

COMMONWEALTH OF MASSACHUSETTS

FRANKLIN, SS.

TOWN OF GILL

Motions for Annual Town Meeting June 21, 2010

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 Monday, the Twenty first day of June, in the year Two Thousand and Ten (6/21/2010) at 7:00 p.m. in the evening then and there to act on the following articles:

Article 1: Move to Pass Over Article 1.

This article is "To hear and act upon the Annual Report of the Officers of the Town, or take any action relative thereto." An Annual Report is not ready at this time. The Town voted last year to change from a calendar year town report to a fiscal year town report. The "catch-up" report, covering January to June 2009 will be printed this summer and can be approved at the next Special Town Meeting. The next Annual Report will cover FY 2010 and will be printed this fall.

Article 2: Move to elect Edward J. Golembeski and Clifford C. Hatch as Field Drivers and elect the Selectboard as Fence Viewers; Measurers of Wood, Bark and Surveyors of Lumber - all for one year.

Article 3: Move the Town accept and expend any sum of money that might be made available from State or Federal funds for roadwork for the Fiscal Year 2011 and for the Chapter 90 type funds, authorize the Selectboard to enter into contracts with the Commonwealth of Massachusetts Highway Department, and authorize the Treasurer with the approval of the Selectboard to borrow in anticipation of reimbursement.

Article 4: Move the Town vote to authorize the following revolving funds per the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, for which revenues will be deposited into the funds and expended to pay related costs under the direction of the Selectboard, and total expenditures for the fiscal year beginning July 1 next will be limited to the amounts listed below, with all money remaining in the fund at the end of each fiscal year.

Dept. Authorized to Spend	Types of Receipts Credited	Amount of Funds Authorized
Fire Dept.	Oil Burner Inspection Fund	\$2,000.00
Town Clerk	Dog Fund	2,000.00
Cemetery Commission	Opening Fees	2,000.00
Conservation Commission	Consultant Fees	10,000.00
Agricultural Commission	Farmers' Market, Ag Events	500.00

This article is recommended by the Finance Committee, 5-0.

Article 5: Move the Town vote to transfer from Free Cash the sum of Nine Thousand Eight Hundred Nineteen and 00/100 Dollars (\$9,819.00) to reimburse the following Fiscal Year 2010 accounts for Fiscal Year 2009 salary expenses which were paid from Fiscal Year 2010 funds:

Town Administrator	\$1,414.72
Assessor's Clerk	\$559.26
Treasurer's Salary	\$477.70
Collector's Salary	\$574.54
Clerk Salary	\$384.48
Planning Board	\$35.67
Zoning Board of Appeals	\$47.56
Town Hall Building	\$319.95
Fire Dept. Expenses	\$1,067.99
General Highway Expenses	\$4,319.65
Riverside Sewer System	\$270.14
Board of Health Salaries	\$40.95
<u>Library Salaries</u>	<u>\$306.39</u>
TOTAL	\$9,819.00

In July 2009, when the Accountant was processing bill schedules for both the end of FY 2009 and the beginning of FY210, \$9,819 salary expenses from FY2009 were inadvertently paid from FY2010 funds. The FY2009 money became part of the Town's certified Free Cash. To avoid the FY2010 salary budgets from going into a deficit, it is asked that this transfer be made. A 2/3 vote is required to pay bills from a prior fiscal year. This article is recommended by the Finance Committee, 7-0.

Article 6: Move the Town vote to amend the votes taken under Article 17 (Fiscal Year 2010 Gill Montague Regional School District Budget) on May 4, 2009 and under Article 10 on September 14, 2009, to decrease the sum of money by Eighteen Thousand Eight Hundred Forty and 00/100 Dollars (\$18,840.00).

In the two votes listed above, the Town approved more money for the G-M school budget than was ultimately set by the Commissioner of Elementary and Secondary Education on December 1st. Because the FY2010 tax rate was set using the Commissioner's school figure and not the Town's, this is simply a housekeeping article; it has no direct financial impact on the Town or on any past or future spending. This article is recommended by the Finance Committee, 5-0.

Article 7: Move the Town vote to fix the salaries or compensation of the several officers of the Town as follows:

Constable(s) – Each Posting	\$17.06
Moderator – Annual Town Meeting	\$124.53
Special Town Meeting, Each	\$22.20
Selectboard Chair	\$2,360.96
2 nd & 3 rd Member, Each	\$2,146.39
Board of Assessors Chair	\$2,867.01
2 nd & 3 rd Member, Each	\$2,606.35
Board of Health Chair	\$1,273.49
2 nd & 3 rd Member, Each	\$1,166.21
Town Clerk	\$13,938.18
Tax Collector	\$18,929.85
From Sewer Receipts	\$593.02
Treasurer	\$15,929.04
Registrars – Three members, Each	\$52.95
Town Clerk	\$84.82

All amounts are level-funded except: Town Clerk (increase of \$2,787.64), Tax Collector (increase of \$1,720.90), and Treasurer (increase of \$2,077.70). The increases are being recommended by the Selectboard because these positions are underpaid in consideration of the jobs' responsibilities and duties and the knowledge required to perform them. This article is recommended by the Finance Committee, 5-0.

Article 8: "Omnibus Budget" Move the Town vote to raise and appropriate One Million Three Hundred Twenty Seven Thousand Three Hundred Fifty Nine and 45/100 Dollars (\$1,327,359.45) for the maintenance of the several departments of the Town, and for other necessary charges.

Please see the separate handout for the Omnibus amounts and an explanation of significant increases and decreases. This article is recommended by the Finance Committee, 5-0.

Article 9: "COLA" Move the Town vote to raise and appropriate Thirteen Thousand Six Hundred Forty and 07/100 Dollars (\$13,640.07) to provide a three percent (3.00%) cost of living adjustment (COLA) for all Town employees and elected officials.

The Personnel Committee recommended a COLA of 3% to the Selectboard this spring. The Selectboard recommends this article. The Finance Committee recommends this article by a vote of 4 in favor, 1 opposed, 1 abstention, and 1 recusal.

