

## **ANNUAL TOWN MEETING** **MONDAY, MAY 4, 2009**

The Annual Town Meeting was called to order by Moderator Michael Hayes at 7:36 p.m. Constable Harry D. Bates announced that the number of voters present was 194, fulfilling the quorum requirement of 50 voters.

The meeting pledged allegiance to the flag and a moment of silence was held for deceased Town employees. Town Clerk Pamela Martin swore in the following tellers: Joseph Drier, 7 Oakdale Farm Rd., Gerald Blumenthal, 50 Elm Place, Jonathan Berman, 52 Old Mansion Lane, and William Glynn, 11 Lazel St. She then read the warrant for the meeting. Moderator Hayes recognized new voters and went over the rules governing Town Meeting. The invocation was given by Senior Priest Retired, Fr. Alan Butler. Geoffrey Diehl was introduced as the newest member of the Finance Committee. State Representative Allen McCarthy was recognized, as well as boy scouts from Troop 22.

Fire Chief Timothy Grenno presented Whitman Fire-Rescue Community Heroic Awards to Brian McCaffrey, Caroline MacMillan, Judith Gill and Samantha Brown, four lifeguards at the Town Pool that rescued a 7 year old boy and a 15 year old boy on the same day.

Finance Committee Chairman, Steven Bois thanked all departments for their cooperation in preparing this budget, recognizing that a zero percent budget was not the easiest for all to adhere to. A motion was made and seconded to adjourn the Annual Town Meeting and go into the Special Town Meeting at 7:55 p.m. The Special Town Meeting is recorded in a separate document. The Annual Town Meeting reconvened at 8:05 p.m.

### **ARTICLE 1**

The Town voted unanimously to hear the reports of several Boards, Officers and Committees, and act thereon.

### **ARTICLE 2**

To determine how much money the Town will raise and appropriate for General Government, Protection of Persons and Property, Health and Sanitation, Public Works, Veterans' Benefits, Education, Library, Recreation and Unclassified, specifying what appropriations shall be taken from the receipt of a department.

Proposed by the Finance Committee and the Board of Selectmen

The following Line Items were questioned: 8, 9, 32, 39, 83, 89, 97, 98, 102, 103, 118, 124, 156, 168, 236A. All other line items were voted unanimously.

**For continuity in recording Article 2 is listed at the end of this recording.**

**ARTICLE 3**

The Town voted unanimously to bring in their vote for the following Town officers: One Town Clerk for Three Years; One Town Treasurer for One Year – to fill vacancy; One Selectman for Three Years; One Assessor for Three Years; Two PK-12 Whitman-Hanson Regional School District Committee Members for Three Years; One Department of Public Works Commissioner for Three Years; Two Public Library Trustees for Three Years; One Whitman Housing Authority Member for Five Years; One Whitman Housing Authority Member for Two Years – to fill vacancy; One Planning Board Member for Five Years; One Planning Board Member for Four Years – to fill vacancy; One Board of Health Member for Three Years; One Board of Health Member for Two Years – to fill vacancy; and to choose all other necessary officers.

The polls for the election of officers will be opened in said Town Hall at nine o'clock in the forenoon on said Saturday, the 16<sup>th</sup> day of May, 2009, and kept open until five o'clock in the evening. Both of which days will constitute the Annual Meeting and this call is issued in accordance with the vote of the Town passed January 29, 1902.

Proposed by the Board of Selectmen

### **Revolving Account Authorizations**

**ARTICLE 4**

The Town voted UNANIMOUSLY, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2010 a Council on Aging Revolving Account to be used exclusively for the receipt of minibus fares and programs and disbursed by the Director of the Council on Aging to defray Council on Aging expenses for programs and minibus repairs, said disbursements not to exceed \$10,000.00, or take any action relative thereto.

Proposed by the Council on Aging  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved allows the Council on Aging to continue to offer programs partially supported by participant payments.*

**ARTICLE 5**

The Town voted UNANIMOUSLY, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2010 the Library Fines and Fees Revolving Account to be used exclusively for the receipt of Library fine funds and disbursed by the Library Trustees to defray Library

expenses, said disbursement not to exceed \$17,500.00, or take any action relative thereto.

Proposed by the Board of Library Trustees  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, allows the Library to continue to use revenue generated from fines assessed for the late return of borrowed materials to supplement its operating budget.*

#### **ARTICLE 6**

The Town voted UNANIMOUSLY, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2010 a Passport Fees Revolving Account to be used exclusively for the receipt of fees generated from the sale of passport photographs in the Town Clerk's office and disbursed by the Town Clerk to defray expenses for photo supplies associated with the sale of passport photos, said disbursements not to exceed \$3,000.00, or take any action relative thereto.

