

**SPECIAL TOWN MEETING
MEMORIAL TOWN HALL
October 27, 2011**

The Moderator called the meeting to order at 7:08PM.

The warrant was posted in accordance with the law.

Moderator led the Pledge of Allegiance.

Moderator thanked Rich Lapierre for use of his sound system.

Carol and Bob McPherson were acknowledged for their 12 years of volunteer service to Spencer Cable Access.

Town Clerk, Board of Selectmen, Town Administrator, Administrative Assistant, Town Counsel and Finance Committee members were introduced.

Moderator explained Town Meeting procedures.

The following articles were acted upon:

Article 1:

AUTHORIZATION TO AMEND THE PERSONNEL BYLAWS

Unanimously voted that the Town amend the Personnel Bylaws by making the following changes to the compensation schedule, Schedule C: Miscellaneous Compensation Schedule for Season and Part-Time Positions:

<u>Class Title</u>	<u>New Compensation</u>
Finance Committee Clerk	\$371.00 yearly
Parks and Recreation Chairman	\$382.00 yearly
Parks and Recreation Clerk	\$382.00 yearly
Planning Board	\$981.00 yearly
Planning Board Alternate	\$461.00 yearly
Registrars	\$1,172.00 yearly
Zoning Board of Appeals	\$981.00 yearly
Zoning Board of Appeals Alternate	\$461.00 yearly

(Informational Note: These rates all generally go up 1.6%)

Article 2:

AUTHORIZATION TO AMEND ARTICLE 11 OF THE GENERAL BYLAWS

Majority voted that the Town amend Article 11, Section 1, Junk Collectors and Dealers, of the General Bylaws by substituting the text “thirty days”, with the text “twenty-one days”, in the fifth paragraph.

Article 3:

AUTHORIZATION TO ADD NEW ARTICLE 15 TO THE GENERAL BYLAWS

Majority voted that the Town amend the General Bylaws by adding new, Article 15, Water Conservation and Restriction Bylaw, as printed in the amended draft article dated October 25, 2011, as attached hereto.

**Note: full text of the proposed bylaw change is available for review at the Town Clerk’s Office and at the Water Department Office during regular business hours, and is also available on the internet at www.spencerma.gov; click on “Departments,” then click on “Town Administrator and Board of Selectmen,” then click on the “Fall Town Meeting 2011 Warrant” link.*

Article 4:

AUTHORIZATION TO AMEND ARTICLE 5 OF THE GENERAL BYLAWS

Majority voted that the Town amend Article 5, Section 7, Parks and Recreation Department, of the General Bylaws, Section 1. Establishment, Composition, and Terms, by deleting the word “nine” prior to the word “members” in the first paragraph and substituting the word “seven” prior to the word “members” in the first paragraph and in the fourth paragraph to delete the word/symbol “six (6)” from the beginning of the paragraph and substitute the “word/symbol “four (4)””.

Article 5:

AUTHORIZATION TO CHANGE A POSITION FROM AN ELECTED OFFICIAL TO AN APPOINTED OFFICIAL

Majority voted that the Town have its elected Cemetery Commissioners become appointed Cemetery Commissioners of the Town as allowed under MGL c. 41, §1B.

Article 6:

AUTHORIZATION TO TRANSFER BETWEEN FY2012 OPERATING ACCOUNTS

Majority voted that the Town transfer the sum of One Thousand Dollars and No Cents (\$1,000.00) from the FY2012 Office of Development and Inspectional Services General Expenses Account #11250-57000 to the FY2012 Office of Development and Inspectional Services Salaries & Wages Account #11250-51000.

Article 7:

AUTHORIZATION TO TRANSFER BETWEEN FY2012 OPERATING ACCOUNTS

Majority voted that the Town transfer the sum of Four Thousand, Two Hundred, Thirty-Three Dollars and No Cents (\$4,233.00) from the Informational Technology Salaries & Wages Account #11155-51000 to the Town Clerk Salaries & Wages Account #11161-51000.

