

2014 SPECIAL TOWN MEETING – October 27, 2014

The Special Town Meeting was called to order at 7:32 p.m. by Scott N. Blackburn, Moderator.

The Meeting said the Pledge of Allegiance.

The Town Clerk, Lisa Ferolito, read the notice of the posting of the warrant.

The Moderator made sure to point out the exits available in the event of an emergency.

Registrars checking voters in were Jane Eshleman, Kathryn P. Pries, and Sharon Tetreault.

Counters were Joseph Sergi and Jeremy Mordkoff.

The Moderator announced that a quorum was present.

In light of this being town administrator John Moak's last town meeting, the following was read by Michael L. Green, Chairman of the Board of Selectmen:

PROCLAMATION

Whereas, John F. Moak has elected to retire from service with the Town of Pepperell; and

Whereas, from January, 2010 through July 2014, John served as the Town Administrator; and

Whereas, John continued to assist the Town for several months following his retirement; and

Whereas, John can be proud of his many accomplishments during his tenure; and

Whereas, John's future plans include enjoying the summers on his boat with family and friends, and taking on all those projects he has been putting off;

Now, Therefore, We, the Pepperell Board of Selectmen, call upon all citizens to acknowledge John's service and many good deeds in and for the Town of Pepperell and wish him the best of luck.

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 27th of October, A.D. 2014 at 7:30 PM to act on the following articles:

SPECIAL TOWN MEETING

October 27, 2014

PRELIMINARY MOTION:

Motion by: Michael Green, Board of Selectmen

I move that the Moderator may allow non-voters or non-residents to speak on issues related to Special Town Meeting warrant articles where appropriate.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 1

By: Board of Selectmen

52 LOWELL ROAD EXPENSES

To see what sum the Town will vote to raise and appropriate for the purpose of paying additional costs and possible no bidder at auction of premises owned by the Town through tax title foreclosure located at 52 Lowell Road, said appropriation to be under the control of the Board of Selectmen; or take any other action relative thereto.

Motion by: Michael L. Green, Board of Selectmen

I move that the Town vote to raise and appropriate from taxation the sum of \$7,500 for the purpose of paying additional costs and possible no bidder at auction of premises owned by the Town through tax title foreclosure located at 52 Lowell Road, said appropriation to be under the control of the Board of Selectmen

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 2

By: Board of Selectmen

UNPAID BILLS PRIOR FISCAL YEAR

To see if the Town will vote to raise and appropriate the sum of \$129.11 to pay outstanding invoices from Lorden True Value Hardware for the Animal Control Officer from a prior fiscal year; said appropriation to be under the control of the Town Administrator, or take any other action relative thereto.

Motion by: Michelle R. Gallagher, Board of Selectmen

I move that the Town vote to authorize the payment of \$129.11 from FY15 Animal Control Expense to pay outstanding invoices from Lorden True Value Hardware from a prior fiscal year, said appropriation to be under the control of the Town Administrator.

Motion required a 9/10 majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 3

By: Board of Public Works

UNPAID BILLS PRIOR FISCAL YEAR – WATER DIVISION

To see if the Town will vote to raise and appropriate the sum of \$1,256.38 to pay outstanding invoices, from National Grid and TransCanada, both from a prior fiscal year and which were not invoiced until July 2014 by

the electric providers; said appropriation to be under the control of the Board of Public Works, or take any other action relative thereto.

Motion by: John Dee III, Board of Public Works

I move that the Town vote to authorize the payment of \$1,256.38 from FY15 Water Enterprise Fund Expense to pay outstanding invoices, from National Grid and TransCanada, both from a prior fiscal year and which were not invoiced until July 2014 by the electric providers; said appropriation to be under the control of the Board of Public Works.

Motion required a 9/10 majority and passed by unanimous voice vote. Motion Carried

ARTICLE 4

By: Board of Selectmen

LANDFILL LEASE – PILOT PROGRAM

To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen to negotiate and enter into a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed at the land known as “town landfill” and shown on Assessor’s Maps as Map 3, Parcel 35, 66 Boynton Street, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town; or take any other action relative thereto.

Motion by: Stephen C. Themelis, Board of Selectmen

I move that the Town vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen to negotiate and enter into a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed at the land known as “town landfill” and shown on Assessor’s Maps as Map 3, Parcel 35, 66 Boynton Street, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town.

Motion required a majority and passed by unanimous voice vote. Motion Carried

ARTICLE 5

By: Board of Selectmen

SUPPLEMENTAL BUDGETS

To see what sum the Town will vote to raise and appropriate to supplement the budgets for FY 2015.

