted that the Town appropriate the sum of \$751,571 as proposed in the Town Administrator's budget message and published on page 41 of the Finance Committee Recommendations, for the use of the Sewer Department for Fiscal Year 2008, and to fund said appropriation from the receipts and revenue collected by the Sewer Department for said Fiscal Year.

**Article 18:** Unanimously voted that the Town appropriate the sum of \$7,003,380 for the operations of general government as proposed in the Town Administrator's budget message and published on pages 33 through 39 inclusive of the Finance Committee Recommendations, and to fund said appropriation by a transfer of \$5,000 from the Wetlands Protection Funds, anticipated receipts of \$5,002 from the Sugden Block Fund, \$64,500 from the Water Fund, \$56,500 from the Sewer Fund, \$12,000 from allocated state library grants, and the balance from taxation. (See transfer note at #11710-56000 on page 39).  
(See Attached Budget Pages)

**Article 19:** Unanimously voted, as a block, that the Town:

**A.** Appropriate the sum of 30% of all monies received in Fiscal Year 2008 as payment for the so-called "products," "conveyance," "roll-back" or other such tax or payment under the provisions of Massachusetts General Laws, Chapter(s) 61, 61A, and 61B to the Land Acquisition Stabilization Fund.

**B.** Appropriate the sum of 100% of all monies received from the Commonwealth of Massachusetts as payments from the Forest Products Trust Fund to the Land Acquisition Stabilization Fund.

**Article 20:** Majority voted that the Town appropriate the sum of \$390,000 for a capital program of equipment purchases and building improvements, as generally illustrated below, and to meet said appropriation by transferring said sum from free cash.

Police	Bullet Proof Vests	\$ 13,600
Police	Cruiser	\$ 30,000
Util & Fac	Town Hall Fire Alarm Upgrade	\$ 7,000
Parks & Rec	O’Gara Bleachers Upgrade	\$ 26,000
Util & Fac	Energy Improvements (ESCO RFP)	\$ 10,000
Highway	F250 Pickup Truck/Plow	\$ 36,000
SFES	Fire Station Renovations—Design	\$150,000
Police	Squad Room Upgrade	\$ 35,000
Highway	Backhoe Replacement	\$ 80,000
	Contingency	\$ 2,400
	Total	\$390,000

**Article 21:** Majority voted that the Town rescind the following authorized and unissued debt:

<u>Purpose</u>	<u>Date &amp; Article Authorized</u>	<u>Unissued Amount</u>
Capital Program	05/05/05 ATM #21	\$20,000
Mechanic Street	11/17/05 FTM #8	\$10,000

**Article 22:** Majority voted (Declared by Moderator) that the Town appropriate the sum of \$3,775,000 provided, however, that this vote is contingent upon passage of a proposition two and one half, so called, debt exclusion referendum question, to purchase a fire ladder/aerial platform truck; rehabilitate the Memorial Town Hall and adjacent Fire Station; develop long-range plans for an economic development zone including the expansion of the sewer/water collection, distribution, and treatment system; undertake the Citizen Soldier Monument/Isaac Prouty Park Renovation Phase I; repair/replace the Elm Street bridge; and pay the non-federally and state funded portions of the reconstruction of Maple Street (Main to Bemis), as generally illustrated below, and to meet said appropriation by a borrowing.

Util & Fac	Elm St. Bridge	\$ 75,000
SFES	SFES Ladder/Aerial Platform Truck	\$ 975,000
Util & Fac	Rehab Town Hall/Adjacent Fire Station	\$2,150,000
BoSC; BoWC; ODIS	Economic Development & Utility Plan	\$ 250,000
CS-MAC	Citizen Soldier Monument/Isaac Prouty Park Renovation Phase I	\$ 100,000
Util & Fac	Maple St. Reconstruction	\$ 140,000
	Flotation/Contingency	\$ 85,000
	Total	\$3,775,000

Moderator Declared vote as 23 Opposed and 78 In Favor.

**Article 23:** Majority voted that the Town vote each Item (Paragraph) individually, provided that any amount stated herein shall be for the use of the Spencer East Brookfield Regional School District for Fiscal Year 2008 in accordance with any conditions stated herein and further provided that any stated amount shall be reduced to any lesser amount which shall subsequently be certified by the school committee and certified to the Town.

Majority voted that the Town amend Paragraph A to raise and appropriate \$5,917,093 for the following purposes:

- \$5,808,546 Base Operating Assessment (Acct.#11300-56000)
- \$ 108,547 Voluntary Add'l Supplementary Contribution  
(Acct.#11300-56005)

**Paragraph A** – Majority voted that the Town raise and appropriate \$5,917,093 for the following purposes:

- \$5,808,546 Base Operating Assessment (Acct.#11300-56000)
- \$ 108,547 Voluntary Add'l Supplementary Contribution  
(Acct.#11300-56005)

**Paragraph B** –Majority voted that the Town raise and appropriate the sum of \$457,251 for the purposes of paying the costs of debt service of \$415,534 for previously approved building projects and \$41,717 for other previously approved capital projects.

**Paragraph C-Defeated by a majority vote a motion to remove \$47,612 for DPHS textbooks (Replacement).**

Majority voted that the Town raise and appropriate the sum of \$88,677 for capital activities, as generally illustrated below:

Purpose	Total	Spencer Share
Lake & Maple St. (Fire Door Repair)	\$ 13,000	\$ 13,000
DPHS Textbooks (Replacement)	\$ 57,000	\$ 47,612
DPHS Ventilation in Pupil Services Area	\$ 33,000	\$ 27,565
Contingency	\$ 0	\$ 500
Total	\$103,000	\$ 88,677

**D.** Defeated by a majority vote a motion to appropriate the sum of \$105,000, to be disbursed by the SelectBoard under a Memorandum of Agreement it shall execute with said District in the best interests of the Town, to invest in a pilot Choice Attraction and Retention Team (ChART) to create “magnet” programs of excellence to attract “school choice” students and retain our very own students thereby generating the maximum amount of net revenues possible to assist in meeting the needs of all of our students, and to meet said appropriation by a transfer of \$80,000 from free cash and the balance from taxation.

**Article 24:** Majority voted that the Town raise and appropriate the sum of \$531,528 for Fiscal Year 2008 for the following purposes:

- Vocational Education Assessment & Tuition (Account #11300-52000) \$452,500
- Vocational Education Transportation (Account #11300-52100) \$ 44,898
- Vocational Education “Buy In” – Debt (Account #11300-TBD) \$ 34,130

**Article 25:** Unanimously voted that the Town transfer the following sums from free cash to the following stabilization funds:

Operations Reserve, \$27,770  
Capital Reserve, \$10,000  
Land Acquisitions Reserve, \$10,000

Majority voted at 12:20 AM to dissolve this Meeting  
261 Voters Attended this Meeting.

Jean M. Mulhall, Town Clerk