

**Commonwealth of Massachusetts  
Special Town Meeting**

Middlesex, ss:

To: Constable of the Town of Ashby in said County:

Greeting:

In the name of the Commonwealth, you are hereby directed to notify and warn the inhabitants of the Town of Ashby, qualified to vote in elections and town affairs, to meet at the Elementary School Auditorium in said Ashby, Saturday, November 19, 2005 at 9:30 a.m. to act on the following articles:

**SPECIAL TOWN MEETING ARTICLES**

**Article 1.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 2.** To see if the Town will vote to appropriate the sum of \$4,929.24 from Free Cash to the FICA account for the purpose of paying for FICA adjustments, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 3.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 4.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 5.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 6.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**     **Approved**     **Disapproved**     **No Action**

**Article 7.** To see if the Town will vote 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 Unitol 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, or take any action thereon.

**Finance Committee action:**  **Approved**  **Disapproved**  **No Action**

**Article 8.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**  **Approved**  **Disapproved**  **No Action**

**Article 9.** To see if the Town will vote 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, or take any action thereon.

**Finance Committee action:**  **Approved**  **Disapproved**  **No Action**

**Article 10.** To see if the Town will vote to raise and appropriate the sum of \$300,000 under and pursuant to Massachusetts General Laws Chapter 40, Section 5F, Subsection 9 or any other enabling authority, which appropriation shall be contingent upon the passage of a Proposition two and one-half override vote for a capital expenditure for one year, for the purpose of paying for the purchase of a new fire truck, or take any action thereon.

**Finance Committee action:** **no recommendation due to deadlock vote**

**Article 11.** To see if the Town will vote 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.

, or act in relation thereto.

**Finance Committee action:**  **Approved**  **Disapproved**  **No Action**

**Article 12.** To see if the Town will vote to transfer the sum of \$42,500 from the Stabilization Fund to the Police Wages account for the purpose of paying for police wages, or take any action thereon.

**Finance Committee action:** **Article was added to late for Finance Committee Action**

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And you are hereby directed to serve this warrant by posting an attested copy in at least three (3) public places in said Ashby fourteen (14) days at least before holding of said meeting. Hereof, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 2nd day of November, 2005.

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Michael McCallum, Chair

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Peter McMurray, Procurement

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Gerard Houle, Clerk

ASHBY BOARD OF SELECTMEN

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By virtue of this precept, I have posted three (3) attested copies of the foregoing warrant in three (3) public places in said Ashby at least fourteen days before the time of said Special Town Meeting.

Date: \_\_\_\_\_

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William Davis  
Constable of Ashby