Article 10: "GMRSD Budget" Move the Town vote to raise and appropriate One Million Four Hundred Ten Thousand Three Hundred Fifty Nine and 00/100 Dollars (\$1,410,359.00) for its Fiscal Year 2011 operating assessment including debt for the Gill-Montague Regional School District.

The assessment from the G-M Regional School District has increased by \$12,926 from last year. The Finance Committee recommends this article, 7-0.

Article 11: Move the Town vote to transfer the sum of Four Thousand Six Hundred Sixty Seven and 00/100 Dollars (\$4,667.00) from the Building Inspector Assessment Stabilization Fund to support a portion of the Fiscal Year 2011 assessment for the Cooperative Inspection Program as included in the Omnibus Budget.

This fund was established by Town Meeting in 2008 with surplus fees collected in fiscal year 2007, and with the explanation that the money should be used in years when the cost of the inspection program exceeds the fees we collect. The cost of the inspection program will increase by \$4,667 for FY2011. This transfer will leave \$9,120 remaining in this fund. A 2/3 vote is required to take money out of this stabilization fund. The Finance Committee recommends this article, 7-0.

Article 12: Move the Town vote to transfer Eight Hundred and 00/100 Dollars (\$800.00) from the Dog Revolving Fund to the Library Account.

This is a routine article. Annually, \$800 from dog license fees collected by the Town Clerk is transferred to the library to support its operating expenses. The Finance Committee recommends this article, 7-0.

Article 13: Move the Town vote to transfer Sixty Six Thousand One Hundred Sixty Five and 55/100 (\$66,165.55) from Sewer Use Fees to the Riverside Sewer System account to offset Fiscal Year 2011 sewer expenses and to pay the Tax Collector as related to collecting sewer fees.

A recurring article necessary to use fees collected from sewer users to pay for sewer expenses. The Finance Committee recommends this article, 6-0, with 1 recusal.

Article 14: Move the Town vote to raise and appropriate Four Thousand and 00/100 Dollars (\$4,000.00) to purchase from the Town of Montague a copy of its most recent appraisal of real and personal property owned by FirstLight Hydro Generating Company.

FY2011 is a triennial recertification year for Gill, in which the Dept. of Revenue (DOR) reviews and certifies property valuations. DOR has already told us we will not be certified until we have either 1) a current appraisal of the FirstLight hydroelectric dam & related property, or 2) a signed valuation agreement with FirstLight. The Montague appraisal includes sufficient information about FirstLight's property in Gill to allow the Assessors to use it to negotiate an agreement similar to the one that FirstLight signed with Montague last year. The cost for a new appraisal specific to Gill is known to cost at least \$10,000, versus only \$4,000 for a copy of Montague's. The Finance Committee recommends this article, 7-0.

Article 15: Move the Town will vote to create a Board of Assessors' FirstLight Appraisal Account, and raise and appropriate Three Thousand and 00/100 Dollars (\$3,000.00) to add to the account.

This article would establish an account to begin saving for future appraisals of the FirstLight properties. Just as DOR is requiring a current appraisal for FY11, they will do so again in FY14. It is wise to begin saving for that expense now. The Assessors' plan is to partner with Montague in their appraisal in FY12, and do a new valuation agreement with FirstLight at that time. The Finance Committee recommends this article, 7-0.

Article 16: Move the Town vote to raise and appropriate Fourteen Thousand Three Hundred Fifty Six and 86/100 (\$14,356.86) in addition to that provided in the Omnibus Budget to be used for the salaries of part-time police officers.

This article will provide additional police coverage for the Town through the use of part-time officers. The Finance Committee recommends this article by a vote of 4 in favor, 2 opposed, and 1 abstention.

Article 17: Move the Town vote to transfer Ten Thousand and 00/100 Dollars (\$10,000.00) from the Released Overlay account to construct office walls in the Town Hall and make related improvements.

Currently the office spaces of the Town Clerk, Tax Collector/Treasurer, and Accountant are made from short partitions which do not extend from the floor to the ceiling. Their spaces are open to the general comings and goings of people in and out of Town Hall, which makes for a work environment where it is too easy to be distracted by someone else's visitor or phone conversation. The current layout provides little to no privacy for sensitive discussions, like when a resident needs to arrange a payment plan to catch up on taxes. Security is also a concern. While important documents and monies are kept locked up, unauthorized access to the rest of the workspace is as simple as sliding a partition panel out of the way. Additionally, walls will allow the spaces to be more uniformly heated, which should drastically reduce the use of expensive-to-operate electric space heaters.

The intent is to complete the project with as much volunteer labor and donated materials as is possible and as is legal. But some money will need to be spent, and this article will make that money available. The Finance Committee recommends this article, 7-0.

Article 18: Move the Town vote to raise and appropriate Twenty Thousand Seventy Six and 90/100 (\$20,076.90) to retrofit the Fire Department's air packs to be compatible with Rapid Intervention Team equipment.

Rapid Intervention Teams (RIT) are being developed by fire departments throughout the Tri-State Mutual Aid region, of which Gill is a member. The purpose of the RIT is to be on-scene during a major fire and to provide immediate aid and rescue if a firefighter needs assistance. This upgrade to Gill's equipment will allow our Fire Department to give and receive "buddy breathing" assistance, where members of the RIT can use their air packs to provide an emergency air supply to a firefighter whose own air pack has run out or otherwise failed. The Finance Committee recommends this article, 8-0.

Article 19: Move the Town vote to transfer Nine Thousand Three Hundred Fifty and 00/100 Dollars (\$9,350.00) from the Stabilization Fund to purchase and install a new dump body for the 1990 Highway truck.

Replacing the dump body on our oldest highway truck will extend its useful life by a few more years and will allow the Town to finish paying the 5-year loan for our newest truck that was purchased in 2008. While this article is being funded by Stabilization, the intent is to return that money this fall after Free Cash has been certified. There is approximately \$10,000 that was reimbursed to Gill by FEMA/MEMA for our expenses related to a December 2008 snowstorm. Because of a timing issue, this reimbursement money cannot be spent directly; it must first become Free Cash. When that happens, it is expected that the cost of the dump body will be transferred from Free Cash back to Stabilization. A 2/3 vote is required to take money out of this stabilization fund. The Finance Committee recommends this article by a vote of 3 in favor, 1 opposed, and 1 abstention (and 3 members absent).

