

*Annual Town Meeting
May 18, 2015
Somerset Berkley Regional High School
625 County Street
Somerset, MA 02726*

The Annual Town Meeting was called to order at 6:15 pm by the Moderator Lucia Casey.

Article 1: To choose all Town Officers as required by law, to be chosen by ballot.
This article has been taken care of in the election of May 11, 2015.

Article 2: To see if the Town will vote the following consent calendar of routine Annual Town Meeting Articles:

- A. To hear the report of the Town Officers and act thereon;
- B. To authorize the Collector to use the same means which a Treasurer may use when acting as Collector;
- C. To hear and act on the report of any Committee and choose any Committee the Town may think proper;
- D. To authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allocated or to be allocated by the Commonwealth and/or the County for the construction, reconstruction and improvement of Town roads, pursuant to the terms of said funding.

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Selectman Lebeau and seconded by Selectman Moniz that the Town vote to adopt Article 2 as written and recommended. Motion carried by unanimous vote.

Article 3: To see if the Town will vote to authorize the following revolving funds to continue for the Fiscal Year July 1, 2015-June 30, 2016, under the provisions of Massachusetts General Law chapter 44, section 53E1/2:

	Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Expenditure
A	Town Nursing Program	Board of Health	Fees charged for flu clinics and other fee programs	Medical Supplies for clinics and other departmental programs	\$80,000	Available for expenditure fiscal 2016
B	Vacant & Foreclosing Properties	Board of Health	Funds collected for the administration of Town of Somerset By-law concerning Vacant and Foreclosing Properties	Costs associated with the administering By-law and remediation & maintenance work per the By-law	\$20,000	Available for expenditure fiscal 2016
C	Library's Lost and/or Damaged Materials Program	Board of Library Trustees	Fees charged for Lost and/or Damaged library materials	Costs associated for the replacement of lost/or damaged library materials	\$2,000	Available for expenditure 2016
D	Hazardous Material	Board of Selectmen/Fire Department	Fees charged for disposal of Haz-Mat materials	Purchase of equipment or any Haz-Mat related expenses	\$10,000	Available for expenditure 2016
E	Early Childhood Program	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$75,000	Available for expenditure fiscal 2016
F	Creative Arts Program	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$20,000	Available for expenditure fiscal 2016

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Christopher Godet and seconded on the floor to waive the reading of Article 3. Motion carried by unanimous vote.

Motion made by Mr. Lebeau and seconded from the floor that the Town vote to adopt Article 3 as written and recommended. Discussion followed by Mr. Lebeau, no further discussion. Motion carried by a nearly unanimous vote.

Article 4: To see if the Town will vote to adopt the following Table II Compensation Plan as set forth in the Consolidated Personnel Bylaw adopted under Article 3 of the Warrant of the Annual Town Meeting of May 19, 1986, and amendments thereto, or take any action relative thereto:

**TABLE II
FY 2016 COMPENSATION PLAN**

GRADES	STEPS								
	1	2	3	4	5	6	7	8	9
M1	441.35	458.97	477.95	496.36	516.21	536.98	558.39	580.72	603.95
M2	481.07	500.27	520.29	541.08	562.73	585.22	608.62	632.96	658.28
M3	524.35	545.28	567.09	589.77	614.03	637.88	662.33	688.82	716.37
M4	571.54	594.40	618.14	642.83	668.55	695.30	723.12	752.04	782.13
M5	622.96	647.83	673.72	700.66	728.61	757.81	788.07	819.60	852.38
M6	678.99	706.17	734.34	763.66	794.25	825.91	859.04	893.40	929.13
M7	740.02	769.74	800.51	832.52	865.81	900.37	936.37	973.83	1012.78
M8	806.71	838.74	872.49	907.41	943.68	981.42	1020.21	1061.02	1103.46
M9	879.37	914.56	951.06	989.14	1028.64	1069.81	1112.61	1157.11	1203.39
M10	958.48	996.85	1036.63	1078.04	1121.16	1165.99	1212.66	1261.16	1311.61
M11	1044.78	1086.55	1129.93	1175.15	1222.12	1271.03	1321.82	1374.69	1429.68
M12	1138.71	1184.31	1231.58	1280.88	1332.11	1385.38	1440.72	1498.35	1558.29
M13	1241.28	1286.30	1342.53	1396.19	1452.01	1510.08	1570.47	1633.29	1698.62
M14	1318.66	1371.39	1426.25	1483.31	1542.63	1604.33	1668.51	1735.25	1804.66
M15	1474.76	1533.73	1595.05	1658.78	1725.15	1794.09	1865.80	1940.44	2018.05
M16	1607.48	1671.74	1738.59	1803.13	1880.41	1955.63	2033.77	2115.12	2199.72

