

Town of Shirley  
Massachusetts



# WARRANT

*for the*

# 2016 SPECIAL TOWN MEETING

Ayer-Shirley Regional Middle School  
Auditorium, 1 Hospital Road  
Beginning Saturday, November 19, 2016 at 9:00AM

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**Town of Shirley Warrant, Special Town Meeting,  
Saturday, November 19, 2016**

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**NOTICE**

***If the business of this Warrant for the Special Town Meeting is not concluded on Saturday, November 19, 2016, it is proposed to adjourn as follows, provided that the Meeting so votes: to Monday, November 21, 2016.***

**Town of Shirley  
Special Town Meeting  
November 19, 2016  
Warrant**

Middlesex, ss.

Commonwealth of Massachusetts

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 on Saturday, the nineteenth day of November 2016 at 9:00 a.m., to consider the following:

**ARTICLE 1: Supplemental Appropriation of Funds for Fiscal Year 2017**

To see if the Town will vote to amend the Fiscal Year 2017 budget as voted under Article 5 of the 2016 Annual Town Meeting by transferring certain sums of money within said budget and by raising and appropriating or transferring from available funds a sum or sums of money to supplement said budget, all for the purposes and in the amounts specified in the chart below; or take any other action relative thereto.

<b>Line Item Number</b>	<b>Department/Account Name</b>	<b>FY2017 Approved</b>	<b>Proposed (Reduction/Increase)</b>	<b>FY2017 Revised Budget</b>
211	Police Department Expenses	\$86,462	\$6,000 + \$11,250	\$103,712
211	Police Department Wages Union	\$656,737	\$1,630	\$658,367
155	Computer Operation Expenses	\$75,906	\$4,400	\$80,306
151	Legal Expenses	\$30,000	\$12,000	\$42,000
122	Board of Selectmen Expenses	\$28,770	\$2,000	\$30,770

**Summary:**

*Police Expenses: This supplemental appropriation is needed to hire a consultant for training in the Police Department. There is also an additional \$6,000 to outfit new officers that was not included in the budget.*

*Police Wages: This supplemental appropriation is needed to cover overtime shifts that will be created due to training. This appropriation can be deterred and potentially found at the end of the year in the existing FY17 budget.*

*Computer Operations: The supplemental appropriation is for a failed server related to the phone system that was not budgeted.*

*Legal Expenses: This supplemental appropriation is needed to cover the additional legal costs of a recall. The recall was effective through Special Legislation on August 19, 2016 and the Town received a petition on August 22, 2016. Since the petition was received counsel has been advising the Town on multiple legal issues.*

*Board of Selectmen Expenses: This supplemental appropriation would be to fund the program titled TADS. At the Fall Town Meeting in 2015 this item was funded by placement on the warrant. This item funds Project Interface, a program in Town to assists residents with mental illness find treatment.*

*A majority vote is required for the passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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## **ARTICLE 2: Transfer to OPEB Liability Trust Fund**

To see if the Town will vote to transfer a sum of money from Free Cash to the Other Post Employment Benefit (OPEB) Trust Fund; or take any other action relative thereto.

**Summary:** *This article transfers a sum of money to the OPEB Trust Fund. OPEB is an unfunded liability that the state has not mandated funding of, unlike retirement. The Fund was adopted at previous Town Meeting. Last Year the Town appropriated \$10,000.00 and the Board of Selectmen does not wish to exceed this amount.*

*A majority vote is required for passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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## **ARTICLE 3: Prior Year Bills FY 2016**

To see if the Town will vote to transfer the sum of \$2,284 from available funds to pay bills incurred in a prior fiscal year; or take any other action relative thereto.

*The fiscal year ends on June 30<sup>th</sup> of each year. However, the General Laws provide further that the Town has until July 15<sup>th</sup> for departments to submit all charges against their budgets to the Town Accountant. This process allows the Town to close its books on a fiscal year and submit financial reports to the Commonwealth on a timely basis. However, on a few occasions, there are invoices that are received well past the July 15<sup>th</sup> deadline.*

*This article seeks funding for the following prior year bill(s):*

**The Sentinel Enterprise \$144.27- Invoice dated 07/01/16-07/31/16**

Job postings run through the selectmen's office most of the time. An error occurred when there was confusion over who would pay the bill, the Board of Selectmen (BOS) or the hiring department. The invoice did not make it back to the BOS office for payment until after the July 15<sup>th</sup> deadline.

**Mass Development Electric Accountant \$648.81**

This bill was short-paid for an unknown reason and a balance moved forward that was not caught until after the July 15<sup>th</sup> deadline.

