

ATM WARRANT - MAY 3, 2010

TOWN OF SAUGUS

Essex, ss.

To the Constable of the Town of Saugus

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Saugus, qualified to vote in Town affairs for the Annual Town Meeting at the Saugus Town Hall located at 298 Central Street on May 3, 2010 at 7:30 PM to hear and act on the following articles: viz;

Article 1. To hear and act on reports of Committees.

Article 2. To see what sum of money the Town will vote to raise and appropriate for Town charges for the ensuing fiscal year 2011. (Town Manager)

Article 3. To see if the Town will vote to make supplementary appropriations to be used in conjunction with money appropriated under Article 2 of the 2009 Annual Town Meeting during the current fiscal year, and determine whether the money shall be provided by transfer from available funds; or to see what other action the Town wishes to take in the matter. (Town Manager)

Article 4. To see what sums of money the Town will vote to raise and appropriate for the Water Enterprise Fund for the ensuing fiscal year 2011. (Town Manager)

Article 5. To see what sums of money the Town will vote to raise and appropriate for the Sewer Enterprise Fund for the ensuing fiscal year 2011. (Town Manager)

Article 6. To see if the Town will vote to reauthorize a revolving fund for the purpose of supporting recreational programs for the community. Established fees will be used for the operating expenses in connection with maintaining these programs. (Town Manager)

Article 7. To see if the Town will vote to re-authorize a revolving fund for the purpose of supporting the water system cross-connection program. Established fees will be used for the operating expenses in connection with maintaining the program as mandated by the Department of Environmental Protection. (Town Manager)

Article 8. To see if the Town will vote to re-authorize a revolving fund for the purpose of supporting programs and activities at the Senior Center. Established fees will be used for the operating expenses in connection with maintaining these programs. (Town Manager)

Article 9. To see if the Town will vote to re-authorize a revolving fund for the purpose of supporting the Senior Lunch Program at the Senior Center. Established fees will be used for the operating expenses in connection with maintaining this program. (Town Manager)

Article 10. To see if the Town will vote to raise and appropriate a sum of money for the purpose of highway construction, reconstruction and improvements. These funds will be reimbursable under the provisions of General Laws, Chapter 90, Section 34, Clause 2(a). (Town Manager)

Article 11. To see if the Town will vote to raise and appropriate a sum of money for the purpose of participation in Help for Abused Women and their Children (HAWC) or take any other action relative thereto. (Town Manager)

Article 12. To see if the Town will vote to appropriate a sum of money for the purchase of a fire pumper truck; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Town Manager)

Article 13. To see if the Town will vote to increase water rates with all receipts to be held within the Water Enterprise Fund to be used exclusively for water expenses, water maintenance, water debt and interest and water improvement programs, or take any other action relating thereto. (Town Manager)

Article 14. To see if the Town will vote to authorize the Town Treasurer with the approval of the Board of Selectmen to raise and appropriate by borrowing or otherwise a sum of money for the purpose of funding the Hamilton Street Reconstruction Project or to take any other action relative thereto. (Town Manager)

Article 15. To see if the Town will vote to transfer from available funds a sum of money for the purpose of reducing the Fiscal Year 2010 Snow and Ice Deficit or to take any other action relative thereto. (Town Manager)

Article 16. To see if the Town will vote to extend the acceptance of M.G.L. Chapter 147, s.10F, which will authorize the Town to appoint a Parking Control Officer without a time restriction, which was imposed under Article 20 of the May 5, 2008 Annual Town Meeting. (Town Manager)

Article 17. To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for the study of deficiencies at the Belmonte Middle School, Dow Street, Saugus, MA for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA'S grant program is non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from MSBA shall be the sole responsibility of the Town. (Town Manager)

Article 18. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay for general maintenance and upkeep of buildings and grounds at the Riverside Cemetery. Pursuant to M.G.L. Chapter 114, sections 15 and 25, source of funds to be the Cemetery Land Sales Account. (Town Manager)

Article 19. To see if the Town will vote to amend the **Town By-law Section 9.805.00**

Section A. Dealers in Gold, Silver and Other Valuable Secondhand Items Licensed Required/Defined.

A Second Hand Dealer is a person who makes an outright purchase of personal property that has been used.

A Consignment Dealer is a person who, without taking ownership of goods or merchandise, displays the merchandise for sale for a specified period of time and, upon sale, delivers the proceeds or a portion thereof, as agreed, to the owner. For purposes of this bylaw, Consignment Dealers shall be licensed as Second Hand Dealers and shall comply with all record keeping and retention requirements of Second Hand Dealers.

Add in: Video game systems, games and software. Computer games and software.

Section C: Record of Purchases

Add in: Reports to be filed with the Bureau of Criminal investigations at the Saugus Police Department on a weekly basis at the opening of business on Monday morning.

Add in: Every dealer or keeper of a shop shall submit a monthly report on a form approved by the Chief of Police, either electronically (email) or on a disk. Such reports shall be submitted on the last day of each month to the person designated by the Chief of Police.

Section D: Articles Purchased to be Kept for Two Weeks before Resale or Removal from City

Change: Kept from Two weeks to 30 days

Section H: Penalty for Violation of Article

Change: Shall be fined not less than five dollars to (Two Hundred Dollars) and from no more than Two Hundred Dollars to (Five Hundred Dollars) for each offense.