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Selectman Lebeau and seconded by Selectman Berube that the Town vote to accept Article 4 as written and recommended. Discussion followed by Mr. Lebeau, Mr. Viveiros. In the absence of further discussion, the Moderator called for a vote. Motion carried by unanimous vote.

Article 5: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2015, as follows:

Town Moderator	\$400.00
Board of Selectmen, Chairman	\$6,000.00
Board of Selectmen, (2 members-each)	\$3,000.00
Board of Selectmen, Clerk	\$2,500.00
Board of Health, Chairman	\$2,500.00
Assessors, Chairman	\$3,950.00
Assessors, (2 members-each)	\$3,450.00
Town Clerk	\$53,332.00
Planning Board, (5 members-each)	\$500.00
Planning Board, Chairman	\$275.00
Planning Board, Clerk	\$275.00
Library Trustees, (6 members-each)	\$400.00
Library Trustee, Chairman	\$275.00
Library Trustee, Secretary	\$225.00
Playground & Recreation Commissioners, (5 members-each)	\$400.00
Playground & Recreation Commission, Chairman	\$275.00
Playground & Recreation Commission, Clerk	\$275.00
School Committee (5 members-each)	\$3,450.00
Water & Sewer Commissioners, Chairman	\$4,000.00
Water & Sewer Commissioners, (2 members-each)	\$3,500.00

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion was made by Mr. Lebeau and seconded by Mr. Moniz. Discussion followed by Mr. Murphy and a motion was made by Mr. Murphy to amend Article 5 to reduce the salary of the Board of Selectmen by 50%, to read “Board of Selectmen Chairman \$6,000 to \$3,000; Selectman (2 members each) from \$3,000 to \$1,500; Board of Selectmen Clerk from \$2,500 to \$1,250; Board of Health Chairman \$2,500 to \$1,250. The motion was seconded from the floor. Discussion followed by Mr. Kyle Alves. In the absence of further discussion, the Moderator called for a vote. Motion to amend Article 5 failed by a nearly unanimous vote. The Moderator opened the floor for further discussion on the original motion. Discussion followed by Mr. Dennis Viveiros, Selectman Lebeau, and Mr. Tripp. A motion to amend was made by Mr. Tripp to change the Selectmen’s salary to be the same as the School Committee. Motion failed due to no second. In the absence of further discussion, the Moderator called for

the vote on Article 5 as written and recommended. Motion carried by a nearly unanimous vote.

Article 6: To see if the Town will vote to raise, appropriate, and/or transfer from available funds such sums of money as may be considered necessary to defray the Town's expenses for the ensuing 12 month period beginning July 1, 2015, as follows:

A. GENERAL BUDGET

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$0	\$0	\$0
114 Town Moderator	\$400.00	\$0.00	\$400.00
122 Selectmen	\$127,564.00	\$5,725.00	\$133,289.00
123 Town Administrator	\$128,073.00	\$4,324.00	\$132,397.00
124 Contingent	\$0.00	\$6,380.00	\$6,380.00
131 A & F Committee	\$3,350.00	\$300.00	\$3,650.00
134 Centrex	\$0.00	\$30,000.00	\$30,000.00
135 Town Accountant	\$166,038.00	\$3,185.00	\$169,223.00
136 Annual Audit	\$0.00	\$42,500.00	\$42,500.00
137 Computer	\$0.00	\$58,600.00	\$58,600.00
141 Assessors	\$117,422.00	\$13,400.00	\$130,822.00
143 Tax Foreclosure	\$0.00	\$6,000.00	\$6,000.00
145 Town Treasurer/Tax Collector	\$193,785.00	\$57,175.00	\$250,960.00
151 Law Department	\$0.00	\$163,550.00	\$163,550.00
161 Town Clerk	\$97,134.00	\$4,650.00	\$101,784.00
162 Elec. & Regr.	\$12,500.00	\$24,900.00	\$37,400.00
171 Conservation Comm	\$16,217.00	\$0	\$16,217.00
175 Planning Board	\$6,550.00	\$950.00	\$7,500.00
176 Zoning Board of Appeals	\$3,025.00	\$4,050.00	\$7,075.00
181 Economic Dev. Comm.	\$0.00	\$4,000.00	\$4,000.00
184 Cable Advisory	\$1,400.00	\$875.00	\$2,275.00
192 Town Office	\$101,903.00	\$43,500.00	\$145,403.00
193 Old Town Hall	\$0.00	\$7,880.00	\$7,880.00
195 Town Reports	\$0.00	\$3,700.00	\$3,700.00
198 Insurance (Health Gen. Govt: \$2,990,899.00) (Health School Dept: \$4,341,979.00)	\$0.00	\$8,020,878.00	\$8,020,878.00
199 FICA- General Government	\$0.00	\$120,000.00	\$120,000.00

