

**SPECIAL TOWN MEETING
MEMORIAL TOWN HALL
DECEMBER 10, 2009**

The Meeting was called to order at 7:10 PM by Moderator, Peter J. Adams.

The Moderator announced the following:

Return of the Warrant was properly posted.

Introduced himself, Town Clerk, Finance Committee members present,

Board of Selectmen, Town Administrator, Town Counsel, and Adam

Gaudette, who will become Town Administrator on March 1, 2010.

The following articles were acted upon:

ARTICLE 1 – AUTHORIZATION TO AMEND ACTION TAKEN UNDER ARTICLE 19 OF THE MAY 7, 2009 ANNUAL TOWN MEETING SO AS TO INCREASE THE APPROPRIATION AND AUTHORIZATION TO BORROW FOR STATE-MANDATED WATER DISTRIBUTION SYSTEM IMPROVEMENTS FROM \$6,613,000 TO \$8,000,000

Majority voted (Declared Vote by Moderator) that the Town amend the action taken under Article 19 of the May 7, 2009 Annual Town Meeting so as to increase the sum of the appropriation from Six Million Six Hundred Thirteen Thousand Dollars and No Cents (\$6,613,000.00) to Eight Million Dollars and No Cents (\$8,000,000.00) for the purposes of financing the design, bidding, construction, and inspectional services of a two-zone pressure system including water storage tank, booster pump station, well station and water distribution system improvements, a Supervisory Control and Data Acquisition (SCADA) computer system, and distribution system improvements including the elimination of dead ends and removal of asbestos pipe; including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by the St. 1998, c.78; that to meet this appropriation the Treasurer/Collector with the approval of the Board of Selectmen is authorized to borrow Eight Million Dollars and No Cents (\$8,000,000.00) and issue bonds or notes therefor

under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78 or pursuant to any other enabling authority; that such bonds or notes shall be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78, or as general obligations of the Town as determined by the Treasurer/Collector, with the approval of the Board of Selectmen, should funds not be available under the Water Pollution Abatement Revolving Loan Program; and further that the Treasurer/Collector with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen and/or the Board of Water Commissioners is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and further to authorize the Board of Selectmen and the Town Administrator to seek and accept any and all state or federal grant-in-aid assistance or reimbursement, as appropriate and necessary, to lower local project costs and expenses.

Declared Vote by Moderator: 44 Voted In Favor
6 Opposed

**ARTICLE 2 – APPROPRIATION OF INSURANCE SETTLEMENT FUNDS AND
ADDITIONAL MONEY FOR THE PURPOSE OF PURCHASING A
REPLACEMENT HIGHWAY PICK-UP TRUCK**

Unanimously voted that the Town appropriate the sum of Twenty-nine Thousand, Seven Hundred Fifteen Dollars and No Cents (\$29,715.00) from an insurance settlement, FY 2010 Operating Budget Account #60000-59172, as required by Massachusetts General Laws, Chapter 44, Section 53, and further appropriate the sum of Five Thousand Dollars and No Cents (\$5,000.00) from Free Cash, for a total appropriation of Thirty-four Thousand, Seven Hundred Fifteen Dollars and No Cents (\$34,715.00) to be used to purchase a replacement Highway Division pick-up truck.

**ARTICLE 3 – TRANSFER A SUM OF MONEY TO THE FISCAL YEAR 2010
TOWN ADMINISTRATOR PERSONAL SERVICES ACCOUNT**

Majority voted that the Town Pass Over this Article.

(To see if the Town will vote to appropriate sums of money from the Office of Development and Inspectional Service (ODIS) Personal Services Account, Budget Line Item #010-100-250-51000, and/or other available funds, as may be necessary, to the Town Administrator Personal Services Account, Budget Line Item #010-100-123-5100).

**ARTICLE 4 – TRANSFER A SUM OF MONEY TO THE FISCAL YEAR 2010
OFFICE OF DEVELOPMENT AND INSPECTIONAL SERVICES (ODIS)
ACCOUNT**

Majority voted that the Town transfer \$8,000.00 from the Office of Development and Inspectional Service Personal Services Account, Budget Line Item #010-100-250-5100, to the Office of Development and Inspectional Services Other Charges/Expenses Account, Budget Line Item #010-100-250-5700.

**ARTICLE 5 – APPROPRIATE \$6,896.35 TO PAY FOR A MEDICAL CLAIM BY
A VOLUNTEER AGAINST THE TOWN**

Majority voted that the Town Pass Over this Article.

(To see if the Town will vote to appropriate the sum of Six Thousand Eight Hundred Ninety-six Dollars and Thirty-five Cents (\$6,896.35) from certified Free Cash to fund the medical expenses of an authorized volunteer injured serving the Town of Spencer).

Majority voted at 7:25 PM to dissolve the Meeting.

61 Registered Voters attended this Session.

Jean M. Mulhall, Town Clerk