

WARRANT
TOWN OF ABINGTON
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING

PLYMOUTH, SS.

To either of the Constables of the Town of Abington . . .

GREETINGS. In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, who are qualified to vote in Town affairs, to meet in

**ABINGTON HIGH SCHOOL
201 RICHARD FRANCIS GLINIEWICZ WAY
IN PRECINCT FOUR IN SAID ABINGTON, ON MONDAY, THE 6TH OF APRIL,
2009 AT 7:00 IN THE EVENING**

Then and there to act on the following articles:

Article 1: To see if the Town will vote to transfer \$250,000.00 from the Stabilization Fund for the purpose of funding the FY2009 operating budget and vote to reduce the raise and appropriate amount voted at the April 7, 2008 Annual Town Meeting to fund the FY2009 operating budget in the amount of \$250,000.00, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article. The source of funding for this article is the Stabilization Fund. The amount in the Stabilization Fund is currently \$650,000.00. The Governor has cut our local aid and there is a shortfall in receipts of \$300,000 in the Budget in FY09. This transfer, together with cost cutting by the Town Manager and School Superintendant to their existing departmental budgets, is the response to the Governor's cuts and decrease in receipts.

Article 2: To see if the Town will vote to amend the FY2009 operating budget, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends to pass over approval of this article as written at this time. Cost cutting by the Town Manager and School Superintendent to their existing departmental budgets suggests the amendment to the FY09 operating budget called for by this article is unnecessary at this time.

Article 3: To see if the Town will vote to accept a deed in lieu of foreclosure for several parcels of land in Abington or take any other action relative thereto.

BY TREASURER/COLLECTOR

The Finance Committee recommends to pass over this article. The property is not ready to be transferred by deed at this time.

Article 4: To see if the Town will vote to transfer from available funds the sum of \$2,091.07 for the purpose of payment of an unpaid medical invoice, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article. The source of funding will be a transfer of funds.

Article 5: To see if the Town will vote to transfer from available funds the amount of \$7,500.00 to fund a study to ensure the structural integrity of the Ralph Hamlin Lane Dam located at the end of Ralph Hamlin Lane, as mandated by the Commonwealth of Massachusetts, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article. The source of funding will be a transfer of funds.

Article 6: To see if the Town will vote to accept the following named street or way: George H. Gillespie Way as a public way from station 0+00 to Station 14+89 as shown on the as-built plan prepared by the Decelle Group, LLC, or take any other action relative thereto.

BY PETITION

The Finance Committee recommends to pass over this article. No information was available at the time of review.

Article 7: To see if the Town will transfer from available funds the amount of \$1,730.00 for the purpose of funding the local share of a Federal Emergency Management Agency and the Department of Homeland Security Assistance to Firefighters Grant received by the Fire Department, or take any other action relative thereto.

BY FIRE CHIEF

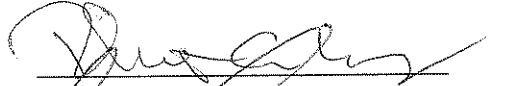
The Finance Committee recommends approval of this article. The source of funding for this article is the Ambulance Reserve Fund.

And you are directed to serve this warrant by posting attested copies thereof, fourteen days at least before the time of holding said meeting at the Post Offices and two or more public places in Town.

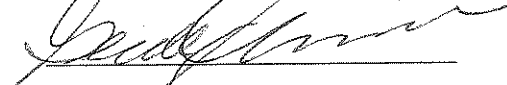
Hereof, fail not and make return of this warrant with your doings thereon, at the time and place of said meeting.

Given under our hands this 9th day of March, A.D. 2009.

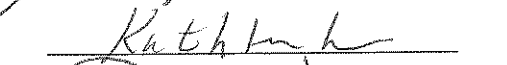
Robert E. Wing



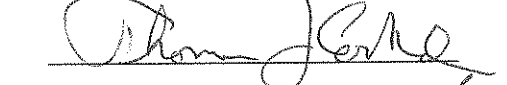
Gerald F. Corcoran



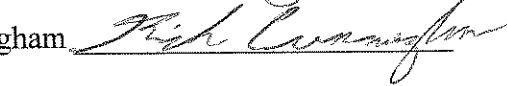
Kathleen W. Lavin



Thomas J. Corbett



Richard D. Cunningham




I served this warrant by posting attested copies at the Post Offices and two or more other public places in Town on _____.

Signed under the pains and penalties of perjury:

_____ Constable

I, Phillip L. Warren, Jr., Town Manager of the Town of Abington, Plymouth County, Massachusetts, hereby certify that a copy of the warrant of the Special Town Meeting of Abington to be held on Monday, April 6, 2009, containing notice of the time and place of holding same, has been mailed to every inhabited house in the Town of Abington, Massachusetts, by the US Postal Service, and said delivery to Post Office was accomplished by March 19, 2009.

Signed under the penalties of perjury:



Phillip L. Warren, Jr., Town Manager

**WARRANT
TOWN OF ABINGTON
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING**

PLYMOUTH, SS.

To either of the Constables of the Town of Abington . . .