199 FICA- School Department	\$0.00	\$200,000.00	\$200,000.00
205 Fire/Police Station	\$37,859.00	\$103,913.00	\$141,772.00
210 Police Department	\$2,343,712.00	\$165,916.00	\$2,509,628.00
215 E-911 Dispatch	\$369,396.00	\$11,369.00	\$380,765.00
220 Fire Department	\$1,424,917.00	\$73,575.00	\$1,498,492.00
241 Bldg. Insp./Zoning Agent	\$54,083.00	\$1,880.00	\$55,963.00
242 Gas & Plumbing	\$22,000.00	\$775.00	\$22,775.00
244 Sealer of Standards	\$3,300.00	\$300.00	\$3,600.00
245 Wiring Inspector	\$13,000.00	\$272.00	\$13,272.00
291 Emergency Mgmt.	\$2,500.00	\$6,770.00	\$9,270.00
292 Dog Officer	\$0.00	\$41,550.00	\$41,550.00
294 Tree Warden	\$0.00	\$11,100.00	\$11,100.00
295 Harbor Master	\$4,000.00	\$5,030.00	\$9,030.00
296 Insect Pest Control	\$400.00	\$1,025.00	\$1,425.00
299 Inspector of Animals	\$0.00	\$0.00	\$0.00
410 Engineering	\$44,804.00	\$2,450.00	\$47,254.00
420 Highway Department	\$674,928.00	\$58,730.00	\$733,658.00
423 Snow Removal	\$96,400.00	\$73,600.00	\$170,000.00
424 Street Lights	\$0.00	\$170,000.00	\$170,000.00
425 Traffic Signal Maint.	\$0.00	\$2,500.00	\$2,500.00
431 Landfill	\$0.00	\$21,000.00	\$21,000.00
440 Water Pollution Control	\$894,314.00	\$948,700.00	\$1,843,014.00
480 Vehicle Maint. Facility	\$113,783.00	\$326,250.00	\$440,033.00
510 Board of Health	\$42,512.00	\$1,200.00	\$43,712.00
522 Town Nurse	\$29,602.00	\$475.00	\$30,077.00
541 Council on Aging	\$73,098.00	\$7,356.00	\$80,454.00
543 Veterans Benefits	\$47,928.00	\$306,550.00	\$354,478.00
544 Graves Registration	\$750.00	\$1,200.00	\$1,950.00
610 Libraries	\$390,889.00	\$128,472.00	\$519,361.00
630 Playground & Rec.	\$84,166.00	\$4,005.00	\$88,171.00
633 Public Outdoor Facilities	\$0.00	\$31,074.00	\$31,074.00
691 Historical Comm.	\$0.00	\$1,955.00	\$1,955.00
692 Public Celebrations	\$0.00	\$3,760.00	\$3,760.00
693 AmVets	\$0.00	\$2,500.00	\$2,500.00
694 American Legion	\$0.00	\$2,500.00	\$2,500.00

