



Town of Charlton, Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING
Tuesday, October 8, 2019**

To either of the Constables of the Town of Charlton:

In the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Charlton qualified to vote in elections to meet in the Charlton Middle School, Oxford Road in said Charlton, on **Tuesday, October 8, 2019 at seven o'clock** in the evening, for the purpose of taking action on the following articles:

October 8, 2019 – Moderator Linda E. Denault called the meeting to order at 7:00 PM. Motion made, seconded and passed at 7:02 PM to recess and reconvene Wednesday, October 16, 7:00 PM at the Charlton Middle School. 4 Voters present.

October 16, 2019 – Meeting reconvened and called to order with the Pledge of Allegiance at 7:02 PM. Moderator Linda E. Denault presided. 140 Voters present.

ARTICLE 1. APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR

To see if the Town will vote to raise by taxation, transfer or borrow and appropriate a sum or sums to accounts to be specified at the town meeting for payment of one or more prior fiscal year's bills not paid due to an insufficiency of appropriation or for other reasons, or take any action relative thereto or thereon.

SPONSOR: VARIOUS TOWN DEPARTMENTS AND OFFICIALS

Motion: I move that the following prior year bills, not previously paid due to insufficiency of appropriation or late billing, be paid from the following FY20 accounts as printed below:

<u>Unpaid Bills</u>	<u>For</u>	<u>Amount</u>	<u>From</u>
B&H Photo-Video	Video equipment	\$499.00	FY20 Cable Expense 0100-194-5780-0000
Veolia Water Works	Sewer Maintenance	\$5,488.09	FY20 Sewer Enterprise –Maintenance & Equipment 6200-440-5240- 0000

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

VOTE NEEDED: 9/10THS to extent not paid due to insufficiency of appropriation; otherwise MAJORITY. [G.L. c. 44, sec. 64]

Motion passes by Unanimous Voice Vote.

ARTICLE 2. INTER/INTRA DEPARTMENTAL TRANSFERS AND/OR APPROPRIATIONS FOR FY2020 BUDGET

To see if the Town will vote to raise by taxation, borrow or transfer, and appropriate from available funds, including so called “free cash” and /or funds previously appropriated to other uses, a sum or sums of money to accounts and for purposes to be specified at the Special Town Meeting, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN, TOWN ADMINISTRATOR AND VARIOUS TOWN DEPARTMENTS

MOTION: I move that the following sums be raised by taxation or transferred, whichever is indicated below, and appropriated to the following accounts for any purpose for which funds may be expended from the latter accounts, and to authorize the Board of Selectmen or Town Administrator (or his/her designated Chief Procurement Officer) to enter into such contracts, including leases, and to take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote, each item being considered a separate appropriation:

<u>To the following Accounts</u>	<u>Amount</u>	<u>From the following Accounts</u>	<u>Purpose</u>
FY 2020 BOS-Town Administrator Salary 0100-122-5111-0000	110,000	Free Cash	Fund Salary of New Town Administrator
FY 2020 BOS-Town Admin Car Allowance 0100-122-5770-0000	5,000	Free Cash	Fund Car Allowance of New Town Administrator
FY 2020 BOS-Contract Obligations 0100-122-5790-0000	90,000	Free Cash	Contract Obligations
FY 2020 BOS-Environmental 0100-122-5795-0000	91,000	Free Cash	Environmental Services
FY 2020 Finance Committee Reserve Fund 0100-131-5799-0000	75,000	Free Cash	Restore Finance Committee Reserve Fund for Emergency and Unknown expenses
FY 2020 Fire/EMS-Wages 0100-220-5110-0000	79,750	Free Cash	Fund Fire/EMS Union Contract Settlement
FY2020 OPEB 0100-910-5750-000	120,000	Free Cash	Fund Other Post-Employment Benefits according to plan
FY2020Town Counsel 0100-151-5780-0000	90,000	Free Cash	General legal services
FY2020 DPW Expenses and Equipment 0100-422-5780-0000	4,500	Free Cash	Flashing LED Lighted Stop Signs
FY2020 Board of Health - Nurse Services 0100-512-5780-0000	3,500	Four Score Donation Account	Nursing Services

FY2020 POLICE WAGES 0100-210-5110-000	13,367	Free Cash	Retirement Benefits
FY2020 COUNCIL ON AGING WAGES 0100-541-5113-000	8,438	Free Cash	Retirement Benefits

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

Above, main motion made and seconded.

Motion then made, seconded and passed by counted vote, YES – 58, NO – 55, to amend the main motion so as to hold all items listed therein requesting transfer and appropriation of \$75,000 or a greater amount, and that each of the same be considered and acted upon separately.

Main motion, as so amended, passes by Majority, Voice Vote.

All accounts \$75,000 or greater pass (by Majority voice vote, with the exception of the BOS Environmental Account 0100-122-5795-000 in the amount of \$91,000 which passes by majority counted vote of YES – 95, NO – 23).

