



OFFICE OF THE
T O W N C L E R K
TOWN HALL
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**ANNUAL TOWN MEETING
May 12, 2003**

After determining that a quorum was present, the Annual Town Meeting was called to order at 7:16 pm by Carol Skerrett, presiding as Moderator in the absence of Anne Farina, due to illness. The process was outlined to the voters; the reading of the warrant by Carol Skerrett in her capacity as Town Clerk, followed by the election of a temporary moderator. The first order of business was to accept nominations from the floor. Robert F. Nelson was nominated and seconded, for the position of temporary moderator of both the Annual Town Meeting and Special Town Meeting of May 12, 2003. Carol Skerrett then called for further nominations. A motion was made from the floor to close nominations, which was seconded. Nominations for the office of temporary moderator were then closed and Robert F. Nelson was declared duly elected temporary moderator. Following his swearing-in by the Town Clerk, the meeting was turned over to Robert F. Nelson.

The format of the meeting was then outlined; the moderator would accept a motion to recess the Annual Town Meeting and open the Special Town Meeting. After the adjournment of the Special Town Meeting, we would return to the Annual Town Meeting. Following the proper motions and seconds, the Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing of the warrant and return of service. Boy Scout Troop #28 was recognized for the efforts in the delivery of the town reports. Member of Boy Scout Troop present who carried the flags included Michael Banville, Hugh Geller, Andrew Hawk and Matthew Miller. Following the Pledge of Allegiance, Selectman Susan Psaladakis, presented a citation to Carol Bacon for her years of service, as Library Director and Trustee.

The Annual Town Meeting was reopened at 7:45 p.m.

ARTICLE 1. Motion made and seconded that the Town accept the 2002 Annual Report as printed with the following corrections: change Greater Lowell Regional Vocational Tech School on the inside front cover and page 6; change the 2nd comma to a period in the dollar amount of Ballot Question 1B on page 171 reflecting \$391,212.00 as the override figure.

Majority vote required
Voted in the Affirmative

ARTICLE 2. Motion made and seconded that the Town raise and appropriate the following sums to defray the expenses for the Town, to fix Salary and Compensation for all elected and appointed Town Officers.

General Government

122.000	Selectmen Salaries	1,800
122.005	Selectmen Expense	5,000
131.005	Finance Comm. Expense	150
132.000	Reserve Account	25,000
135.000	Town Accountant Salary	16,151
135.001	Town Accountant Clerical	5,357
135.005	Town Accountant Expense	1,800
141.000	Assessor's Salaries	900
141.001	Assessor's Associate	21,902
141.002	Assessor's Clerical	10,513
141.005	Assessor's Expense	4,700
145.000	Treasurer Salary	14,034
145.005	Treasurer Expense	7,500
146.000	Tax Collector Salary	14,034
146.005	Tax Collector Expense	9,100
151.000	Town Counsel Retainer	25,000
151.005	Contingent legal expenses	0
160.000	Dog License Program	1,000
161.000	Town Clerk Salary	16,761
161.005	Town Clerk Expense	2,400
162.000	Election/Reg. Wages	2,450
162.005	Election/Registration Exp.	2,600
163.000	Registrar Salary	212
171.005	Conservation Clerical	7,171
175.001	Conservation Expense	3,000
175.005	Planning Board Clerical	7,171
175.005	Planning Board Expense	1,000
176.005	ZBA Expense	2,000
176.006	NMCOG	700
192.000	Town Hall Clerical	34,625
192.001	Town Hall Caretaker Wages	7,500
192.005	Town Hall Expenses	25,000
192.006	Town Hall Maintenance	0
195.000	Town Reports	4,500
199.005	Town Engineer	22,500

Subtotal General Government **303,531**

PUBLIC SAFETY
POLICE DEPARTMENT

210.000	Police Chief Salary	78,322
210.001	Police Wages	415,268
210.005	Police Expenses	22,096
210.006	Police Cruiser Expense	26,980
210.007	Police Radio Services	61,740
210.008	Police Lockup	3,500
211.000	Police Station Expense	18,506

Subtotal Police **626,412**

FIRE DEPARTMENT

220.000	Fire Wages	2,500
220.005	Fire Expenses	10,000
220.006	Fire Equipment	2,500

Subtotal Fire **15,000**

232.005	EMS Operating Exp.	7,300
241.000	Building Inspector Salary	10,174
241.005	Building Inspector Exp.	1,100
242.000	Gas Inspector Salary	2,584
243.000	Plumbing Insp. Salary	3,468
245.000	Electrical Insp. Salary	9,924
249.001	Animal Inspector Exp.	300
291.000	Emergency Mgmt.	500
292.000	Dog Officer Wages/Exp.	6,000
294.000	Tree Warden Wages/Exp.	5,000