Article 20: Move the Town vote to raise and appropriate Six Thousand Four Hundred and 00/100 Dollars (\$6,400.00) to purchase and install a water meter and two backflow preventers at the Gill Elementary School.

The Department of Environmental Protection identifies the well at Gill Elementary as a public water supply. To bring the system back into compliance, the current water meter (which has failed) needs to be replaced, and the backflow preventers (which we should have but don't) must be installed. The Finance Committee recommends this article, 7-0.

Article 21: Move the Town vote to raise and appropriate Two Hundred and 00/100 Dollars (\$200.00) to create an "Energy Commission Account."

This is a nominal amount, similar to what is appropriated for the Agricultural Commission, to allow the Energy Commission to carry out its mission. The Finance Committee recommends this article, 7-0.

Article 22: Move the Town vote to transfer from unappropriated funds (Free Cash) Eight Thousand and 00/100 Dollars (\$8,000.00) for the Stabilization Fund.

Depending on the outcomes of the other "money" articles, an amount may be recommended to go into Stabilization. This will require a 2/3 vote. At the time of printing, the Finance Committee had not made a recommendation.

Article 23: Move the Town vote to transfer One Hundred Seventy Seven Thousand Five Hundred Fifty Five and 00/100 Dollars (\$177,555.00) from unappropriated funds (Free Cash) to be used to reduce the tax rate and stabilize the tax levy for Fiscal Year 2011.

Depending on the outcomes of the other "money" articles, an amount of Free Cash will be recommended to be used toward the FY2011 budget. At the time of printing, the Finance Committee had not made a recommendation.

Article 24: Move the Town vote that, upon exceeding the levy limit, any monies appropriated that exceed the levy limit may be contingent upon the approval by the voters of an "Override of Proposition 2 ½."

The Omnibus budget and other warrant articles, as presented, provide a balanced budget for FY2011. If amendments or other actions by voters result in an unbalanced budget, this article would allow that out-of-balance amount to be contingent on a Prop 2 ½ override vote. The Finance Committee has not made a recommendation on this article.

Article 25: Move the Town vote to authorize the Selectboard to enter into a financing agreement for an amount not to exceed Four Hundred Thirty Thousand and 00/100 Dollars (\$430,000.00), and for a term of more than three years, and a related escrow account agreement, for the purpose of funding energy management services for Town-owned buildings, provided, however, that this authorization be contingent upon passage of a Proposition 2½ debt exclusion referendum.

A separate handout of "talking points" will explain the purpose of Articles 25, 26, and 27.

Article 26: Move the Town vote to appropriate a sum of money not to exceed Four Hundred Thirty Thousand and 00/100 Dollars (\$430,000.00) for the purchase of infrastructure improvements including but not limited to heating and ventilation, lighting and controls, energy management systems, insulation, equipment, materials and supplies for the Town-owned buildings, under which the funds to pay for these items will ultimately come from savings derived from grants, rebates, and/or energy conservation measures, for a period of up to a twenty (20) year Energy Savings Performance Contract between the Town and Siemens Building Technologies. This appropriation shall be raised by borrowing, in accordance with M.G.L. c.44, s.7 (3B), provided, however, that this appropriation be contingent upon passage of a Proposition 2½ debt exclusion referendum.

A separate handout of "talking points" will explain the purpose of Articles 25, 26, and 27.

Article 27: Move the Town vote to authorize the Selectboard to enter into an Energy Savings Performance Contract with Siemens Building Technologies for the purchase of infrastructure improvements including but not limited to heating and ventilation, lighting and controls, energy management systems, insulation, equipment, materials and supplies for the Town-owned buildings, under which the funds to pay for these items will ultimately come from savings derived from grants, rebates and/or energy conservation measures for a period of up to a twenty (20) year Energy Savings Performance Contract between the Town and Siemens Building Technologies.

A separate handout of "talking points" will explain the purpose of Articles 25, 26, and 27.

Article 28: Move the Town vote to replace the General By-Law enacted September 14, 2009 which established an Energy Resources Commission, with the following:

The Gill Energy Resources Commission, hereinafter called the Commission, has been established pursuant to Chapter 40, Section 8I, of the General Laws of Massachusetts for the promotion and development of the energy resources of the Town of Gill.

The Commission shall: (1) develop and administer programs relating to energy conservation, nonrenewable energy supply and resource development, recycling, energy information, emergency heating assistance, and energy emergencies; (2) advise, assist, and cooperate with state, regional, and federal agencies in developing appropriate programs and policies relating to energy planning and regulation in the commonwealth including assistance and advice in the preparation of loan or grant applications with respect to energy programs for local agencies; (3) develop local energy data and information management capabilities to aid energy planning and decision-making; (4) promote the development of sound local energy education programs; (5) with the approval of the city or town, apply for, receive, expend, represent and act on behalf of the city or town in connection with federal grants, grant programs or reimbursements, or private grants, keep accounts, records, personal data, enter into contracts, and adjust claims; (6) accept gifts, grants, bequests, and devises, whether real or personal, from any source, whether public or private, for the purpose of assisting the Commission in the discharge of its duties; (7) subject to appropriation, acquire real or personal property; (8) promulgate rules and regulations necessary to carry out their statutory responsibilities; and (9) seek to coordinate the activities of governmental or unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work and it shall keep an index of all energy resources within such city or town with the objective of obtaining information pertinent to proper utilization of such resources.

The Commission shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual Town report. The Commission may, subject to appropriation, appoint such clerks and other employees as it may from time to time require.

The Commission shall consist of not less than three nor more than seven members who shall be appointed by the Selectboard. The terms of the members first appointed to the Commission shall be for one, two or three years and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each.

Any member of the Commission may, after a public hearing if requested by the member, be removed for cause by the Selectboard. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term by the Selectboard and the remaining members of the Commission in the manner provided in Section eleven of Chapter forty-one.

Voters approved a by-law creating an Energy Resources Commission at the 9/14/2009 Special Town Meeting. However, the Attorney General's Office, during its subsequent review and approval of the by-law, noted that from the wording of the vote, it was "unclear what the actual text of the by-law is." This article attempts to clarify the text of the by-law.