695 VFW	\$0.00	\$2,500.00	\$2,500.00
696 Mun & Hist Bldgs.	\$0.00	\$59,750.00	\$59,750.00
710 Maturing Debt General Government	\$0.00	\$859,494.00	\$859,494.00
710 Maturing Debt School Department	\$0.00	\$150,000.00	\$150,000.00
753 Interest Appropriation General Government	\$0.00	\$136,840.00	\$136,840.00
753 Interest Appropriation School Department	\$0.00	\$18,188.00	\$18,188.00
832 Contributory Retirement	\$0.00	2,296,315.00	\$2,296,315.00
TOTAL GENERAL GOVT.	\$7,743,702.00	\$14,867,361.00	\$22,611,063.00

	APPROVED FY 2015	PROPOSED FY 2016	INCREASE/ DECREASE
Personal Services	\$ 7,592,155.00	\$7,743,702.00	\$151,547.00
Operating Expenses	\$ 3,141,333.00	\$3,385,646.00	\$244,313.00
Fixed Expenses	<u>\$11,088,339.00</u>	<u>\$11,481,715.00</u>	<u>\$393,376.00</u>
TOTALS:	\$21,821,827.00	\$22,611,063.00	\$789,236.00

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Selectman Lebeau that the Town vote to appropriate the sum of \$22,611,063.00 for the fiscal year July 1, 2015 to June 30, 2016, for the purposes of the General Budget as designated and that said sum be transferred and raised as follows: by transferring \$9,030.00 from the Municipal Waterways Improvement and Maintenance Fund and raising \$22,602,033.00 from Taxation. The motion was seconded by Selectman Berube. Discussion followed by Mr. Murphy who motioned to amend Article 6A to reduce line item #123 Personal Services by \$16,700.00. There was a second on the floor. Discussion followed by Mr. Viveiros. In the absence of further discussion, the chair called for the vote on the motion to amend. Motion failed by majority vote. The Moderator reminds the body back to the main motion as written and recommended. There is further discussion on the floor by Kathleen Gunning. Following discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

A motion was made by Mr. Lebeau and seconded from the floor for no reconsideration of Article 6A. Motion carried by unanimous vote.

APPROPRIATION

6B: School Department

PERSONAL SERVICES	OPERATING EXPENSES	TOTAL APPROPRIATION
\$14,051,728.00	\$4,414,597.00	\$18,466,325.00

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by School Committeeman Michael Botelho and seconded by Mr. Mahjoory that the Town vote to appropriate the sum of \$18,466,325.00 for the fiscal year beginning July 1, 2015 and ending June 30, 2016, for purposes of funding the Somerset Public School Department Budget as designated, and that said sum be raised by taxation. Discussion followed by Mr. Botelho, Superintendent Schoonover, Lindsey Albernaz. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote in the affirmative.

A motion was made by Mr. Botelho and seconded by Selectman Moniz for no reconsideration on Article 6B. Motion carried by unanimous vote.

APPROPRIATION

6C: Water Department

PERSONAL SERVICES	OPERATING EXPENSES	TOTAL APPROPRIATION
\$937,687.00	\$2,420,831.00	\$ 3,358,518.00

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion was made by Water & Sewer Commissioner Scott O'Brien and seconded by Robert Lima that the Town vote to appropriate the sum of \$3,358,518.00 for the fiscal year July 1, 2015 to June 30, 2016, for the purposes of this article and that the sum of \$3,358,518.00 be raised from Water Enterprise Fund Receipts. Discussion followed by Mr. O'Brien. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 7: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Reserve Fund.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$100,000.00)

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$100,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Berube. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 8: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Unused Sick Leave Account as provided in the Consolidated Personnel Bylaw, Article II, Employee Benefits, Section I, Sick Leave.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$11,000.00)

Motion was made by Selectman Berube and seconded from the floor that the Town vote to appropriate the sum of \$11,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Berube. In the absence of further discussion, the Moderator called for a vote. Motion carried by a nearly unanimous vote.