GREETINGS. In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, who are qualified to vote in Town affairs, to meet in

**ABINGTON HIGH SCHOOL
201 RICHARD FRANCIS GLINIEWICZ WAY
IN PRECINCT FOUR IN SAID ABINGTON, ON MONDAY, THE 6TH OF APRIL,
2009 AT 7:30 IN THE EVENING**

Then and there to act on the following articles:

Article 1: To elect two Selectmen; one Assessor; two members of the School Committee; two members of the Board of Public Health; one Water Commissioner; one member of the Park and Recreation Commission; one Sewer Commissioner; one Trustee of Veterans' Memorial; three members of the Board of Library Trustees; all for three year terms; one member of the Planning Board; and one member of the Housing Authority, all for five years.

BY BOARD OF SELECTMEN

ADJOURNED MEETING FOR THE ELECTION OF OFFICERS WILL BE HELD IN
THE ABINGTON HIGH SCHOOL, 201 RICHARD FRANCIS GLINIEWICZ WAY
PRECINCTS ONE, TWO, THREE, AND FOUR:
SATURDAY, APRIL 25, 2009, 8:00 A.M. – 6:00 P.M.

The Finance Committee recommends approval of this article.

Article 2A: To see if the Town will vote to amend the wage appendix of the Classification and Salary Plan, effective July 1, 2009, and to raise and appropriate or transfer from available funds the sum of -0- (See Exhibit Article 2A-Schedule A, Schedule B); or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends the Townspeople continue review of this article until May 11, 2009. The source of funding for this article has still to be determined while we wait for further information on pending legislation on local funding, Federal legislation on stimulus provisions, further Health Insurance figures, further figures on the Snow and Ice deficit and further cuts to be made within the various departments.

Schedule A

Position	Current Grade	Current Salary	TM Recommendation
Superintendent of Streets	M9	82,368.00	84,839.04
Asst. Superintendent of Streets	M4	48,920.04	50,387.64
Library Director	M7	61,588.80	63,436.46
Park Superintendent	M3	43,726.40	45,038.19
Treasurer/Collector	M7	63,372.40	65,273.57
Deputy Police Chief	M8	69,929.60	72,027.49
Police Lieutenant	M7	66,060.80	68,042.62
Deputy Assessor	M7	59,004.40	60,774.53
Sewer Superintendent	M8	69,992.00	72,091.76
COA Coordinator	30 hours	36,249.41	35 hours 42,296.31
COA Outreach Worker	19 hours	16,146.00	16,630.38
Building Inspector	M8	69,992.88	72,092.66
Wiring Inspector	15 hours	23,189.40	23,885.08
Adm. Asst. Accounting	M3	24,204.18	24,930.31
Adm. Asst. Selectmen/Zoning	M3	43,443.40	44,746.70
Exec. Asst. to Police Chief	M3	43,443.40	44,746.70
Exec. Asst. to Fire Chief	M3	43,443.40	44,746.70
Part-time Reference Librarian	Hourly	19.19	19.77
Park-time Library Assistant	Hourly	13.24	13.64
Town Planner	30 hours	33,765.26	34,778.22
Exec. Asst. to Sewer Superintendent	M3	43,449.42	44,752.91
Animal Control Officer -- part time		17,427.19	17,950.01
Recreation Director		19.33	19.91
Day Camp Coordinator		16.88	17.39

Pool Director	16.88	17.39
COA Transportation Clerk -- part time	9,552.68	9,839.26
COA Van Driver	12,942.13	13,330.40
COA Van Driver -- part time	6,282.59	6,471.06
COA Bus Driver -- part time	4,461.89	4,595.75
Veterans Agent	34,780.20	35,823.61
Dispatcher Supervisor	16.58	17.08
Civilian Dispatcher	15.52	15.99
Data Processing Technician	5,402.44	5,564.52
Plumbing/Gas Inspector	15,869.67	16,345.76
Sealer of Weights and Measures	4,903.88	5,051.00
Counter/Checker or Inspector	2,251.02	2,318.55
Election Clerk or Warden	675.31	695.56
Registrars -- 3	225.10	231.85
Clerk/Registrars	562.75	579.64
Matron	16.07	16.55
Call Firefighter-EMT	15.83	16.30
Call Firefighter	14.30	14.73
Part time Admin. Secretary:		
Step 1	14.16	14.59
Step 2	15.39	15.86
Step 3	16.60	17.10
Step 4	17.84	18.38
Part time Clerk:		
Step 1	10.57	10.88
Step 2	11.82	12.17
Step 3	13.03	13.42
Step 4	14.34	14.77
Part time Acct. Payable Clerk:		
Step 1		

	13.03	13.42
Step 2	14.16	14.59
Step 3	15.39	15.86
Step 4	16.63	17.13
Part time Porter:		
Step 1	9.01	9.28
Step 2	10.13	10.44
Step 3	11.26	11.59
Part time Seasonal Laborer:		
Step 1	10.57	10.88
Step 2	11.82	12.17
Step 3	13.03	13.42
Step 4	14.34	14.77
Part time Equipment Operator	16.88	17.39
Water Safety		
Instructor:		
Step 1	12.05	12.41
Step 2	12.52	12.89
Step 3	13.03	13.42
Step 4	13.54	13.94
Step 5	14.09	14.51
Step 6	14.64	15.08
Advanced Senior Lifeguard:		
Step 1	10.98	11.31
Step 2	11.42	11.76
Step 3	11.88	12.24
Step 4	12.35	12.72
Step 5	12.45	12.83
Step 6	13.35	13.75
Pool Attendants:		
Step 1	7.84	8.08