ARTICLE 3. AMENDMENT TO THE FY2020 BUDGET

To see if the Town will vote to amend the funding sources for the Fiscal 2020 budget voted at the May 2019 annual town meeting as follows: by reducing the amount to be transferred from Cable RRFA by \$90,000 and increasing the amount to be raised and appropriated by \$90,000, or take any action relative thereto or thereon.

SPONSOR: FINANCE COMMITTEE

Motion: I move that the town approve Article 3 as written.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

Motion passes by Majority Voice Vote.

ARTICLE 4. CAPITAL ITEMS AND RELATED CONTRACTS

To see if the Town will vote to raise by taxation, borrow or transfer from available funds, including so called “free cash” and funds previously appropriated to other uses, and appropriate a sum or sums to purchase capital items and/or for service, repair, improvement, architectural, construction, renovation, improvement and/or other contracts relating to town buildings, facilities or property or to municipal services, and to authorize the Board of Selectmen, Chief Procurement Officer, or other appropriate town official, board, commission or committee to enter into such contracts or leases, and to take such other action, as may be necessary or advisable to effectuate the purposes of such votes, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN/VARIOUS DEPARTMENTS

MOTION: I move that the town vote to appropriate the following amounts to the following departments’ respective accounts, for the FY2020 Budget, to be expended for the following purposes, each item being considered a separate appropriation, and to authorize the Board of Selectmen or Chief Procurement Officer to enter into such contracts, including leases, and to

take such other action as may be necessary or advisable to effectuate the purposes of the foregoing vote:

Department	Project/Item Requested	TA Recommended FY2020	From the Following Account
Highway	2 Sanders for new Trucks 0100-422-5870-0201	55,000	Free Cash
Highway	Ford F350 Dump Truck (w/ plow) 0100-422-5870-0202	55,000	Free Cash
Police	Cruiser Replacement (3) 0100-210-5870-0201	176,200	Free Cash
Tech Comm	Upgrade/Replacement 0100-193-5870-0201	75,000	Free Cash
Cemetery	Replace 2010 Ferris ZTR mower with collection system 0100-491-5870-0201	11,000	Free Cash
Cemetery	Repair Northside Cemetery wall 0100-491-5870-0202	30,000	Free Cash
Conservation Commission	Engineering Services- Dam Related Requirements -Ph 1 Inspections, Emergency Actions 0100-171-5870-0201	22,400	Free Cash
Town Clerk	Electric Voting System 0100-161-5870-0201	20,000	Free Cash
Town Clerk	Book and Journal repairs and binding 0100-161-5870-0202	5,000	Free Cash

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

Motion passes by Majority Voice Vote.

ARTICLE 5. MAYNARD FIELDS IMPROVEMENTS -ADA REQUIREMENTS

To see if the Town will vote to raise by taxation, borrow or transfer from available funds for the purpose of ADA Improvements to the Maynard Fields in the amount of \$170,000; or to take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN AND RECREATION COMMISSION

MOTION: I move that the town vote to appropriate \$170,000 to pay costs of making ADA improvements to the Maynard Fields, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount, in accordance with M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or to take any action relative thereto or thereon.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Two Thirds Vote Needed.

Motion Passes by necessary 2/3rd, Voice Vote.

ARTICLE 6. REPLACE FIRE ENGINE 1 – BORROWING ARTICLE

To see if the Town will vote to appropriate \$604,000 for the purpose of replacing Fire Engine I, and for all other costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise provided; or to take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

MOTION: I move that the town vote to appropriate \$604,000 to pay costs of replacing Fire Engine I, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount, in accordance with M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or to take any action relative thereto or thereon.

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion.

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Two Thirds Vote Needed.

Motion passes by necessary 2/3rd Vote. Counted Vote, YES – 107, NO – 20.

ARTICLE 7. LEGAL AND CONSULTING SERVICES

To see if the Town will vote to appropriate a sum of money from Free Cash to fund legal and consulting fees, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

Motion: I move that the town vote to transfer and appropriate \$300,000 from the Free Cash to fund Legal and Consulting Account (0100-151-5870-0101) to fund legal and consulting costs. RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion. RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion. Majority Vote Needed.

Above, motion made and seconded. Motion and seconded to amend same so as to transfer and appropriate \$300,000 from the Stabilization Fund instead of Free Cash, thus requiring a necessary 2/3rd vote to pass. Motion to amend passes by Majority Counted vote, YES – 77, NO – 35. Motion as amended passes by necessary 2/3rd vote, Counted vote – YES – 93, NO – 23.

ARTICLE 8. TRANSFER TO/FROM STABILIZATION FUNDS

To see if the Town will vote to transfer and appropriate a sum or sums to or from the Stabilization Fund Account, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

Motion: I move that the town vote to transfer and appropriate the following sums to and from the following Accounts and Funds.