Subtotal Public Safety **687,762**

SCHOOLS

GDRSD

300.001	GDR Operating Budget	2,716,084***
300.002	GDR Debt	672,321 *

Subtotal GDRSD **3,388,405**

GLRVTS

300.003	GLRVT Operating Budget	109,162 **
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Subtotal GLRVT **109,162**

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Subtotal Schools **3,497,567**

PUBLIC WORKS
HIGHWAY DEPARTMENT

422.000	Highway Salaries	79,030
422.001	Highway Clerical	5,619
422.006	Highway Maintenance	27,000
422.007	Highway Machinery Fund	31,000
422.008	Highway Lease/Pur. Equip.	18,429
422.009	Highway Brush Removal	6,500
422.010	Highway Sign Maintenance	1,500
422.011	Highway Line Painting	7,200
423.000	Highway Snow Removal	49,000
424.000	Street Lights	6,000

Subtotal Highway Dept. 231,278

433.000	Transfer Station	87,500	*
433.001	Landfill Expenses	1,000	
491.000	Cemetery Wages/Supplies	11,960	
491.001	Cemetery Care of Lots	735	
491.002	Cemetery Interments	3,000	

Subtotal Public Works 335,473

HUMAN SERVICES

510.002	Nashoba BOH Assessment	5,083
510.005	Board of Health Expense	7,000
522.000	Nursing Services	1,758
523.000	Greater Lowell Mental Health	400
541.000	Council on Aging	6,000
541.005	COA Transportation	15,000
543.000	Veteran\$ Agent Salary	525
543.002	Veteran\$ Agent Expense	400
543.006	Veteran\$ Benefits	500

Subtotal Human Services 36,666

LIBRARY & RECREATION

610.000	Library Salaries	57,885	
610.005	Library Expenses	60,129	*
630.000	Cable TV Committee	100	
631.005	Recreation Dept. Expense	4,000	
650.000	Parks Dept. Expense	14,000	
650.001	Larter Field Maintenance	17,000	
670.000	Arts Lottery Comm Cult.	75	
691.000	Historical Comm. Expense	500	
692.000	Memorial Day Committee	550	
693.000	Summer Concert Series	2,000	

Subtotal Lib. & Recreation 156,239

DEBT & INTEREST

710.000	Long Term Debt	266,239	*
751.000	Long Term Interest	137,828	*
752.000	Short Term Interest	10,000	
	Subtotal Debt & Interest	414,067	

INSURANCE & ASSESSMENTS

910.000	Disability Insurance Claims	0	
911.000	County Retirement	69,255	
914.000	Group Health Insurance	75,040	**
919.000	FICA	19,000	
945.000	Property/Liability Insurance	52,000	
	Subtotal Insurance/Assessments	215,295	

WATER DEPARTMENT

061.501	Water Dept. Clerical	4,158	*
061.502	Water Dept. Expense	400	*
061.503	Water Dept. Debt	13,833	*
061.505	Water Dept. Maintenance	27,617	*
	Subtotal Water Department	46,008	

Grand Total **5,692,608**

Total Debt & Interest **1,090,221**

Total Debt & Interest (%) **18.1%**

Net Line Items **4,602,387**

* Item questioned, subsequently moved and voted in the amount shown.
 ** Item questioned, subsequently moved in an **amended** amount as shown.
 *** Amount Entered

Items questioned: 192.005 Tall Hall Expenses; 300.001 Groton-Dunstable Regional School District Operating Budget; 300.002 Groton-Dunstable Regional School District Debt; 300.003 Greater Lowell Technical High School Budget; 433.000 Transfer Station; 610.005 Library Expenses; 710.000 Long Term Debt; 751.000 Long Term Interest; 914.000 Group Health Insurance; 061.501 Water Dept. Clerical; 061.502 Water Dept. Expenses; 061.503 Water Dept. Debt and 061.505 Water Dept. Maintenance.

Motions were made to amend the following line items:

300.003 Greater Lowell Technical High School Budget (\$109,162 assessment, 10 students).

Line item questioned as to the reason for a 20% increase. As \$12,000.00 is being to the Town (state aid) for the \$109K assessment, it is not a 20% increase. Motion made and seconded to amend the recommended amount for line item 300.003 to \$109,162.00.