Step 2	8.15	8.39
Step 3	8.46	8.71
Day Camp Counselor:		
Step 1	10.08	10.38
Step 2	10.47	10.79
Step 3	10.88	11.21
Step 4	11.31	11.65
Step 5	11.75	12.11
Step 6	12.23	12.60

Schedule B

Grade	Annual Range		Weekly Range		Hourly Range	
M1	38,108.10	48,623.70	730.04	931.50	17.77	23.29
M2	41,156.75	52,513.57	788.45	1,006.00	19.71	25.14
M3	44,449.28	56,714.67	851.53	1,086.49	21.29	27.15
M4	48,005.22	61,251.83	919.63	1,511.06	22.98	29.33
M5	51,845.63	66,151.99	993.20	1,267.28	24.83	31.68
M6	56,511.81	72,105.67	1,082.61	1,381.34	27.07	34.53
M7	63,293.15	80,758.34	1,212.51	1,547.10	30.31	38.67
M8	70,888.34	90,449.34	1,358.01	1,732.75	33.96	43.32
M9	76,559.39	97,685.29	1,466.65	1,871.37	36.67	46.79

Article 2B: To see if the Town will vote to approve the following rate of annual salary, effective July 1, 2009, and to raise and appropriate or transfer from available funds the sum of \$1,810.52, or take any other action relative thereto.

POSITION:	CURRENT RATE:	PROPOSED RATE:
Town Clerk	\$60,350.36	\$62,160.88

BY TOWN CLERK

The Finance Committee recommends the Townspeople continue review of this article until May 11, 2009. The source of funding for this article has still to be determined while we wait for further information on pending legislation on local funding, Federal legislation on stimulus provisions, further Health Insurance figures, further figures on the Snow and Ice deficit and further cuts to be made within the various departments.

Article 3: To see if the Town will vote to raise and appropriate or transfer from available funds, appropriate from Water Revenue, appropriate from Sewer Revenue, such sums of money as may be necessary to defray salaries and expenses for the ensuing fiscal year, or take any other action relative thereto. (See Exhibit Article 3)

BY TOWN MANAGER/FINANCE COMMITTEE

The Finance Committee recommends the Townspeople continue review of this article until May 11, 2009. The source of funding for this article has still to be determined while we wait for further information on pending legislation on local funding, Federal legislation on stimulus provisions, further Health Insurance figures, further figures on the Snow and Ice deficit and further cuts to be made within the various departments.

Town of Abington Operating Budget

Dept	Department/Line Item	FY08 Actual	FY09 Adopted Budget	FY010 Town Managers Recommendation	FY010 Finance Committee Recommendation
Use of Funds:					
General Fund					
1130	Elections				
1130	Salary	17,869.00	24,605.29	7,508.00	
1130	Expenses	6,274.73	5,850.00	5,850.00	
1220	Board of Selectmen				
1220	Salaries	224,070.81	245,559.00	237,367.87	
1220	Expenses	20,078.81	20,079.00	13,156.00	
1220	Annual Audit	45,000.00	45,000.00	45,000.00	
1310	Finance Committee				
1310	Salaries	2,306.00	2,627.00	2,627.00	
1310	Expenses	-	1,200.00	1,200.00	
1320	Reserve Fund	22,931.00	35,000.00	35,000.00	
1350	Town Accountant				
1350	Salaries	132,211.00	139,324.93	142,373.00	
1350	Expenses	4,900.00	4,900.00	1,852.00	
1410	Assessors				
1410	Salaries	147,312.00	155,581.00	112,684.00	
1410	Expenses	42,379.00	45,000.00	175,000.00	
1450	Treasurer/Collector				
1450	Salaries	166,436.00	179,845.00	184,328.00	
1450	Expenses	48,904.00	50,000.00	45,500.00	
1510	Labor/Town Counsel				
1510	Expenses	60,724.00	34,000.00	34,000.00	
1550	Information Technology				
1550	Expenses	56,192.00	60,652.00	60,652.00	
1580	Tax Title Foreclosure				
1580	Expenses	20,928.00	35,000.00	35,000.00	
1610	Town Clerk				
1610	Salary	91,465.00	95,327.00	95,602.00	
1610	Expenses	5,203.00	7,085.00	6,809.00	
1630	Registrars				
1630	Salary	18,842.00	18,817.00	13,915.00	
1630	Expenses	5,039.00	5,175.00	5,175.00	
1740	Town Planner				
1740	Salaries	24,271.00	33,891.00	33,891.00	
1740	Expenses	-	-	-	
1750	Planning Board				
1750	Salaries	13,492.00	13,967.00	13,967.00	