Article 9: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating and capital expenses of the **Somerset-Berkley Regional School District**, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends approval of this article. (8,335,877.00)

Motion made by Somerset Berkley Regional School Committee Chairman Richard Peirce that the Town vote to appropriate the sum of \$8,326,986.00 for the purpose of paying the Town's share of operating expenses for the Somerset Berkley Regional School District for Fiscal Year 2016, said amount having been assessed to the Treasurer of the Town of Somerset and that said sum be raised from Taxation. This appropriation consists of an Operating Assessment of \$7,075,915.00 and a Capital Assessment of \$1,251,071.00. The motion was seconded from the floor. Discussion followed by Mr. Peirce, Arnold Bamford, Richard Fenstermaker, and again by Mr. Peirce. Following discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 10: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating expenses of the **Greater Fall River Vocational Technical High School**

District as provided for by section 6 of chapter 697 of the Acts of 1962, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,427,134.00)

Motion made by Selectman Moniz and seconded by Selectman Lebeau that the Town vote to appropriate the sum of \$1,427,134.00 for the purposes of this article and that said sum be raised from Taxation. Discussion followed by Mr. Moniz. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 11: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating expenses of the **Bristol County Agricultural School** as provided for by section 82 of chapter 6 of the Acts of 1991, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$20,604.00)

Motion made by Selectman Moniz and seconded by Selectman Berube that the Town vote to appropriate the sum of \$20,604.00 for the purposes of this article and that said sum be raised by Taxation. Discussion followed by Mr. Moniz. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 12: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for Account #753 (Long Term Interest) and Account #710 (Maturing Debt) for the purpose of paying interest and principal relating to sewer infrastructure debt.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$218,774.00)

Motion made by Water & Sewer Commissioner Roger Benevides and seconded by Commissioner Scott O'Brien that the Town vote to appropriate the sum of \$218,774.00 for the purposes of this article and that said sum be transferred from Water Enterprise Fund Retained Earnings raised by Sewer Infrastructure Fees. Discussion followed by Mr. Benevides. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 13: To see if the Town will vote to accept funds from the **Commonwealth Sewer Rate Relief Fund**, authorized pursuant to General Laws chapter 29, section

2Z, said funds to be used to offset in part the Fiscal Year 2016 Sewer Debt Service authorized pursuant to chapter 44, section 7(1), of the General Laws and appropriated under Articles 6A and 12 of this meeting, items number 710 (Maturing Debt) and 753 (Interest Appropriation), or take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Water & Sewer Commissioner Roger Benevides and seconded by Water & Sewer Commissioner Scott O'Brien that the Town vote to accept funds from the Commonwealth Sewer Rate Relief Fund, pursuant to General Laws chapter 29, section 2Z, and that said funds be used to offset in part the Fiscal Year 2016 Sewer Debt Service authorized pursuant to chapter 44, section 7 (1), of the General Laws and appropriated under Articles 6A and 12 of this Annual Town Meeting, items numbered 710 (Maturing Debt) and 753 (Interest Appropriation).

Discussion followed by Mr. Benevides. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 14: To see if the Town will vote pursuant to M.G.L. chapter 44, section 53E, to specify that the appropriation for the annual ordinary operating costs of the **Fire Department's Emergency Medical Services** be offset, in part, by the estimated receipts from the fees charged to users of the services provided by said Department.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,000,000.00)

Motion made by Selectman Scott Lebeau and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$1,000,000.00 for the purposes of this Article and that said sum be raised from Fire Department Emergency Medical Services offset receipts. Discussion followed by Mr. Lebeau. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 15: To see if the Town will vote to raise, appropriate and/or transfer from available funds a sum of money for the expense of **collecting and disposing of mixed solid waste, recyclables, yard waste, and white goods** and to determine whether pursuant to M.G.L. chapter 44, section 53E, the appropriation for said expense will be offset, in part or in the aggregate, by the estimated receipts from the fees charged for rubbish bags pursuant to Article 10 of the February 8, 1993, Special

Town Meeting, as well as from funds raised by taxation or transferred from available funds in the Treasury.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,200,000.00)

Motion made by Selectman Lebeau and seconded by Christopher Godet that the Town vote to appropriate the sum of \$1,200,000.00 for the purposes of this article and that the sum of \$650,000.00 be raised from 'offset receipts', pursuant to M.G.L. chapter 44, section 53D, and that the sum of \$550,000.00 be raised from Taxation. Discussion followed by Mr. Lebeau. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 16: To see if the Town will vote to accept chapter 73, section 4, of the Acts of 1986, as amended by chapter 126 of the Acts of 1988, to allow an additional exemption which shall be uniform for a Surviving Spouse (Clause 17), for Veterans (Clause 22), for the Elderly (Clause 41C) and for the Blind (Clause 37), and none of which shall exceed seventy-five (75%) per cent of said exemptions for which they qualify for Fiscal Year 2016, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion made by Michael Correia and seconded by Selectman Moniz that the Town vote to accept Article 16 as written and recommended. Discussion followed by Mr. Correia. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 17: To see if the Town will vote to raise, appropriate and/or transfer from available funds a sum of money for the purpose of hiring qualified consulting, expert and legal services to assist the Town on issues relating to valuation and taxation of current and former electric and gas utilities and generating facilities, or take any other action relative thereto.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 8-1) (\$75,000.00)