Proposed by the Town Clerk  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, permits the Town Clerk to continue to use fees collected from the sale of passport photographs to purchase supplies needed to offer this service.*

#### **ARTICLE 7**

The Town voted UNANIMOUSLY, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2010 the Planning Board Revolving Account to be used exclusively for the receipt of fees paid upon submission of plans, the amount expended not to exceed \$75,000.00 and to be expended by a majority vote of the Planning Board to cover Planning Board expenses necessary for the review and disposition of plans, including, but not limited to, expenses for engineering inspection, survey review, By-Law compliance, record keeping and filing of appropriate documents, while not employing any additional paid staff except by Town Meeting approval, or take any action relative thereto.

Proposed by the Planning Board  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, allows the Planning Board to continue to use filing fees paid on submission of plans for property development to pay for costs associated with the hearing and review of plans for such development.*

**ARTICLE 8**

The Town voted UNANIMOUSLY, as authorized by the M.G.L., Chapter 44, Section 53E ½, as amended by Chapter 275 of the Acts of 1990, to continue for Fiscal Year 2010 a Fire-Rescue and Fire Alarm Revolving Account to be used exclusively for the receipt of funds collected for construction, repair and maintenance of the Town's municipal fire alarm system, and earmark such funds collected for defraying the costs of same, to be disbursed by the Chief of the Fire-Rescue Department, said disbursements not to exceed \$10,000.00, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, will enable the Fire Department to continue to use revenues from this account to pay part of the cost of maintaining the town-wide fire alarm system.*

**Reserve Fund Authorizations****ARTICLE 9**

The Town voted IN THE MAJORITY, THIS ARTICLE AS AMENDED, to create a Reserve for Appropriation Vehicle Purchase Account for the purpose of reducing the financial impact to the Town of Whitman on the eventual purchase and/or lease of an ambulance, engine or other vehicles to be used by the Fire/Rescue Department, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, permits the Town to set aside funds from revenue generated from our ambulance service for the future purchase of needed vehicles for the fire department, lessening the impact to our annual budget.*

**Appropriations Outside the Levy Limit****ARTICLE 10**

The Town voted UNANIMOUSLY to appropriate from the Reserve for Appropriation Whitman-Hanson Regional High School Debt Exclusion Reserve Account the sum of \$615,047.00 to pay Whitman-Hanson Regional School Department debt payments, which debt was authorized by Article 7 of the May 7, 2002 Annual Town Meeting and the May 18, 2002 debt exclusion vote, or take any action relative thereto.

Proposed by the Town Treasurer  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, allows the Town to use funds previously set aside in debt reserve to make required payment of debt incurred for the building of the regional high school.*

**ARTICLE 11**

The Town voted UNANIMOUSLY to raise and appropriate, outside the levy limit, the sum of \$321,916.00 for the purpose of making debt payments on debt issued by the Whitman-Hanson Regional Schools for the Whitman K-8 school projects, which debt was authorized by Article 1 of the February 23, 1998 Special Town Meeting and the March 4, 1998 debt exclusion vote, or take any action relative thereto.

Proposed by the Town Treasurer  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if voted, authorizes the Town to pay the annual bond payment for construction costs related to the renovation of the Conley, Duval, and Middle schools. The actual Bond Payment is \$337,808.00 but additional funds of \$15,892.00 have been previously set aside*

### **Appropriations to/from Reserve for Appropriation Accounts**

**ARTICLE 12**

The Town voted UNANIMOUSLY, THIS ARTICLE AS AMENDED, to transfer from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) the sum of \$100,000.00 to Line 97 – Fire Department, All Other Services of Article 2 of the May 4, 2009 Annual Town Meeting.

Proposed by the Chief of the Fire Department and the Town Administrator  
Finance Committee Voted Unanimously to Recommend

**ARTICLE 13**

The Town voted UNANIMOUSLY to appropriate the sum of \$281,352.50 from the Reserve for Appropriation Town Debt Service Reserve Account to make payments on debt authorized by Article 41 of the May 19, 1998 Annual Town Meeting for the purpose of renovations, additions and remodeling to the various Town capital projects, or take any action relative thereto.