Town of Abington Operating Budget

Dept	Department/Line Item	FY08 Actual	FY09 Adopted Budget	FY010 Town Managers Recommendation	FY010 Finance Committee Recommendation
Use of Funds:					
General Fund					
1750	Expenses	2,220.00	2,800.00	2,800.00	
1760	Zoning Board of Appeals				
1760	Salary	18,148.00	18,691.00	18,654.00	
1760	Expenses	390.86	400.00	400.00	
1920	Town Building	66,712.00	67,000.00	67,000.00	
1930	Permanent Building	8,943.00	9,000.00	9,000.00	
1950	Town Reports	9,172.00	12,000.00	12,000.00	
1970	North River Collaborative	6,522.00	10,000.00	20,000.00	
1990	COD Committee	-	300.00	300.00	
3000	BAARC 300	-	-	-	
4920	Veterans Lots 492	537.00	600.00	600.00	
5550	Woman's Place Crisis Center 550	-	-	-	
5990	Self Help 599	-	-	-	
6920	Memorial/Veterans Day	2,180.00	2,200.00	8,200.00	
2100	Police Department				
2100	Salaries	2,407,946.00	2,470,128.00	2,383,920.00	
2100	Expenses	216,303.00	275,624.00	287,005.00	
2100	Capital	69,546.00	34,773.00	-	
2200	Fire Department				
2200	Salary	1,827,530.00	1,866,796.00	2,061,009.00	
2200	Expenses	154,867.00	151,850.00	148,037.00	
2210	Ambulance				
2210	Salary	248,284.00	300,000.00	-	
2210	Expenses	44,919.00	50,000.00	50,000.00	
2410	Building Inspector				
2410	Salary	76,714.00	80,824.00	13,941.96	
2410	Expenses	9,820.00	9,820.00	44,820.00	
2420	Gas Inspector				
2420	Salary	4,100.00	4,223.00	4,223.00	
2420	Expenses	600.00	600.00	600.00	
2430	Plumbing Inspector				
2430	Salary	10,300.00	10,609.00	10,609.00	
2430	Expenses	550.00	550.00	550.00	
2440	Sealer of Weights and Measures				
2440	Salaries	4,349.69	4,350.00	4,350.00	
2440	Expenses	2,500.00	2,500.00	2,500.00	
2450	Wire Inspector				

Town of Abington Operating Budget

Dept	Department/Line Item	FY08 Actual	FY09 Adopted Budget	FY010 Town Managers Recommendation	FY010 Finance Committee Recommendation
Use of Funds:					
General Fund					
2450	Salary	24,157.68	24,872.00	24,872.00	
2450	Expenses	1,300.00	1,300.00	1,300.00	
2910	Salaries	-	-	-	
2910	Expenses	3,500.00	3,500.00	3,500.00	
2920	Animal Control				
2920	Salary	17,479.00	17,507.59	17,507.59	
2920	Expenses	3,760.00	4,000.00	4,000.00	
3010	School Department				
3010	Salary	18,106,528.00	19,121,719.00	18,536,719.00	
3010					
3020	South Shore Vo Tech				
3020		1,109,157.00	1,302,503.00	1,302,503.00	
4200	Highway Department				
4200	Salary	612,287.00	648,821.00	606,821.00	
4200	Expenses	-	-	-	
4210	Highway - Office				
4210	Expenses	2,819.00	3,915.00	3,915.00	
4220	Highway - Public Works				
4220	Expenses	174,840.00	176,093.00	176,093.00	
4230	Highway - Snow				
4230	Expenses	80,000.00	80,000.00	80,000.00	
4240	Highway - Street Lights				
4240	Expenses	94,720.00	94,720.00	94,720.00	
4300	Waste Collection				
4300	Expenses	1,112,796.00	1,166,545.00	1,166,545.00	
4980	Cable Committee				
4980	Expenses	64.00	150.00	150.00	
5110	Board of Health				
5110	Salaries	77,603.26	93,937.90	94,080.00	
5110	Expenses	8,000.00	8,000.00	7,675.00	
5220	Board of Health Nursing				
5220	Expenses	29,067.00	29,942.00	29,939.00	
5410	Council on Aging				
5410	Salary	72,116.00	72,492.00	72,492.00	
5410	Expenses	9,544.00	10,694.00	10,694.00	
5430	Veterans Services				
5430	Salaries	39,368.00	40,454.00	40,454.00	

Town of Abington Operating Budget

Dept	Department/Line Item	FY08 Actual	FY09 Adopted Budget	FY010 Town Managers Recommendation	FY010 Finance Committee Recommendation
Use of Funds:					
General Fund					
Other Funds					
Conservation Commission: Receipts Reserved for Appropriation Fund					
1710	Salaries	8,712.00	9,403.00	9,295.00	
1710	Expenses	1,324.00	2,600.00	2,600.00	
	Total Conservation Commission	10,036.00	12,003.00	11,895.00	
Water Dept.: Water Special Revenue Fund					
4510	Salaries	52,682.00	60,000.00	10,000.00	
4510	Expenses	1,571,434.00	1,675,307.96	1,813,234.00	
4510	Transfer Out (GF for Related Expenses)				
	Total Water Department	1,624,116.00	1,735,307.96	1,823,234.00	
Sewer Dept: Sewer Enterprise Fund:					
4410	Salaries	294,632.00	332,797.83	361,706.00	
4410	Expenses	196,748.00	218,167.00	217,300.00	
4410	Inter-municipal	1,187,808.00	1,200,000.00	1,300,000.00	
4410	Capital	10,000.00	10,000.00	10,000.00	
	Total Sewer Department	1,689,188.00	1,760,964.83	1,889,006.00	
Golf Committee: Golf Course Enterprise Fund					
6330	Salaries	2,200.00	2,265.60	2,265.60	
6330	Expense	10,800.00	11,400.00	11,400.00	
	Golf Course Committee	13,000.00	13,665.60	13,665.60	
Total Other Funds:					
		3,336,340.00	3,521,941.39	3,737,800.60	
Total Use of Funds:					
		41,920,110.89	44,631,686.01	43,821,310.12	

