

Finance Committee Report

Given the overall downturn in the economy and the escalating costs of energy, health care and other fixed costs, this year's budget process presented considerable challenges to the town Finance Committee, the town department heads and the town's administration to develop a sound and responsible fiscal plan for the upcoming year.

THE REVENUE SIDE

Under Prop 2½, the town is limited to increasing taxes by not more than 2½ % of the prior year's levy plus the real estate taxes generated by new growth (that is, new construction). We have seen a steady decrease in new growth over the past several years; for fiscal year 2009, the Assessors' office estimates that new growth will be \$125,000, which is a 10 year low. Additionally, there has been a statewide decrease in motor vehicle excise tax collections, as more folks buy smaller vehicles, defer buying new vehicles at all, and keep older vehicles on the road for longer periods of time. Lastly, we are dependant on state aid, the actual amount of which is difficult to forecast, as we do not receive final numbers until after our local budget process has been finalized.

For FY 2009, our current best numbers are as follows:

- Tax levy within Prop 2½ : \$13,515,768
- Projected new growth: \$125,000
- State aid: \$1,683,830
- Local revenue: \$1,874,000
- Total revenue from all sources: \$17,198,598

THE EXPENSE SIDE

With decreases in revenues and the limitations of Prop 2½ in mind, the Finance Committee initially recommended that town departments limit budgetary increases to 1.5%. Again this is a three year low, as last year's cap was set at 2.5% and in the prior year's at 3%. Excluded from this limitation were energy costs, health insurance, and salaries (some of which are governed by contract and others by a wage scale). The Finance Committee also requested that the departments that charge fees for services reexamine their fee structures, to see if they are in line with other communities, and to consider an increase where appropriate. Lastly, the Committee conducted a line-item review of each department's budget, with the goal of eliminating or reducing costs and/or duplication of services. Consequently, with the cooperation of the department heads, the Finance Committee was able to trim \$83,000 from town budgets, as originally submitted.

Total of all recommended town budgets: \$7,748,538

(Exclusive of Enterprise departments, which are self funding)

THE SCHOOLS BUDGET

Pepperell is part of a three-town school district (North Middlesex Regional School District) for the elementary, middle school, and high school levels; we are also part of a seven-town district (Nashoba Valley Technical High School) for the vocational-technical high school. For budget purposes, this means that, although Pepperell is separately responsible for paying the cost of educating our students, the Town has no direct control over the school districts' budgets. The town is represented on the school committees for both districts, and it is those bodies, along with district administrations that set the budgets. Historically (due in part to declining enrollments), Pepperell's share of the technical school budget has been either stable or declining in recent years. By contrast, the North Middlesex budget continues to grow exponentially, outpacing the limited increases allowed by Proposition 2½, revenue from new growth, and state aid to schools (which has itself declined steadily over the past seven years, from approximately 73% in 2001 to 50% in 2007).

The state mandates that towns pay at least a "minimum contribution," constituting a fixed amount per student. Pepperell's minimum contribution for FY '09 is approximately \$7,493,409. The proposed NMRSD budget for

Pepperell exceeds that figure by over \$1,141,416. In fact, Pepperell voters have already approved over \$1,500,000 in increases above the minimum contribution since FY '07.

This year, in an effort to address the continuing growth in NMRSD's budget, representatives from Pepperell, Townsend and Ashby submitted a joint statement to the School District in which the towns stated that they could not absorb any budgetary increase exceeding 1% to 2% of last year's budget. This statement was presented by those representatives to the school district administration and school committee. At that meeting, the district indicated it would not reduce the proposed budget, despite representations from the towns that town services would have to be cut to pay for the schools, if that budget prevailed.

Proposed School Budgets:

- **North Middlesex Regional School District: \$10,102,245**
- **Nashoba Valley Technical High School: \$918,704**

THE BOTTOM LINE

If the voters approve, the total for the proposed budgets for the town and the school districts for FY '09 is \$19,112,069. The total of projected revenue and state aid is \$17,198,598. The shortfall is \$1,913,480.

The Finance Committee proposes the following appropriations to cover this deficit:

- **Free Cash (money not spent from prior year) \$400,000**
- **Retirement Fund (not a renewable source) \$200,000**
- **Offsets from Enterprise Funds \$64,000**
- **Stabilization Fund (town's savings account) \$107,757**
- **Override \$1,000,000**

Shortfall as of 4/29/08 \$141,714

Without a successful override, the Town will be forced to balance the budget by using the remaining monies in the Stabilization Fund, which action will decimate that account. This desperate use of reserves will result in a reduced bond rating for the Town and inevitable higher borrowing rates. Funds derived from an override would be used to reduce the negative impacts of a monumental drain on the Stabilization Fund, as well as to provide a hedge against an even more dramatic shortfall in financial resources projected for FY '10.