Majority Vote Required
Voted in the Affirmative

914.000 Group Health Insurance Decreased by \$2,100. 00. Motion made and seconded to amend line item 914.000 to \$75,040.

Majority Vote Required
Voted in the Affirmative

(Refer to the complete text in the Office of the Town Clerk.) Motions made and seconded for each line item.

Majority Vote Required
Voted in the Affirmative

(Returning to the approval of line item 300.001, Groton-Dunstable Operating Budget, presentations continue by Selectman Ted Gaudette, who opposes any override. Based on a home valued at \$330,000 (average home in Dunstable) the override will raise taxes approximately \$500.00 (9%) for Override A and \$350.00 (6%) for Override B. Based on what will be approved, the town's new tax rate will be about \$15.66 (up from \$15.24) before the school is even included.)

Motion made and seconded that the Town raise and appropriate under line item #300.001, the town's share of the Groton-Dunstable Regional School District operating budget, the sum of Three million, One Hundred Sixty Six Thousand, Four Hundred Fifty Two (\$3,166,452.00) Dollars, contingent however on an affirmative vote of the town on ballot item #1a at the Annual Town Election (which is an override authorization of Five Hundred Twenty Seven Thousand, Fifty Two) (\$527,052.00) Dollars; but failing an affirmative vote on ballot item #1a, then that the town raise and appropriate in the alternative the sum of Three Million, Twenty Eight Thousand, Three Hundred Forty Eight (\$3,028,348.00) Dollars, this sum contingent on an affirmative vote of the town on ballot item #1b (which is an override authorization of) Three Hundred Ninety One Thousand, Two Hundred Twelve (\$391,212.00) Dollars; but failing an affirmative vote on either such ballot items, 1a or 1b, then that the town raise and appropriate the sum of (Two Million, Seven Hundred Sixteen Thousand, Eighty Four (\$2,716,084.00) Dollars under said line item #300.001.

Following lengthy discussion, a motion was made and seconded at 10:00 pm to move the question. Motion passed to move the question.

(Returning to the main motion, calling for a vote, several attempts were made to explain its meaning. Town Counsel explained that the effect of the vote would be both to appropriate a sum for the operating budget, and to act upon the budget [for approval or disapproval] as certified by

the Regional School Committee. The first amount stated in the motion corresponded to the certified budget; the second [lower] amount corresponded to the amount recommended by the Finance Committee. Both required overrides. The third [lowest] amount was an alternative appropriation, failing the override votes. The single motion provided for approval of the certified budget, as well as three alternate levels of appropriation, depending on the overrides. Groton had already approved the certified budget. If the Town Meeting voted "yes" on the motion, the budget would be complete, subject to overrides in both towns. If the Town Meeting voted "no," or the override failed in either town, the School District Budget approval would be nullified, and the Regional School District Committee would have to certify a new budget. The meeting voted the motion in the affirmative. Subsequently, both override votes in Dunstable failed. Thus, the effective appropriation by the meeting was \$2,716,084.00, as stated.)

At 10:20 pm, all those in favor and opposed were asked to vote.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded to approve line item #300.002, Groton-Dunstable Regional School District Debt.

Majority Vote Required
Voted in the Affirmative

ARTICLE 3. Motion made and seconded that the Selectmen appoint for a term of one year, one Pound Keeper, two Fence Viewers, two Field Drivers and three Surveyors of Lumber.

Majority Vote Required
Voted in the Affirmative

ARTICLE 4. Motion made and seconded that the Town take no action (*on accepting any gifts or trust funds as there are none presently proposed for acceptance*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 5. Motion made and seconded that the Town hear reports of the Master Plan Implementation and Technology Advisory Committee.

Majority Vote Required
Voted in the Affirmative

ARTICLE 6. Motion made and seconded that the Town take no action (*on paying any unpaid bills of 2002, as none is needed*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 7. Motion made and seconded that the Town schedule the annual caucus to be held no later than 45 days preceding the annual election, pursuant to Chapter 53, Sections 72a and 121, as amended.

Majority Vote Required
Voted in the Affirmative

ARTICLE 8. Motion made and seconded that the Town raise and appropriate, the sum of Ten Thousand (\$10,000.00) Dollars, to be placed in the Conversation Fund, to be allowed to accumulate from year to year to be expended by the Conservation Commission for the promotion, development, and the better utilization of the Natural Resources of the Town, for acquiring options for the purchase of Real Estate, and for any other purpose authorized by Section 8C of Chapter 40 of the General Laws, as amended, including the purchase of land.

