## TOWN OF LYNNFIELD

#### **MASSACHUSETTS**

#### FISCAL YEAR 2011

# ANNUAL TOWN WARRANT AND SELECTMEN'S BUDGET WITH RECOMMENDATIONS OF THE FINANCE COMMITTEE



#### LYNNFIELD FINANCE COMMITTEE REPORT

ANNUAL TOWN MEETING

MONDAY, APRIL 26, 2010 - 7:30 P.M.

LYNNFIELD MIDDLE SCHOOL

PLEASE BRING THIS REPORT WITH YOU TO TOWN MEETING

#### **Town Meeting Vocabulary**

- □ <u>To Raise and Appropriate:</u> Unless otherwise specified in the motion, money appropriated is raised through taxes.
- Override: A vote by a community at an election to permanently increase the levy limit. The override question on the election ballot must state a purpose for the override and the dollar amount.
- Reserve Fund: The amount voted by Town Meeting to provide for extraordinary or unforeseen expenditures that may come up during the year. It is controlled by the Finance Committee.
- □ Capital Maintenance Fund: A Town fund established in October 2002 to save funds to be used for major maintenance of Town buildings.
- Overlay: The amount raised by the Assessors in excess of appropriations and other charges to cover abatements granted. Any balance for a given year not collected or abated is transferred to the Overlay Reserve.
- Overlay Reserve: Overlay funds not used or required to be held in the Overlay Account may be used for extraordinary or unforeseen purposes by vote at Town Meeting. At the end of the fiscal year, Overlay Reserve reverts to free cash.
- ☐ <u>Free Cash:</u> The amount of Surplus revenues over and above uncollected taxes of prior years as certified by the state Director of Accounts.
- Reserved for Appropriation: Certain Town receipts set aside for a purpose as specified by Massachusetts General laws.
- □ **Stabilization Fund:** A general reserve. Money from the Stabilization Fund may be appropriated by a two-thirds vote of Town Meeting for any legal purpose.
- □ <u>Cherry Sheet:</u> A summary of state and county charges and reimbursements to the Town as certified by the state Director of Accounts. It charges the Town for its share of the costs of running various state agencies and the county government. It credits the Town with its share of the distribution from various state funds.
- □ **Fiscal Year:** Fiscal Year 2011 runs from July 1, 2010 through June 30, 2011.

#### What is the Finance Committee?

The Finance Committee consists of eleven appointed members. Five members are appointed by the Selectmen, and six are appointed by the Town Moderator. The members serve without compensation for overlapping terms of three years. They cannot be Town employees or paid officials. The primary duty of the Finance Committee is to analyze annual expenditure requests and make budget recommendations to the Town Meeting. Other duties include recommendations on any other matters having an impact on the Town's finances and supervision of the Reserve Fund. In making its recommendations, the Finance Committee tries to develop objective verification that expenditure requests meet the needs of the Town's residents.

#### **Finance Committee Members**

Jack Dahlstedt, Co-Chairman Timothy LaRovere, Co-Chairman Phil Crawford, Vice Chairman Bob Siegel Paul Buonfiglio David D'Amico Joseph DiNanno Janet Moran Bert Cleary Tom Kayola

Fred Brooks, Secretary

#### INTRODUCTION

Although the Finance Committee is generally pleased and impressed with the Town's ability to navigate the challenging economic conditions and deliver a budget that is close to level funded for fiscal 2011, we remain very concerned with the current costs and rate of increases regarding three specific areas; Healthcare Insurance, Pensions, and Education costs. All of these issues are not specific or constrained to our town, but are systemic issues facing the nation and all municipalities. We feel it is important to highlight these cost increases and their demands on our budget.

Healthcare and Pension costs continue to rise at unsustainable annual rates. In this fiscal year, costs in these areas are rising in the high single digits to low double digits. These rates of increases are clearly unsustainable over time and we remain very concerned for the strains this places on the nation and our local economy. Much has been discussed at the national level on Healthcare and our small town budget highlights these challenges. At the same time, our defined benefit pension plan continues to place great annual strain on our budget. Private industries have started to seek alternative ways to help employees save for retirement but municipalities have been slow to follow. Working to find a sustainable model that controls these costs will be crucial for the long term health and stability of our town finances.

On the education front, our town has been blessed with a wonderfully successful educational system and our children and home owners have benefited greatly from these efforts. This is in no small part due to the efforts of the administration, the school committee and the teachers of our town. Our ability to strike a balance between cost increases and benefits will remain crucial as we move into the future. If education costs continue to increase at above average rates, other services will continually have to be sacrificed to meet these cost increases. In fiscal 2011, the administration and the school committee worked incredibly hard to deliver a budget that would maintain our high standards while at the same time fit into the towns overall budget. Going forward we remain concerned with the effects of projected increases and obligations and the impact to our budget over the long term.

This year we are fortunate enough to have the ability to fund a portion of the capital requests having been put forth by the department managers. We must to continue to find ways to fund the infrastructure that supports and protect the citizens of the town. We must continue to ensure that we plan and implement strategies that will benefit all current and future resident of our town.

Lastly, The Finance Committee is concerned about the depletion of town funds. Over the last several years the town exercised excellent fiscal responsibility in funding our reserves consistently. We would not be able to weathered the current storm so well were it not for the planning of the past. The overall balances after the proposed use will be approximately \$2 million. This represents about 5% of our annual budget which we believe is trending to become dangerously low in the event of an emergency. Going forward it is important that we continue the efforts of the past and consider funding the reserves as part of a regular program to maintain our ability to provide services and our favorable bond rating.

**ARTICLE 1.** To act on Reports of Town officers and special committees, as published. **Submitted by BOARD OF SELECTMEN** 

#### Finance Committee Recommends Article 1.

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**ARTICLE 2.** To choose all Town officers not required to be chosen by ballot: viz.; three field drivers, one pound keeper and three wood measurers.

#### **Submitted by BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 2.

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**ARTICLE 3.** To see if the Town will vote to FIX THE COMPENSATION of each of the Elective Officers of the Town as required by General Laws, Chapter 41, Section 108, as amended.

#### Submitted by BOARD OF SELECTMEN

#### Finance Committee Recommends Article 3 as follows:

Board of Selectmen: Chairman \$850

**Member** \$700

Board of Assessors: Chairman: \$4,100

**Member** \$3,550

**ARTICLE 4.** To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or otherwise, a sum of money for the necessary Town charges and expenses, or what action it will take thereon.