The Finance Committee is a seven-member volunteer board whose members are Diane Gaspar, Chairperson, Burke Bero, Vice Chair, Chris DeSimone, Stephanie Cronin, Shaun Cummings, Jeanne LeBlanc, and Chris Johnson. The Committee is very grateful for the superb administrative support and professionalism provided by Town Accountant Theresa Walsh, and recording secretary, Sandra Précé.

Respectfully submitted,

Diane M. Gaspar
Chairperson

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

To either of the constables of the Town of Pepperell, 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 according to law to vote in state, county, district and town affairs to assemble at the NISSITISSIT MIDDLE SCHOOL, in said Town, on Monday, the 5th of May, A.D. 2008 at 7:30 PM to act on the following articles:

ANNUAL TOWN MEETING May 5, 2008

ARTICLE 1

TOWN OFFICERS AND COMMITTEES

To choose all Town Officers and Committees for the ensuing year (July 1, 2008 - June 30, 2009) not required to be elected by ballot.

Recommended by Finance Committee.

ARTICLE 2

ELECTED OFFICIALS COMPENSATION

To see if the Town will vote to fix the salary and compensation of Elected Officers of the Town for the Fiscal Year July 1, 2008 - June 30, 2009, as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended; or take any other action relative thereto.

Salaries of the Elected Officers are included in the Departmental Appropriations.

Elected Official	Voted Salaries 7/1/07-6/30/08	Requested Salaries 7/1/08-6/30/09	Recommended Salaries 7/1/08-6/30/09
<u>Town Clerk</u> Range \$49,507* – 61,659	\$ 59,905	\$61,659	\$61,659
<u>Treasurer/Tax Collector</u> Range \$62,098* – 76,248	\$ 74,056	\$76,248	\$76,248
<u>Assessors</u>			
Chairman of the Board	\$ 1,000	\$ 1,000	\$ 0
Each Member (2)	\$ 750	\$ 750	\$ 0
<u>Board of Health</u>			
Chairman of the Board	\$ 750	\$ 750	\$ 0
Each Member (2)	\$ 500	\$ 500	\$ 0
<u>Board of Public Works</u>			
Chairman of the Board	\$ 600	\$ 600	\$ 0
Each Elected Member (2)	\$ 500	\$ 500	\$ 0
<u>Lawrence Library Trustees</u>	\$ 0	\$ 0	\$ 0
<u>Moderator</u>	\$ 150	\$ 150	\$ 0
<u>Planning Board</u>			\$ 0
Chairman of the Board	\$ 750	\$ 750	\$ 0
Each Member (4)	\$ 500	\$ 500	\$ 0
<u>Recreation Commission</u>			\$ 0
Chairman of the Board	\$ 300	\$ 300	\$ 0
Each Member (2)	\$ 250	\$ 250	\$ 0
<u>Selectmen</u>			\$ 0
Chairman of the Board	\$ 1,500	\$ 1,500	\$ 0
Each Member (2)	\$ 1,250	\$ 1,250	\$ 0
<u>Tree Warden</u>	\$ 1,200	\$ 1,200	\$ 0

* Shall be the pay for anyone who is not the incumbent officeholder as of 7/1/08 and who is appointed or elected during the fiscal year. The above salary recommendations to become effective under the dates specified above.

The Finance Committee is recommending salaries for the Town Clerk and Treasurer/Tax Collector only.

**ARTICLE 3
COMPENSATION PLAN**

To see if the Town will vote to amend its Compensation Plan established pursuant to Chapter 41, Section 108A, of the Massachusetts General Laws, and Pursuant to Chapter 31 of the Code of the Town of Pepperell, for the Fiscal Year July 1, 2008 through June 30, 2009, by deleting Appendices B, C and D of the Compensation Plan, and by inserting the text of said Appendices as follows:

APPENDIX B
COMPENSATION PLAN
FISCAL 2009 (EFFECTIVE JULY 1, 2008)
REGULAR FULL-TIME AND REGULAR PART-TIME HOURLY
EMPLOYEES

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	13.15	13.68	14.22	14.79	15.39	16.01
2	13.95	14.50	15.08	15.69	16.32	16.96
3	15.35	15.97	16.60	17.26	17.95	18.67
4	16.87	17.55	18.25	18.98	19.73	20.53
5	18.57	19.31	20.09	20.89	21.72	22.60
6	20.42	21.24	22.09	22.98	23.90	24.85
7	22.46	23.36	24.30	25.37	26.28	27.34
8	24.72	25.71	26.74	27.81	28.92	30.08
9	27.19	28.28	29.41	30.59	31.81	33.08
10	29.89	31.09	32.33	33.62	34.97	36.37

APPENDIX C
COMPENSATION PLAN
FISCAL 2009 (EFFECTIVE JULY 1, 2008)
REGULAR FULL-TIME AND REGULAR PART-TIME SALARIED
EMPLOYEES