Article 4: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money equal to the state's annual release of funds, as the state's share of the cost of work under the provisions of MGL c90, (highway improvement funds), or take any other action relative thereto.

BY BOARD OF SELECTMEN

The Finance Committee recommends approval of this article. This is the operating Article for the Highway Department, allowing it to receive funds from the state.

Article 5: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,000.00 for student transportation services to Abington students attending out-of-district vocational schools as non-resident students for the 2009-2010 school year, or take any other action relative thereto.

BY SCHOOL COMMITTEE

The Finance Committee recommends approval of this article. This article reflects the mandated cost for transporting out of district students. The source of funding would be to raise and appropriate. However, we note that we have recommended the review of the Budget itself to be continued until May 11, 2009.

Article 6: Establishment and annual continuance of revolving funds.

a. To see if the Town will vote to continue a revolving fund in accordance with M.G.L. Ch. 44 s 53E 1/2 for the purchase and related disposal of compost bins, cathode ray tubes, propane tanks and/or screened compost. Said fund is to be funded by receipts from CRT disposal permits, propane tank disposal permits, and from the sale of compost bins/compost, and shall be expended by the Board of Health, with expenditures not to exceed \$8,500.00 for the ensuing fiscal year, or take any other action relative thereto.

BY BOARD OF HEALTH

The Finance Committee recommends the Town approve this article. The funds collected are used to pay the cost of disposal.

b. To see if the Town will vote to continue the Planning Board revolving fund not to exceed Sixty Thousand Dollars (\$60,000.00) pursuant to M.G.L. Ch. 44 Section 53 E ½ which is funded by review fees paid to the Abington Planning Board for the purpose of paying costs related to engineering review and supervision of proposed subdivisions and site plans within the Town of Abington. Said fund is to be under the direction and control of the Planning Board of the Town of Abington, or take any other action relative thereto.

BY THE PLANNING BOARD

The Finance Committee recommends the Town approve this article. The monies collected are used to fund the costs related to Abington Planning Board's responsibilities.

c. To see if the town will vote to continue a revolving account in accordance with MGL c44 s 53E1/2, said account to be funded by the fines levied against Abington businesses which violate state or local tobacco control laws, bylaws and regulations, to be expended

by the Abington School Department, for the purpose of funding substance abuse prevention programs, not to exceed \$6,000.00 for the ensuing fiscal year; or take any other action relative thereto.

BY SCHOOL COMMITTEE

The Finance Committee recommends the Town approve this article. It allows for substance abuse prevention programs for our students using the fines received when local businesses violate state and local tobacco laws.

d. To see if the Town will vote pursuant to the authority granted under MGL Chapter 44, Section 53E ½ to continue a revolving fund for the purpose of providing pre-school and full-day kindergarten to be funded by tuition collection. No more than \$100,000.00 shall be expended from this fund during the Fiscal Year 2010. The School Committee or their designees shall be authorized to expend from this fund, or take any other action relative thereto.

BY SCHOOL COMMITTEE

The Finance Committee recommends the Town approve this article. The tuition funds collected are used to defray the costs of pre-school and full day kindergarten.

e. To see if the Town will vote to authorize the Board of Library Trustees to continue a revolving account in accordance with MGL Chapter 44 Section 53 E ½. Said account shall be for the purpose of maintaining public meeting rooms beyond regular hours of library operation funded by receipts from private groups using the meeting facilities after regular hours of operation; to be expended by the Board of Library Trustees, not to exceed One Thousand Dollars (\$1,000.00) for the ensuing fiscal year, or take any other action relative thereto.

BY BOARD OF LIBRARY TRUSTEES

The Finance Committee recommends the Town approve this article. The fees collected go towards maintaining the meeting rooms of the Library.

f. To see if the Town will vote to authorize the Board of Library Trustees to continue a revolving account in accordance with MGL Chapter 44 Section 53 E ½. Said account shall be for the purpose of replacing library materials lost or damaged by patrons funded by payments made by library patrons for materials the individual has lost or damaged; to be expended by the Board of Library Trustees, not to exceed One Thousand Dollars (\$1,000.00) for the ensuing fiscal year, or take any other action relative thereto.