Motion made by Michael Correia and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$75,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Correia, David Messier, Pamela Lee, Christopher Murphy, Arnold Bamford, and again Mr. Correia. There is a motion made by Selectman Lebeau to move the question. There are several seconds from the floor. Motion to move carried by a majority vote as declared by the Moderator. The

Moderator called for the vote on the main motion, motion carried by a nearly unanimous vote.

Article 18: To see if the Town will vote to raise, appropriate and/or transfer from available funds a sum of money for the purpose of data collection regarding residential and commercial permits, as required to satisfy the requirements of the Commonwealth of Massachusetts Department of Revenue.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$5,000.00)

Motion made by Michael Correia and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$5,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Correia. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 19: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of continuing to list personal properties in the Town of Somerset to satisfy the Commonwealth of Massachusetts Department of Revenue's recertification requirements, and for any purposes incidental thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$13,500.00)

Motion made by Michael Correia and seconded by Selectman Berube that the Town vote to appropriate the sum of \$13,500.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Correia. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 20: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for data collection regarding residential, commercial and exempt properties, as required to satisfy the requirements of the Commonwealth of Massachusetts Department of Revenue.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$10,000.00)

Motion made by Michael Correia and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$10,000.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Correia and Jack Toulan. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 21: To see if the Town of Somerset will vote, pursuant to M.G.L. c. 44, sec. 64, to raise, transfer from available funds and appropriate the sum of \$318,576, to pay the following bill from Fiscal Year 2013-2014 for the School Department general operations, for which no prior appropriation was or has been available due, and for which certificates have been received by the Selectmen of the Town of Somerset that such goods have been delivered and services have been rendered, or to take any other action relative thereto:

<u>Vendor Name</u>	<u>Amount Due</u>
SouthCoast Educational Collaborative	\$318,576

The Advisory & Finance Committee unanimously recommends approval of this article. (\$318,576.00)

Motion made by School Committeeman Arastou Mahjoory and seconded on the floor that Town vote to appropriate the sum of \$318,576.00 for the purposes of this article and that said sum be transferred from Overlay Surplus.

Discussion followed by Mr. Mahjoory. This article required a 4/5 vote, therefore the Moderator called for a standing counted vote. Total votes: 373; Yes votes – 365; No votes – 8; Motion carried as 298 votes were required.

Article 22: To see if the Town of Somerset will vote, pursuant to M.G.L. c. 44, sec. 64, to raise, transfer from available funds and appropriate the sum of \$69,118.79, to pay the following bills from Fiscal Year 2013-2014 for the School Department Food Service Program, for which no prior appropriation was or has been available due, and for which certificates have been received by the Selectmen of the Town of Somerset that such goods have been delivered and services have been rendered, or to take any other action relative thereto

<u>Vendor Name</u>	<u>Amount Due</u>
Whitsons Food Service	\$ 68,007.82
Advance Air & Heat	\$ 625.72
W.B. Mason	\$ 236.74
Company Store	\$ 248.51
<i>Total Amount Due</i>	<u>\$ 69,118.79</u>

The Advisory & Finance Committee unanimously recommends approval of this article. (\$69,118.79)

Motion made by Mr. Godet and seconded from the floor to waive the reading of Article 22. Motion carried by unanimous vote.

Motion made by School Committeeman Arastou Mahjoory and seconded from the floor that vote to appropriate the sum of \$69,118.79 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Mahjoory, and Patricia Bamford. A motion was made by Selectman Moniz and seconded by Mr. Godet to move the question. Motion carried by a nearly unanimous vote. The Moderator, in the absence of further discussion, called for the vote on the main motion as written and recommended. As this article requires a 4/5 vote, the Moderator called for a counted standing vote. Total votes – 385; Yes votes – 374; No votes – 11; motion carries as 308 votes were required.