Majority Vote Required
Voted in the Affirmative

ARTICLE 9. Motion made and seconded that the Town borrow, in anticipation of revenue or reimbursement, the sum of Eighty Eight Thousand Five Hundred Ninety Four Dollars and Seventy-Three Cents (\$88,594.73) which might become available for reimbursement under MGL Chapter 90, Section 34 Clause 127 (A).

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 10. Motion made and seconded that the Town authorize the Board of Road Commissioners to enter into a lease/purchase agreement for a loader/backhoe, the maximum annual payment not to exceed Fifteen Thousand (\$15,000.00) Dollars.

Majority Vote Required
Voted in the Affirmative

Returning to Article 10 for a procedure technicality, the motion was resubmitted and seconded as follows:

That the Town authorizes the Board of Road Commissioners to enter into a lease/purchase agreement for a loader/backhoe, and that for said purpose, the town appropriate by transfer from free cash, the sum of Fifteen Thousand (\$15,000.00) Dollars.

Majority Vote Required
Voted in the Affirmative

ARTICLE 11. Motion made and seconded that the Town take no action at this time (*on appropriating Twenty Four Thousand (\$24,000.00) Dollars or any other amount for the purchase of a new police cruiser at this time*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 12. Motion made and seconded that the Town transfer from Free Cash Six Thousand Four Hundred Seventy Four (\$6,474.00) Dollars for the purchase of police department .45 caliber handguns, holsters and magazine holders (8) and ammunition for the Dunstable Police Department.

Majority Vote Required
Voted in the Affirmative

ARTICLE 13. Motion made and seconded that the Town accept the provisions of Chapter 40, Section 57 of the Massachusetts General Laws, which would allow the Town to deny any application for, or revoke or suspend a building permit to a person, corporation or business enterprise who has neglected or refused to pay local taxes, fees, assessments, betterments or any other municipal charges.

Majority Vote Required
Voted in the Affirmative

ARTICLE 14. Motion made and seconded that the Town accept the provisions of Chapter 60, Section 3C relative to establishing a town scholarship fund, town education fund and donation check off.

Majority Vote Required
Voted in the Affirmative

ARTICLE 15. Motion made and seconded that the Town accept the provisions of Chapter 60, Section 3D relative to establishing an aid to the elderly and disabled taxation fund and check off. (*Following lengthy discussion, motion made and seconded to move the question. Motion passes*).

Majority Vote Required
Voted in the Affirmative

ARTICLE 16. Motion made and seconded that the Town accept the provisions of Massachusetts General Law, Chapter 59, Section 5 (17E and 41D) as amended, tax exemption option changes relative to the income and asset limits that apply to senior exemptions.

Majority Vote Required
Voted in the Affirmative

ARTICLE 17. Motion made and seconded that the Town adopt the provisions of Massachusetts General Law, Chapter 59 Section 5K relative to permitting senior work off abatement for a portion of their taxes.

Majority Vote Required
Voted in the Affirmative

Article 18. Motion made and seconded that the Town approve, adopt, ratify and/or confirm the rules and regulations adopted heretofore by the Board of Water Commissioners, including without limitation recent amendments approved by the Board of April 29, 2003, all as required pursuant to Chapter 344 of the Acts of 1916, copies of such rules and regulations available at the Town Hall during ordinary business hours and at this Annual Town Meeting.

Majority Vote Required
Voted in the Affirmative

ARTICLE 19. Motion made and seconded that the Town authorize a swap or exchange of land between the Town of Dunstable, through its Conservation Commission, and an adjoining landowner, believed to be John Largay of 710 Pleasant Street, and/or his co-owners, such that the town would convey a portion of Lot 1 on a plan recorded with Middlesex North District Deeds at Plan Book 157, Plan 79, acquired by deed of James F. Craven recorded at Book 5779, Page 78; and the Town would acquire a portion of Largay's lot at 710 Pleasant Street, the particular descriptions of the parcels and other terms to be in the discretion of the Conservation Commission; hereby authorizing the Conservation Commission to deliver and accept deeds and other instruments as necessary to effect the purpose.

2/3 Votes Required
Voted in the Affirmative Unanimously

ARTICLE 20. Motion made and seconded that the Town accept from the present owners, Anne and Robert Fenochetti, Trustees, a grant of right of first refusal to purchase a certain parcel of land lying northerly and easterly of the town common and more particularly described in a deed recorded with Middlesex North District Registry of Deeds at Book 11169, Page 044.