Article 8:

AUTHORIZATION TO TRANSFER BETWEEN FY2012 OPERATING ACCOUNTS

Majority voted that the Town transfer the sum of Four Thousand Dollars and No Cents (\$4,000.00) from the Parks & Recreation Powdermill Expenses Account #11640-57400 to the Parks & Recreation Salaries & Wages Account #11640-51000.

Article 9:

AUTHORIZATION TO AMEND A PREVIOUSLY APPROVED ARTICLE

Unanimously voted that the Town amend Article 15 from the May 5, 2011 Annual Town Meeting by replacing the words "A. fund the construction of a replacement sewer pump station on Meadow Road", with the words "A. fund the design, bidding, construction administration, inspection services and construction of a replacement sewer pump station on Meadow Road".

Article 10:

AUTHORIZATION TO TRANSFER MONIES TO THE FY2012 OPERATING BUDGET TO FUND UNEXPECTED EXPENSES

Majority voted that the Town Pass Over this Article, as the Town has not yet received certification of retained earnings from the Department of Revenue.

(To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00) from Sewer Enterprise Fund Retained Earnings to the FY2012 Sewer System Operations & Maintenance General Expenses Account #20000-57000 for the purposes of covering unexpected expenses related to the evaluation and repair of the existing Sewer Collection System on Water Street and Main Street.)

Article 11:

AUTHORIZATION TO TRANSFER MONIES TO THE FY2012 OPERATING BUDGET TO FUND UNEXPECTED EXPENSES

Majority voted that the Town transfer the sum of Twenty Five Thousand Dollars and No Cents (\$25,000.00) from the Fire Station Roof Repairs Capital Account #060-000-000-59181 to FY2012

Fire Department & Emergency Services General Expenses Account #11220-57000 for the purposes of covering unexpected expenses related to emergency electrical repairs.

Article 12:

AUTHORIZATION TO TRANSFER MONIES BETWEEN CAPITAL ACCOUNTS

Majority voted that the Town transfer the sum of Ten Thousand, Nine Hundred, Eighty-Four Dollars and No Cents (\$10,984.00) from the Highway ¾-Ton Pick-Up Truck Capital Account #060-000-000-59188 to the Tree Warden Tree Removal Account #060-000-000-59101.

Article 13:

AUTHORIZATION TO TRANSFER MONIES BETWEEN CAPITAL ACCOUNTS

Majority voted that the Town transfer the sum of Two Thousand, One Hundred, Eighty-Five Dollars and Thirty-Six Cents (\$2,185.36) from the Police Station Roof Repairs Capital Account #060-000-000-59180 to the Police Department Tasers Account #060-000-000-59191.

Article 14:

AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE

Majority voted that the Town appropriate the sum of One Thousand Dollars and No Cents (\$1,000.00) for the capital project of repairing the Police Station Exterior Lights and to meet said appropriation by transferring said sum from the Police Station Roof Repairs Capital Account #060-000-000-59180.

Article 15:

AUTHORIZATION TO TRANSFER MONIES BETWEEN CAPITAL ACCOUNTS

Majority voted that the Town transfer the sum of One Thousand, Three Hundred, Fourteen Dollars and Sixty-Four Cents (\$1,314.64) from the Police Station Roof Repairs Capital Account #060-000-000-59180, Two Hundred Fifty Dollars and No Cents (\$250.00) from the Police Station Driveway Capital Account #060-000-000-59192, and Four Thousand, Seven Hundred, Forty Dollars and No Cents (\$4,740.00) from the Police Station Window Replacement Capital Account #060-000-000-59203, to the Police Department Bullet Proof Vests Account #060-000-000-59132.

Article 16:

AUTHORIZATION TO TRANSFER MONIES BETWEEN CAPITAL ACCOUNTS

Majority voted that the Town transfer the sum of Two Thousand, Five Hundred Dollars and No Cents (\$2,500.00) from the Powdermill Park Capital Account #060-000-000-59193, to the Luther Hill Park Capital Account #060-000-000-59194.