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	13.15	13.68	14.22	14.79	15.39	16.01
2	13.95	14.50	15.08	15.69	16.32	16.96
3	15.35	15.97	16.60	17.26	17.95	18.67
4	16.87	17.55	18.25	18.98	19.73	20.53
5	18.90	19.65	20.45	21.26	22.11	23.00
6	21.18	22.02	22.91	23.82	24.77	25.76
7	23.71	24.66	25.65	26.67	27.74	28.85
8	26.56	27.62	28.73	29.88	31.08	32.32
9	29.74	30.92	32.17	33.44	34.78	36.17
10	33.31	34.64	36.03	37.47	38.96	40.53

APPENDIX D
 COMPENSATION PLAN
 FISCAL 2009 (EFFECTIVE JULY 1, 2008)
 SEASONAL, TEMPORARY & NON-REGULARLY SCHEDULED
 EMPLOYEES

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
0	8.72	9.07	9.43	9.81	10.20	10.61
1	13.15	13.68	14.22	14.79	15.39	16.01
2	13.95	14.50	15.08	15.69	16.32	16.96
3	15.35	15.97	16.60	17.26	17.95	18.67
4	16.88					20.53
5	18.56					22.58
6	20.42					24.85
7	22.46					27.33
8	24.72					30.07

Special Rates: Special Police Officer: Step 1 from Patrolmen's Contract
 Detention Room Monitor: C3-1
 Entry Level Playground Assistants/Dispatcher Trainees - \$1.00 less than
 Grade 0 Step 1

Recommended by Finance Committee.

**ARTICLE 4
 BUDGETS**

To determine the specific sums the Town will vote to raise and appropriate or appropriate from available funds, to defray the regular expenses of the Town for the Fiscal Year July 1, 2008 through June 30, 2009 for General Government; Public Safety; Education; Public Works and Facilities; Human Services; Culture and Recreation; Debt Service; Employee Benefits and Insurance; Ambulance Fund; Sewer Enterprise Fund; Water Enterprise Fund; and Transfer Station Fund, or take any other action relative thereto. The following budgets are for the fiscal year covering the twelve-month period July 1, 2008 through June 30, 2009:

ARTICLE 5

NORTH MIDDLESEX REGIONAL SCHOOL DISTRICT ASSESSMENT

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$10,102,244.50 for the purpose of funding the Town’s apportioned share of the North Middlesex Regional School District operating budget and debt service for the fiscal year July 1, 2008 through June 30, 2009, as most recently certified to the Town by the District Treasurer, and, by virtue of appropriating this sum, approve the certified budget for the said fiscal year, or, by not appropriating this sum, explicitly disapprove the certified budget; or take any other action relative thereto.

Not recommended by Finance Committee.

ARTICLE 6

NASHOBA VALLEY TECHNICAL HIGH SCHOOL ASSESSMENT

To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$918,704 for the purpose of providing funds for the Town’s apportioned share of the Nashoba Valley Technical High School operating budget and debt service for the fiscal year July 1, 2008 through June 30, 2009, as most recently certified to the Town by the District Treasurer, and by virtue of appropriating this sum, approve the certified budget for the said fiscal year, or by not voting to appropriate the sum, explicitly disapprove the certified budget; or take any other action relative thereto.

Recommended by Finance Committee.

ARTICLE 7

By: Board of Public Works

Nashua Road Well Design

To see what sum of money the Town will vote to raise and appropriate or appropriate from available funds, or borrow to provide for engineering/design services for the Nashua Road Well; said appropriation to be under the control of the Board of Public Works; or take any other action relative thereto.

This article was inserted in the Warrant as a hedge against possible adverse actions that might have been taken by DEP. In actuality, DEP took no such action(s), and this article is moot.

ARTICLE 8

By: Board of Public Works

Varnum Brook Access Road - Supplemental

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$12,600 as supplemental funding, to be used with the monies already appropriated under Article 8 of the 2003 Special Town Meeting, for the reconstruction of the Varnum Brook access road, said appropriation to be under the control of the Highway Superintendent; or take any other action relative thereto.

Work on the subject road was deferred until after the construction of the skateboard park. The additional monies represent a revised/current assessment (including the increased cost of asphalt) of the actual work to be performed.

Recommended by Finance Committee.

ARTICLE 9

By: Council on Aging

Senior Tax Work-off Program

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$5,000 to continue the Senior Tax Work-off Program for FY 2009, said appropriation to be under the control of the Council on Aging Director; or take any other action relative thereto.

This article represents a proposed second year of the tax write-off program for Pepperell seniors.

Not recommended by Finance Committee.

ARTICLE 10

By: Board of Public Works

Sale of Property – Canal Street

To see if the Town will vote to authorize the Board of Selectmen to sell, for a sum not less than \$150,000, the property located at 15 Canal Street, Pepperell, containing .56 acres more or less, being shown as lot 61 on Assessors' Map 24, with building thereupon (formerly the offices of the Pepperell Water Department), and more particularly described at page 122 of Book 25927 of the Middlesex Registry of Deeds; or take any other action relative thereto.