Article 29: Move the Town vote to enact a General By-Law, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 120 AA of the Massachusetts Building Code, 780 CMR, the "Stretch Energy Code", including amendments or modifications thereto.

STRETCH ENERGY CODE

Section 1 Definitions

International Energy Conservation Code (IECC) 2009 - The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the MA State Building Code will default to IECC 2009 and MA amendments.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein.

Section 2 Purpose

The purpose of 780 CMR 120.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

Section 3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93, as applicable.

Section 4 Authority

A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix. 780 CMR 120 AA may be adopted or rescinded by any municipality in the commonwealth in the manner prescribed by law.

Section 5 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, including any amendments or modifications, is herein incorporated by reference into the Town of Gill General Bylaws. The Stretch Code is enforceable by the building inspector/municipal code official.

Separate handouts will be available explaining the "Stretch Energy Code".

Article 30: Move the Town vote to name the new scoreboard on the girls' softball field at the Gill Elementary School in memory of Jasmin Edson.

Article 31: Move the Town vote to add the Town of Leverett as a member of the Franklin County Solid Waste Management District ("District") and therefore amend Article 1 Paragraph 4 of the Franklin County Solid Waste Management District Agreement pursuant to Article 7 of said Agreement by adding "Leverett" to the list of District member municipalities, subject to the following terms:

The Town of Leverett shall be admitted as a member of the District, effective July 1, 2010, by paying a one-time membership fee to the District of \$4,550 plus an annual assessment of \$4,624 for Fiscal Year 2011 and all future assessments based upon the same assessment formula applied to all other District member municipalities and shall comply with all other provisions of the District Agreement

This article has already been approved by enough other member towns of the FCSWMD that Leverett has been admitted as a member.

Article 32: Move the Town vote to have its elected Town Clerk become an appointed Town Clerk of the Town, in accordance with the provisions of Massachusetts General Law Chapter 41 Section 1B.

This article contains a typo on the posted warrant. It should read "Chapter 41", not Chapter 44. The typo has been fixed in the motion printed above.

This article asks the Town to change the position of Town Clerk from elected to appointed. If approved by a simple majority vote at Town Meeting, the matter would then also have to be approved by voters at an Annual Election (most likely in May 2011). If thusly approved, when the Town Clerk's current term expires in May 2012, it would then be filled as an appointment by the Selectboard for a period of not more than 3 years.

Article 33: Move the Town vote to have its elected Tax Collector become an appointed Tax Collector of the Town, in accordance with the provisions of Massachusetts General Law Chapter 41 Section 1B.

This article contains a typo on the posted warrant. It should read "Chapter 41", not Chapter 44. The typo has been fixed in the motion printed above.

This article asks the Town to change the position of Tax Collector from elected to appointed. If approved by a simple majority vote at Town Meeting, the matter would also have to be approved by voters at an Annual Election (most likely in May 2011). The Tax Collector's current term expires in May 2011. If the change is approved in May 2011, then the individual elected at that same election would serve until the appointment process occurs. Appointments would be by the Selectboard for a period of not more than 3 years.

Article 34: Move the Town vote to have its elected Treasurer become an appointed Treasurer of the Town, in accordance with the provisions of Massachusetts General Law Chapter 41 Section 1B.

This article contains a typo on the posted warrant. It should read "Chapter 41", not Chapter 44. The typo has been fixed in the motion printed above.

This article asks the Town to change the position of Treasurer from elected to appointed. If approved by a simple majority vote at Town Meeting, the matter would also have to be approved by voters at an Annual Election (most likely in May 2011). If thusly approved, when the position's current term expires in May 2013, it would then be filled as an appointment by the Selectboard for a period of not more than 3 years.

Article 35: Move the Town vote to add the following by-law to create a Capital Improvement Planning Committee to its town by-laws:

Section 1. The Board of Selectmen shall establish and appoint a committee to be known as the Capital Improvement Planning Committee (the "Committee"), composed of one member of the Board of Selectmen, one member of the Finance Committee, one member of the Planning Board, one member of the School Committee, and three members at large, for a total of seven members. The terms of the members first appointed to the Committee shall be for one, two or three years and so arranged that the terms of approximately one-third of the members will expire each year, and their successors shall be appointed for terms of three years each. The Committee shall choose its own officers.

Section 2. The Committee shall study proposed capital projects and improvements involving major non-recurring tangible assets and projects which: 1) are purchased or undertaken at intervals of not less than five years; 2) have a useful life of at least five years; and 3) cost over \$10,000. All officers, boards and committees, including the Selectmen and the School Committee, shall, by October 1 of each year, give to the Committee, on forms prepared by it, information concerning all anticipated projects requiring Town Meeting action during the ensuing six years. The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the town. No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's annual report or the Committee shall first have

submitted a report to the Board of Selectmen explaining the omission. In the case of an emergency capital expenditure, the Committee shall present an oral report as soon as possible.

Section 3. The Committee shall prepare an annual report recommending a Capital Improvement Budget for the next fiscal year, and a Capital Improvement Program including recommended capital improvements for the following five fiscal years. The report shall be submitted to the Board of Selectmen for its consideration and approval. The Board shall submit its approved Capital Budget to the Annual Town Meeting for adoption by the town.

Section 4. The Capital Improvement Program, after its adoption, shall permit the expenditure on projects included therein of sums from departmental budgets for surveys, architectural or engineering services, options or appraisals; but no such expenditure shall be incurred on projects which have not been so approved by the town through the appropriation of sums in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future, unless the omission of the proposed capital improvement shall first have been explained by the Committee or the Selectboard has waived this requirement for just cause.

Section 5. The Committee's report and the Selectmen's recommended Capital Budget shall be published and made available in a manner consistent with the distribution of the Finance Committee report. The Committee shall deposit its original report with the Town Clerk.

This by-law would formally establish a committee and process by which the Town will plan for its future capital needs. Gill has aging buildings, vehicles, and equipment that need to be renovated and/or replaced, and it is critical that these needs be reviewed annually, and that a comprehensive plan for the expenses be developed. The creation of this Committee has been strongly recommended to the Town by the Department of Revenue during its Financial Management Review in 2009 and by Human Resources Services during its project with the Town this year.