Article 17:

AUTHORIZATION TO TRANSFER MONIES TO THE FY2012 OPERATING BUDGET TO FUND UNEXPECTED EXPENSES

Majority voted that the Town transfer the sum of Five Thousand, Eight Hundred, Ninety-Nine Dollars and Thirty-Six Cents (\$5,899.36) from the Town Hall Improvements Design Services Capital Account #060-000-000-59161 to the FY2012 Town Hall Maintenance Account # 11192-57000.

8:08PM brief intermission while Spencer Cable Access changed tape. Meeting continued at 8:10PM.

Article 18:

AUTHORIZATION TO TRANSFER MONIES BETWEEN CAPITAL ACCOUNTS

Majority voted that the Town transfer the sum of Four Thousand, Seven Hundred, Twenty-One Dollars and Eight Cents (\$4,721.08) from the Assessors Transition Capital Account #060-000-000-59104 to the Technology Upgrade Capital Account #060-000-000-59167.

Article 19:

AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE

Majority voted that the Town appropriate the sum of Six Thousand, Three Hundred Dollars and No Cents (\$6,300.00) for the capital project of making electrical service improvements to the Police Station Building and Site, and to meet said appropriation by transferring the sum of Three Thousand, Two Hundred, Fifty-Seven Dollars and Sixty-Five Cents (\$3,257.65) from the Town Hall Fire Alarm Upgrade Capital Account #060-000-000-59134, Seven Hundred Eleven Dollars and Seventy Cents (\$711.70) from the December 2008 Ice Storm Eligible Activities Capital Account #060-000-000-59166, and Two Thousand, Three Hundred, Thirty Dollars and Sixty-Five Cents (\$2,330.65) from the Fire Station Roof Capital Account #060-000-000-59181.

Article 20:

AUTHORIZATION TO TRANSFER MONIES TO THE FY2012 OPERATING BUDGET TO FUND UNEXPECTED EXPENSES

Majority voted that the Town transfer the sum of Ten Thousand, Dollars and No Cents (\$10,000.00) from the ESCO RFP Capital Account #060-000-000-59136 to the FY2012 Town Administrator General Expenses Account #11123-57000, for the purposes of covering unexpected expenses associated with strategic management and energy planning.

Article 21:

AUTHORIZATION TO RESCIND PREVIOUSLY AUTHORIZED AND UNISSUED DEBT

Majority voted that the Town rescind previously authorized and unissued debt described as:

May 7, 2009	\$230,000.00	Town Hall Renovations
October 16, 2008	\$64,802.47	Fire Department Ladder Truck
May 7, 2009	\$1,000,000.00	December 11, 2008 Ice Storm

Article 22:

AUTHORIZATION TO SELL LAND TAKEN BY TAX TITLE

Moderator ruled Map U28 - Parcel 108-2 (warrant stated Parcel 102-2) Wilson Extension, out of order.

Unanimously voted that the Town authorize the Treasurer/Collector, as the tax title property custodian, subject to the approval of the Board of Selectmen, upon such terms and conditions as the custodian and the Board deems reasonable, appropriate, and in the best interests of the Town, to sell the following parcels of land:

<u>Map</u>	<u>Parcel</u>	<u>Location</u>
R28	20	125 Ash Street
U28	86-3	Wilson Grove
U35	30	Oak Lane

and to further authorize the Board of Selectmen to negotiate, execute, deliver, and accept such deeds and other documents it deems necessary to carry out the purposes of this article.

Note: A copy of the plan(s) and property description(s) are available for review at the office of the Town Clerk.

Article 23:

AUTHORIZATION TO CONVEY AND ACCEPT SEWER EASEMENTS

Unanimously voted that the Town authorize the conveyance and acceptance of permanent easements for the location, maintenance, repair, and replacement of existing sewer lines and appurtenant works on, under, and across Town and private property at Bixby Road, identified as parcels U09-6-1 (15 Bixby Road), U09-6-2-1 through U09-6-2-12 (17 Bixby Road), and U09-6-3 (19 Bixby Road), on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town.

A motion was made at 8:28PM to dissolve the meeting.

Majority voted at 8:28 to dissolve the meeting.

58 Registered Voters attended this Special Town Meeting.

Jean M. Mulhall, Town Clerk