

Town of Shirley  
Massachusetts



**WARRANT**

for the

**ANNUAL TOWN  
MEETING**

**Monday, May 20, 2013**

**7:15 PM**

**Ayer – Shirley Regional Middle School  
Auditorium, 1 Hospital Road, Shirley**

## Town of Shirley Warrant, Annual Town Meeting, May 20, 2013

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**NOTICE:** *If the business of this Warrant for the Annual Town Meeting is not concluded on May 20<sup>th</sup>, it is proposed to adjourn as follows, provided that the Meeting so votes: to Tuesday, May 21, 2013 at 7:15 p.m.*

**Town of Shirley  
Annual Town Meeting  
May 20, 2013**

**WARRANT**

COMMONWEALTH OF MASSACHUSETTS  
MIDDLESEX, ss.

To any of the Constables of the Town of Shirley in said County,

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Auditorium of the Ayer - Shirley Regional Middle School at 1 Hospital Road in Shirley Village on:

**Monday, the Twentieth Day of May, 2013, at 7:15 p.m.,**

then and there to act on the following Articles:

**Article 1. Accept Annual Town Report**

To see if the Town will vote to accept the Reports of the Selectmen and other Town Officers for the Fiscal Year July 1, 2011 through June 30, 2012, as published and promulgated, a copy having been filed in the Office of the Town Clerk; or take any other action relative thereto.

**Article 2. Amend Fiscal Year 2013 Budget Vote**

To see if the Town will amend the Fiscal Year 2013 Budget Vote, as previously revised under Article 4 of the Annual Town Meeting held on May 21, 2012 by striking the words:

\$10,103,510.59 from Raise and Appropriate and \$230,035.82 to be appropriated by a transfer from Free Cash.

And replacing them with the following:

\$9,998,139.29 from Raise and Appropriate and \$335,407.12 to be appropriated by a transfer from Free Cash.

### **Article 3. Amend Appropriations for the Current Fiscal Year**

To see if the Town will vote to amend the amounts appropriated under Article 6 of the Warrant for the May 21, 2012 Annual Town Meeting to include, but not be limited to, the items listed below, said appropriations to be transferred from available funds; or take any other action relative thereto.

<b>TOWN OF SHIRLEY FY2013 BUDGET</b>				
<b>Line Item Number</b>	<b>Department/Account Name</b>	<b>FY2013 Approved</b>	<b>Proposed (Reduction)/ Increase</b>	<b>FY2013 Revised Budget</b>
<b>423</b>	Snow and Ice Removal Expenses	\$79,000	\$30,000	\$109,000

### **Article 4. Accept Local Option Meals Excise**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 64L, Section 2 authorizing the Town to impose a local sales tax at the statutory rate of three-quarters of a percent (0.75%), on the sale of restaurant meals originating within the Town; or take any action relative thereto.

### **Article 5. Accept Salary Classification Plan and FY2014 Wage Scale (See Appendices A, B, & C)**

To see if the Town will vote to:

- a) accept the Salary Classification Plan, as set forth in Appendix A;
- b) amend the FY2013 Wage Scale (see Appendix B) by increasing the rates of pay for each grade and step by one and one-half percent (1.5%), effective July 1, 2013, as set forth in Appendix C; and,
- c) transfer from available funds \$44,000 to be expended by the respective departments, in order to fund the said percentage increase and merit increases for elected personnel, and all contractual and non-contractual non-union employees, or take any other action relative thereto.

### **Article 6. Appropriate Omnibus Operating Budget for FY2014 (See Appendix D)**

To see if the Town will vote to appropriate a sum of money as and for the Omnibus Operating Budget of the Town for the period beginning July 1, 2013 and ending June 30, 2014, to defray the operations and other necessary and proper charges, costs, and expenses of the Boards, Commissions, Committees, Officers, and Departments of the Town, together with the payment of debt service, for said Fiscal Year 2014, with the *total* for each line item number (department, etc.) considered to be a separate appropriation, all as set forth in Appendix D; and further, that the Town authorize the Board of Selectmen, with the concurrence of the Finance Committee, to transfer funds *between* line item numbers (departments, etc.) defined within the budget, provided that such transfers shall only occur within the last two months of the fiscal year, and the total transfer amount shall not be more than one percent (1%), of the total budget amount, and provided further, that any such transfer shall require a majority vote of each of the Board of Selectmen and the Finance Committee at a duly posted public meeting.

Such amounts to be provided by taxation and/or by transfer from available funds; or take any other action relative thereto.