#### **Submitted by BOARD OF SELECTMEN**

**Finance Committee Recommendations on the Following Pages.** 

#### STATUS OF TOWN FUNDS

	Projected Balance at June 30, 2010		FY11 Additional (Use)		FinCom/BOS Projected FY11 Beg. Balance	
Stabilization Fund	\$	1,100,000	\$	(250,000)	\$	850,000
<b>Capital Maintenance Fund</b>		685,000		(100,000)	\$	585,000
Sale of Real Estate		278,951		-	\$	278,951
Free Cash		541,141		(541,094)	\$	47
<b>Cemetery Funds</b>						
Lot Sales Principal		26,000		(25,000)	\$	1,000
Perpetual Care Interest		5,700		(5,000)	\$	700
<b>Golf Enterprise Retained Earnings</b>		218,215			\$	218,215
Ambulance Enterprise Retained Ear		265,866		(200,000)	\$	65,866
Totals	\$	3,120,873	\$	(1,121,094)	\$	1,999,779

**RESERVE FUND TRANSFERS - fiscal year to date through March 31, 2010** 

Beginning Balance \$45,000

Reserve Fund balance as of March 31, 2010 \$45,000

#### **Finance Committee and Selectmen Recommendations**

	Final	R	ecommended		
REVENUE	FY2010		FY2011	Difference	% Difference
Prior Year Levy Limit	\$ 26,333,217	\$	27,591,547	\$ 1,258,330	4.8%
2 1/2 % increase	\$ 658,330	\$	689,789	\$ 31,459	4.8%
New Growth	\$ 600,000	\$	250,000	\$ (350,000)	-58.3%
<b>Total Property Taxes</b>	\$ 27,591,547	\$	28,531,336	\$ 939,789	3.4%
State Provided Funds	\$ 5,047,847	\$	4,795,455	\$ (252,392)	-5.0%
Debt Exclusions/Tax Offsets	\$ 3,120,730	\$	2,929,334	\$ (191,396)	-6.1%
Projected Local Receipts	\$ 3,241,500	\$	3,242,000	\$ 500	0.0%
Meadow Walk Revenue	\$ -	\$	-	\$ -	0.0%
Free Cash	\$ 449,714	\$	541,094	\$ 91,380	20.3%
Overlay Surplus	\$ 10,000	\$	10,000	\$ -	0.0%
Building Reserve Fund	\$ -	\$	-	\$ -	0.0%
Cemetery Funds	\$ 30,000	\$	30,000	\$ -	0.0%
Reserve for Appropriation (Septic)	\$ 10,100	\$	10,100	\$ -	0.0%
American Legion Fund	\$ 990	\$	990	\$ -	0.0%
Bond Premiums for Debt Service	\$ 71,330	\$	-	\$ (71,330)	
Capital Facilities Fund	\$ 100,000	\$	100,000	\$ -	
Ambulance Enterprise Fund	\$ -	\$	200,000	\$ 200,000	
Stabilization Fund	\$ 250,000	\$	250,000	\$ -	
Telecommunications Fund	\$ 68,100	\$	-	\$ (68,100)	
TOTAL REVENUE	\$ 39,991,858	\$	40,640,309	\$ 648,451	1.6%
EXPENSES					
Operating Budget					
General Government	\$ 1,641,476	\$	1,635,738	\$ (5,738)	-0.3%
Public Safety	\$ 3,511,784	\$	3,474,314	\$ (37,470)	-1.1%
Public Works	\$ 5,233,399	\$	5,233,399	\$ -	0.0%
Human Services	\$ 283,343	\$	283,343	\$ -	0.0%
Culture & Recreation	\$ 638,705	\$	639,683	\$ 978	0.2%
Education (incl. Health and Vocational)	\$ 19,682,959	\$	20,031,259	\$ 348,300	1.8%
Debt & Interest	\$ 3,533,812	\$	3,160,793	\$ (373,019)	-10.6%
Employee Benefits	\$ 4,436,439	\$	4,849,216	\$ 412,777	9.3%
<b>Total Operating Budget</b>	\$ 38,961,917	\$	39,307,745	\$ 345,828	0.9%
Other Expenditures					
Capital Budget	\$ 300,000	\$	782,266	\$ 482,266	160.8%
Capital Facilities Fund	\$ _	\$	_	\$ -	0.0%
Appropriation to Stabilization Fund	\$ -	\$	-	\$ -	0.0%
Deficit Accounts	\$ -	\$	-	\$ -	-
Allow for abate/exemptions	\$ 180,000	\$	180,000	\$ -	0.0%
Offset for Direct Expenditures	\$ 21,767	\$	18,249	\$ (3,518)	-16.2%
Total Other Expenditures	\$ 501,767	\$	980,515	\$	95.4%
Cherry Sheet Charges	\$ 294,006	\$	349,969	\$ 55,963	19.0%
TOTAL EXPENDITURES	\$ 39,757,690	\$	40,638,229	\$ 880,539	2.2%
Surplus/(Deficit)	\$ 234,168	\$	2,080		

Tax Increase FY2011 Existing Taxpayers					
		FY2010		FY2011	Increase
Total Property Taxes	\$	26,991,547	\$	28,281,336	4.78%
Debt Exclusions Taxed	\$	3,120,730	\$	2,929,334	-6.13%
Tax Increase	\$	30,112,277	\$	31,210,670	3.65%

				Final	Recommended	Variance	% Increase
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
- 101	GENERAL GOVERNMENT						
	Selectmen						
1	Selectmen's Salaries	2,250	2,250	2,250	2,250	0	0.0%
2	Town Administrator's Salary	138,600	142,650	147,517	147,517	0	0.0%
3	Clerical Salary	58,290	33,290	50,000	58,000	8,000	16.0%
4	Professional Services	46,140	32,000	47,000	47,000	0	0.0%
5	Pay Rate Increase Fund	44,626	52,102	59,000	30,000	(29,000)	-49.2%
6	Town Report	4,000				0	
7	Prop & Liab. Insurance	335,353	311,000	302,744	317,881	15,137	5.0%
8	Other Expenses	14,180	3,000	15,000	15,000	0	0.0%
	Selectmen	643,439	576,292	623,511	617,648	(5,863)	-0.9%
	Town Accountant						
9	Accountant's Salary	70,405	75,000	77,626	77,626	0	0.0%
10	Clerical Salary	41,159	42,133	43,383	43,383	0	0.0%
11	Expenses	3,198	3,198	3,198	3,198	0	0.0%
	Town Accountant	114,762	120,331	124,207	124,207	0	0.0%
	Town Counsel						
13	Professional Services	45,000	50,000	34,000	34,000	0	0.0%
14	Expenses Law Books	1,500	1,750	1,750	1,750	0	
	Town Counsel	46,500	51,750	35,750	35,750	0	0.0%
	Finance and Operations						
	Operations Support						
16	Salaries	73,183	61,089	65,616	65,691	75	0.1%
17	Expenses	33,020	35,100	35,100	35,100	0	0.0%
	Information Systems						
18	Salary	61,800	61,800	65,882	65,882	0	0.0%
19	Expenses	78,865	82,672	77,130	77,130	0	0.0%
	Tax Collector						
21	Collector Expenses	13,868	15,993	15,993	15,993	0	0.0%
21A	Senior Tax Work-off Program		7,424	10,000	10,000	0	0.0%
	Treasurer						
22	Treasurer's Salaries	121,149	123,065	129,584	129,584	0	0.0%
23	Treasurer's Expenses	13,244	15,219	15,219	15,219	0	0.0%
	Town Clerk						
24	Town Clerk Salaries	84,067	85,827	91,364	91,364	0	0.0%
25	Clerk Expenses	29,376	31,876	31,876	31,876	0	0.0%
	Finance & Administration	508,572	520,065	537,764	537,839	75	0.0%