Salaries of Town Officers - Article 7

	A	B	C	D	E
	Position	FY10 Approved	FY11 Recommended	Dollar Change	% Change
1	Constable(s) – Each Posting	17.06	17.06	-	0.0%
2	Moderator – Annual Town Meeting	124.53	124.53	-	0.0%
3	Special Town Meeting, Each	22.20	22.20	-	0.0%
4	Selectboard Chair	2,360.96	2,360.96	-	0.0%
5	2nd & 3rd Member, Each	2,146.39	2,146.39	-	0.0%
6	Board of Assessors Chair	2,867.01	2,867.01	-	0.0%
7	2nd & 3rd Member, Each	2,606.35	2,606.35	-	0.0%
8	Board of Health Chair	1,273.49	1,273.49	-	0.0%
9	2nd & 3rd Member, Each	1,166.21	1,166.21	-	0.0%
10	Town Clerk	11,150.54	13,938.18	2,787.64	25.0%
11	Tax Collector	17,208.95	18,929.85	1,720.90	10.0%
12	From Sewer Receipts	593.02	593.02	-	0.0%
13	Treasurer	13,851.34	15,929.04	2,077.70	15.0%
14	Registrars – Three members, Each	52.95	52.95	-	0.0%
15	Town Clerk	84.82	84.82	-	0.0%

Article 8 - Omnibus Budget

	A	B	C	D	E
	Omnibus Budget for 6/21/10	FY10	FY11	Increase /	%
	Annual Town Meeting	Approved	S'BD/FIN COM	(Decrease)	Change
			Recommendation		
1	GENERAL GOVERNMENT				
2	Moderator Salary	171.90	168.93	(2.97)	-1.7%
3	Selectboard Salaries	6,653.74	6,653.74	-	0.0%
4	Selectboard Expenses	2,783.09	2,798.24	15.15	0.5%
5	Administrative Assistant (Salary & Exp.)	43,134.31	45,174.29	2,039.98	4.7%
6	Finance Committee	150.00	150.00	-	0.0%
7	Reserve Fund	1,500.00	1,500.00	-	0.0%
8	Accountant Expenses	200.00	200.00	-	0.0%
9	Assessors Salaries	8,079.71	8,079.71	-	0.0%
10	Assessors Clerical & Expenses	25,645.86	26,257.40	611.54	2.4%
11	Treasurer Salary	13,851.34	15,929.04	2,077.70	15.0%
12	Treasurer Expenses	4,716.20	6,757.00	2,040.80	43.3%
13	Tax Collector Salary	17,208.95	18,929.85	1,720.90	10.0%
14	Tax Collector Expenses	6,963.00	9,034.00	2,071.00	29.7%
15	Legal	5,000.00	5,000.00	-	0.0%
16	IT Committee	500.00	1,700.00	1,200.00	240.0%
17	Town Clerk Salary	11,150.54	13,938.18	2,787.64	25.0%
18	Town Clerk Expenses	3,450.00	5,350.00	1,900.00	55.1%
19	Electors/Registrars	1,500.00	2,500.00	1,000.00	66.7%
20	Conservation Commission	712.26	889.14	176.88	24.8%
21	Agricultural Commission	200.00	200.00	-	0.0%
22	Planning Board	1,993.45	1,672.42	(321.03)	-16.1%
23	Zoning Board of Appeals	1,261.34	1,936.56	675.22	53.5%
24	Town Hall/Riverside Bldg Operations	23,479.80	23,855.16	375.36	1.6%
25	Building Repairs & Maintenance	18,000.00	18,000.00	-	0.0%
26	Garage/Public Safety Bldg Operations	16,000.00	16,715.40	715.40	4.5%
27	GENERAL GOVERNMENT TOTAL	214,305.49	233,389.06	19,083.57	8.9%
28					
29	PUBLIC SAFETY				
30	Police Department	153,728.23	155,328.23	1,600.00	1.0%
31	Fire Department	65,125.91	65,125.91	-	0.0%
32	PUBLIC SAFETY TOTAL	218,854.14	220,454.14	1,600.00	0.7%
33					
34	PUBLIC WORKS				
35	Trees and Forestry	3,000.00	3,000.00	-	0.0%
36	Highway Department	247,394.80	247,053.36	(341.44)	-0.1%
37	Dump Truck Debt Payment	32,265.00	32,265.00	-	0.0%
38	Bridges and Street Lights	5,475.96	5,950.00	474.04	8.7%
39	Solid Waste & Recycling	63,621.21	72,826.00	9,204.79	14.5%
40	Solid Waste District	3,175.00	3,227.00	52.00	1.6%
41	Sewer	65,453.68	65,264.29	(189.39)	-0.3%
42	Cemetery Commission	2,500.00	2,600.00	100.00	4.0%
43	Memorial Committee	645.00	645.00	-	0.0%
44	PUBLIC WORKS TOTAL	423,530.65	432,830.65	9,641.44	0.28
45					
46	HEALTH & HUMAN SERVICES				
47	Board of Health Salaries	3,605.91	3,605.91	-	0.0%
48	Board of Health Clerical & Expenses	5,359.02	5,359.02	-	0.0%
49	Council on Aging	5,569.28	5,569.28	-	0.0%
50	Veterans Assessment	2,470.00	2,470.00	-	0.0%
51	HEALTH & HUMAN SERVICES TOTAL	17,004.21	17,004.21	-	0.0%
52					