<u>To the following Accounts</u>	<u>Amount</u>	<u>From the following Accounts</u>	<u>Purpose</u>
Stabilization (Fund 9009)	\$322,666	Free Cash	Fund Stabilization according to Reserve Policy
Water Stabilization (Fund 9016)	\$20,436	Water Retained Earnings (Fund 6100)	Capital Purchase
Water Stabilization (Fund 9016)	\$3,455,814.18	Water RRFA (Fund 1508-3262)	Capital Purchase
Sewer Stabilization (Fund 9017)	\$323,355	Sewer Retained Earnings (Fund 6200)	Capital Purchase

**Stab Fund present balance \$1,249,843.77*

RECOMMENDATION OF THE FINANCE COMMITTEE: FinCom supports this motion. RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion. Majority Vote Needed. [G.L. c. 40, sec. 5B] Motion passes by Majority Voice Vote.

ARTICLE 9. RESCIND POTTER VILLAGE BOND AUTHORIZATION

To see if the Town will vote to rescind unissued borrowing authorization of \$500,000 for the Potter Village Bridge voted under Article 6 of the October 16, 2017 Special Town Meeting, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

Motion: I move that the town approve Article 9 as written.

RECOMMENDATION OF THE FINANCE COMMITTEE: NA

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Two Thirds Vote Needed.

Motion passes by Unanimous Voice Vote.

ARTICLE 10. SOCIAL MEDIA BYLAW

To see if the Town will vote to adopt a Social Media Bylaw, a copy of said bylaw being on file in the office of the Town Clerk, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN/ TECHNOLOGY COMMITTEE

Motion: I move that the town vote to amend the Charlton General Bylaws by adding to the General Code a new Chapter 167, entitled “Social Media Bylaw”, referenced in the article (a copy of which has been on file and available in the office of the Town Clerk during normal business hours since before posting of the warrant for this meeting and an additional copy of which is printed in the back of the booklet available for review at this evening’s town meeting) and to authorize the company which prepared and edits the General Code to make such revisions in formatting and numbering of the sections of said bylaw as necessary or advisable to accord with the formatting and numbers of the rest of the General Code, provided, however, that to the extent impact bargaining is legally required no implementation of such new bylaw shall commence with the respect to any member of the bargaining units represented by the Charlton Police Alliance, Charlton Highway Union and/or United Professional Alliance of Charlton until either agreement or impasse is reached through such good faith bargaining.

RECOMMENDATION OF THE FINANCE COMMITTEE: NA

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

**note: Printed in back of booklet*

Above, main motion made and seconded.

After discussion, motion and second withdrawn. Motion and second made and passes by Counted vote, YES – 71, NO – 26 to postpone consideration of the article indefinitely.

ARTICLE 11. SPECIAL ACT- REMOVE POSITION OF POLICE CHIEF FROM CIVIL SERVICE

To see if the Town will vote: (a) to authorize the Board of Selectmen to petition the General Court for a special act reading as follows:

“**SECTION 1.** The position of police chief in the town of Charlton shall not be subject to chapter 31 of the General Laws.

SECTION 2. Section 1 of this act shall not impair the civil service status of any person holding the position of police chief in the town of Charlton on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.”;

, to authorize the General Court to make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and the Board of Selectmen shall be authorized to approve amendments which shall be within the scope of the general public objectives of the petition; and (b) to further authorize the Board of Selectmen to take any and all other action necessary or advisable to remove the position of police chief in the town of Charlton from Civil Service; or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

Motion: I move that the town approve Article 11 as written.

RECOMMENDATION OF THE FINANCE COMMITTEE: NA

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

Motion passes by Majority Counted vote, YES – 61, NO – 30.

ARTICLE 12. SPECIAL ACT- REMOVE POSITION OF POLICE LIEUTENANT FROM CIVIL SERVICE

To see if the Town will vote: (a) to authorize the Board of Selectmen to petition the General Court for a special act reading as follows:

“**SECTION 1.** The position of police lieutenant in the town of Charlton shall not be subject to chapter 31 of the General Laws.

SECTION 2. Section 1 of this act shall not impair the civil service status of any person holding the position of police lieutenant in the town of Charlton on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.”;

, to authorize the General Court to make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and the Board of Selectmen shall be authorized to approve amendments which shall be within the scope of the general public objectives of the petition; and (b) to further authorize the Board of Selectmen to take any and all other action necessary or advisable to remove the position of police lieutenant in the town of Charlton from Civil Service; or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

Motion: I move that the town approve Article 12 as written.

RECOMMENDATION OF THE FINANCE COMMITTEE: NA

RECOMMENDATION OF THE BOARD OF SELECTMEN: BOS supports this motion.

Majority Vote Needed.

Motion fails by Counted vote, YES – 26, NO – 58.

On motion duly made and seconded, meeting adjourned at 9:37 PM.

* * * * *

And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices, one in Dexter Memorial Hall and one in the Charlton Municipal Offices (George C. McKinstry, III Building) in said Town, fourteen days at least before the time and place of holding meeting.

Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

Given under our hands this 23th day of September, in the Year of Our Lord Two Thousand and Nineteen (2019).

Board of Selectmen

David M. Singer, Chairperson

Karen A. Spiewak, Vice-Chairperson

William Borowski, Clerk

John P. McGrath, Member

Deborah B. Noble, Member

A true copy:

Attest:

Posted as directed:

Constable/Police Officer of Charlton, Massachusetts