(Board of Selectmen)

Article 20. To see if the Town will vote to raise and appropriate or transfer from available funds the amount of \$60,000.00 to be deposited in the targeted stabilization account created for the purpose of reducing or eliminating athletic and extra curricular user fees in the Saugus Public Schools. (School Committee)

Article 21. To see if the Town will vote to raise and appropriate by borrowing or otherwise the sum of \$80,000. For the purpose of replacing 1300 feet of fence on the High School property (parallel to route one) with a sound barrier, six feet in height. (Sean A. Maltais)

Article 22. To see if the Town will vote to amend Chapter 200.00, Government of Town Meeting, of the General Bylaws of the Town of Saugus by replacing the current section 205.00, Use of Check List, with the following new section:

205.00 Roll Call Vote

Except in the case of a unanimous voice vote as declared by the Moderator, a roll call vote shall be required for all final main motions with respect to the following subject matters: adoption or amendment of zoning by-laws; adoption or amendment of general by-laws; and fiscal matters which are defined as any appropriation, borrowing, fund transfer, or the creation of or re-authorization of such enterprise or revolving funds as may be authorized by state law, provided, however, that in the event of a vote which the moderator determines to be near unanimous, the Moderator shall take a roll call of only those voting in the minority. For all other matters and motions, a roll call vote shall be required if requested by any one (1) representative town meeting member. (Jill R. Silvester)

Article 23. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 3. "Powers of the Selectmen".

The selectmen shall be the chief policy makers of the Town.

(CHANGE)

SECTION 3. (TO) SECTION 3A.

(CHANGE)

SECTION 3A. (TO) SECTION 3B.

(Town Meeting Charter Committee)

Article 24. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 3

SECTION 1. "Capital Improvement Plan"

The Board of Selectmen and the Town Manager shall be responsible for preparing a five (5) year capital improvement plan for the Town of Saugus.

(a). The Board of Selectmen and the Town Manager shall receive input from the School Committee.

(b). The plan must be updated every year.

(c). Cost estimates, methods of financing and a recommended time frame must be included in the plan.

(Town Meeting Charter Committee)

Article 25. To see if the Town will vote to petition the Legislature to enact special

legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 3C. "Sewer Commissioners".

The Board of Selectmen shall be the Sewer Commissioners for the purpose of adopting rules and regulations for the use of public sewers and the installation and connection of building sewers, and providing penalties for violations thereof: in the Town of Saugus, County of Essex, Commonwealth of Massachusetts.

(ADD)

ARTICLE 2

SECTION 3D. "Water Commissioners".

The Board of Selectmen shall be the Water Commissioners for the purpose of adopting rules and regulations for the use of providing public water supplies and the installation and connection of building public water systems, and providing penalties for violations thereof: in the Town of Saugus, County of Essex, Commonwealth of Massachusetts.

(ADD)

ARTICLE 2

SECTION 3E. "Traffic Commissioners".

The Board of Selectmen shall be the traffic Commissioners for the purpose of adopting rules and regulations for public roadways along with providing penalties for violations thereof: in the Town of Saugus, County of Essex, Commonwealth of Massachusetts. (Town Meeting Charter Committee)

Article 26. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 o the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 1A "Candidacy Limit on Town-wide Elective Office".

No person shall run for more than one (1) major town-wide elective office: Selectmen, School Committee, Housing Authority and Representative to the North East Regional Vocational School. A candidate for any town-wide office may also run for a seat on Town Meeting within his precinct. (Town Meeting Charter Committee)

Article 27. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 13 (h) (a) "Leasing of Town Property".

All leases, rentals or other proposed commitments to authorize the use of any town property for a period of more than (180) days must be approved by, three-fifths vote, of the Board of Selectmen at a regularly scheduled public meeting. The Board must be provided the final documents at least (7) days before the scheduled public meeting. Failure of the Selectmen to approve any such documents with (21) days shall be deemed to be a rejection by the Selectmen.

The Town Manager may not enter into negotiations to lease, rent or commit to authorize the use of any town property without first obtaining a, three-fifths vote, of the Board of Selectmen, at a regularly scheduled public meeting. (Town Meeting Charter Committee)

Article 28. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 35 A. "School Budget".

On or before the 1st day of February the School Committee shall submit to the Board of Selectmen and the Town Manager a detailed budget for the ensuing fiscal year. (Town Meeting Charter Committee)

Article 29. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 36 A. "Town Audit".

The Finance Committee will be responsible to hire the auditing firm to conduct the state mandated (yearly) independent audit for the Town of Saugus.

As part of the process to procure services, the Finance Committee should determine in advance the requirements and objective of the audit along with monitoring the progress of the audit. The audit should have three (3) components including an opinion, followed by financial statements, and a separately provided management letter.

The results of the audit will immediately be provided to the Selectmen and the Town Manager. It will be the responsibility of the Town Manager to address any concerns raised by the audit in a timely manner. (Town Meeting Charter Committee)

Article 30. To see if the Town will vote to petition the Legislature to enact special legislation to amend Chapter 17 of the Acts of 1947 as follows:

(ADD)

ARTICLE 2

SECTION 4 A. "School Committee Vacancy".

When a vacancy occurs on the School Committee for any reason, the Board of Selectmen and the remaining members of the School Committee share the responsibility for filling it.

As provided in the law, the School Committee will notify the Selectmen that a vacancy has been created within thirty (30) days after it has occurred. After one (1) week's notice has been given by the Committee to the Selectmen, so that voters of the Town may have the opportunity to state their candidacy, the two (2) governing bodies will meet to fill the vacancy by roll-call vote.

For election to fill a vacancy, a candidate must receive a majority of the votes of the officers entitled to vote. The person so elected will fill the seat on the School Committee until the next town election, at which time a member will be elected to serve the remainder of the term, if any. (Town Meeting Charter Committee)