Article 8 - Omnibus Budget

	A	B	C	D	E
	Omnibus Budget for 6/21/10	FY10	FY11	Increase /	%
	Annual Town Meeting	Approved	S'BD/FIN COM	(Decrease)	Change
			Recommendation		
53	CULTURE & RECREATION				
54	Library	18,092.22	18,092.00	(0.22)	0.0%
55	Recreation Commission	3,000.00	3,000.00	-	0.0%
56	Historical Commission	860.00	860.00	-	0.0%
57	CULTURE & RECREATION TOTAL	21,952.22	21,952.00	(0.22)	0.0%
58					
59	FIXED COSTS				
60	Town Insurance	38,799.89	39,706.19	906.30	2.3%
61	Mariamante Loan	25,000.00	19,817.00	(5,183.00)	-20.7%
62	Retirement	57,762.00	58,764.00	1,002.00	1.7%
63	Unemployment Fund	2,500.00	2,500.00	-	0.0%
64	Group Health and Life Insurance	84,470.73	76,869.20	(7,601.53)	-9.0%
65	FIXED COSTS TOTAL	208,532.62	197,656.39	(10,876.23)	-5.2%
66					
67	FRCOG ASSESSMENT				
68	Core & Statutory Assessments	8,188.00	9,827.00	1,639.00	20.0%
69	Accounting	18,903.00	18,423.00	(480.00)	-2.5%
70	Health Agent	3,734.00	6,244.00	2,510.00	67.2%
71	Procurement Services	2,378.00	2,380.00	2.00	0.1%
72	Cooperative Inspection Program	54,193.00	58,860.00	4,667.00	8.6%
73	FRCOG ASSESSMENT TOTAL	87,396.00	95,734.00	8,338.00	9.5%
74					
75	EDUCATION				
76	Gill-Montague Reg. Sch. Dist.	Special Article	Special Article		
77	GMRSD Bldg Loan	Special Article	Special Article		
78	Franklin County Technical School	76,650.00	108,339.00	31,689.00	41.3%
79	EDUCATION TOTAL	76,650.00	108,339.00	31,689.00	41.3%
80					
81	TOWN OPERATING BUDGET TOTAL	1,268,225.33	1,327,359.45	59,134.12	4.7%

Article 8 – The Omnibus

This year the Selectboard and Finance Committee worked together to come to consensus about the Omnibus budget. We jointly met with the departments and over several long nights that involved some lively discussion have come to agreement about the items in this article. Any items that were controversial were taken out of the Omnibus and are presented to you in separate articles: COLA raises will be addressed in Article 9, the GMRSD is Article 10, and additional part-time in the Police budget is Article 16. For the second year in a row, our departments are being level funded and for most part the line items in the Omnibus are level funded, but there are some differences that need some explanation.

You should also know that if you vote all the articles that are presented, we are NOT in an override situation. Over the past several years we have been quite conservative when estimating our local receipts and we will be using a slightly less conservative estimate to balance this year's budget. We can afford this budget this year, and are setting aside a small amount of money in Stabilization towards next year. Also, if the School District compromises with Montague so that we can pass a District budget, a lower assessment for Gill will result and we intend to put aside any money realized from that lower assessment this year to help pay for what will surely be a higher School District budget next year. The overall tax effect of passing all the articles as they are presented is an increase of \$47 for every \$100,000 of valuation.

Explanation of increases in various line items in Article 8

General Government:

Administrative Assistant: While Ray was hired at a lower rate than Tracy, the committees felt that 1) he should work for the Town 40 hours instead of 37 ½ hours, and that 2) his grade should increase from a 6 to a 7 after he has worked for the Town for a year. The \$2039.98 reflects a 40-hour week and a mid-year grade increase.

Treasurer and Tax Collector raises are discussed in Article 7. The small amount in the expense account is attributed to some additional equipment, and higher software and payroll and processing fees.

IT Committee: Several years ago when the IT committee was established it had a Capital Plan to insure that our technology stayed current. Last year we were forced to cut this budget and this year we need to get back to replacing equipment that has become too old. This \$1700 should allow us to purchase 2 - 3 computers, and the 'trickle-down' will allow our oldest computers to be retired.

Town Clerk: Raise is discussed on Article 7; the expense increase is attributed to the State primary and election.

Electors and Registrars: Two additional elections require more poll workers

Conservation Commission: Increase will provide a direct-dial phone number with answering machine. This will allow the public to leave messages for the Commission members rather than calling any of the various Town Hall numbers.

Planning Board: The reduction in expense is that fewer clerk's hours are required.

Zoning Board: The ZBA requires more clerical time, so the Clerk will be working fewer hours for the Planning Board and more for the ZBA.

Town Hall/Riverside and Garage/Public Safety: Reflects a more accurate estimate of actual maintenance expenses.

Public Safety:

Police Department: The \$1600 increase is for a Uniform allowance for our full and part time staff. This was traditionally paid for by a grant that is no longer available. We require our officers to wear uniforms and we supply our other departments with clothing allowances. Because we were fortunate to receive this grant for so many years, there are many items that were paid for by the grant that the town will now have to absorb. We are working on a plan to phase in these costs over several years. The bottom-line of the budget is level funded, there is a step increase and some additional expenses, but that has been funded with a reduction in part-time hours so the bottom line stays the same. There will be discussion of additional part time hours in Article 16.

Public Works:

Bridge and Street Lights: An audit of our streetlights was conducted this past year and this increase reflects a more accurate estimate of the actual costs.

Solid Waste and Recycling: This is a new contract and reflects the new cost.

Solid Waste District: Our assessment increased, but with Leverett joining the district, we expect to end up with a very slight decrease.

Cemetery: Reflects an additional cost for mowing the cemeteries.

Fixed Costs:

Town Insurance: The actual cost to provide our liability and other town insurance, not including employee insurances.

Mariamante Loan: Reflects a more accurate cost of the borrowing – last year was an estimate and it was high.

Retirement: The actual cost of providing insurance for our retirees.

Group Health and Life: The overall cost of our insurance increased by only 7%, but changes in coverage for two employees resulted in a lower rate increase than we otherwise would have experienced.

FRCOG Assessment:

Core and Statutory: Because our tax valuations rose sharply three years ago (reflecting the Riverside and River property increases), the formula used to calculate our assessment increased.

Health Agent: The increase is primarily due to additional inspections of the Summer Camps at NMH and increased use of the Health Agent in town for specific properties.

Cooperative Inspection: There is a fairly complicated formula for this program that uses a three-year average. Because of the building projects at NMH several years ago, we are paying for it now. We put aside money when we received the permit fees, and we are asking to use some of the money (Article 11) to offset the increase.

Education:

GMRSD: This is a special article.