Item 1. Item 2. Item 3.  Item 4. Item 5. Item 7. Item 8.	Board annual compensation – Chairman, \$850; Members, two at \$700 each. Total salary for Town Administrator.  Assistant to Town Administrator salary – Hired in FY10 at pay rate of \$58,000. The increase in FY11 is to reflect a full year salary.  Annual town audit, engineering, external legal, other professional services.  Total FY11 pay rate increases for departmental positions.  Includes insurance for fire and casualty, liability, motor vehicles, and fidelity bonds.  Expenses relate to office supplies, dues and seminars, subscriptions, car allowance and misc. other expenses.
Item 9. Item 10. Item 11.	Town Accountant Salary. Town Accountant Support. Expenses relate to office supplies, dues and seminars, forms, and misc. other expenses.
Item 13.	Town Counsel services and expenses in connection with legal matters concerning Town of Lynnfield.
Item 16.	Clerical support to Town Hall departments including Tax Collector, Board of Registrars, and Board of Health.
Item 17.	Includes postage for Town Hall departments; copier and postage machine supplies and maintenance; miscellaneous other.
Item 18. Item 19.	Information Systems Manager salary. PC upgrade program; computer hardware, accessories, supplies; software licensing; mainframe server maintenance; financial software support contract; computer consultant; dues/seminars; internet access; misc. other.
Item 21. Item 21A.	Expenses relate to office supplies, dues and seminars, and misc. other expenses. Change in accounting method for Senior tax Work-off Program. Prior to FY09 carried in Abatement.
Item 22. Item 23.	Treasurer and clerical salary, overtime and longevity.  Expenses relate to office supplies, dues and seminars, bank charges, and misc. other.
Item 24. Item 25.	Town Clerk salary and transfer of clerk from Assessors Office. Expenses relate to office supplies, dues and seminars

				Final	Recommended	Variance	% Increase
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
	Board of Assessors						
29	Board Salaries	17,500	17,500	11,500	11,500	0	0.0%
30	Other Salaries	95,814	102,120	116,989	116,989	0	0.0%
31	Professional Services	8,320	10,300	10,300	10,300	0	0.0%
32	Assessment Update	24,700	22,700	12,700	12,700	0	0.0%
33	Expenses	10,250	10,250	10,250	10,250	0	0.0%
	Assessors	156,584	162,870	161,739	161,739	0	0.0%
	Planning Board						
34	Salary	35,978	36,303	37,375	37,425	50	0.1%
35	Expenses	3,286	3,286	3,286	3,286	0	0.0%
	Planning Board	39,264	39,589	40,661	40,711	50	0.1%
	Board of Appeals						
36	Expenses	2,142	2,691	2,661	2,661	0	0.0%
	Board of Appeals	2,142	2,691	2,661	2,661	0	0.0%
	Conservation Commission						
37	Salary	50,411	52,660	54,500	54,500	0	0.0%
38	Expenses	1,446	1,725	1,725	1,725	0	0.0%
39	Professional Services	520	520	520	520	0	0.0%
40	Open Space	3,000	1,000	3,000	3,000	0	0.0%
	<b>Conservation Commission</b>	55,377	55,905	59,745	59,745	0	0.0%
	Personnel Board						
41	Salary	2,818	2,818	2,818	2,818	0	0.0%
42	Professional Services	2,000	5,000	2,870	2,870	0	0.0%
43	Expenses	200	200	330	330	0	0.0%
	Personnel Board	5,018	8,018	6,018	6,018	0	0.0%
	Finance Committee						
44	Salary	2,880	1,750	2,500	2,500	0	0.0%
45	Expenses	400	420	420	420	0	0.0%
46	Finance Committee Report	1,500	1,500	1,500	1,500	0	0.0%
47	Reserve Fund	45,000	45,000	45,000	45,000	0	0.0%
	Finance Committee	49,780	48,670	49,420	49,420	0	0.0%
	TOTAL GEN. GOVERNMENT	1,621,438	1,586,181	1,641,476	1,635,738	(5,738)	-0.3%

Item 29. Item 30. Item 31. Item 32. Item 33.	Board annual compensation: Chairman - \$4,100; 2 Members at \$3,550 each; CMA certification. Clerical support for Assessors. Primarily commercial appraisals and assistance in preparation of state reports. Professional services for periodic reevaluations. Expenses relate to office supplies, dues and seminars, travel, subscriptions, and misc. other.
Item 34. Item 35.	One clerical staff salary. Expenses relate to office supplies, dues and seminars, travel, and mapping new lots to be compatible with Global Identification System.
Item 36.	Expenses relate to office supplies, dues and seminars, and advertising.
Item 37. Item 38. Item 39.	Conservation Commission administrator and part-time clerical assistant salary. Expenses relate to office supplies, dues and seminars, travel, and misc. other. Engineering assistance for environmental surveys, primarily wetlands.
Item 41. Item 42. Item 43.	One clerical support salary. Legal services for negotiations and advice on labor law. Expenses relate to office supplies, dues and memberships, and misc. other.
Item 44. Item 45. Item 46. Item 47.	Finance Committee secretary salary.  Expenses relate to dues and seminars, advertising, and misc. other.  Annual Town Warrant report printing.  For qualified transfers to any Town department for unforeseen needs.