The sale of this property as surplus was part of the proposal, previously endorsed by Town Meeting, regarding the renovation of the old Belmont Springs building for a new Water Department headquarters.

Recommended by Finance Committee.

ARTICLE 11

By: Communications Department

Public Safety Complex Telephone System

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$9,757 for the purchase and installation of telephones and related equipment, including any allied expenses, said appropriation to be under the control of the Communications Director; or take any other action relative thereto.

The existing telephone system has been jury rigged and cannibalized to its maximum extent, and needs professional intervention. This appropriation will allow for proper resurrection and resuscitation.

Recommended by Finance Committee.

ARTICLE 12

By: Library Trustees

Transfer of Book Fine Monies

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$3,815 for the purchase of books; said appropriation to be under the control of the Library Board of Trustees; or take any other action relative thereto.

This is an annually-voted exception to the rule established by the General Laws, which requires that all receipts be deposited into the General Fund. This appropriation would allow library receipts from overdue book fines to be returned to the library, and expended for purchase of books.

Not recommended by Finance Committee.

ARTICLE 13

By: Conservation Commission

Conservation Fund Transfer

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$2,750 to the Conservation Fund, pursuant to MGL, Ch. 40, s. 5(51); or take any other action relative thereto.

This appropriation would allow receipts from filing fees paid under the Town's Wetlands Bylaw to be returned to the Conservation Commission, to be expended for the management of Town conservation lands.

Not recommended by Finance Committee.

ARTICLE 14

By: Planning Board

Acceptance of MGL Ch. 43D

To see if the Town will vote to adopt the provisions of MGL Ch. 43D, relative to an expedited permitting process for designated development project(s) to be sited on the former paper mill property, containing 12.66 acres, more or less, shown on the Pepperell Assessors plans as lots 32 and 206 of map 26 and lot 100 of map 23; or take any other action relative thereto.

Approval of this article will create a tool or incentive for proper, planned development of the mill property, as well as provide access to potential funding and other programs that would assist in working toward that same goal.

No recommendation by Finance Committee.

ARTICLE 15

By: Board of Selectmen

Economic Target Area (ETA) Designation – Home Rule Petition

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, substantially as follows:

The Town of Pepperell shall be admitted as a member of the Fort Devens –Ayer – Shirley- Groton Economic Target Area, established under Chapter 498 of the Acts of 1993, as subsequently amended.

This act shall take effect upon its passage.

or take any other action relative thereto.

This legislation will add Pepperell as a part of a pre-existing ETA, and provide another tool for planning with regard to the development of the mill property, and possibly other sites.

Recommended by Finance Committee.

ARTICLE 16

By: Fire Department

New Firefighter Gear

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$30,000 for the purpose of replacing worn-out or unserviceable personal gear and equipment for firefighters, said appropriation to be under the control of the Board of Fire Engineers; or take any other action relative thereto.

This article represents the very simple issue of providing fire personnel with the personal gear necessary to do their job.

Recommended by Finance Committee.

ARTICLE 17

By: Fire Department

Replacement/Upgrade of Defibrillators

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$10,000 for the purpose of replacing four (4) antiquated or unserviceable defibrillators carried on departmental vehicles, said appropriation to be under the control of the Board of Fire Engineers; or take any other action relative thereto.

A no-brainer, providing current, working life-saving equipment for use by public safety personnel.

Recommended by Finance Committee.

ARTICLE 18

By: Board of Public Works

Repairs to Cemetery truck

To see if the Town will vote to appropriate from the Sales of Lots and Graves account, the sum of \$8,000 for the purpose of effecting repairs to the existing Cemetery dump truck, said appropriation to be under the direction of the Cemetery Superintendent; or take any other action relative thereto.

This funding is being taken from an existing cemetery account, and avoids the necessity of purchasing a new truck.

Recommended by Finance Committee.

ARTICLE 19

By: Finance Committee

By-law

To see if the Town will vote to adopt the following By-law:

Following the conclusion of the 2008 Annual Town Meeting, any warrant article approved by any subsequent Town Meeting and authorizing funding for any purpose, shall, after a period of three (3) years has elapsed from the effective date of the original authorization, automatically experience a termination of authorization for further expenditure, and a return of any remaining balance to the General Fund.

This restriction shall not apply to any Town Meeting vote involving:

- an Enterprise Fund
- an authorization for bonding
- any appropriation authorized under a vote which clearly stipulates an exemption from this By-law, or a different timetable
- a vote granting an extension of time or an exemption to any previously voted funding authorization;

or take any other action relative thereto.

It is the intent of this article to prevent existing Town monies from languishing interminably as unexpended appropriations in old warrant articles. Sufficient safeguards are provided to ensure that funds that are legitimately needed, or are legally restricted will remain available.