## **Article 7. Appropriate Omnibus for War Memorial Trustees Budget for FY2014**

To see if the Town will vote to appropriate the sum of \$8500 to be expended by The War Memorial Trustees for the purpose of operating the War Memorial Building during FY14 or take any action relative thereto.

## **Article 8. Appropriate Omnibus Sewer Department Budget for FY2014**

To see if the Town will vote to appropriate \$1,509,608 to be expended by the Sewer Commissioners as and for the budget of the Sewer Department for the period from July 1, 2013 through June 30, 2014, to defray the operations and other necessary and proper charges, costs, and expenses of the Sewer Department for said Fiscal Year 2014, as set forth below; such amounts to be provided from estimated revenues of \$892,110 from Betterment Assessments, and an estimated \$457,498 from User Fees, and \$160,000 from Retained Earnings; or take any other action relative thereto.

### **LINE 442: FY2014 SEWER DEPARTMENT BUDGETS**

<b><u>Description</u></b>	<b><u>Appropriated FY13</u></b>	<b><u>Requested FY14</u></b>
Wages, Hourly	\$ 31,264	\$ 32,115
Health Insurance	\$ 16,560	\$ 18,484
Medicare	\$ 554	\$ 582
Contracted Services/Operations & Maintenance	\$ 483,290	\$ 449,617
General Operations/User Expenses	\$ 86,700	\$ 86,700
Reserve Fund	\$ 29,691	\$ 30,000
Capital Assessments & Debt Service/Betterment Expenses	\$ 882,150	\$ 892,110
<b>Total Sewer Department</b>	<b>\$1,530,209</b>	<b>\$1,509,608</b>
Indirect Cost Expenses	\$40,429	\$ 40,429
<b><u>Total Sewer Department Spending</u></b>	<b><u>\$1,570,683</u></b>	<b><u>\$ 1,550,037</u></b>

## **Article 9. Appropriate Omnibus Ambulance Department Budget for FY2014**

To see if the Town will vote to appropriate \$121,924 to be expended by the Ambulance Department for the period from July 1, 2013 through June 30, 2014 in order to defray the operations and other necessary and proper charges, costs, and expenses of the Ambulance Department for said Fiscal Year 2014, as set forth below; such amounts to be provided from \$41,924 in retained earnings, and estimated receipts of \$80,000 in User Fees to be charged by the Ambulance Department; or take any other action relative thereto.

### **LINE 231: FY2014 AMBULANCE DEPARTMENT BUDGETS**

<b><u>Description</u></b>	<b><u>Appropriated FY13</u></b>	<b><u>Requested FY14</u></b>
Salary, Ambulance Director	\$ 13,198	\$ 13,396
Wages, Hourly – On-call EMT's, Billing Clerk	\$ 39,075	\$ 39,273
EMT Stipends	\$ 1,800	\$ 1,800
Health Insurance	\$ 32,652	\$ 36,967
Medicare	\$ 750	\$ 788
Expenses	\$ 29,250	\$ 24,700
Reserve Fund	\$ 4,313	\$ 5,000
<b>Total Ambulance Department</b>	<b>\$121,038</b>	<b>\$ 121,924</b>
Indirect Cost Expenses	\$49,967	\$39,967
<b><u>Total Ambulance Department Spending</u></b>	<b><u>\$171,005</u></b>	<b><u>\$161,891</u></b>

## **Article 10. Appropriate Omnibus Curbside Solid Waste/Recycling Budget for FY2014**

To see if the Town will vote to appropriate \$224,464 to be expended by the Board of Health for the period of July 1, 2013 through June 30, 2014 to defray the operations and other necessary and proper charges, costs, and expenses associated with the Solid Waste/Recycling Curbside Collection Program; such amount to be provided from an estimated \$189,252 in user fees, and \$35,212 in retained earnings; or take any other action relative thereto.

### **LINE 433: FY2013 SOLID WASTE/RECYCLING CURBSIDE COLLECTION BUDGETS**

<b><u>Description</u></b>	<b><u>Appropriated FY13</u></b>	<b><u>Requested FY14</u></b>
Expenses	\$224,464	\$224,464
<b>Total Solid Waste/Recycling Curbside Collection</b>	<b>\$224,464</b>	<b>\$224,464</b>

## **Article 11. Approve Five-Year Capital Improvement Plan & Capital Budget for FY2014 (See Appendix E)**

To see if the Town will vote to approve the FY2014 Capital Budget, together with the ensuing four years, said five-year plan known as the Capital Improvement Plan, as set forth in Appendices E; or take any other action relative thereto.