				Final	Recommended	Variance	% Increase	
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.	
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11	
	PUBLIC SAFETY							
	Police							
48	Chief's Salary (incl. holidays)	96,978	96,978	117,225	117,225	0	0.0%	
49	Other Salaries (incl. holidays)	1,493,016	1,491,283	1,543,478	1,543,478	0	0.0%	
50	Officer's Overtime	375,000	375,000	375,000	375,000	0	0.0%	
51	Officers Training	46,705	46,705	46,705	46,705	0	0.0%	
52	Other Expenses	135,717	140,417	140,417	140,417	0	0.0%	
	Police	2,147,416	2,150,383	2,222,825	2,222,825	0	0.0%	
	Fire							
53	Chief's Salary (incl. holidays)	18,668	18,689	107,037	111,925	4,888	4.6%	
54	Full time Salaries (incl. holidays)	501,843	541,263	508,632	499,274	(9,358)	-1.8%	
55	Call Dept. Salaries	326,704	366,360	379,183	346,183	(33,000)	-8.7%	
56	Fire Alarm Salaries	11,063	11,500	11,903	11,903	0	0.0%	
57	Fire Dept. Expenses	87,400	102,000	102,000	102,000	0	0.0%	
58	ALS							
59	Fire Alarm Expenses	5,815	7,500	7,500	7,500	0	0.0%	
60	Hydrant Rental	23,520						
	Fire	975,013	1,047,312	1,116,255	1,078,785	(37,470)	-3.4%	
	Div of Zoning & Inspection							
61	Other Salaries	94,070	101,654	103,969	103,969	0	0.0%	
62	Professional Services	32,284	34,338	35,200	35,200	0	0.0%	
63	Expenses	7,110	7,852	7,851	7,851	0	0.0%	
	Zoning & Inspection	133,464	143,844	147,020	147,020	0	0.0%	
	Emergency Management							
64	Director's Salary	250	250	250	250	0	0.0%	
65	Expenses	1	1	1	1	0	0.0%	
	<b>Emergency Management</b>	251	251	251	251	0	0.0%	
	Dog Officer							
66	Dog Officer's Salary	22,158	22,158	23,634	23,634	0	0.0%	
67	Expenses	1,800	1,800	1,800	1,800	0	0.0%	
	Dog Officer	23,958	23,958	25,434	25,434	0	0.0%	
	TOTAL PUBLIC SAFETY	3,280,102	3,365,748	3,511,785	3,474,315	(37,470)	-1.1%	

#### **Police Department**

Item 48.	Base salary; Quinn Bill (school credits – half of the expense is reimbursed by the state),
	EMT stipend, holidays, longevity.
Item 49.	Includes Captain, sergeants, patrolmen, dispatchers, traffic supervisors, 2 clerical, 1 matron; Quinn Bill (school credits – half of the expense is reimbursed by the state).
Item 50.	For vacation and illness coverage, investigations, court appearances.
Item 51.	Overtime charges for training or for training-caused coverage.
Item 52.	Expense items include uniforms, vehicle maintenance including dog officer's car,
	telephone equipment, service, and data processing, office supplies, training, radio
	maintenance, dues and subscriptions, medical support for cruisers, public safety/software
	maintenance, equipment, photo ID, other.

#### **Fire Department**

Item 54.	Includes salaries for full-time firefighters, overtime pay for firefighting, training, and ambulance; EMT stipends, holidays, longevity, and school credits.
Item 55.	Includes response to fires and other calls, EMT stipends, standbys during storms, training, vacation/sick coverage. Beginning in FY04, recommendations reflect carve out of call firefighter costs associated with ambulance runs. See below for discussion of "Emergency Medical Services Enterprise Fund".
Item 57.	Includes maintenance and repair of aging vehicles, needed parts, firefighting tools and equipment, clothing, telephone, radio maintenance and miscellaneous other.
Item 60.	Rental payments to Lynnfield Center and South Lynnfield water districts. Eliminated in FY09.
Item 61.	Wire, gas, and plumbing inspectors and sealer of weights and measures. Fee income is paid to Town, shown in Local Receipts.
Item 62.	Salary reimbursement to Town of Wakefield for shared inspector, regional building inspection activities
Item 63.	Expenses relate to office supplies, dues and seminars, subscriptions, travel and misc. other.
Item 65.	To keep account open as required by law.
Item 66.	Salaries for Dog Officer and assistant.
Item 67.	Veterinarian, telephone, other.

#### EMERGENCY MEDICAL SERVICES ENTERPRISE FUND:

Effective FY04, the Town established the Emergency Medical Services Enterprise Fund. Revenues and medical supply expenses related to Town of Lynnfield Ambulance Service are received into and paid directly from this fund.

				Final	Recommended	Variance	% Increase
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	<b>FY10 VS.</b>
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
	PUBLIC WORKS						
	Admininistration						
68	Director Salary	92,534	97,622	101,040	101,040	0	0.0%
69	Other Salaries	234,348	220,874	289,774	289,774	0	0.0%
70	Motor Fuel/oil	125,000	160,000	160,000	160,000	0	0.0%
71	Other Expenses	5,600	6,050	6,050	6,050	0	0.0%
	Admininistration	457,482	484,546	556,864	556,864	0	0.0%
	Highway						
72	Salaries	752,567	741,629	771,751	771,751	0	0.0%
73	Expenses	261,350	297,151	297,151	297,151	0	0.0%
	Highway	1,013,917	1,038,780	1,068,902	1,068,902	0	0.0%
	SidewalkConstruction & Maint.						
75	Expenses						
	Sidewalk	0	0	0	0	0	
	Snow & Ice Removal						
76	Salaries and Expenses	75,000	120,000	120,000	120,000	0	0.0%
	Snow & Ice Removal	75,000	120,000	120,000	120,000	0	0.0%
	Street Lighting						
77	Expenses	165,000	174,000	164,000	164,000	0	0.0%
	Street Lighting	165,000	174,000	164,000	164,000	0	0.0%
	Rubbish Collection						
78	Expenses	712,000	744,948	729,948	729,948	0	0.0%
	Rubbish Collection	712,000	744,948	729,948	729,948	0	0.0%
	School Maintenance & Buses						
79	Salaries	984,719	997,954	993,025	993,025	0	0.0%
80	Energy Supply	620,000	613,054	613,054	613,054	0	0.0%
81	Expenses	467,200	490,500	490,500	490,500	0	0.0%
	School Maintenance & Buses	2,071,919	2,101,508	2,096,579	2,096,579	0	0.0%
	Town Building Maintenance						
82	Salaries	168,508	191,190	200,356	200,356	0	0.0%
83	Expenses	275,000	296,750	296,750	296,750	0	0.0%
	Town Building Maintenance	443,508	487,940	497,106	497,106	0	0.0%
	TOTAL PUBLIC WORKS	4,938,826	5,151,722	5,233,399	5,233,399	0	0.0%