BY BOARD OF LIBRARY TRUSTEES

The Finance Committee recommends the Town approve this article. The fees collected help defray the cost for replacing library books and materials.

g. To see if the Town will vote to continue a revolving account in accordance with MGL Chapter 44 Section 53 E ½ for the maintenance and operation of the Senior Center. Said account shall be for the maintenance, use and operation of the Senior Center, shall be funded by receipts for the use of the Senior Center, and shall not exceed \$30,000.00, and shall be under the direction and control of the Town Manager acting as the custodian of town buildings and facilities; or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends the Town approve this article. The fees collected go towards operational costs for the Senior Center.

h. To see if the Town will vote to authorize the Fire Department to continue a revolving account in accordance with MGL c44 s 53 E ½. Said account shall be for the purpose of maintaining the fire alarm system in the Town, funded by receipts from fees collected relative to the Fire Alarm system, to be expended by the Fire Chief, not to exceed \$10,000.00, for the ensuing fiscal year, or take any other action relative thereto.

BY FIRE DEPARTMENT

The Finance Committee recommends the Town to approve this article. This revolving fund is related to the By Law change in Article 12.

i. To see if the Town will vote to establish a revolving fund, pursuant to the provisions of M.G.L. c. 44 s. 53 E ½ for the purpose of matching police funding grants or purchasing equipment for the police department. The funds deposited into said established fund shall be from the fines received by the Town relating to motor vehicle violations pursuant to M.G.L. c. 90, and further that the Chief of Police is authorized to expend no more than fifty thousand dollars (\$50,000.00) from such funds received, or take any other action relative thereto.

BY POLICE CHIEF

The Finance Committee recommends approval of this article.

j. To see if the Town will vote to establish a revolving fund, pursuant to the provisions of M.G.L. c44 s 53 E ½ for the purpose of purchasing drug prevention education materials. The funds deposited into said established fund shall be from the fines received by the Town relating to marijuana or tetrahydrocannabinol (as defined in G.L. c 94C subsection 1, as amended), and further that the Chief of Police is authorized to expend no more than \$5,000.00 from such funds received, or take any other action relative thereto.

BY POLICE CHIEF

The Finance Committee recommends approval of this article. This revolving fund is related to the By Law change in Article 10.

Article 7: To see if the Town will vote to accept the following name street or way: Edgar D. Bascom Road, as a public way from Station 0 to Station 800 on a plan entitled Edgar D. Bascom Road drafted by Robert C. Bailey Co., or take any other action relative thereto.

BY PETITION

The Finance Committee recommends the Town to pass over this article.

Article 8: To see if the Town will vote to accept the following name street or way Colburn Lane as a public way from Station 0+0 to Station 5+10 as shown on a plan of land entitled Tupper Farm Estates, or take any other action relative thereto.

BY PETITION

The Finance Committee recommends approval of this article.

Article 9: To see if the Town will vote to rescind Article 14 of the Special Town Meeting of November 8, 1999. The meeting was adjourned and held on November 19, 1999. A subsequent vote was taken and approved at the Special Town Election on January 8, 2000. This article and vote authorized the Town to borrow \$1,400,000.00 to purchase the land known as Pohorecky's Farm and to exempt from proposition two and one half, the debt and interest payments necessary to repay the loan. The land owner did not go through with the sale to the Town and subsequently pulled the land out of Chapter 61A. The property has been assessed at full and fair value since fiscal year 2006. A five year roll back tax is also being assessed to the parcels that were in Chapter 61A, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article.

Article 10: To see if the town will vote to adopt the following bylaw, or take any other action relative thereto:

No person shall smoke, ingest or otherwise consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, subsection 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public. This by-law may be enforced through any lawful means pursuant to G.L. c. 40 subsection 21 or by noncriminal disposition pursuant to G.L. c. 40 subsection 21D by sworn members of the Abington Police Department. The fine for violation of this by-law shall be \$300.00 for each offence. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C, subsection 32L.

BY POLICE CHIEF

The Finance Committee recommends approval of this article.

Article 11: To see if the Town will vote to adopt the following bylaw, or take any other action relative thereto:

Whereas, Massachusetts General Law Chapter 48: Section 42 places the Fire Chief in charge of extinguishing fires in the Town and provide for the protection of life and property;

Whereas, the National Fire Protection Association standards on Fire Department staffing requires that on-duty fire suppression personnel shall be comprised of numbers necessary for fire-fighting performance relative to the expected fire-fighting conditions;

Whereas, the staffing levels within the Abington Fire Department fail to meet this minimum standard now and may be forced to fall further below the standard in the near future;

Whereas, fire sprinklers have a proven record of life safety and fire suppression for over 200 years;

Now, therefore, be it ordered to be in the public interest as follows:

75-8 Sprinkler Installation:

All buildings or structures used for residential, commercial, industrial or any other purposes shall be fully sprinklered in accordance with NFPA standards as the standard relates to the specific use group of the structure within 5 years of adoption of this by-law for all existing structures and upon adoption of this by-law for new construction.

75-9 Fines:

Any building or structure owner who fails to comply with this by-law in the specified time period shall be fined \$10.00 per square foot per year until the building or structure is brought up to compliance. Such fines collected shall be placed in a revolving account for the purpose of hiring firefighters to provide for the extinguishment of fires and protecting the lives and property in the Town of Abington.

BY FIRE CHIEF

The Finance Committee recommends to pass over this article.