Proposed by the Town Treasurer  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, authorizes the additional payment required on bonds for Fire Station and Town Hall.*

**ARTICLE 14**

The Town voted UNANIMOUSLY to transfer the sum of \$5,909.77 from the Reserve for Appropriation Title V Loans Account to make debt payments for fiscal year 2010, with any balance remaining at the end of the fiscal year to be returned to the Reserve for Appropriation Title V Loans Account, or take any action relative thereto.

Proposed by the Town Treasurer  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if voted, permits the Town to continue its loan program to assist homeowners in converting from septic to sanitary sewer systems and to repay town debt provided to fund this program.*

#### **ARTICLE 15**

The Town voted UNANIMOUSLY to transfer the sum of \$33,942.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to Article 2, Fire-Rescue & Emergency Services Clerical Line, Administrative Assistant to the Fire Chief, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, permits the Town to pay the salary cost for Fire Department Clerical services from revenue generated by the Town ambulance service, rather than adding the cost to tax bills.*

#### **ARTICLE 16**

The Town voted UNANIMOUSLY to transfer the sum of \$30,000.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) to the following lines of Article 2:

Ambulance Repair & Maintenance	-	\$ 5,000.00
Ambulance Billing	-	\$25,000.00

or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, allows the Town to pay listed expenses from ambulance revenue rather than including it in the money to be raised by taxation.*

#### **ARTICLE 17**

The Town voted UNANIMOUSLY to transfer the sum of \$200,000.00 from the Reserve for appropriation Ambulance Account (Ambulance Receipts) to Article 2, Fire-Rescue & Emergency Services, All Other Services line, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, allows the Town to use ambulance service revenue to pay part of the cost for firefighter salaries, rather than adding this cost to the amount of money to be raised by taxation.*

#### **ARTICLE 18**

The Town voted UNANIMOUSLY to transfer the sum of \$54,175.00 from the Reserve For Appropriation Ambulance Account (Ambulance Receipts) for the fourth of five lease-purchase payments for the Rescue truck for the Fire-Rescue & Emergency Services Department, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article permits the Town to use ambulance revenue to pay for the purchase of vehicles and equipment for the Fire department.*

#### **ARTICLE 19**

The Town voted UNANIMOUSLY to transfer the sum of \$56,500.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) for the sixth of seven lease-purchase payments for the mid-mount aerial ladder truck, Agreement No. MA031303 dated July 15, 2003, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, permits the Town to use ambulance revenue to pay for the purchase of vehicles and equipment for the Fire department.*

#### **ARTICLE 20**

The Town voted UNANIMOUSLY to transfer from the Reserve for Appropriation Fire-Rescue Engine Purchase Account the sum of \$150,000.00 and transfer \$57,000.00 from the Reserve for Appropriation Ambulance Account, to purchase fire fighting equipment and supplies, provide for a down payment, and pay \$57,000.00 for the first of five annual payments to lease/purchase and equip a pumping engine, which replaces a 1978/1995 pumping engine, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department

*Note: This article, if approved, permits the Fire Department to use ambulance revenue to fund a contract for the purchase of a pump truck without adding its cost to the tax burden.*

**ARTICLE 21**

The Town voted UNANIMOUSLY to transfer \$26,900.00 from the Reserve for Appropriation Ambulance Account (Ambulance Receipts) for the second and final payment for the lease-purchase of a command vehicle for the Fire Chief, or take any action relative thereto.

Proposed by the Chief of the Fire-Rescue & Emergency Services Department  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, uses ambulance revenue rather than taxes to pay for the vehicle purchase.*

**ARTICLE 22**

The Town voted UNANIMOUSLY to transfer from the Reserve for Appropriation Motor Vehicle Fine Account the sum of \$39,960.31 for the following payments to lease/purchase and equip vehicles to be used by the Whitman Police Department, or take any action relative thereto:

- A. \$8,255.26 for the third of three annual payments for one 2008 cruiser;
- B. \$11,690.09 for the second of three annual payments for one 2008 cruiser;
- C. \$11,426.88 for the first of three annual payments for one 2009 cruiser.
- D. \$ 8,588.08 for the second of three annual payments for a 2009 cruiser

Proposed by the Chief of Police  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, uses money raised from the Police Motor Vehicle Fine Account rather than tax revenue, to pay for cruisers.*

**ARTICLE 23**

The Town voted UNANIMOUSLY to transfer the sum of \$50,000.00 from the Reserve for Appropriation Motor Vehicle Fine Account to the Police Department budget, Line 89 All Other Services of Article 2, or take any other action relative thereto.