Motion by: Michael L. Green, Board of Selectmen

I move that the Town vote to raise and appropriate from taxation the sum of \$77,245 to supplement the FY 2015 General Fund budgets as follows:

General Government:	\$ 16,595
Public Works:	\$ 17,500
Public Safety:	\$ 17,741
Culture & Recreation:	\$ 9,260
Ambulance:	\$ 16,149

Motion required a majority and passed by unanimous voice vote. Motion Carried

ARTICLE 6

By: Board of Selectmen

APPRAISALS – TOWN OWNED PROPERTY

To see what sum the Town will vote to raise and appropriate to obtain appraisals for Town owned properties; said appropriation to be under the control of the Town Administrator; or take any other action relative thereto.

Motion by: Michelle R. Gallagher, Board of Selectmen

I move that the Town vote to raise and appropriate from taxation the sum of \$10,500 to obtain appraisals for Town owned properties; said appropriation to be under the control of the Town Administrator.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 7

By: Board of Selectmen

CONSULTING RFP

To see what sum the Town will vote to raise and appropriate to prepare Requests for Proposals for Town owned properties; said appropriation to be under the control of the Town Administrator; or take any other action relative thereto.

Motion by: Stephen C. Themelis, Board of Selectmen

Majority vote required for passage

I move that the Town vote to raise and appropriate from taxation the sum of \$9,750 to prepare Requests for Proposals for Town owned properties; said appropriation to be under the control of the Town Administrator.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 8

By: Board of Selectmen

TOWN HALL FIRE ALARM SYSTEM

To see what sum the Town will vote to raise and appropriate to purchase and install a new fire alarm system at the Town Hall; said appropriation to be under the control of the Town Administrator; or take any other action relative thereto.

Motion by: Michael L. Green, Board of Selectmen

I move that the Town vote to raise and appropriate from taxation the sum of \$8,900 to purchase and install a new fire alarm system at the Town Hall; said appropriation to be under the control of the Town Administrator.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

**ARTICLE 9
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, 2014 through June 30, 2015, by deleting Appendices B, C and D of the Compensation Plan, and by inserting the text of said Appendices as follows:

**APPENDIX B - HOURLY
COMPENSATION PLAN
FISCAL 2015 (EFFECTIVE JANUARY 1, 2015)
REGULAR FULL-TIME AND REGULAR PART-TIME HOURLY EMPLOYEES**

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	14.03	14.59	15.17	15.78	16.41	17.06
2	14.87	15.47	16.09	16.73	17.40	18.09
3	16.37	17.03	17.71	18.42	19.15	19.92
4	17.99	18.71	19.46	20.24	21.05	21.89
5	19.81	20.60	21.42	22.28	23.17	24.10
6	21.79	22.66	23.57	24.51	25.49	26.51
7	23.96	24.92	25.91	26.95	28.03	29.15
8	26.37	27.42	28.52	29.66	30.85	32.08
9	29.00	30.16	31.36	32.62	33.92	35.28
10	31.89	33.16	34.49	35.87	37.30	38.79

**APPENDIX C – SALARY
COMPENSATION PLAN
FISCAL 2015 (EFFECTIVE JANUARY 1, 2015)
REGULAR FULL-TIME AND REGULAR PART-TIME SALARIED EMPLOYEES**

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	14.03	14.59	15.17	15.78	16.41	17.06
2	14.87	15.47	16.09	16.73	17.40	18.09
3	16.37	17.03	17.71	18.42	19.15	19.92
4	17.99	18.71	19.46	20.24	21.05	21.89
5	20.16	20.96	21.80	22.67	23.58	24.52
6	22.58	23.49	24.43	25.40	26.42	27.48
7	25.29	26.30	27.35	28.44	29.58	30.76
8	28.34	29.47	30.65	31.87	33.15	34.47
9	31.71	32.98	34.30	35.67	37.10	38.58
10	35.53	36.95	38.43	39.96	41.56	43.22

**APPENDIX D
COMPENSATION PLAN
FISCAL 2015 (EFFECTIVE JANUARY 1, 2015)
SEASONAL, TEMPORARY & NON-REGULARLY SCHEDULED EMPLOYEES**

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
0	9.30	9.67	10.06	10.46	10.88	11.32
1	14.03	14.59	15.17	15.78	16.41	17.06
2	14.88	15.48	16.10	16.74	17.41	18.11
3	16.37	17.03	17.71	18.42	19.15	19.92
4	18.00	0.00	0.00	0.00	0.00	21.91
5	19.80	0.00	0.00	0.00	0.00	24.10
6	21.79	0.00	0.00	0.00	0.00	26.52
7	23.96	0.00	0.00	0.00	0.00	29.16
8	26.36	0.00	0.00	0.00	0.00	32.08

Or take any other action relative thereto.