## **Article 12. Appropriate for FY2014 Capital Budget (See Appendix E)**

To see if the Town will vote to appropriate: \$319,199 such appropriation to be provided taxation and/or available funds; or take any other action relative thereto.

## **Article 13. Repurpose the Capital Plan For the War Memorial Building**

To see if the Town will reallocate \$29,000 that was previously appropriated and raised by borrowing under Article 8(D) of the Warrant at the 2002 Annual Town Meeting held on June 3, 2002, which sum was initially borrowed to pay costs of renovating the kitchen and lavatory on the bottom floor of the War Memorial Building, but which is insufficient to complete that project, to pay costs of boiler replacement, energy conservation repairs, painting of walls, replacement of carpet, bathroom repairs or any other building renovations at the War Memorial Building, or take any other action with respect thereto.

## **Article 14. Authorize Transfers for Managing Debt**

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen and the Finance Committee, to transfer funds between Line Item #711, Debt Service (Long-term Principal and Interest and Short Term Interest), and Line #712, Debt Issue Cost (Expense) in the budget for Fiscal Year 2014; provided that such transfers remain within the total appropriations for these line items and sub-accounts; or take any other action relative thereto.

## **Article 15. Renew Limited Additional Property Tax Exemption**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 73 of the Acts of 1986, to grant additional real estate tax exemptions of 100% for fiscal year 2013 to persons who qualify for property tax exemptions under Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C of Section 5 of Chapter 59; or take any other action relative thereto.

## **Article 16. Accept the Solar Transmission Lease**

To see if the Town will vote to authorize the Board of Selectmen to lease a portion of the land along and under Walker Road for the transmission of solar electricity, or take any other action relating thereto.

## **Article 17. Accept Deed or Deeds on Abigail Lane, Map 97, Parcel B**

To see if the Town will vote to accept a deed or deeds from Robert E. Decot and any and all other owners Thereof in lieu of foreclosure to the following parcels of land which are subject to tax takings held by the Treasurer for unpaid real estate taxes, as allowed by and in compliance with M.G.L. Chapter 60, Section 77C; Take any other action relative thereto;

- Approximately 0.921 Acres on Abigail Lane, shown on Assessors' Map 97, as Parcel B-13.1
- Approximately 0.929 Acres on Abigail Lane, shown on Assessors' Map 97, as Parcel B-13.2
- Approximately 5.52 Acres on Abigail Lane, shown on Assessors' Map 97, as Parcel B-13.3
- Approximately 0.919 Acres on Abigail Lane, shown on Assessors' Map 97, as Parcel B-13
- Approximately 1 Acre on Abigail Lane, shown on Assessors' Map 97, as Parcel B-13.4

## **Article 18. Sale/Conveyance of Land – Main Street - Municipal Parking Lot**

To see if the Town will transfer to the Board of Selectmen, for the purpose of sale, the care and custody of approximately 2.00 acres, more or less, of the Town owned land located on Main Street and shown on the Shirley Assessors' Maps as parcel 16-D-1, for the purpose of renting, conveying, or otherwise disposing of said property, and to authorize the Board of Selectmen to rent, convey, or otherwise dispose of said property in accordance with such terms and conditions as are determined by the Board of Selectmen to be in the best interest of the Town; or take any other action in relation thereto.

## **Article 19. Establish & Re-establish Departmental Revolving Funds**

To see if the Town will vote to establish and re-establish the following Departmental Revolving Funds for Fiscal Year 2014 in accordance with Chapter 44, Section 53E 1/2, of the Massachusetts General Laws.); or take any other action relative thereto:

### **a) Council on Aging Van Service (Re-establish)**

Fiscal Year Expenditure Limit: \$52,000  
Authorized Department: Council on Aging  
Program or Purpose: Van service for transporting the elderly and disabled  
Revenue Source: Fees, fares or reimbursement from Montachusett Regional Transportation Authority

### **b) Advertising & Postage Costs Advanced by Applicants (Re-establish)**

Fiscal Year Expenditure Limit: \$5,000  
Authorized Department: Relevant departments  
Program or Purpose: Pass-through account for legal advertisements and postage funded by applicants for licenses, permits, etc.  
Revenue Source: Charges, costs, and fees advanced or reimbursed by applicants in connection with applications for licenses, permits, variances, or other matters