Proposed by the Chief of Police

*Note: This article, if approved, uses money raised from the Police Motor Vehicle Fine Account to reduce the amount of money that must be raised by taxation for police salaries.*

**ARTICLE 24**

The Town voted UNANIMOUSLY to authorize the Police Department to lease a motorcycle for one year, with such costs to be paid from Community Policing Funds, or take any action relative thereto.

Proposed by the Chief of Police

Finance Committee voted unanimously to recommend

*Note: if approved, this article will permit the cost of leasing to be paid from "Community Policing Funds" rather than from tax revenue. The lease payment will not exceed \$3,100.00*

### **Enterprise Account Articles**

#### **ARTICLE 25**

The Town voted UNANIMOUSLY to appropriate the sum of \$23,244.50 from retained earnings in the Water Enterprise Fund and \$23,244.50 from retained earnings in the Sewer Enterprise Fund to fund the purchase of one (1) F450 Dump Truck with snowplow to replace a 1987 C.M.C. Dump Truck; or take any action relative thereto.

Proposed by the Department of Public Works Commissioners  
Finance Committee Voted Unanimously to Recommend

*Note: If approved, this article will authorize the purchase of a dump truck, and too split the cost of the purchase between the Sewer and Water revenues.*

#### **ARTICLE 26**

The Town voted UNANIMOUSLY to appropriate the sum of \$18,000.00 from retained earnings in the Sewer Enterprise Fund to replace boilers at the Commercial Street and Auburn Street Pumping Stations, or take any action relative thereto.

Proposed by the Department of Public Works Commissioners  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, will provide funds to replace original heat systems for the two major pumping stations for the Town sewer system.*

### **General Appropriations**

#### **ARTICLE 27**

The Town voted UNANIMOUSLY to raise and appropriate the sum of \$15,300.00 for the purchase of a heavy duty 11' Power Reversing Trip Edge Plow with plow frame, lights and controls, or take any action relative thereto.

Proposed by the Department of Public Works Commissioners  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, will fund the purchase of a plow system to be installed on the heavy duty truck described in Article 25.*

**ARTICLE 28**

The Town voted UNANIMOUSLY to raise and appropriate the sum of \$2,000.00 to be used for the purpose of holding a Household Hazardous Waste Collection Day, or take any action relative thereto.

Proposed by the Board of Health  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, provides funds to work cooperatively with neighboring communities in the South Shore Recycling Collaborative to provide residents with an opportunity to safely dispose of oil, insecticides and other hazardous materials.*

### **State Funds and Grants**

**ARTICLE 29**

The Town voted IN THE MAJORITY to appropriate from available Chapter 90 Funds the sum of \$94,375.00 for the purchase of one (1) 35,000 pound G.V.W. 4 x 2 Heavy Duty Dump Truck, or take any action relative thereto.

Proposed by the Department of Public Works Commissioners  
Finance Committee Voted Unanimously to Recommend

*Note: This article, if approved, will allow the Town to purchase a vehicle to be used by the public works department to maintain local roads.*

**ARTICLE 30**

The Town voted UNANIMOUSLY, THIS ARTICLE AS AMENDED, to appropriate from available Chapter 90 Funds \$152,184.00 for the purpose of resurfacing and/or installing surface treatments to various roads and sidewalks, or take any action relative thereto.

Proposed by the Department of Public Works Commissioners  
Finance Committee recommended

## **Related to Town Property – Capital Expenditures**

### **ARTICLE 31**

The Town voted UNANIMOUSLY to accept a gift of land or interests in land from A.W. Perry, Inc. to the Town of Whitman consisting of approximately 6.26 acres of land located off Bayberry Road and being shown as Block 97, Lot 108 on the Town of Whitman's Assessor's Map 35B, to be used for conservation or other land preservation related purposes, with said land to be maintained in perpetuity as a habitat under the care, custody and control of the Conservation Commission pursuant to M.G.L. c. 40, §9C, and subject to a Declaration of Restriction, a copy of which is on file with the office of the Town Clerk, or take any action relative thereto.

Proposed by the Board of Selectmen

*Note: This land is a habitat for the Eastern Box Turtle, an endangered species. The land will be permanently maintained as a habitat, with access rights to the land limited to the Division of Fisheries and Wildlife and the Town of Whitman for the purpose of inspecting and enforcing restrictions.*

### **Article 32 – PASSED OVER**

The Town, pursuant to M.G.L. c.40, §15A, voted to authorize the sale of the following parcels of land declared surplus by the Board of Selectmen, or take any action relative thereto.