Recommended by Finance Committee

ARTICLE 20

By: Board of Public Works

Overhead Wire Relocation – Jersey II Well

To see if the Town will vote to appropriate and/or appropriate from available Water Department funds the sum of \$20,000 for the purpose of relocating electrical wires feeding the well at Jersey II, which were initially installed outside the limits of the Town-owned property, said appropriation to be under the control of the Board of Public Works; or take any other action relative thereto.

Although the owner of the property on which the subject wires are located has been more than cooperative so far, it is necessary that the Town take action to get them onto Town property.

Recommended by Finance Committee.

ARTICLE 21

By: Police Department

New Police Cruiser

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$28,000 for the purpose of purchasing and equipping one (1) new police cruiser, along with any related expenses, said appropriation to be under control of the Chief of Police, and to authorize the disposal of a used police vehicle by trade, transfer, or sale; or take any other action relative thereto.

The purchase of cruisers is an annual event, although, this year, the Police Chief has voluntarily reduced his scheduled acquisition from two cruisers to one.

Recommended by Finance Committee.

ARTICLE 22

By: Fire Department

New Fire Vehicle

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$30,000 for the purpose of procuring and equipping a replacement for the existing Car 1, including any related expenses, said appropriation to be under the control of the Board of Fire Engineers; and to authorize the disposal of the old vehicle by trade, transfer, or sale; or take any other action relative thereto.

The existing Car 1 is a cast-off Police vehicle, and is not only long past its mechanical prime, but beyond all reasonable margins of safety or dependability.

Recommended by Finance Committee.

ARTICLE 23

By: Board of Public Works

New Vehicle – Sewer Department

To see if the Town will vote to appropriate from Sewer Department Free Cash the sum of \$20,000, for the purchase of an enclosed work vehicle, to replace the existing, worn-out vehicle inherited from the Police Department, said appropriation to be under the control of the Sewer-Water Superintendent; or take any other action relative thereto.

Another cast-off Police car that is running on the knife edge of a dismal demise must be replaced.

Recommended by Finance Committee.

ARTICLE 24

By: Board of Selectmen

DPW Contract

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$33,784 to implement the terms of a contract entered into between the Town and AFSCME Council 93, AFL-CIO, Local #1703; to authorize the Town Accountant to distribute the said appropriation among the appropriate accounts; or take any other action relative thereto.

This contract was signed on 4/14/08.

Recommended by Finance Committee.

ARTICLE 25

By: Board of Selectmen

Library Contract

To see what sum of money the Town will vote to raise and appropriate or appropriate from available funds to implement the terms of a contract entered into between the Town and the Lawrence Public Library Staff Association, MLSA, MFT, AFT, AFL-CIO, Local 4928; to authorize the Town Accountant to distribute said monies among the appropriate accounts; or take any other action relative thereto.

At the time of publication, this contract was still in negotiation.

ARTICLE 26

By: Board of Fire Engineers

New Firefighter-EMT Positions

To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$110,000 to provide wages, benefits, and any other allied expenses for two full-time Firefighter-EMT positions; to authorize the Town Accountant to distribute said monies among the appropriate accounts; or take any other action relative thereto.

The Board of Fire Engineers has expressed a growing concern relative to the weekday availability of call personnel to provide adequate coverage for fire and ambulance calls. Their recommendation is that a dependable response base be established by hiring two full-time personnel.

Not recommended by Finance Committee.

ARTICLE 27

By: Communications Department

Dispatcher Position

To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$14,450, to be added to the Communications Department budget, to provide funding for a new, 16-hour Dispatcher position; or take any other action relative thereto.

The Communications Director has provided the Selectmen with a reasoned justification for more hours of coverage at the Dispatch center, as well as a hedge against overtime costs.

Not recommended by Finance Committee.

ARTICLE 28

By: Police Department

Facilities Improvements

To see if the Town will vote to raise and appropriate or appropriate from available funds a sum not to exceed \$25,000 for improvements to the existing public safety complex; said improvements to include replacement of carpeting, audio and visual upgrades to the interview room, and provision for secure temporary evidence storage; said appropriation to be under the control of the Chief of Police; or take any other action relative thereto.

The Police Department is requesting (again) that funding be provided for certain projects at the public safety complex. If not approved at this Town Meeting, they will doubtless reappear at a future one.

Not recommended by Finance Committee.

And you will serve this warrant by posting a true and attested copy of same, in said Town, seven days prior to the time of said meeting. Hereof fail not and make due return of your doings herein to the Town Clerk on or before the time appointed for said meeting. Given under our hands this 18th day of April, A.D. 2008.