**Urban Green Technologies (UGT) \$1,470.17**

This balance is due to bills being short-paid due to other departments needing to have sign-off from the Sewer and Solid Waste Enterprise. There was confusion with UGT as to what was owed due to their change in billing dates.

**Quill \$19.98 Invoice dated 5/25/16**

This balance is due to bills being sent to the wrong office, and not discovered until after the July 15<sup>th</sup> deadline.

*A 9/10 vote is required for the passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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**ARTICLE 4: SPACO-Fiber Optic Cable Line to Middle School**

To see if the Town will vote to transfer no more than \$9,999.00 from Free Cash to the FY17 Budget, Line 122, BOS Expense for the purchase of a fiber optic cable running to the Middle School and Police Station, including all incidental and related expenses; or take any other action relative thereto.

**Summary:** *This will improve the technology infrastructure in the Town so that all School and Town events, such as School Committee Meetings and Town meetings could be televised live. This will also make it possible in the future for the Police Department to be able to have a view into the school.*

*A majority vote is required for passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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**ARTICLE 5: Sewer Department Retained Earnings**

To see if the Town will vote to transfer the sum of \$87,500.00 from Sewer Enterprise Fund Retained Earnings to the FY17 Sewer Enterprise Fund Contract Services budget line for the purpose of purchasing and installing two standby generators including all incidental and related expenses; or take any other action relative thereto.

**Summary:** *The FY2016 Sewer Commission Capital Plan included money to purchase and install two standby generators. The Commissioners entered into an agreement to have the generators installed subsequent to the July 1st deadline, and this necessitated the expenditure of money from the Contracted Services line to pay for the generator installation. This transfer is being requested to reimburse the Contracted Services line from which the money was expended \$87,500.00.*

*A majority vote is required for passage of this article.*

**Sponsored by:**  
**SEWER COMMISSION**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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**ARTICLE 6: Sewer Department Prior Year Bills FY 2016**

To see if the Town will vote to transfer the sum of \$13,250.00 from Sewer Enterprise Fund Retained Earnings to pay Sewer Department bills incurred in a prior fiscal year by a transfer; or take any other action relative thereto.

*The fiscal year ends on June 30<sup>th</sup> of each year. However, the General Laws provide further that the Town has until July 15<sup>th</sup> for departments to submit all charges against their budgets to the Town Accountant. This process allows the Town to close its books on a fiscal year and submit financial reports to the Commonwealth on a timely basis. However, on a few occasions, there are invoices that are received well past the July 15<sup>th</sup> deadline.*

*This article seeks funding for the following prior year bill(s):*

**Weston & Sampson \$13,250.00 Invoice dated 5/06/16**

This balance is due the bill not being received, and not requested until after the July 15<sup>th</sup> deadline.

**A 9/10 vote is required for the passage of this article.**

**Sponsored by:**  
**SEWER COMMISSION**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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**Article 7: Ambulance Department Budget Retained Earnings**

To see if the Town will vote to transfer the sum of \$26,000.00 from Ambulance Enterprise Fund Retained Earnings to the Per Diem Line of the FY17 Ambulance Enterprise Fund budget; or take any other action relative thereto.

**Summary:** *The Town seeks to provide for improved ambulance response time, and for such purposes, the amount of \$26,000.00 will be used to increase the on call amount from \$50.00 to \$100.00.*

*A majority vote is required for the passage of this article.*

*Sponsored by:*  
**AMBULANCE DEPARMTENT**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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**ARTICLE 8: Appropriate Capital Item(s) for FY 2017**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/ or borrow a sum or sums of money for the purpose of purchasing (and equipping for Items D and E) FY17 Capital Budget items, including all related and incidental expenses as follows; or take any other action relative thereto.

Item A	Center Town Hall Roof	Center Town Hall	\$24,000
Item B	Vault in Town Hall Basement	Town Clerk	\$10,000
Item C	Reconfigure Police Parking Lot Security	Police	\$48,140
Item D	Police Motorcycle	Police	\$14,000
Item E	Fire Engine #4	Fire	\$600,000
Item F	Fire Station Roof	Fire	\$27,000

**Summary:** The total Capital Request is \$723,140.00; \$600,000.00 will be borrowed and the remainder \$123,140.00 will be funded as a one-time expense through the Capital Stabilization Fund.