Tech School: There are three additional students in Tech this year that results in the increase.

Supplemental Info for Article 8 - Omnibus Budget
Financial Summary for Fiscal Year 2011

	A	B	C	D	E
		Fiscal Year 2010	Fiscal Year 2011	Dollar Change	Percent Change
1	Omnibus Budget (Town Operations)	1,271,025.33	1,327,359.45	56,334.12	4.4%
2	Warrant Articles	46,794.00	90,642.15	43,848.15	93.7%
3	Miscellaneous (Overlay & Cherry Sheet Deducts)	64,555.00	59,071.00	(5,484.00)	-8.5%
4	Total Town Budget	1,382,374.33	1,477,072.60	94,698.27	6.9%
5	GMRSD School Assessment (Operating & Debt)	1,397,433.00	1,410,359.00	12,926.00	0.9%
6	Total Gross Budget	2,779,807.33	2,887,431.60	107,624.27	3.9%
7	State Receipts	237,604.00	234,567.00	(3,037.00)	-1.3%
8	Local Receipts	245,654.00	265,126.00	19,472.00	7.9%
9	Available Funds	83,280.70	99,451.55	16,170.85	19.4%
10	Free Cash to Reduce the Tax Rate	172,959.00	177,555.00	4,596.00	2.7%
11	Total Receipts	739,497.70	776,699.55	37,201.85	5.0%
12	Total Gross Budget	2,779,807.33	2,887,431.60	107,624.27	3.9%
13	Total Receipts (Excluding Property Taxes)	739,497.70	776,699.55	37,201.85	5.0%
14	Property Tax Assessment	2,040,309.63	2,110,732.05	70,422.42	3.5%
15	Town-wide Property Valuation (FY11 is in process)	148,862,559.00	148,862,559.00	-	0.0%
16	Tax Rate If All Articles Pass (per 1,000 valuation)	13.71	14.18	0.47	3.5%
17	Average Valuation of Single-Family Residence	210,388.00	210,388.00	-	0.0%
18	Average Annual Taxes of Single-Family Residence	2,883.58	2,983.11	99.53	3.5%
19	Stabilization Fund				
20		96,687	FY2010 Beginning Balance		
21		5,000	In from Free Cash 5/4/09 Town Meeting		
22		13,810	In from Raise & Appropriate 9/14/09 Town Meeting		
23		459	Interest Earned in FY10		
24		(9,350)	Out for Truck Body (Art. 19) 6/21/10 Town Meeting		
25		8,000	In from Free Cash (Art. 22) 6/21/10 Town Meeting		
26		114,606	Ending Balance		

Cost of Living Allowance (COLA) - Article 9

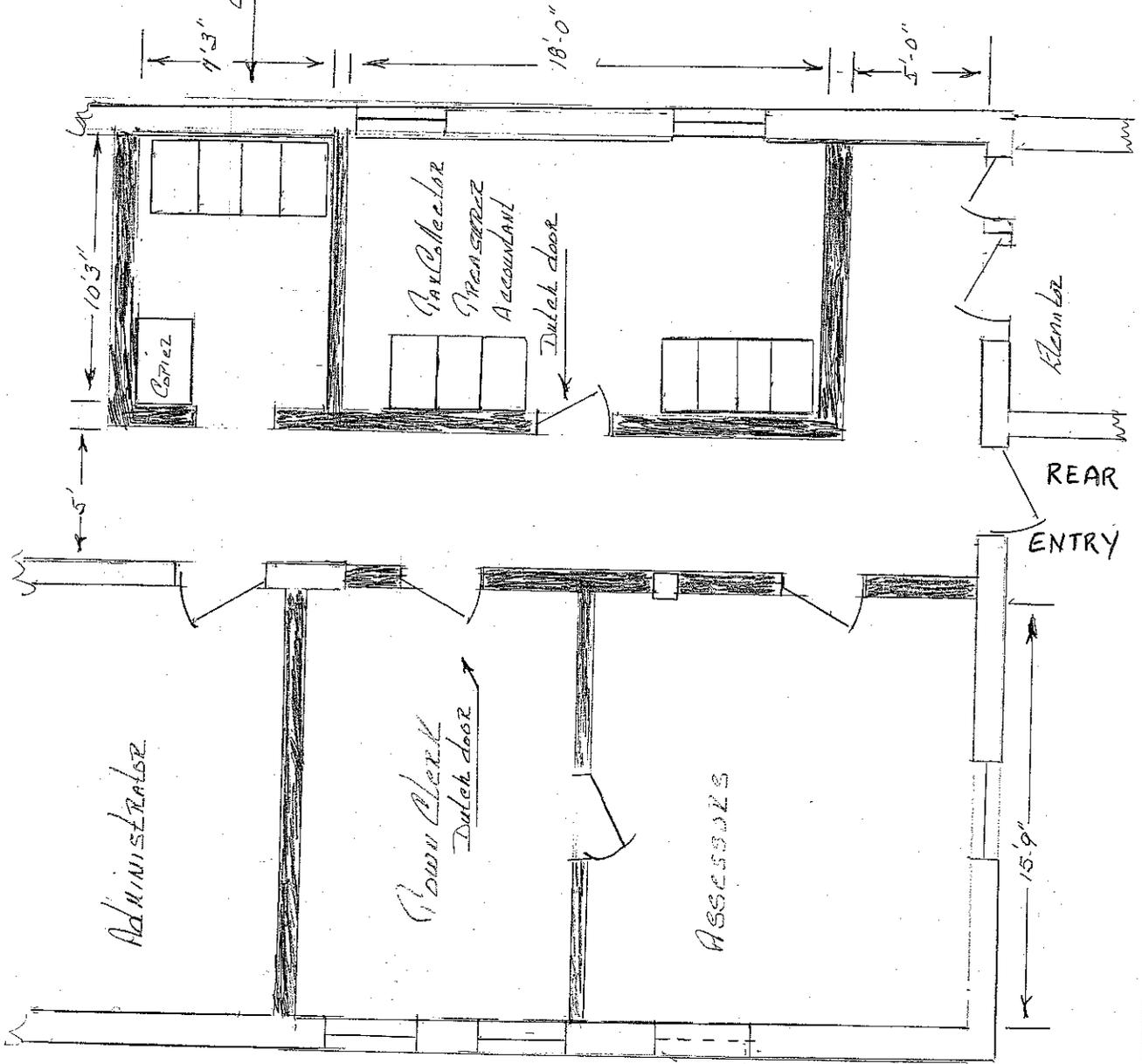
Note: If approved, COLA will be implemented by applying a percentage increase to each employee's hourly rate or voted salary/stipend.