Proposed by the Board of Selectmen

### **ARTICLE 33**

The Town voted UNANIMOUSLY to appropriate \$740,000 for the purpose of financing the construction and reconstruction of the Town's sewer system, consisting of the relining of approximately 3,500 linear feet of reinforced concrete sewer pipe and the repair and/or replacement of related manholes, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$740,000 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; to provide that while any such bonds or notes shall constitute general obligations of the Town, it is the intent of the Town that the principal of and interest on such bonds and notes shall be paid from sewer enterprise fund revenues; to authorize the Treasurer with the approval of the Board of Selectmen to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C 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; and to authorize the Board of Selectmen, Board of Public Works

or other appropriate local body or official 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.

Proposed by the Department of Public Works Commissioners  
Finance Committee voted unanimously to recommend.

*Note: This article, if approved, will permit the Town to borrow \$740,000.00 in addition to \$800,000.00 previously authorized for inspection and repair of sewer pipes. The funds will be borrowed under a loan facility sponsored by the Massachusetts Water Pollution Abatement Trust at a reduced rate of interest, currently estimated at 2%.*

### **Article 34 – PASSED OVER**

To see if the Town will vote to raise and appropriate or transfer a sum of money to make capital improvements or take any other action relative thereto.

Proposed by Capital Improvement Advisory Committee

## **Proposed By-Law Amendment(s)**

### **ARTICLE 35**

The Town voted IN THE MAJORITY to amend the Town of Whitman By-Laws by adding Article XXXIV, as follows:

#### **PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL**

No person shall display, roll, smoke, ingest or otherwise use or consume marijuana or any form of tetrahydrocannabinol (as defined in the M.G.L., Chapter 94C, Section 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot or any area owned by or under the control of the Town of Whitman; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public; within the limits of the Town of Whitman.

This By-Law may be enforced through any lawful means in law or in equity by non-criminal disposition pursuant to the M.G.L., Chapter 42, Section 21D, by any sworn Police Officer in the Town of Whitman. The fine for violation of this By-Law shall be three hundred dollars (\$300.00) for each offense. Any penalty imposed under this By-Law shall be in addition to any civil penalty imposed under the M.G.L., Chapter 94C, Section 32L, or take any action relative thereto.

Proposed by the Chief of Police

### **Proposed Acceptance of M.G.L.**

#### **ARTICLE 36**

The Town voted IN THE MAJORITY, this article, as amended, to accept the provisions of M.G.L., Chapter 60A, Section 1, Paragraph IV – An Act Establishing the Excise Tax Exemption for Former Prisoners of War or the Surviving Spouses of Former Prisoners of War, retroactive to January 1, 2009, which reads as follows:

- IV. Vehicles owned and registered by former prisoners of war or the surviving spouses of former prisoners of war.
  - A. This exemption is available only at local option. It must be accepted by a vote of the City Council with the approval of the Mayor, in a city; or by vote of the Town Meeting or Town Council, in a town.
  - B. To qualify as a former prisoner of war, a person must have been regularly appointed, enrolled, enlisted or inducted into the military forces of the United States and been captured, separated and incarcerated by an enemy of the United States during an armed conflict.
  - C. At the time of the initial filing of an application for this exemption, the applicant must supply sufficient evidence of the former prisoner of war's earlier incarceration, either through documentation by the Veterans' Administration or by providing a copy of the Veteran's discharge papers. In future years, only the application for exemption must be filed.
  - D. A surviving spouse of a deceased former prisoner of war is entitled to this exemption until such time as that surviving spouse remarries.
  - E. Prisoner of war registration plates are not necessary for entitlement to this exemption.

Or take any action relative thereto.

Proposed by the Director of Veterans' Services

Finance Committee is unable to offer a recommendation due to lack of potential cost information.

## Home Rule Legislation

### ARTICLE 37

The Town voted IN THE MAJORITY to petition the General Court for an Act to combine the offices of Town Treasurer and Town Collector, with said special legislation to read as follows, or take any action relative thereto:

#### AN ACT ESTABLISHING THE OFFICE OF TREASURER-COLLECTOR FOR THE TOWN OF WHITMAN

Section 1. There shall be in the Town of Whitman the office of Treasurer-Collector. The Treasurer-Collector shall have all the power, perform the duties and be subject to the liabilities and penalties now or hereafter conferred as imposed by law on Town Treasurers and Town Collectors of Taxes.