Item 68. Item 69. Item 70. Item 71.	Director Salary. Assistant Director of Facilities, Department Secretary, 1 FT clerical, and Town Engineer. For all Town-owned vehicles. Increase reflects need. Expense relate to office supplies, and copier maintenance contract.
Item 72.	Effective FY05, Cemetery, Parks and Tree department and Cemetery Renovation and Upgrades department (lines 84-87) have been removed and the functions combined with Highway department to allow for maximum flexibility and assignments relative to personnel and tasks. Combined department salaries include: General working foreman, foremen, crew supervisors, equipment operators, and equipment maintenance worker.
Item 73.	Combined expenses include clothing allowance, summer help, overtime, and longevity. Expense items include road maintenance, street sweeping, vehicle maintenance, basin and storm drain maintenance, street striping, equipment repair/rent (tree work), park materials, cemetery materials, and misc. other.
Item 75.	Projects are capital in nature. Beginning FY05, items are included in Capital Budget.
Item 76.	If line item is increased, it cannot be decreased in future years, however it had been increased for FY09 since experience has shown the past amounts were not even close to sufficient for even a mild winter. If appropriation is exceeded, excess can either be transferred to following year as an addition to the tax levy or be handled in the Special Town Meeting in April.
Item 77.	Electric bills and maintenance of Town- and utility-owned lights.
Item 78.	Contractual cost for trash collection services.
Item 79.	Director of Facilities, custodians, bus drivers, overtime, clothing allowance, and longevity.
Item 80. Item 81.	Gas and electric supply for school buildings.  Expense items include vandalism, custodial supplies, renovations, contract buses and repair/leasing, ground maintenance (97 acres), and roofing. LMS and LHS septic systems licensed operator, septic/chemical holding tanks, heat repair parts and maintenance, painting, plumbing, water utility backflow testing, electrical maintenance, security repairs/monitoring and misc. other.
Item 82. Item 83.	One foreman, custodians; overtime, summer help, clothing allowance, and longevity. Electricity, heat utility, telephone, electrical and heating repairs and maintenance, custodial supplies and misc. other.

				Final	Recommended	Variance	% Increase
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
	<b>HUMAN SERVICES</b>						
	Board of Health						
90	Other Salaries	31,408	31,408	26,408	26,408	0	0.0%
91	Expenses	10,771	14,013	14,013	14,013	0	0.0%
	<b>Board of Health</b>	42,179	45,421	40,421	40,421	0	0.0%
	Council on Aging						
92	Salary	169,836	199,000	210,872	210,872	0	0.0%
93	Expenses	17,890	22,550	22,550	22,550	0	0.0%
	Council on Aging	187,726	221,550	233,422	233,422	0	0.0%
	Veteran's Services						
94	Director's Salary	6,927	6,927	5,000	5,000	0	0.0%
95	Expenses	500	500	500	500	0	0.0%
96	Veterans Benefits	4,000	4,000	4,000	4,000	0	0.0%
	Veteran's Services	11,427	11,427	9,500	9,500	0	0.0%
	TOTAL HUMAN SERVICES	241,332	278,398	283,343	283,343	0	0.0%
	CULTURE & RECREATION						
	Library						
97	Director's Salary	67,085	67,085	69,434	69,434	0	0.0%
98	Other Salaries	385,410	367,380	371,703	372,682	979	0.3%
99	Expenses	154,848	169,893	169,894	169,893	(1)	0.0%
	Library	607,343	604,358	611,031	612,009	978	0.2%
	Recreation Commission						
100	Salaries	11,332	0	11,729	11,729	0	
101	Expenses	9,530	4,530	9,530	9,530	0	0.0%
	Recreation Commission	20,862	4,530	21,259	21,259	0	0.0%
	Historical Commission						
102	Expenses	1,406	5,425	5,425	5,425	0	0.0%
	Historical Commission	1,406	5,425	5,425	5,425	0	0.0%
	Memorial Day Observance						
103	Expenses	990	990	990	990	0	0.0%
	Memorial Day Observance	990	990	990	990	0	0.0%
TO	TAL CULTURE & RECREATION	630,601	615,303	638,705	639,683	978	0.2%

Item 90. Item 91.	Salaries for Health Officer, Health Agent/Septic Inspector, Sanitarian, Animal Inspector. Nurse Services, office supplies and advertising, veterinary services, biological testing, clerical support for monthly meetings.
Item 92.	Salaries for Director, Van Drivers (2), Receptionist, Activity Coordinator, Trip Coordinator; Outreach Worker, net of anticipated grant.
Item 93.	Office supplies, telephone, paper products, seminars and dues, copier maintenance, travel, Senior Meal Program.
Item 96.	Benefits for needy Veterans.
Item 97.	Director Salary.
Item 98.	Salaries of Full-time librarians and staff members.
Item 99.	Expenses for reading material mandated at 16% of budget; data processing and NOBLE fees, maintenance contract, book processing and office supplies, telephone, postage, misc. other.
Item 100.	Salaries for Director; clerical; summer assistance.
Item 101.	Programs and supplies.
Item 102.	Signs for houses of historical interest, seminars, grant match.
Item 103.	Memorial Day celebration expenses – refreshments/grave markers.

Final

Recommended

Variance

% Increase

				rmai	Recommended	variance	76 Ilici ease
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
	<b>EDUCATION</b>						
	Expenses						
	Administration & Technology	453,350	443,616	425,275	397,575	(27,700)	-6.5%
	Summer Street School	108,601	124,651	123,051	115,668	(7,383)	-6.0%
	Huckleberry Hill School	105,014	108,214	105,860	99,508	(6,352)	-6.0%
	Middle School	164,463	166,783	161,780	152,108	(9,672)	-6.0%
	High School	364,009	400,910	400,296	418,927	18,631	4.7%
	Special Education/Preschool	125,350	140,350	180,650	180,650	0	0.0%
	SPED Out of District Tuition*&**	638,985	914,061	666,650	926,117	259,467	38.9%
	SPED Out of District Transportation	235,000	283,320	276,728	230,343	(46,385)	-16.8%
	<b>Total Expenses</b>	2,194,772	2,581,905	2,340,290	2,520,896	180,606	7.7%
	Salaries Existing Staff	14,185,163	14,789,926	15,698,254	15,714,699	16,445	0.1%
	<b>Gross School Expenses</b>	16,379,935	17,371,831	18,038,544	18,235,595	197,051	1.1%
	Less:						
	METCO	(15,838)	(19,562)	(19,749)	0	19,749	
	Activity Fees	(80,000)	(80,000)	(100,000)	(195,000)	(95,000)	
	USAC Libraries Reimbursement	(3,617)	0	0	0	0	
	Community Schools Rent	(25,000)	(25,000)	(75,000)	(35,000)	40,000	
	Kindergarten revenue	(182,000)	(163,800)	(195,000)	(176,800)	18,200	
	<b>Total Offsets</b>	(306,455)	(288,362)	(389,749)	(406,800)	(17,051)	4.4%
	FY2009 Budget Cuts		(92,000)				
104	Net Salaries and Expenses	16,073,480	16,991,469	17,648,795	17,828,795	180,000	1.0%
104A	School Health Insurance	1,761,500	1,900,000	1,870,000	2,038,300	168,300	9.0%
105	N.S. Technical High School	106,635	103,679	164,164	164,164	0	0.0%
	TOTAL EDUCATION	17,941,615	18,995,148	19,682,959	20,031,259	348,300	1.8%

<sup>\*</sup> Four Special Ed teacher salaries totaling \$249,923 were transferred from the Special Ed Entitlement grant to the operating budget in FY10. A corresponding amount of out of district tuitions were transferred from the operating budget to the Entitlement grant. This shift was made in order to save on retirement surcharges applied to salaries charged to the grant.