	A	B	C	D	E
	Position/Department	FY10 Salaries	3% COLA Amount on FY10 Salaries	FY11 Recommended Base (Including Steps & Long.)	FY11 Total (Base + COLA)
1	Constables	68.24	2.05	68.24	70.29
2	Moderator	168.93	5.07	168.93	174.00
3	Selectboard	6,653.74	199.61	6,653.74	6,853.35
4	Administrative Assistant	43,524.29	1,305.73	44,524.29	45,830.02
5	Board of Assessors	8,079.71	242.39	8,079.71	8,322.10
6	Assessors' Clerk	16,068.00	482.04	16,702.40	17,184.44
7	Treasurer	13,851.34	415.54	15,929.04	16,344.58
8	Police Department	126,822.77	3,782.18	128,871.66	132,653.84
9	Fire Department	33,621.83	1,008.65	33,621.83	34,630.48
10	Highway/Sewer Department	152,183.87	4,535.52	154,153.96	158,689.48
11	Board of Health	7,378.57	221.36	7,378.57	7,599.93
12	Library	10,347.00	310.41	10,347.00	10,657.41
13	Town Clerk	11,150.54	334.52	13,938.18	14,272.70
14	Tax Collector	17,208.95	516.27	18,929.85	19,446.12
15	From Sewer Receipts	593.02	17.79	593.02	610.81
16	Clerical Assistant	3,709.68	111.29	3,709.68	3,820.97
17	Custodian	2,488.50	74.66	2,488.50	2,563.16
18	Registrars, Election Workers	2,500.00	75.00	2,500.00	2,575.00
19	Total	456,418.98	13,640.07	468,658.60	482,298.67

Article 17

Proposed Layout for Office Walls

FRONT ENTRY



Source Footage	Existing New Design
Town Clerk	130 165.4
Assessors	233.2 227.1
Tax Collector / Treasurer	152. 185.4

Block up doors & change windows to match existing

14'3" New wall construction



Program Overview

- **Performance Contracting Basics:**
 - Energy efficiency savings program that uses operating budgets (utility budgets) to pay for investments in capital upgrades that save energy (e.g., boilers, insulation, efficient lighting).
 - Energy savings generated by the program are used to pay the financial liability necessary to make the capital improvements. Specifically, some of the dollars that would normally be used to pay utility bills are instead reinvested in the buildings in the way of energy savings capital improvements.
 - Program is developed under a budget neutral requirement; thereby there is **no** tax impact.
 - Annual energy savings are guaranteed by Siemens. If savings are not achieved, Siemens will reimburse the Town for the difference. This is both a contractual obligation and State Law.
 - Annual savings are reported by Siemens pursuant to a Town-approval measurement and verification plan.

- **Status:**
 - Siemens' Investment Grade Audit for Gill is about 85% complete.
 - Siemens is finalizing project costs and savings, and refining certain energy conservation measures at the Elementary School and the Riverside Municipal Building.
 - Project cost and savings will be fixed and guaranteed – no change orders.
 - Comprehensive contract between the Town and Siemens has been developed and vetted.
 - Town of Gill and the Gill-Montague Regional School District are negotiating a “make whole” agreement to allocate energy savings credits back to the Town to cover the energy infrastructure improvements implemented in the Elementary School under the performance contract.

- **Buildings Covered:**
 - Town Hall
 - Public Safety Complex
 - Riverside Municipal Building
 - Slate Memorial Library
 - Gill Elementary School

- **Energy Savings Improvements Overview:**
 - Lighting & Lighting Controls (Occupancy Sensors)
 - Weatherstripping/caulking/sweeps – doors and windows
 - Building insulation and ventilation
 - Air sealing
 - Major mechanical upgrades
 - Energy management control systems

- **DOER-Funded Energy Efficiency and Conservation Block Grant Projects:**
 - Location
 - Gill Elementary School
 - Energy Efficiency Improvements
 - Boiler replacement
 - Installation of energy management control system
 - Project funding from EECBG = \$150,000 grant

- **Program Financing:**

- Overall program
 - Not to exceed \$430,000.
 - Town needs 100% of the funds at the beginning of the program to pay Siemens for actual work completed on a monthly basis.
 - Savings begins to accrue to the benefit of the Town immediately as work is completed.
 - Value of the energy savings realized, and guaranteed by Siemens, coupled with utility rebates and the State EECBG grant is used to pay the financed costs (all principle and interest)
- Program funding offsets
 - EECBG - \$150,000
 - 50% of the grant paid to the Town upon meeting contingencies
 - 25% of the grant paid once the Town demonstrates that 40% of the initial grant has been properly spent
 - 25% balance of the grant paid to the Town once the EECBG funded projects are complete and inspected
 - Utility rebates – Estimated \$13,000
- Permanent financing requirements after incentives
 - Not to exceed \$280,000 (rebates not verified)
 - If USDA funds are available, Gill would proceed with short-term borrowing backstopped by USDA financing. Current USDA financing is 4.25%.

- **DOER EECBG Contingencies and Reporting:**

- Contingencies
 - Town Meeting approval is required to:
 - authorize borrowing beyond 3 years,
 - appropriate the funds to pay for the investments as they are installed, and
 - engage Siemens in a performance contract.
 - Contingencies must be met before any EECBG grant funds are issued.
- Reporting and Requirements
 - EECBG funded projects are restricted to Buy American provision and Davis Bacon/Prevailing Wage.
 - Lighting projects are ineligible for EECBG funding.
 - Weekly reporting required of Siemens to the Town.
 - Monthly reporting to DOER by the Town.
 - Grant funds must be kept separate from all other Town funds.
 - Funds must be spent by 6-30-2011.