Article 12: To see if the Town will vote to adopt the following fire alarm by-law, or take any other action relative thereto:

Section 1: PREAMBLE

Whereas, there has been an increase in recent years in the use of fire alarm systems which operate by way of a master box;

Whereas, improper installation, defective equipment, lack of maintenance or other reasons cause fire alarm systems to malfunction;

Whereas, in addition to the financial cost, each malfunction requires that Abington Fire Department personnel respond, thus decreasing the number of Abington Fire Department personnel available to respond to an actual fire;

Whereas, the Abington Fire Department's responding to fire alarm malfunctions jeopardizes the safety of firefighters as well as the general public;

Now, therefore, be it ordered to be in the public interest as follows:

Section 2: FIRE ALARM SYSTEMS

Town of Abington by-laws are hereby amended by adding the following by-law to be entitled " Fire Alarm Systems "

Section 3: DEFINITIONS

When used in this by-law, unless a contrary intention clearly appears, the following words shall have the following meanings:

- A. " Fire Chief" - The Chief of the Abington Fire Department
- B. " Fire Alarm System" - Any heat-activated, smoke-activated, flame-energy activated or other such automatic device capable of transmitting a fire signal directly to the Abington Fire Department by way of a master box or central station.
- C. " Fire Alarm System Malfunction" - The transmittal of a fire alarm directly to the Abington Fire Department by way of a master box or central station which alarm is caused by improper installation of a fire alarm system, a mechanically defective fire alarm system, lack of maintenance or other reasons that cause a fire alarm to sound even though there is no actual fire or situation that reasonably could evolve into a fire.
- D. " Master Box Owner" - An individual or entity who has on his/her business or residential premises a fire alarm system equipped to send a fire alarm signal directly to the Abington Fire Department by way of a master box.
- E. " Fire Alarm System Owner" - An individual or entity who owns the title to and/or has on his/her business or residential premises a fire alarm system equipped to send a fire alarm signal to a central station operating company or directly to the Abington Fire Department.

Section 4: CONNECTION OF A FIRE ALARM SYSTEM TO THE ABINGTON FIRE DEPARTMENT BY WAY OF A MASTER BOX.

- A. Every master box owner whose fire alarm system on the effective date of this by-law is connected to the Abington Fire Department by way of a master box, shall pay the following fees:

Annual Fee	\$100.00
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- B. Every master box owner whose fire alarm system is connected after the effective date of this by-law to the Abington Fire Department by way of a master box, shall pay the following fees:

Permit Fee	\$ 25.00
Connection Fee	\$200.00
Annual Fee	\$100.00

- C. Before any fire alarm system is connected to the Abington Fire Department, the master box owner shall provide the Fire Chief the following information:

1. The name, address and home and work telephone numbers of the master box owners.
2. The street address where the master box is located.
3. The names, addresses, and telephone numbers of at least two other

- persons other than the master box owner who can be contacted 24 hours a day, who are authorized by the master box owner to respond to an alarm signal and who have access to the premises in which the master box is located.
4. Any other information pertaining to the fire alarm system as the Fire Chief may require.

If at the passage of this by-law, a fire alarm system has already been connected to the Abington Fire Department by way of a master box, the owner shall comply with the requirements of this section within sixty (60) days after the Abington Fire Department has sent him/her notice by first class mail of the requirements of this section.

If a master box owner fails to comply with this section, the Fire Chief may assess a fine of Fifty dollars (\$50.00) for each day of non-compliance; said fine to be recovered by Complaint before the District Court of Plymouth County.

Section 5: UPDATING INFORMATION

Every master box owner shall be responsible for updating the information herein required to be provided to the Fire Chief. If the information changes, the master box owner shall provide the Fire Chief with the updated information and shall pay the fees, if any, required by this by-law.

If a master box owner fails to comply with this section, the Fire Chief may assess a fine of Fifty dollars (\$50.00); said fine to be recovered by Complaint before the District Court of Plymouth County.

Section 6: FIRE ALARM SYSTEM MALFUNCTIONS - FINES

If there is a fire alarm malfunction as defined herein, the Fire Chief may assess a fine against the fire alarm system owner for each such malfunction per fiscal year according to the following schedule:

- A. First through third malfunction: No Charge.

Upon recording of the third alarm by the fire department, the Fire Chief shall notify the owner of the building, in writing and by certified mail of such fact, and at this time inform the owner of the department policy with regards to charging for false alarms

Fourth through the sixth malfunction:	\$100.00
Seventh through the eleventh malfunction:	\$250.00
Each malfunction after the eleventh:	\$500.00

- B. Private fire alarm systems connected to the Abington Fire Department by other automatic means or through a central station system shall be subject to the above

conditions.

- C. Any fire alarm system malfunction which is the result of the failure of the property owner, occupant or their agents to notify the Abington Fire Department of repair, maintenance or testing of the internal fire alarm system within the protected premises, shall cause a penalty to be assessed in accordance with section (A) above.
- D. For the purpose of this regulation, a fire alarm system malfunction shall be defined as follows:
1. The operation of a faulty smoke or heat detection device.
 2. Faulty control panel or associated equipment.
 3. A water pressure surge in automatic sprinkler equipment.
 4. Accidental operation of an automatic sprinkler system.
 5. An action by an employee of the owner, or occupant of the protected premises, or a contractor employed by the owner or the occupant, causing accidental activation of the internal fire alarm system.
- E. Property owners shall be billed once a month for the previous month's malfunction activity. All fines assessed shall be paid to the Town Treasurer for deposit into the Fire Alarm Revolving Account.
- F. If a bill is not paid within thirty (30) days, a second notice will be sent. If the bill is not paid after a thirty (30) day period, a final notice will be sent to the occupant that the master box will be disconnected and the building owner notified.