<sup>\*\* \$199,098</sup> was subtracted from out of district tuitions. This amount will be paid for by stimulus funds from the federal government that have been earmarked for Special Ed use.

#### LYNNFIELD SCHOOL SYSTEM DATA

#### **PUPILS & EMPLOYEE HEADCOUNT**

			Special Ed Teachers/			School	Central
School Year	Pupils	Teachers	Psych	Specialists	Class Aides	Admin	Office
2008-2009	2,304	138.7	29.5	14	50.1	28.3	8.4
2009-2010	2,302	138.9	29.5	14	53.1	28.3	8.55
2010-2011*	2,285	137.9	31	14	53.1	28.3	8.7

<sup>\*</sup>Projected numbers

Teachers Classroom Teachers, Physical Education, Music, Art

Special Ed Teachers/Psychologists Special Ed Teachers, Team Chairs, Psychologists, Speech and Language Specialists, Therapists

Specialists Media Specialists, Curriculum Specialists, Nurses, Reading Specialist, Guidance

Counselors

Class Aides Special Ed Aides, Kindergarten Aides

School Admin Principals, Asst. Principals, Special Ed Director, Secretaries, Clerks, Office Aides, Permanent

Subs, Preschool Bus Driver

Central Office Superintendent and Staff, Business Office Staff, Technology Dept

		ENROLLMENT PROJECTION: 2010-2011 SCHOOL YEAR						
		Actual 2008-2009	Actual <u>2009-2010</u>	Projected <u>2010-2011</u>	Y/Y <u>Change</u>	Y/Y <u>% Change</u>		
KINDERGARTEN		162	145	135	-10	-7%		
GRADES 1 - 4		734	736	703	-33	-4%		
GRADES 5 -8		760	759	787	28	4%		
GRADES 9 - 12		648	662	660	-2	0%		
	Totals	2,304	2,302	2,285	-17	-1%		

## FY 2011 Budget

				Final	Recommended	Variance	% Increase
Line		Final	Final	Appropriation	FinCom/BOS	FY10 VS.	FY10 VS.
No.		FY08	FY2009	FY2010	FY2011	FY11	FY11
	DEBT & INTEREST						
106	Short Term Interset Debt Exclusion	-	190,719			0	
107	Short Term Interest	71,453	0			0	
108	Long Term Principal Payment	282,000	400,000	281,000	176,000	(105,000)	-37.4%
109	Long Term Interest	64,589	172,101	55,759	45,359	(10,400)	-18.7%
110	Long Term Principal Debt Exclusin	1,575,000	2,140,000	2,019,000	1,829,000	(190,000)	-9.4%
111	Long Term Interest Debt Exclusion	929,664	882,510	1,167,953	1,100,334	(67,619)	-5.8%
112	Septic Loan Program	10,100	10,100	10,100	10,100	0	0.0%
	TOTAL DEBT & INTEREST	2,932,806	3,795,430	3,533,812	3,160,793	(373,019)	-10.6%
	EMPLOYEE BENEFITS						
113	Pension Contributions	1,305,279	1,254,711	1,325,726	1,485,142	159,416	12.0%
	Health/Liability/Disability Insurance						
114	Town Health/Life/Disability Insuranc	348,946	376,861	385,704	420,417	34,713	9.0%
114A	Public Safety Health Insurance	238,005	257,045	264,897	288,738	23,841	9.0%
114B	DPW Health Insurance	318,276	343,738	350,925	382,508	31,583	9.0%
114C	Library Health Insurance	62,277	67,259	65,622	71,528	5,906	9.0%
114D	Council on Aging Health Insurance	17,116	18,485	19,409	21,156	1,747	9.0%
114E	Retiree Health Insurance	1,340,130	1,447,341	1,499,707	1,634,681	134,974	9.0%
	Total Health/Liability/Disability	2,324,750	2,510,729	2,586,264	2,819,028	232,764	9.0%
115	Medicare - F.I.C.A.	272,500	293,181	304,908	314,055	9,147	3.0%
116	Workers' Compensation Insurance	130,000	185,000	181,650	187,100	5,450	3.0%
117	Other	6,000	3,741	3,891	3,891	0	0.0%
118	Unemployment Compensation	40,000	40,944	34,000	40,000	6,000	17.6%
	TOTAL EMPLOYEE BENEFITS	4,078,529	4,288,306	4,436,439	4,849,216	412,777	9.3%
	TOTAL OPERATING BUDGET	\$ 35,665,249	\$ 38,076,236	\$ 38,961,918	\$ 39,307,746	\$ 345,828	0.9%

Items 108 and 109. Principal and interest on various borrowing initiatives for municipal purposes

Items 110 and 111. School Building Project principal and interest

Item 113. Annual contribution to Essex County Retirement Board (Town employees excl teachers)

Item 114. For Town Government Employees

Items 114a through 114e. Breakout of health insurance costs attributable to specific town departments

Item 115. Medicare matching payroll tax paid on employees hired since 1/1/1986

## Recomendation of the Finance Committee FY11 Capital Budget

**Article 5.** To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds or by borrowing, or from any or all such sources, sums of money for the purchase of various equipment and items in the nature of capital expenditure and to give authority to credit the value of the various old equipment to be turned in toward the purchase of said items, and said sums of money to be expended under the direction of various Town Boards, or officers, or what action it will take thereon.

#### Submitted by BOARD OF SELECTMEN

School Department Technology	\$ 220,000.00
Police Department	
2 Cruisers	\$ 66,000.00
Fingerprint Scanner	\$ 16,500.00
Fire Department	
Firefighter Gear	\$ 10,000.00
Town Clerk	
Data Base Program	\$ 4,866.00
<b>Public Works</b>	
Truck with Plow	\$ 63,000.00
Field Upgrades	\$ 30,000.00
Small Equipment and Tools	\$ 10,000.00
Storm Water Compliance	\$ 10,000.00
Pillings Pond Maintenance	\$ 25,000.00
Library	
Lighting	\$ 7,000.00
Furniture	\$ 5,000.00
Selectmen	
Weights & Measures Equipment	\$ 2,900.00
Information Technology	
Desktop Virtualization Software	\$ 12,000.00
<b>Total General Fund</b>	\$ 482,266.00

# Recomendation of the Finance Committee FY11 Capital Budget

### **Additional FY11 Capital Budget items**

Capital Facilities	
Engineering Study of Energy Management System	\$ 27,000.00
Energy Management Software to Integrate all Schools	\$ 73,000.00
<b>Capital Facilities Maintenance Fund</b>	\$ 100,000.00
EMS Enterprise	
Replacement Ambulance	\$ 200,000.00
<b>Total EMS Enterprise Fund</b>	\$ 200,000.00
<b>Total Funding FY 11 Capital</b>	\$ 782,266.00

**ARTICLE 6.** To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Council on Aging, limited to a certain amount, without further appropriation during FY 2011, to pay expenses and contractual services required to operate Senior Center Activities and field trips; said fund to be credited with all fees and charges received during FY 2011 from persons taking part in said activities and field trips; or what action it will take thereon.

