

RESULTS OF SPECIAL TOWN MEETING

November 19, 2005

The warrant was returned to the Town Clerk at 9:00 AM.

With a quorum present, the Moderator Peter Rourke called the meeting to order at 9:32 AM. The rules of the meeting were read. The warrant showed it had been properly served.

The Moderator and the Board of Selectmen made an appeal for volunteers to join the finance committee emphasizing the importance of the board in the functioning of town government.

The motion was made and seconded to waive the reading of the warrant, and so voted.

The motion was made and seconded to allow the moderator to declare a two-thirds vote, and so voted.

SPECIAL TOWN MEETING ARTICLES

Article 1. The motion was made and seconded to appropriate the sum of \$662.63 from Free Cash to the Prior Years Bills account for the purpose of paying five prior year bills.

VOTE: UNANIMOUS

Article 2. The motion was made and seconded to appropriate the sum of \$4,929.24 from Free Cash to the FICA account for the purpose of paying for FICA adjustments.

VOTE: UNANIMOUS

Article 3. The motion was made and seconded to appropriate the sum of \$95,000 from Free Cash to the Court Judgment account for the purpose of paying for a court ordered settlement.

VOTE: PASSED

Article 4. The motion was made and seconded to appropriate the sum of \$98,647.27 from Free Cash in order to defray charges and expenses of the Town for the remainder of fiscal year 2006.

VOTE: PASSED

Article 5. The motion was made and seconded to transfer the sum of \$4,731.41 from the Town Clerical account to the Dispatcher Wages account for the purpose of paying dispatcher wages.

VOTE: PASSED

Article 6. The motion was made and seconded to transfer the sum of \$38,000 from the Stabilization Fund to a Capital Buildings Projects account for the purpose of paying for a public safety facilities architectural and engineering feasibility study and preliminary designs.

The motion was made and seconded to postpone Article 6 indefinitely.

VOTE: DEFEATED

VOTE ON ORIGINAL ARTICLE: YES- 89 NO-40 PASSED

Article 7. The motion was made and seconded to transfer care and custody of a portion of the land known as the library parcel owned by the Town and located at 812 Main Street from the Board of Selectmen for general municipal purposes to the Board of Selectmen for the purposes of granting utility easements to the Verizon and Unutil companies for the purpose of relocating and installing utility services for said library on such terms and conditions and for such consideration as the Board of Selectmen may determine, which may be nominal consideration.

VOTE: UNANIMOUS

Article 8. The motion was made and seconded to amend the Zoning By-Laws by deleting the third sentence of definition 2 in Section 3, and deleting subsection c from Section 5.2.2.

VOTE: PASSED
DECLARED TWO-THIRDS BY MODERATOR

Article 9. The motion was made and seconded to authorize the Board of Selectmen to negotiate and enter into inter-municipal agreements pursuant to the provisions of Massachusetts General Laws Chapter 40, Section 4A with the Montachusett Regional Planning Commission for various study and planning services.

VOTE: UNANIMOUS

Article 10. The motion was made and seconded to postpone indefinitely Article 10.

VOTE: PASSED

Article 11. The motion was made and seconded to authorize the Board of Selectmen to petition the General Court for special legislation as follows:

An Act Authorizing the Town of Ashby to be allowed to be permanently exempt from the provisions of Massachusetts General Laws Chapter 59, Section 21C(f), Proposition 2 ½ , so called,

Be it enacted, etc.,

Section 1. Notwithstanding the provisions of Massachusetts General Laws Chapter 59, Section 21C(f) and any other general or special law to the contrary, within the Town of Ashby, the total taxes assessed for any fiscal year shall not exceed an amount equal to one hundred percent of the maximum levy limit for the preceding fiscal year as determined by the commissioner of revenue plus the then applicable cost of living adjustment as established and published by the Social Security Administration from time to time.

Section 2. This act shall take effect upon its passage.

VOTE: DEFEATED

Article 12. The motion was made and seconded to transfer the sum of \$42,500 from the Stabilization Fund to the Police Wages account for the purpose of paying for police wages.

VOTE:

UNANIMOUS

The motion was made and seconded to dissolve the Special Town Meeting at 11:28 AM, and so voted.

Lorraine Pease
ASHBY TOWN CLERK