Darrell Gilmore, Chairman

Lyndon B. Johnson, Clerk

Joseph A. Sergi

PEPPERELL BOARD OF SELECTMEN

CONSTABLE OF PEPPERELL

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

To either of the constables of the Town of Pepperell, 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 according to law to vote in state, county, district and town affairs to assemble at the NISSITISSIT MIDDLE SCHOOL, in said Town, on Monday, the 5th of May, A.D. 2008 at 8:00 PM to act on the following articles:

SPECIAL TOWN MEETING

May 5, 2008

ARTICLE 1

By: Board of Health

TRANSFER OF FUNDS

To see if the Town will vote to transfer the following sums of money:

\$30,000 from Board of Health - Salaried Positions to Board of Health - Consulting Services

\$150 from Board of Health - Salaried Positions to Board of Health - Supplies

or take any other action relative thereto.

Recommended by Finance Committee.

ARTICLE 2

By: Board of Public Works

SUPPLEMENTAL APPROPRIATION

To if the Town will vote to appropriate from available funds the sum of \$75,952 to cover underestimated costs for snow and ice removal in FY 08; to authorize the Town Accountant to distribute said monies to the appropriate accounts; or take any other action relative thereto.

Recommended by Finance Committee.

ARTICLE 3

By: Police Department

UNPAID BILL OF A PRIOR YEAR

To see if the Town will vote to appropriate from available funds the sum of \$333.44, for payment of an outstanding bill of a prior year (2007); said appropriation to be under the control of the Chief of Police; or take any other action relative thereto.

Recommended by Finance Committee.

ARTICLE 4

By: Fire Department

TRANSFER OF FUNDS

To see if the Town will vote to transfer the sum of \$1,500 from Ambulance "Supplies" to Ambulance "Purchase of Services;" or take any other action relative thereto.

Recommended by Finance Committee.

ARTICLE 5

By: Board of Public Works

Sewer Installation

To see if the Town will vote to appropriate a sum not to exceed \$1,800,000 to provide for the installation of approximately 380' of 1.5" pressure sewer; 110 sewer service connection laterals; and 1,150' of 12" DI water line in Nashua Road, Hollis Street, Mill Street, and Brookline Streets, including any costs incidental and related thereto; and that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum, under and pursuant to MGL Chapter 44, or any other enabling authority, and to issue bonds or notes therefore; and, further, that, under the provisions of MGL Chapter 83, ss 15 and 18, the full cost of the project be allocated, based on a fixed uniform rate (or uniform unit method), and those amounts be assessed against and collected from the abutters; or take any other action relative thereto.

Recommended by Finance Committee.

And you will serve this warrant by posting a true and attested copy of same, in said Town, fourteen days prior to the time of said meeting. Hereof fail not and make due return of your doings herein to the Town Clerk on or before the time appointed for said meeting. Given under our hands this 18th day of April, A.D. 2008.

Darrell Gilmore, Chairman

Lyndon B. Johnson, Clerk

Joseph A. Sergi

PEPPERELL BOARD OF SELECTMEN

CONSTABLE OF PEPPERELL

Pepperell Town Meeting

Introduction

Open Town Meeting is the form of municipal government for Pepperell. In the Commonwealth of Massachusetts, this is the basic form of governance for most small municipalities. The town is the basic unit, and Town Meeting is the method provided by the Constitution and the State legislature for the governance of towns. Property ownership is not a requirement for voting at Town Meeting. Renters as well as owners, *if registered to vote*, may attend and vote at Town Meeting.

In the Open Town Meeting form of government, any registered voter may attend, speak and vote. Attendance must be in person; there is no absentee voting in a Massachusetts Town Meeting. State law requires the town to hold at least one Town Meeting each year in the early spring. This is an Annual Town Meeting and the principal business of the Meeting is to appropriate money to fund the Town's expenses for the fiscal year which commences the following July 1st. Money may be provided by appropriation directly against the municipal tax rate, which is levied on real and personal property, or money may be borrowed within limits set by the Commonwealth. The Annual Town Meeting allows for action on other subjects also. If additional matters come up at a later time, they may become the subjects of a Special Town Meeting which may be called by the Selectmen or by citizens' petition.

The Warrant

The Warrant is the notice to the voters of matters to be considered and acted on at an Annual or Special Town Meeting. Sometimes the articles in the Warrant are quite general and sometimes they are very detailed and specific. Town departments and officials may request of the Board of Selectmen the insertion of articles in the Warrant during the period in which the Selectmen publicly declare that the Warrant is "open." Citizens may also petition to place articles on an "Annual Town Meeting" Warrant. Petitions require 10 signatures of registered voters for an Annual Town Meeting Warrant or 100 signatures of voters for a Special Town Meeting. A copy of the Warrant is posted by a Constable at the Town Hall, Post Office, Police Station, McNabb's Pharmacy, and Mel's Barber Shop at least 14 days before any Town Meeting.