#### **Submitted by BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 6.

**ARTICLE 7.** To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Board of Health, limited to a certain amount, without further appropriation during FY 2011, to pay expenses and contractual services required to operate the Flu Clinic; said fund to be credited with recovery through third party billing received during FY 2011 from persons taking part in said activities; or what action it will take thereon.

#### **Submitted by BOARD OF HEALTH**

#### Finance Committee Recommends Article 7.

**ARTICLE 8.** To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Board of Library Trustees, limited to a certain amount, without further appropriation during FY 2011, to pay expenses related to book replacement and new book acquisitions, said fund to be credited with all fines collected for the loss of library books received during FY 2011 from persons paying such fines; or what action it will take thereon.

#### Submitted by BOARD OF LIBRARY TRUSTEES

Finance Committee Recommends Article 8.

**ARTICLE 9.** To see if the Town will vote to authorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Recreation Commission, limited to a certain amount, without further appropriation during FY 2011, to pay expenses and contractual services required to operate Recreation Activities and field trips; said fund to be credited with all fees and charges received during FY 2011 from persons taking part in said activities and field trips, and to revoke the Town's acceptance of G.L. c. 44, § 53D, which established a Revolving Fund for self-supporting recreation and park services; or what action it will take thereon.

#### **Submitted By BOARD OF SELECTMEN**

#### **Finance Committee Recommends Article 9.**

**ARTICLE 10.** To see if the Town will vote to appropriate a sum of money from Emergency Medical Service Enterprise receipts to defray the cost of providing emergency medical services in the Town of Lynnfield; or what action it will take thereon.

#### **Submitted By BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 10.

**ARTICLE 11.** To see if the Town will vote to appropriate a sum of money from Golf Enterprise receipts to pay expenses and contractual services required to operate the Reedy Meadow Golf Course and King Rail Golf Course, said Enterprise Fund to be credited with all fees and charges received during Fiscal Year 2011 from persons using the golf course; or what action it will take thereon.

#### **Submitted By BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 11.

**ARTICLE 12.** To see if the Town will vote to appropriate a sum of money for highway design, construction and maintenance and for all other purposes which are authorized by law and to fund such effort with so-called Chapter 90 money approved for said use by the Commonwealth of Massachusetts; or what action it will take thereon.

#### **Submitted By BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 12.

**ARTICLE 13.** To see if the Town will vote to adopt a general bylaw governing discharges to the storm drain system, stormwater management in connection with land disturbance, and post-construction stormwater management in new developments and redevelopments, substantially in the form on file with the Town Clerk; or what action it will take thereon.

#### **Submitted by BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 13.

**ARTICLE 14.** To see if the Town will vote to adopt a general bylaw governing discharges to the storm drain system, stormwater management in connection with land disturbance, and post-construction stormwater management in new developments and redevelopments, substantially in the form on file with the Town Clerk, and to amend the

General Bylaws to permit noncriminal enforcement thereof by adding to Chapter 8, § 3

the following:

"10. Storm Water Management Bylaw, Chapter 4A, § I Enforcement Agent: Department of Public Works

Fine: 1st violation: written warning

2d violation: \$50 3d violation: \$100

Subsequent violation: \$200

11. Storm Water Management Bylaw, Chapter 4A, § II Enforcement Agent: Conservation Commission

Fine: 1st violation: written warning

2d violation: \$50 3d violation: \$100

Subsequent violation: \$200";

or what action it will take thereon.

**Submitted By BOARD OF SELECTMEN** 

Finance Committee Recommends Article 14.

**ARTICLE 15.** To see if the Town will vote to authorize the Town to become a member of the Essex North Shore Agricultural and Technical School District (the "District") in accordance with Chapter 463 of the Acts of 2004 (as amended); and to further authorize the Town to appropriate, borrow, or transfer from available funds, its proportioned share of \$133,000,000 dollars, based on the Town's projected percentage of enrollment for the proposed Essex North Shore Agricultural and Technical High School, to be expended under the direction of the District for construction of the Essex North Shore Agricultural and Technical High School, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (the "MSBA"). The MSBA's grant program is a non-entitlement discretionary program based on need, as determined by the MSBA, and any project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District. Any grant that the District may receive from the MSBA for the Project shall be based on a total project budget of \$125,000,000 and shall not exceed the lesser of (1) sixty-two percent (62.00%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount as determined by the MSBA. The MSBA's grant is conditioned upon the election by cities and towns representing at least 75 percent of the October 1, 2004 foundation enrollment of the North Shore Vocational Regional School District;

or what action it will take thereon

#### **Submitted by BOARD OF SELECTMEN**

Financa	Committee	Recommends	Articla	15
rinance	Communice	Kecommenus	AIUCIC	IJ.

**ARTICLE 16.** To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement extending for a period of ten years the existing twenty-year agreement with the Reading Municipal Light Department for the provision of electricity; or what action it will take thereon.

#### **Submitted by BOARD OF SELECTMEN**

#### Finance Committee Recommends Article 16.

**ARTICLE 17.** To see if the Town will vote to adopt the following as a general bylaw of the Town, to be codified as Section 29 of Chapter 5 of the General Bylaws:

"Motorcycle Exhaust System Labeling

- "1. No person shall park, use or operate a motorcycle within the Town of Lynnfield that was manufactured after December 31, 1982 unless it bears the exhaust system label required by Code of Federal Regulations Title 40, Part 205, Subparts D and E.
- "2. All violations of this Bylaw shall be punishable by a fine of three hundred dollars (\$300.00). Every day on which a violation of this Bylaw occurs shall be punishable as a separate offense.
  - "3. The Police Department shall enforce this Bylaw.
- "4. At the discretion of the Police Department, this Bylaw may be enforced through non-criminal disposition."

or what action it will take thereon.

#### **Submitted by PETITION**

#### Finance Committee Recommendation Deferred Until Town Meeting.

**ARTICLE 18:** To see if the Town will vote to adopt the following as Section 30 of Chapter 5 of the General Bylaws of the Town, or to take any other action in relation thereto:

#### "SECTION 30: NOISE CONTROL

#### A. Prohibited conduct.

#### 1. Certain noises prohibited generally.

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud noise or any noise which:

- (a) endangers or injures the safety or health of any person or animal, or
- (b) would annoy or disturb a reasonable person of normal sensitivity, or
- (c) endangers or injures any personal or real property,

which noise shall be termed a "noise disturbance" for the purposes of this section. Noncommercial speech and public assembly activities lawfully conducted in or on any public space or public way shall be excluded from the operation of this section.