2/3 Votes Required
Voted in the Affirmative Unanimously

ARTICLE 21. Motion made and seconded that the Town adopt the following bylaw to be known as the Handicapped Parking Bylaw:

The Town of Dunstable shall prohibit and/or regulate the leaving of unauthorized vehicles within parking spaces designated for use by disabled veterans or handicapped persons, or in such a manner as to obstruct a curb ramp designed for use by handicapped persons as a means of egress to a street or public way, as authorized by Clause (24) of MGL Chapter 40, Section 21.

The penalty hereunder shall be not less than twenty-five dollars for the first offense, and not less than fifty dollars for the second and any subsequent offense; providing, however, for the removal, in accordance with the provisions of section one hundred and twenty D of chapter two hundred and sixty-six, of any vehicle which is in violation of this by-law.

Majority Vote Required
Voted in the Affirmative

ARTICLE 22 – 29. Motion made and seconded that the Town pass over Articles 22 . 29, inclusive, pertaining to the acceptance of various public ways, on account of the fact that the necessary legal and practical steps have not been accomplished as to any of them. (*Public ways include Adam Street, Brittany Lane, Horse Hill Street, Jamie Road, Kimberly Lane, Kristen Lane, Robbins Farm Road, and Sky Top Lane.*)

Majority Vote Required
Voted in the Affirmative

ARTICLE 30. Motion made and seconded that the Town authorize the Board of Health to enter into and/or extend a contract with any provider of household waste removal services, hazardous or otherwise, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Health to determine terms and provisions of any such agreements, the costs of such services to be defrayed pursuant to an appropriation made under Article 2 of this warrant, budget line item #510.005.

Majority Vote Required
Voted in the Affirmative

At this time, the winners of the 2003 annual transfer station drawing were announced: Ruth Tully of 291 Fletcher Street, Anne Paquin of 64 Hardy Street and Judith Denham of 490 High Street.

ARTICLE 31. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Board of Health for the operation and maintenance of the solid waste facility/transfer station including the payment of wages or salaries of employees of such facility who are not full time employees of the Town, such fund to be funded by receipts collected for tags, stickers and recycling and other such permit fees appertaining to the use of the solid waste facility/transfer station, the maximum dollar limit to be expended from such fund during the fiscal year to be Forty Thousand (\$40,000.00) Dollars.

Majority Vote Required
Voted in the Affirmative

ARTICLE 32. Motion made and seconded that the Town authorize the Board of Selectmen to enter into and/or extend a contract with any provider of dispatch and related services, public or

private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section and/or 4A, or any other provisions of law and the authority in behalf of said Board of Selectmen to determine terms and provisions of any such agreements the costs of such services to be defrayed pursuant to an appropriation made under Article 2 of this warrant, budget line item #210.007.

Majority Vote Required
Voted in the Affirmative

ARTICLE 33. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Planning Board for engineering services and supervisory services related to subdivisions, special permits and site plans including the payment of wages or salaries of employees of the Town Engineer or any other engineering firm engaged by the Planning Board, who are not full time employees of the Town, such fund to be funded by receipts collected from engineering fees, and any other such permit fees appertaining to development of land as detailed by the Planning Board in their rules and regulations for subdivisions, the maximum dollar limit to be expended from such fund during the next fiscal year to be Twenty Five Thousand (\$25,000.00) Dollars.

Majority Vote Required
Voted in the Affirmative

ARTICLE 34. Motion made and seconded that the Town take no action (*raising and appropriating or transferring from available funds any sum of money for the Stabilization Fund, which was established in accordance with Section 5B of Chapter 40 of the General Laws.*)

Majority Vote Required
Voted in the Affirmative

ARTICLE 35. Motion made and seconded that the Town allow the Board of Assessors to use One Hundred Thousand (\$100,00.00) Dollars Free Cash in the Treasurer's hands for the purpose of reducing the Tax Levy of 2004.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded to adjourn the Annual Town Meeting at 11:35 p.m. Majority vote required; voted in the affirmative. The full text of minutes recorded is on file at the Office of the Town Clerk. Total numbers of voters checked in: 409.

	Budget	Articles
Raise and Appropriate	5,646600.00	
Transfer from Water Receipts	46,008.00	

Total Budget	5,692,608.00	
Transfer from Free Cash		21,474.00
Transfer from Free Cash to offset FY04 Tax Rate (Assessor)		100,000.00
Establishment of revolving fund, Chapter 44, Section 53E1/2 (solid waste facility)		40,000.00
Establishment of revolving fund, Chapter 44, Section 53E1/2 (Planning Board engineer)		25,000.00
Authorization to Borrow MGL Chapter 90		88,594.73

Respectfully submitted,

Carol A. Skerrett
Town Clerk