In the Warrant, the Selectmen call the Meeting to convene at a certain time and place within Pepperell, usually at the Varnum Brook Middle School. If the Meeting does not complete its business in its first session, the Meeting will decide to what date and time it wishes to adjourn. However, the Selectmen generally have suggested additional dates, reserved the facilities and made arrangements for public address systems and the like so the Meeting usually decides to reconvene on the dates suggested by the Selectmen.

Annual Town Meeting

Pepperell holds one Annual Town Meeting (ATM) the first Monday in May, primarily consisting of financial articles and the budget. The meeting usually adjourns to a Special Town Meeting, called for by the Board of Selectmen to take care of any financial matters from the previous fiscal year. The ATM is called to order at 7:30 PM. There is a quorum requirement of 75 for Town Meetings, which means the meeting can not begin until there are 75 registered voters in attendance.

Special Town Meeting

Special Town Meetings (STM) may be called by the Board of Selectmen or by any person by petition to the Selectmen. Petitions require 200 signatures, or 20% of the registered voters, whichever is less. These meetings usually reflect the specific need of a group or committee; however, once the Warrant is opened, other business may be added to this meeting by a vote of the Board of Selectmen or by a petition with 100 signatures of registered voters. The Board of Selectmen must call the meeting for a date no later than 45 days after the petition is filed. STM must be publicized and announced early enough to alert all citizens. There is a quorum requirement of 75 needed to open a Special Town Meeting.

Rules and Procedures of Town Meeting

Pepperell's rules are those established in the book Town Meeting Time, a handbook of parliamentary law prepared under the auspices of the Massachusetts Moderators Association. This guide may be simpler and easier to understand than the more widely known and consulted Robert's Rules of Order. Both books are available for reference at the Lawrence Library.

The Moderator

Town Meeting is conducted by the Moderator, an elected position with a term of three years. The Moderator serves as the presiding officer, regulating the proceedings, deciding all questions of order and making public declaration of all votes. The vote recorded by the Town Clerk is the official vote. The Moderator's goal is to conduct the Town Meeting in a fair yet expeditious manner, allowing all points of view a fair hearing while still keeping the process moving.

Town Meeting Agenda

The voter should take a copy of the Warrant, as well as separate copies of information regarding each article, available in the lobby at the entrance to the auditorium. The Warrant is the official agenda for the ATM. A copy of the Warrant is given to all committee members, and is available for the public at the Town Hall prior to the Town Meeting.

The printed Warrant contains all the articles for consideration, together with such recommendations to the Town as were available from the Capital Program Committee, Finance Committee and the Selectmen. The voter needs the Finance Committee Report and the handouts since the Moderator generally refers to articles by subject matter only, and frequently will not read the full text of motions to be made under the articles, but may refer instead to the Warrant.

Articles are usually considered in the order in which they appear in the Warrant. The articles appear in the Warrant in no particular order, randomly placed by the Selectmen. The Selectmen determine the order in which articles are placed on the Warrant taking into consideration appropriateness of subject matter, the need for professional support personnel, such as engineering consultants, to be present, and other relevant interests. Articles dealing with similar subject matter are often grouped together: financial, school, planning and zoning, etc.

There are occasions when common sense or expediency dictates that articles should be considered in a different order from that in the Warrant and the Meeting has the power to change the order. If the desired change is to defer consideration of an article, it may be accomplished by a "motion to postpone action" until after a specified article. If the desired change is advancement of a later article, it may be presented as a main motion if, and only if, no other motion is pending. Votes to change the order of consideration normally require majority vote for passage, but if the motion is mere jockeying for position, the Moderator may, under his power to regulate the proceedings, require a two-thirds vote. A motion "to postpone *indefinitely*" or a motion to "take no action" effectively kills action on an article.

Articles and Motions

To vote effectively at Town Meeting requires both understanding the issues and understanding the wording of the motion on which one is voting. An *article* (as printed in the Warrant and Capital Program Committee & Finance Committee Report) describes the subject under discussion, while a *motion* made under the article describes the specific action on which one is voting. In some cases the article fully and accurately describes the action, and the motion may simply be "to take affirmative action under article ____." Motions must be seconded before discussion may begin or a vote taken. The group or groups submitting the motion for consideration may make a presentation of the article.

Frequently it happens that the wording of a *motion* differs from the wording of an *article*. The wording of the article must be settled prior to the close of the Warrant. The Moderator will not allow any expansion of the intent of the article since the voters must be properly warned in advance of actions they will be asked to approve. Great efforts are made to have the wording of motions in hand a few days before ATM in order to permit review by the Moderator and Town Counsel.

Speaking on a Motion

When speaking on a motion, a voter must be recognized by the Moderator and go to the microphone, if one is available, and give name and address and committee association (if speaking on behalf of a committee). All remarks and questions should be addressed to the Moderator. When it is apparent that several people wish to be heard, lining up expedites the proceedings. In recognizing persons who wish to speak, the Moderator gives preference to those who have not already spoken on the article currently under discussion.