Article 23: To see if the Town of Somerset will vote, pursuant to M.G.L. c. 44, §64, to raise, transfer from available funds and appropriate the sum of \$17,568, to pay the following bills from Fiscal Year 2012-2013 for the School Department, for which no prior appropriation was or has been available due, and for which certificates have been received by the Selectmen of the Town of Somerset that such goods have been delivered and services have been rendered, or to take any other action relative thereto:

<u>Vendor Name</u>	<u>Amount Due</u>
Hague, Sahady & Co., CPA's P.C.	\$ 15,000.00
Southeastern Regional School District	\$ 408.00
H&L Bloom, Inc.	\$ 2,160.00
<i>Total Amount Due</i>	<u>\$ 17,568.00</u>

The Advisory & Finance Committee unanimously recommends approval of this article. (\$17,568.00)

Motion made by Christopher Godet and seconded by several from the floor to waive the reading of Article 23. Motion carried by unanimous vote.

Motion made by School Committeeman Arastou Mahjoory and seconded by Committeeman Michael Botelho that the Town vote to appropriate the sum of \$17,568 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Mahjoory. This article requires a 4/5 vote, therefore the Moderator called for a standing vote of the body. A motion was made from the floor to move the question. The Moderator declares the motion carries by a nearly unanimous vote. The Moderator called for a

vote on the main motion as written and recommended. Total votes – 378; Yes votes – 371; No votes – 7; motion carries as 302 votes were required.

Article 24: To see if the Town of Somerset will vote to transfer the remaining balance of Account #37-3207-300 (North/Chace Roof Project) approved under Article 5 of the March 2007 Special Town Meeting to account #37-3204-300 for the purpose of replacing the South Elementary School gymnasium and cafeteria roof. **The Advisory & Finance Committee unanimously recommends approval of this article.**

Motion made by School Committeeman Arastou Mahjoory and seconded from the floor that the Town vote to transfer the remaining balance of Account #37-3207-300 (North/Chace Roof Project) approved under Article 5 of the March 2007 Special Town Meeting, in the amount of \$57,797.00 to account #37-3204-300 for the purpose of replacing the South Elementary School gymnasium and cafeteria roof. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 25: To see if the Town will vote to raise, appropriate and/or transfer from available funds such sums of money to purchase a generator for the North Elementary School.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$50,000.00)

Motion made by School Committeeman Arastou Mahjoory and seconded on the floor that the Town vote to appropriate the sum of \$50,000.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Mahjoory. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 26: To see if the Town will vote to raise, appropriate and/or transfer from available funds such sums of money to perform capital improvements to the South Elementary School parking lot and driveway.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$54,700.00)

Motion made by School Committeeman Arastou Mahjoory and seconded on the floor that the Town vote to appropriate the sum of \$54,700.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Mahjoory and Pauline Roderigues. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 27: To see if the Town will vote to authorize the School Department, pursuant to MGL Ch. 44, section 53E1/2 of the General Laws, to establish a revolving fund for the **Public School's transportation program**, to be used to collect fees and disburse funds for the transportation for regular education students to and from school. Funds will be deposited (credited) into a Transportation Revolving Fund under the jurisdiction of the School Committee, and to provide that the School Committee may authorize disbursements from such revolving fund during the upcoming fiscal year not to exceed an aggregate total of \$100,000, pass any vote or take any action relative thereto.

The Advisory & Finance Committee by a majority does not recommend approval of this article. (Vote 8-1)

There is a motion and a second from the floor to waive the reading of Article 27, motion carried by unanimous vote.

Motion made by School Committeeman Arastou Mahjoory and seconded by Mr. Botelho to accept Article 37 as written. Discussion followed by Mr. Mahjoory, Christopher Godet, and another member of the voting body. In the absence of further discussion, the Moderator called for the vote. In doubt, the Moderator asked for a standing counted vote. Total votes – 339; Yes votes – 203; No votes – 136. Motion carried as article required a simple majority.

