

COMMONWEALTH OF MASSACHUSETTS

FRANKLIN, SS.

TOWN OF GILL

SPECIAL TOWN MEETING: JUNE 19, 2012

To any of the Constables of the Town of Gill in the County of Franklin,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet at the Gill Town Hall in said Town on Tuesday, the Nineteenth day of June, in the year Two Thousand and Twelve (06/19/2012) at 6:15 p.m. in the evening then and there to act on the following articles:

Article 1: To see if the Town will vote to transfer a sum or sums of money from the Fiscal Year 2012 Unemployment Insurance Account (number 913) to the Unemployment Trust Fund (number 814), or take any action relative thereto.

Motion: Move the Town vote to transfer \$2,500.00 (Two Thousand Five Hundred and 00/100 Dollars) from the Fiscal Year 2012 Unemployment Insurance Account (number 913) to the Unemployment Trust Fund (number 814).

The Town appropriates this money each year within the Omnibus Budget to cover any small amounts of unemployment claims that may come up during the year. At the end the year, the amount remaining should be transferred to the trust fund in order save against any future large claims. The trust fund balance is presently \$43,467. The Finance Committee recommends this article by a vote of 4 in favor, and 0 opposed.

Article 2: To see if the Town will vote to transfer a sum or sums of money from the Fiscal Year 2012 Town Building Repairs & Maintenance Account (number 192) to be used toward a portion of the cost to install a new roof and perform related maintenance at the Town Hall, or take any action relative thereto.

Motion: Move the Town vote to transfer \$5,000.00 (Five Thousand and 00/100 Dollars) from the Fiscal Year 2012 Town Building Repairs & Maintenance Account (number 192) to be used toward a portion of the cost to purchase and install a new roof at the Town Hall.

There is an article in the Annual Town Meeting warrant asking for approval of a roof replacement project for the 34-year-old asphalt shingle roof at Town Hall. The motion will call for the project to be funded by a Proposition 2 ½ debt exclusion. Because there is unspent money from the current year's Building Repairs & Maintenance account, it is proposed that those funds be re-appropriated to help pay for this very necessary roof project. If this transfer is approved, the \$73,000 total requested for the project can be reduced to \$68,000. The Finance Committee recommends this article by a vote of 4 in favor, and 0 opposed.

Article 3: To see if the Town will vote to transfer a sum or sums of money from the Wastewater Treatment Plant Fund, aka Sewer Receipts (number 610) to the Fiscal Year 2012 Riverside Sewer System Account (number 440), or take any action relative thereto.

Motion: Move the Town vote to transfer \$12,000.00 (Twelve Thousand and 00/100 Dollars) from the Wastewater Treatment Plant Fund, aka Sewer Receipts (number 610) to the Fiscal Year 2012 Riverside Sewer System Account (number 440).

Without a transfer, this year's (Fiscal Year 2012) sewer budget will end in a deficit. The volume of sewage getting pumped to Montague for treatment is much higher this year compared to last year, and it is this unexpected increase in disposal costs that is causing the budget shortfall. There is not currently enough information available to know if the volume increase is related to infiltration (groundwater getting into the lines), inflow (sump pumps discharging into the lines), a failed backflow valve (which has been repaired), or some other reason. The Sewer Commissioners (aka Selectboard) plan to hire an engineering firm to analyze the situation and identify solutions.

The money for this transfer comes from the Sewer Receipts account, which is funded by the quarterly sewer bills issued to every user of the Riverside Sewer System. Town funds are not used for expenses related to the sewer system, including engineering fees. The Finance Committee recommends this article by a vote of 4 in favor, and 0 opposed.

Article 4: To see if the Town will vote to transfer a sum or sums of money from the Fiscal Year 2012 Gill-Montague School District Account (number 310) to the Education Stabilization Fund (number 823), or take any action relative thereto. (A 2/3 majority vote is required to transfer money into Stabilization.)

Motion: Move the Town vote to transfer \$213.00 (Two Hundred Thirteen and 00/100 Dollars) from the Fiscal Year 2012 Gill-Montague School District Account (number 310) to the Education Stabilization Fund (number 823).