Within the general framework of parliamentary procedures, as presented in ATM, the goal of the Moderator is basic fairness in the consideration of issues before the ATM. This does not mean that everyone who wishes to speak will be heard. The Meeting decides that it has heard enough discussion and is ready to vote.

A motion may be made from the floor to “move the question.” Such a motion must be seconded, there is no further debate, and must be voted on immediately. The Moderator will not hear a motion to move the question if it is presented at the end of a statement or opinion.

Amendments

If a voter wishes to change a motion in some fashion, the procedure is to amend the motion. All motions to amend must be in writing and must present exactly how the voter wishes to change the motion so that the Moderator can know exactly what it is the voter wants to move before ruling on the motion. A voter who wishes to amend a *main motion* must have the amendment in writing and available to hand to the Moderator *before* rising to be recognized and offer the amendment. The Moderator may refuse to put to the Meeting an amendment which is not immediately available in writing - the Moderator may rule out of order any motion to amend which changes the original motion so drastically that, in the Moderator's opinion, the motion is no longer within the “four corners” of the article.

An amendment may consist of adding, deleting or substituting words in the motion. It may take the form of a “motion to substitute” a different motion. Sometimes a speaker tries to amend “the article,” but this is improper language. It is the motion on the floor, not the article on the Warrant, that is to be amended.

A motion to amend requires only a majority vote, even though the motion to be amended may require two-thirds or more for final passage.

Size of Vote

A majority vote is required for passage of a motion unless otherwise specified. Most votes are voice votes, the results determined by the Moderator.

Any seven voters who doubt a voice vote result as announced by the Moderator have the right to require a division of the Meeting with a standing vote. This action must be taken immediately after the Moderator declares the vote result. A standing vote simply means a visual counting of “yes” or “no” votes by raised hands, or members asked to vote by standing. These votes are counted by Tellers, registered voters in attendance who come forward and are sworn in by the Town Clerk to count the vote.

Some motions require a two-thirds vote for passage. Included in this category are votes which authorize borrowing, property transfers, and zoning bylaw changes. A few motions require even higher levels of affirmative vote for passage.

Ballot Voting

While most voting on government matters takes place at Town Meeting, ballot voting does exist in Pepperell for these occasions:

- * Local, State, National elections
- * Funding for expenditures approved at Annual or Special Town Meeting that go beyond the *levy limit*; these require an *override*, a *capital outlay exclusion* or a *debt exclusion*.
- * The *levy limit* is a restriction on the amount of property tax a community may levy. Under state law (Proposition 2½), a community may not increase taxes more than 2½% over the previous year's levy (plus the value of any new growth that has occurred in the Town) and may not levy more than 2½% of the total full and fair cash value of all taxable real and personal property in the community.
- * An *override* seeks a permanent increase in the levy limit of a community.
- * A *capital outlay exclusion* seeks a temporary increase over the levy limit to raise funds for the cost of a specific capital project
- * A *debt exclusion* seeks to add to the levy limit an amount equal to the annual debt service for a specific project; the increase continues only for the life of the debt.
- * Certain other main issues.

For local elections, the ballot vote is held on the fourth Monday of April. The polling center is open from 7 a.m. to 8 p.m.

Voter Registration

Residents may register to vote at the Town Clerk's office in Town Hall in Pepperell or at any other Town Hall in the State. You may only vote in the town you choose to register to vote in. Voters must be registered to vote for Town Meetings 20 days before the Annual Town Meeting and 10 days before the Special Town Meeting. On the last day, the registrars of voters must hold a registration. Once registered, voters are always registered unless you move to another town. However, failure to respond to the Census could cause your name to be placed on the inactive voting list by requirement of the office of Secretary of State. Special registration dates are announced by the Town Clerk.

Miscellaneous Matters

The tables in the lobby are reserved for materials voters will need for the Meeting such as copies of motions, the Finance Committee Report and Recommendations, Capital Program Committee Report and Recommendations and similar materials. Within the limits of available space, persons wishing to distribute materials relating to matters to be considered at the Meeting may place copies on the tables. People wishing to distribute information usually contact the Selectmen's office first; such materials must be cleared in advance by the Moderator. Sufficient copies must be provided for all voters who attend the Meeting. Individual distribution of materials, signing of petitions and similar activities must be done outside the lobby space, in order to permit orderly check-in by voters and efficient distribution of materials needed for the Meeting.

In addition to Town Meeting, Pepperell's municipal government is made up of many officials and committees, of which approximately 75% are appointed by the Board of Selectmen. A few positions are appointed by the Moderator. Together, these officials conduct the business of the Town, providing administrative, public health and safety, financial, utility, recreation and other services.

Broadcast

ATM and STM are taped for broadcast on local Pepperell access cable channel 15.

Refreshments

Refreshments are made available at Town Meetings by various civic groups in town as a fundraising event for that group. Those interested in providing refreshments should contact the Board of Selectmen's office prior to a Town Meeting.