#### 2. Noise disturbances enumerated.

Without limiting the generality of the foregoing, the following are hereby forbidden within the Town of Lynnfield:

- (a) Radios, televisions, musical instruments, amplifiers and similar devices. Operating, playing or permitting the operation or playing of any radio, television, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound:
  - (i) between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to create a noise disturbance across a real property boundary, except for activities open to the public and for which a permit has been issued by an appropriate authority of the Town of Lynnfield; and/or
  - (ii) in such a manner as to create a noise disturbance at fifty (50) feet from such device, when operated in or on a motor vehicle on a public way or in a public space, or in a boat on public waters.
- (b) Loudspeakers/public address systems.
  - (i) Using or operating for any noncommercial purpose any loudspeaker, public address system, or similar device between the hours of 11:00 p.m. and 7:00 a.m., such that the sound therefrom creates a noise disturbance across a real property boundary in a residential area.
  - (ii) Using or operating for any commercial purpose any loudspeaker, public address system or similar device between the hours of 6:00 p.m. and 10:00 a.m. such that the sound therefrom creates a noise disturbance across a real property boundary.
- (c) *Animals or birds*. Owning, keeping or harboring any animal or bird which frequently or for continued periods makes sounds which create a noise disturbance across a real property boundary in a residential area.
- (d) Loading and unloading, manufacturing activities. Loading, unloading or other handling of boxes, crates, containers or building materials or similar objects and engaging in manufacturing activities between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to cause a noise disturbance across a real property boundary in a residential area.

- (e) Construction and blasting. Operating or permitting the operation of any tools or equipment used in construction, demolition, drilling or blasting work between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or at any time on Saturdays, Sundays or holidays such that the sound therefrom creates a noise disturbance across a real property boundary in a residential area, except for emergency work of public service utilities, or by permission of the building inspector with notification of same to the Police Department.
- (f) *Vehicle or motorboat repairs and testing*. Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance across a real property boundary in a residential area.
- (g) *Explosives, firearms and similar devices*. The use or firing of explosives (other than blasting involved in construction and demolition, as set forth above), firearms or similar devices so as to cause a noise disturbance across a real property boundary in a residential area.
- (h) *Vibration*. Operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold at or beyond the property boundary of the source if on private property or at one hundred (100) feet from the source if in a public space or on a public way. For the purposes of this subsection, "vibration perception threshold" means the minimum ground- or structure-borne vibrational motion necessary to cause a person of normal sensitivity to be aware of the vibration by such direct means, as touch or visual observation.
- (i) *Horns, signaling devices, etc.* The sounding of a horn or signaling device on any automobile, motorcycle or other vehicle on any public way or in any public place, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unreasonable period of time or with unreasonable frequency.
- (j) *Automobile alarms*. Permitting any automobile alarm to sound for an unreasonable period of time.

#### B. Penalties.

The Police Department shall be responsible for enforcing the terms of this section.

- (1) Any person who violates any provision of this section shall be fined for the first offense the sum of twenty-five dollars (\$25.00).
- (2) The fine for a second offense shall be one hundred dollars (\$100.00).
- (3) The third and any subsequent offense shall be punishable by a fine of three hundred dollars (\$300.00).
- (4) Each day of violation of any provision of this section shall constitute a separate offense.
- (5) At the discretion of the Police Department, this section may be enforced through non-criminal disposition.

#### C. Other remedies, severability.

- (1) No provision of this section shall be construed to impair the common law or statutory rights of any person.
- (2) If any term, condition or provision of this section shall be found by the Attorney General or a court of competent jurisdiction to be illegal, invalid or unenforceable as applied under particular circumstances, such term, condition or provision shall not be deemed stricken herefrom but rather shall be, to the greatest extent possible, deemed applicable only to such circumstances as will not support a finding of such illegality, invalidity or unenforceability. The illegality, invalidity or unenforceability of any term, condition or provision of this section shall not affect the legality, validity or enforceability of any other term, condition or provision hereof."

or what action it will take thereon.

**Submitted by PETITION** 

Finance Committee Recommendation Deferred Until Town Meeting.

#### LYNNFIELD PARLIAMENTARY PROCEDURE REFRESHER

Brief summary – not comprehensive, not exhaustive. See Robert's Rules of Order Newly Revised 10<sup>th</sup> Edition for complete information.

- 1. Authority Precedence: State Law, Town Charter, By-Laws, Parliamentary Rules, Custom.
- 2. The State permits Towns to choose the form of Government (Open Town Meeting Selectman form in our case) and the type of rules with which to conduct Town Meeting. Our Lynnfield Town Charter mandates Robert's Rules of Order, latest revision (10<sup>th</sup> Edition currently 2008).
- 3. The purpose of Town Meeting, using rules of order, is for members to freely make decisions concerning their local government.
- 4. All members have the equal right to bring up ideas, discuss them and come to a conclusion.
- 5. The majority rules, but the rights of the minority are protected by assuring them the right to speak and vote.
- 6. The Moderator facilitates and directs the discussion and keeps order.
- 7. All debate/questions go to, and through, the Moderator.
- 8. Complex motions have to be in writing and submitted to the Moderator.
- 9. Speakers must be recognized by the Moderator before speaking. Speakers must stand, identify themselves and remain standing while speaking.
- 10. Moderator alternates between pro and con speakers whenever possible and practical.
- 11. Only one item at a time. Only one Speaker at a time.
- 12. Amendments must be germane to the main motion.
- 13. Debate must be germane to the pending motion.
- 14. Each Speaker can speak twice on the same day on a debatable pending motion for up to 10 minutes each time, however, that Speaker cannot speak for the second time until all those wishing to speak the first time have done so.
- 15. Debate rules can be altered by 2/3 vote of the assembly.
- 16. Questions and mandatory reporting (FinCom, Planning Board, etc.) are not debate. Ouestions cannot be used as debate in disguise.
- 17. Dilatory motions are out of order.
- 18. Use of the third person/title is proper form; use of names is not (i.e., "the previous speaker", the "Selectman", etc., not "Joe Jones").
- 19. A "majority" motion fails when there is a tie vote. In a super majority vote, where there is exactly a 2/3 to 1/3 split, the 2/3 vote prevails. In fractional votes, a majority is "more than half or those voting"; a 2/3 majority is "more than 2/3 of those voting".
- 20. The Moderator cannot stop debate while members wish to speak on the pending motion. Only the members, by 2/3 vote, can stop debate.
- 21. While presiding, the Moderator does not vote unless there is a tie vote and the Moderator wants to affect the result.
- 22. Absence or loss of Quorum forces adjournment of the meeting.
- 23. Visitors/Guests can only be admitted and can only speak with the approval of Town Meeting Members.
- 24. Decorum and respect for neighbors and opposing views are essential to a fair and orderly meeting which leads to the best decision possible.

DEM - SPRING, 2008