Section 2. Notwithstanding Section 1, the incumbents in the offices of Town Treasurer and Collector, upon effective date of this Act, shall continue to hold the offices and perform the duties thereof until the 2011 Annual Town Election. The first Treasurer-Collector shall be elected at the 2011 Annual Town Election; but if the same person holds both offices on the effective date of this Act, then the position of Treasurer-Collector shall take effect immediately upon the approval of the Board of Selectmen, the term to expire at the 2011 Annual Town Election.

Proposed by the Town Administrator  
Finance Committee Voted 6-1 to Recommend

*Note: This article, if approved, will permit the Town to combine the offices of Town Treasurer and Town Collector as one elected position. Presently, both offices are held by the same person, and making this change will permit the Town to combine both offices as one elected position, providing for increased efficiency and reduced cost for the combined functions.*

## Agreements

### Article 38 – PASSED OVER

To see if the Town will vote, pursuant to the provisions of the Massachusetts General Laws, Chapter 150E, Section 7, to raise and appropriate a sum of money to fund the cost items for the first year of a \_\_\_\_\_ year Collective Bargaining Agreement between the Town of Whitman and A.F.S.C.M.E., A.F.L.-C.I.O., State Council 93, Local 1700 (Department of Public Works), for the period commencing July 1, \_\_\_\_\_ through June 30, \_\_\_\_\_, or take any action relative thereto.

Proposed by the Board of Selectmen

**Article 39 – PASSED OVER**

To see if the Town will vote, pursuant to the provisions of the Massachusetts General Laws, Chapter 150E, Section 7, to raise and appropriate a sum of money to fund the cost items for the first year of a \_\_\_\_\_ year Collective Bargaining Agreement between the Town of Whitman and O.P.E.I.U., Local 6, A.F.L.-C.I.O. (Town Hall), for the period commencing July 1, \_\_\_\_\_ through June 30, \_\_\_\_\_, or take any action relative thereto.

Proposed by the Board of Selectmen

**Article 40 – PASSED OVER**

To see if the Town will vote, pursuant to the provisions of the Massachusetts General Laws, Chapter 150E, Section 7, to raise and appropriate a sum of money to fund the cost items for the first year of a \_\_\_\_\_ year Collective Bargaining Agreement between the Town of Whitman and The Whitman Public Library Employees, S.E.I.U., Local 888, for the period commencing July 1, \_\_\_\_\_ through June 30, \_\_\_\_\_, or take any action relative thereto.

Proposed by the Board of Selectmen

**Article 41**

The Town voted UNANIMOUSLY to authorize the Treasurer to enter into compensating balance agreements during fiscal year 2010, as permitted by Massachusetts General Laws, Chapter 44, Section 53F, or take any action relative thereto.

Proposed by the Town Treasurer

Finance Committee Voted Unanimously to Recommend

**Article 42**

The Town voted UNANIMOUSLY to transfer the sum of \$685,609.81 from sources indicated to the Capital Stabilization Account:

<b>Source</b>	<b>Amount</b>
Free Cash	\$292,051.00
Overlay Surplus	\$109,054.00
Article 9, May 2007 Special Town Meeting - Hazmat. Assessment	\$28,079.40
Article 9, May 2007 Special Town Meeting - Memorial Arch	39,230.12
Article 1, May 2007 Special Town Meeting - Theft Refunds	\$11,358.29
Article 41, May 2005 Annual Town Meeting - Brick Re-pointing	\$150,000.00
Article 40, May 2006 Annual Town Meeting - Repave Middle School	\$5,837.00
Article 40, May 2007 Annual Town Meeting - Match for Park Grants	\$50,000.00

Proposed by the Finance Committee

The Finance Committee Voted Unanimously to Recommend.

*Note: This article, if approved, takes funds previously appropriated but no longer needed for the purpose indicated and transfers those funds to Capital Stabilization, a*

*fund that can be used in future appropriations to assist in payment of capital debt, or used to pay costs for future capital improvements.*

Town Administrator Frank Lynam thanked the department heads and non-union personnel for not taking salary increases this year.

Mr. William Glynn then asked the Moderator for a reconsideration of Articles 12 and 15, saying they were done improperly. Mr. Lynam said that article amounts posted in the warrant cannot be increased and Town Counsel agreed with him. Moderator Hayes ruled Mr. Glynn out of order.

The Annual Town Meeting adjourned at 10:00 p.m. There were 230 voters checked off of the voting list.

A TRUE RECORD, ATTEST:

TOWN CLERK – WHITMAN