Motion by: Michelle Gallagher, Personnel Board

I move that the Town vote to amend its Compensation Plan established pursuant to Chapter 41, Section 108A, of the Massachusetts General Laws for the Fiscal Year July 1, 2014 through June 30, 2015, by deleting Appendices B, C and D of the Compensation Plan, and by inserting the text of said Appendices as printed in the warrant for this Town Meeting, with the effective date of December 28, 2014.

Motion required a majority and passed by a standing vote:

Yeas: 60; Nays: 27.

Motion Carried

ARTICLE 10

By: Board of Selectmen

SALARY AND WAGE ADJUSTMENTS – FY '15

To see what sum the Town will vote to raise and appropriate to fund salary and wage adjustments for FY '15; said appropriation to be under the control of the Town Administrator; or take any other action relative thereto.

Motion by: Stephen C. Themelis, Board of Selectmen

I move that the Town vote to raise and appropriate from taxation the sum of \$14,250 to fund salary and wage adjustments for FY 2015; said appropriation to be under the control of the Town Administrator.

Motion required a majority and passed by a standing vote:

Yeas: 62; Nays: 32.

Motion Carried

ARTICLE 11

By: Board of Public Works

SUPPLEMENTAL APPROPRIATION – SEWER DIVISION

To see what sum the Town will vote to raise and appropriate to address the jury award for 1-3 Elm Street; said appropriation to be under the control of the Board of Public Works, or take any other action relative thereto.

Motion by: Greg Rice, Board of Public Works

I move that the Town vote to take no action on Article 11.

Motion required a majority and no action was taken.

ARTICLE 12

By: Board of Public Works

TRANSFER STATION BUDGET

To see if the Town will vote to amend the \$352,544 from Transfer Station Enterprise Fund Revenues voted in Part XI of Article 10 of the 5/5/14 Annual Town Meeting for July 1, 2014 to June 30, 2015 for Transfer Station operating costs.

Motion by: Paul Brinkman, Board of Public Works

I move that the Town vote to amend the \$352,544 from Transfer Station Enterprise Fund Revenues voted in Part XI of Article 10 of the 5/5/14 Annual Town Meeting for July 1, 2014 to June 30, 2015 for Transfer Station operating costs, by reducing the amount to \$315,544.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 13

By: Board of Selectmen

ACCEPTANCE OF STATUTE

To see if the Town will vote to accept Section 33B of Chapter 138 of the Massachusetts General Laws as follows:

Section 33B. The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on

Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

Or take any other action relative thereto.

Motion by: Michael L. Green, Board of Selectmen

I move that the Town vote to accept Section 33B of Chapter 138 of the Massachusetts General Laws.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 14

By: Board of Selectmen

ACCEPTANCE OF STATUTE

To see if the Town will vote to accept Section 59 of Chapter 33 of the Massachusetts General Laws as follows:

Section 59. Any person in the service of the commonwealth, or of a county, city or town which, by vote of its county commissioners or city council or of its inhabitants at a town meeting, accepts this section, or has accepted similar provisions of earlier laws, shall be entitled, during the time of his service in the armed forces of the commonwealth, under section thirty-eight, forty, forty-one, forty-two or sixty, or during his annual tour of duty of not exceeding 34 days in any state fiscal year and not exceeding 17 days in any federal fiscal year as a member of a reserve component of the armed forces of the United States, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, or of such county, city or town, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials.

Or take any other action relative thereto.

Motion by: Michelle R. Gallagher, Board of Selectmen

I move that the Town vote to accept Section 59 of Chapter 33 of the Massachusetts General Laws.

Motion required a majority and passed by unanimous voice vote.

Motion Carried

ARTICLE 15

By: Board of Selectmen

BUILDING REPAIRS AND MAINTENANCE

To see what sum the town will vote to appropriate from available funds to fund building repairs and maintenance; said appropriation to be under the control of the Town Administrator; or take any other action relative thereto.

Motion by: Stephen C. Themelis, Board of Selectmen

I move that the Town vote to take no action on Article 15.

Motion required a majority and no action was taken.

Motion to adjourn made and seconded and passed by unanimous voice vote.

The Meeting was adjourned at 8:14 p.m.

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 10th day of October, A.D. 2014.

Michael L. Green, Chairman

Michelle R. Gallagher, Clerk

Stephen C. Themelis

PEPPERELL BOARD OF SELECTMEN

CONSTABLE OF PEPPERELL