The District's Fiscal Year 2011 Excess & Deficiency Account ("E&D") was certified at \$1,419 higher than the maximum allowed by law, and that money was credited against Gill's and Montague's assessments for this year. This article proposes to take Gill's share, \$213, and save it into the Education Stabilization Fund. In round numbers, the present balance in that fund is \$38,000. The Finance Committee recommends this article by a vote of 5 in favor, and 0 opposed.

Article 5: To see if the Town will vote to re-purpose and transfer a sum or sums of money from the Building Inspection Stabilization Fund (number 822) to the Stabilization Fund (number 821), or take any action relative thereto. (A 2/3 majority vote is required to transfer money between Stabilization funds.)

Motion: Move the Town vote to re-purpose and transfer \$34.85 (Thirty Four and 85/100 Dollars) plus all accumulated interest through June 30, 2012 from the Building Inspection Stabilization Fund (number 822) to the Stabilization Fund (number 821), with the intent of emptying and closing the Building Inspection Stabilization Fund.

At last year's Town Meeting, voters approved the use of \$9,171.45 from the Building Inspection Stabilization Fund to offset the Fiscal Year 2012 assessment for the Inspection Program. That vote was intended to empty the account, but due to interest earnings, a small balance still remains. This article will clean up and close out the account. Due to a change in the assessment formula for the Inspection Program, the Building Inspection Stabilization Fund is no longer needed by the Town. The Finance Committee recommends this article by a vote of 5 in favor, and 0 opposed.

Article 6: "A RESOLUTION THAT CORPORATIONS ARE NOT 'NATURAL' PEOPLE AND THAT MONEY DOES NOT EQUATE TO FREE SPEECH" (Article submitted by petition)

To see if the Town will vote to instruct our members of Congress to support an amendment to the United States Constitution to clarify that corporations do not have the same rights as people and that money is not speech for purposes of election-related spending, and/or take any action relative thereto.

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("real People"); and,

WHEREAS, corporations are not mentioned in the Constitution and The People have never granted constitutional rights to corporations; and,

WHEREAS, the United State Supreme Court in Citizens United v. Federal Election Commission presents a serious threat to self-government by allowing unlimited corporate spending to influence elections; and,

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy;

NOW THEREFORE, BE IT RESOLVED that the voters of Gill, Massachusetts hereby instruct the Senators representing the Commonwealth of Massachusetts and the members of the United States House of Representatives representing this Congressional District to propose, and our state legislators to ratify an amendment to the United States Constitution to provide that corporations are not entitled to the constitutional rights of real people and that money is not speech for purposes of campaign-related expenditures and contributions.

The text of the proposed amendment is as follows:

Amendment

Section 1. *[A corporation is not a person and can be regulated]*

The rights protected by the Constitution of the United States are the rights of natural persons only. Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law. The Privileges of artificial entities shall be determined by the People, through Federal, State, or locally, and shall not be construed to be inherent or inalienable.

Section 2. *[Money is not speech and can be regulated]*

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure. Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed. The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3.

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

Motion: Move the Town vote to adopt the resolution as written in Article 6.

This article was submitted by petition, and will be explained by the petitioners.

And you are directed to serve this Warrant by posting up attested copies thereof at the Town Hall, Main Road; Post Office, Mt. Hermon; The Gill Store & Tavern, Main Road; and Riverside Municipal Building, Route 2, in said Town fourteen days at least before the time of holding 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, as foresaid.

Given under our hand this Fourth day of June in the year Two Thousand Twelve.

Selectboard of Gill

_____, Chair

_____, Board member

_____, Board member

A true copy Attest:

_____, Town Clerk

Date: _____

Individuals who may need auxiliary aids for effective communication for this meeting should call the Gill Town Hall at (413) 863-9347 or MA Relay System at (800) 439-2370.

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Gill by posting up attested copies of the same at Town Hall, Main Rd.; Post Office, Mt. Hermon; Gill Store & Tavern, Main Rd.; and Riverside Municipal Building, Route 2, fourteen days before the date hereof, as within directed.

_____ Constable of Gill

Date: _____