*A 2/3 vote is required for the passage of this article, as it is being funded through the Capital Stabilization Fund and/or borrowing. A majority vote will be needed if Free Cash is requested to fund some items.*

*ITEM A: There is no borrowing being requested for this item.*

*ITEM B: There is no borrowing being requested for this item. This item is being requested to replace the unit on the roof as well as the moisture component in the basement vault. By fixing the vault air system will allow the Town to maintain the Towns records that date back hundreds of years.*

*ITEM C: There is no borrowing being requested for this item. This item is being requested to address the safety concerns of personal and department vehicles in the Police Department.*

*ITEM D: There is no borrowing being requested for this item. This item is being requested to purchase the Police motorcycle. Currently the Town leases a motorcycle.*

*ITEM E: This item is needed for the Fire department vehicle fleet. This item will be bonded for a length of twenty (20) years. This item is being requested to replace the Engine 4, a 1991 tanker.*

*ITEM F: There is no borrowing being requested for this item.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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#### **ARTICLE 9: Master Plan Implementation Element**

To see if the Town will vote to transfer \$13,837 from Free Cash to the FY17 Budget, Line 122, Board of Selectmen for the purpose of funding the final element of the Master Plan, titled "Implementation Element "; or take any other action relative thereto.

**Summary:** *The final element for the Master Plan needs to be funded prior to adoption by the Town at the 2017 Annual Town Meeting. The total amount includes \$4,837.00 for GIS maps and \$9,000.00 for the Implementation Plan.*

*A majority vote is required for passage of this article.*

**Sponsored by:  
PLANNING BOARD**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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#### **ARTICLE 10: Transfer to the General Stabilization Fund**

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

**Summary:** *This article transfers to the General Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the General Stabilization Fund. The balance as of July 31, 2016 is \$657,341.04.*

*A two-thirds vote is required for passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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**ARTICLE 11: Transfer to the Capital Stabilization Fund**

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

**Summary:** *This article transfers to the Capital Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the Capital Stabilization Fund. The balance as of July 31, 2016 is \$487,721.26.*

*A two-thirds vote is required for passage of this article.*

**Sponsored by:  
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING  
Finance Committee: AT TOWN MEETING**

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**ARTICLE 12: Renewable Energy By-Law**

To see if the Town will vote to adopt the Renewable Energy Bylaw, on file in the Town Clerks Office, and to authorize the Town Clerk to assign appropriate numbering to the Shirley Protective Zoning By-Law, its index and its subsections, to reflect the amendments made, or take any other action relative thereto.

**Summary:** This bylaw is on file in the Town Clerks office.

*A two-thirds vote is required for passage of this article.*

**Sponsored by:  
PLANNING BOARD**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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**ARTICLE 13: Road Acceptance of Village Drive**

To see if the Town will vote to accept as a public way Village Drive as laid out by the Board of Selectmen and shown on a plan entitled, " As-Built Plan of Village Drive in Shirley, MA" dated November 14, 2014 on file with the Town Clerk, and authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, the fee to and/or easements in such way as shown on the aforesaid plan for all purposes for which public ways are used in the Town of Shirley, and any drainage, utility, access, and/or other related easements; or take any other action relative thereto.

**Summary:** This article accepts Village Drive as a public way.

*A majority vote is required for passage of this article.*

**Sponsored by:**  
**BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING**  
**Finance Committee: AT TOWN MEETING**

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\* \* \* \*

And you will serve this Warrant by posting true and attested copies of same at the Town Offices and the Hazen Memorial Library in Shirley Village, at the Senior Center in Shirley Center, and a like copy at the United States Post Office in Shirley Village, fourteen days at least before the time appointed for said Meeting.

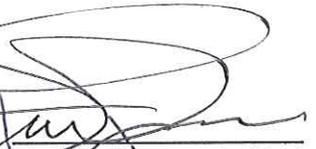
Hereof fail not and make due return of this Warrant with your doings therein to one of the Selectmen, on or before the date of the Meeting.

Given under our hands at Shirley, this 1<sup>st</sup> Day of November, 2016.

**BOARD OF SELECTMEN**

  
Kendra J. Dumont, Chair

  
Robert E. Prescott Jr., Vice Chair

  
Enrico Cappucci, Clerk

A true copy.

Attest:

  
Amy R. McDougall  
Town Clerk

\* \* \* \*

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### RETURN OF SERVICE

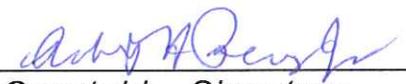
I certify that on the 3<sup>rd</sup> Day of November, 2015, I duly posted true and attested copies of the foregoing Warrant at the following places and times:

Town Offices 3:50 P M.

U. S. Post Office 3:40 P M.

Senior Center 3:30 P M.

Hazen Memorial Library 3:45 P M.

  
Constable, Signature

Robert H. Perry Sr  
Constable, Printed Name

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