Section 7: APPEAL PROCEDURE

Any fire alarm system owner who is aggrieved by an action taken by the Fire Chief under this by-law may, within ten (10) days of such action, file an appeal, in writing to the Town Manager of the Town of Abington. After notice, the Town Manager shall hold a hearing, after which it shall issue a decision in which it affirms, annuls or modifies the action taken by the Fire Chief giving its reason therefore.

The Town Manager shall send its decision to the owner by first class mail within ten (10) days after the hearing. The decision of the Town Manager shall be a final administrative decision. The owner shall have thirty (30) days from the date of the written decision to seek judicial review in the District Court of Plymouth County.

Section 8: DEPOSIT IN THE FIRE ALARM SYSTEM ACCOUNT

All fines and fees assessed herein shall be payable to the Town of Abington for deposit in the Fire Alarm Revolving Account, with said fees being appropriated to maintain and upgrade the fire alarm system.

Section 9: SEVERABILITY

The provisions of this by-law shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 10: REGULATIONS AND ENFORCEMENT

The Fire Chief may promulgate such regulations as may be necessary to implement this by-law. The Fire Chief is authorized to pursue legal action as may be necessary to enforce this bylaw.

BY FIRE CHIEF

The Finance Committee recommends approval of this article.

Article 13: To see if the Town will vote to amend s152-4 of the General Bylaws to read as follows:

152-4. The quorum of any Annual or Special Town Meeting shall be zero registered voters of the Town. To allow our Town to start its Town Meetings on time, to complete its official business in a more efficient and timely manner, and to actually increase the average attendance at our Town Meetings. Other area towns that have adopted a zero quorum have been able to avoid the costs of postponed Town Meetings and have actually reported increased average attendance at subsequent Town Meetings, or take any other action relative thereto.

BY PETITION

The Finance Committee recommends approval of this article. The Finance committee voted by a majority of 4-3 in favor of this article.

Article 14: To see if the Town will vote to authorize the Water Commissioners to transfer from the Water Undesignated Fund Balance the sum of \$25,000.00 for the purpose of continuing the survey and testing in accordance with the Commonwealth of Massachusetts Drinking Water Regulations governing cross connections to our water system (310 CMR 22.22) or take any other action relative thereto.

BY BOARD OF WATER COMMISSIONERS

The Finance Committee recommends approval of this article. The source of funding for this article is the Water Undesignated Fund Balance. The current balance of this Fund is \$441,796.67.

Article 15: To see if the Town will vote to authorize the Water Commissioners to transfer from the Water Undesignated Fund Balance the sum of \$300,000.00 to provide and install meters, or take any other action relative thereto.

BY BOARD OF WATER COMMISSIONERS

The Finance Committee recommends approval of this article. The source of funding for this article is the Water Undesignated Fund Balance.

Article 16: To see if the Town will vote to authorize the Water Commissioners to transfer from the Water Undesignated Fund Balance the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of continuing the annual leak detection survey, or take any other action relative thereto.



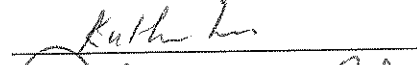
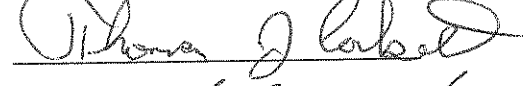
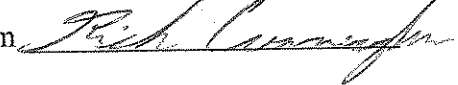
BY BOARD OF WATER COMMISSIONERS

The Finance Committee recommends approval of this article. The source of funding for this article is the Water Undesignated Fund Balance.

And you are directed to serve this warrant by posting attested copies thereof, seven days at least before the time of holding said meeting at the Post Offices and two or more public places in Town.

Hereof, fail not and make return of this warrant with your doings thereon, at the time and place of said meeting.

Given under our hands this 9th day of March, A.D. 2009

Robert E. Wing 
Gerald F. Corcoran 
Kathleen W. Lavin 
Thomas J. Corbett 
Richard D. Cunningham 


I served this warrant by posting attested copies at the Post Offices and two or more other public places in Town on _____.

Signed under the pains and penalties of perjury:

_____ Constable

I, Phillip L. Warren, Jr., Town Manager of the Town of Abington, Plymouth County, Massachusetts, hereby certify that a copy of the warrant of the Annual Town Meeting of Abington to be held on Monday, April 6, 2009, containing notice of the time and place of holding same, has been mailed to every inhabited house in the Town of Abington, Massachusetts, by the US Postal Service, and said delivery to Post Office was accomplished by March 19, 2009.

Signed under the penalties of perjury:


Phillip L. Warren, Jr., Town Manager