### **c) Dog Licensing & Other Expenses (Re-establish)**

Fiscal Year Expenditure Limit: \$4,500  
Authorized Department: Town Clerk, Dog Officer  
Program or Purpose: Dog licensing & other expenses relating to dogs  
Revenue Source: Fees for licensing dogs

### **d) Boarding & Caring for Impounded Dogs (Re-establish)**

Fiscal Year Expenditure Limit: \$5,000  
Authorized Department: Police Department  
Program or Purpose: Boarding and caring for impounded dogs  
Revenue Source: Fines and payments by owners for boarding dogs

### **e) Wetlands By-law Expenses (Re-establish)**

Fiscal Year Expenditure Limit: \$25,000  
Authorized Department: Conservation Commission  
Program or Purpose: Pass-through account for expert engineering and consulting services retained by the Conservation Commission for review of applications under the Wetlands Bylaw  
Revenue Source: Costs and fees advanced by applicants



**f) Fees & Expenses of Animal Control Officer (Re-establish)**

Fiscal Year Expenditure Limit: \$3,000  
Authorized Department: Board of Health  
Program or Purpose: Pass-through account for paying the Animal Control Officer's stipend, fees, and other expenses  
Revenue Source: Fees and charges assessed to owners for the inspection of domestic animals in accordance with Massachusetts General Laws Chapter 129, Section 19

**g) Fees for Deputy Collector (Re-establish)**

Fiscal Year Expenditure Limit: \$15,000  
Authorized Department: Town Collector  
Program or Purpose: Pass-through account to pay statutory fees earned by the Town's Deputy Collector (independent contractor)  
Revenue Source: Fees added to, and paid with, overdue bills

**h) Fees & Expenses of Field Driver (Re-establish)**

Fiscal Year Expenditure Limit: \$2,000  
Authorized Department: Police Department  
Program or Purpose: Pass-through account for paying the fees and expenses of the Town's Field Driver  
Revenue Source: Charges assessed to owners for collecting, transporting, and impounding their strayed animals

**i) Fees & Expenses of Police Lock-up (Re-establish).**

Fiscal Year Expenditure Limit: \$5,000  
Authorized Department: Police Department  
Program or Purpose: Pass-through account for providing lock-up facilities to other governmental entities  
Revenue Source: Fees paid for use of cells

**j) Expenses of Planning Board (Re-establish)**

Fiscal Year Expenditure Limit: \$40,000  
Authorized Department: Planning Board  
Program or Purpose: Pass-through account for expert engineering and other consulting services, and for required legal advertising, and for expenses incurred by the Planning Board for review of applications under its Subdivision Control Regulations  
Revenue Source: Costs and fees advanced by applicants

**k) Expenses of Recycling (Re-establish)**

Fiscal Year Expenditure Limit: \$3,000  
Authorized Department: Board of Health  
Program or Purpose: Pass-through account for expenses of recycling cardboard, glass, metals, paper, plastics, etc.  
Revenue Source: Payments for recycled materials

**l) Expenses of Recreational Fields (Re-establish)**

Fiscal Year Expenditure Limit: \$25,000  
Authorized Department: Recreation Fields Committee  
Program or Purpose: For the costs of maintenance, equipment, and supplies, renovations and/or improvements to any and all Town-owned Recreation fields, including related design services  
Revenue Source: Fees, donations, gifts

**m) Council on Aging Medical Transport Expenses (Re-establish)**

Fiscal Year Expenditure Limit: \$3500  
Authorized Department: Council on Aging  
Program or Purpose: For the costs of transportation to medical events for the elderly that supplements services already provided by the MART van  
Revenue Source: Grants, donations, fares

**n) Council on Aging Newsletter Printing Expenses (Re-establish)**

Fiscal Year Expenditure Limit: \$4,000  
Authorized Department: Council on Aging  
Program or Purpose: For the costs of advertising and printing the monthly COA newsletter  
Revenue Source: Revenue from advertisements; grants, donations

**Article 20. Appropriate Chapter 90 Funds**

To see if the Town will vote to appropriate, directly for expenditure by the Public Works Department, for such purposes as may be approved by the Massachusetts Highway Department for capital expenditures, all highway aid received from the Commonwealth during Fiscal Year 2014, in accordance with Chapter 90 of the Massachusetts General Laws; or take any other action relative thereto.

**Article 21. Transfer to the General Stabilization Fund for FY2014**

To see if the Town will vote to transfer a sum of money to the General Stabilization Fund by a transfer from available funds; or take any other action relative thereto.