Article 28: To see if the Town will vote to authorize the School Department, pursuant to MGL Ch. 44, section 53E1/2 of the General Laws, to establish a **Student Athletics and Activities Revolving fund** to be used to collect fees and disburse funds for operations of Somerset Public School athletic program and student activity clubs. Funds shall be deposited (credited) in said Student Athletics and Activities Revolving Account under the jurisdiction of the School Committee, and to provide that the School Committee may authorize disbursements from such revolving fund during the upcoming fiscal year not to exceed an aggregate total of \$40,000, pass any vote or take any action relative thereto.

The Advisory & Finance Committee by a majority does not recommend approval of this article. (Vote 6-3)

Motion made by School Committeeman Arastou Mahjoory and seconded on the floor that the town vote to accept Article 28 as written. Discussion followed by Mr. Mahjoory, Alexandra Murphy, Kathleen Gunning, and Christopher Godet. A motion was made by Christopher Godet and seconded from the floor for indefinite postponement of this article. In the absence of discussion on the indefinite postponement, the Moderator called for the vote. Motion carried by majority as declared by the Moderator.

Article 29: To see if the Town will vote to authorize the School Department, pursuant to MGL Ch. 44, section 53E1/2 of the General Laws, to establish a **School Choice Revolving fund** for the operations of School Choice Program at Somerset Public Schools. Funds shall be deposited (credited) in said **School Choice Revolving Account** under the jurisdiction of the School Committee, and to provide that the School Committee may authorize disbursements from such revolving fund during the upcoming fiscal year not to exceed an aggregate total of \$200,000, pass any vote or take any action relative thereto.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 6-3)

Motion made by School Committeeman Arastou Mahjoory and seconded from the floor to indefinitely postpone Article 29. No discussion. Motion carried by unanimous vote.

Article 30: To see if the Town will vote to authorize the School Department, pursuant to MGL Ch. 44, section 53E1/2 of the General Laws, to establish a **Before and After School Care Revolving fund** to be used to collect and disburse funds for operations of the Somerset Public School **Before and After School Programs**. Funds shall be deposited (credited) in said **Before and After School Revolving Account** under the jurisdiction of the School Committee, and to provide that the School Committee may authorize disbursements from such revolving fund during the upcoming fiscal year not to exceed an aggregate total of \$25,000, pass any vote or take any action relative thereto.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 8-1)

Motion made by School Committeeman Arastou Mahjoory and from the floor that the Town vote to accept Article as written and recommended by majority. Discussion followed by Mr. Mahjoory. In the absence of further discussion the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 31: To see if the Town will vote to authorize the School Department, pursuant to MGL Ch. 44, section 53E1/2 of the General Laws, to establish a **Use of School Property Revolving fund** to be used to collect and disburse funds for operations of Somerset Public School facility rental operations. Funds shall be deposited (credited) in said **Use of School Property Revolving Account** under the jurisdiction of the School Committee, and to provide that the School Committee may authorize disbursements from such revolving fund during the upcoming fiscal year

not to exceed an aggregate total of \$20,000, pass any vote or take any action relative thereto.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 7-2)

Motion made by School Committeeman Arastou Mahjoory and seconded on the floor that the Town vote to accept Article 31 as written and recommended by majority. Discussion followed by Mr. Mahjoory. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

A motion was made not to revisit Articles 1 – 31 not be revisited, seconded on the floor. Motion carried by a nearly unanimous vote.

Article 32: To see if the Town will vote to authorize the Board of Selectmen to sell and transfer the parcel of Town-owned land and structures thereon located at and near 55 Roosevelt Avenue, as further described below, for the sum of One Dollar (\$1.00) to the Warren S. Hathaway American Legion Post #228 for the public purpose of maintaining a headquarters for a duly-organized non-profit veteran's organization, on such further terms and conditions as the Board of Selectmen deems necessary, or take any action relative thereto:

A certain lot of land situated on the southerly side of Roosevelt Avenue, Somerset, MA, bounded and described as follows:

Beginning at the northeasterly corner thereof at a point in the southerly line of Roosevelt Avenue one hundred and sixty-one and 60/100 feet westerly from Riverside Avenue; thence running westerly by said Roosevelt Avenue one hundred and fifty feet to land formerly of Arba N. Lincoln and Alfred H. Hood; thence southerly by said last named land ninety-nine and 80/100 feet to land of owners unknown; thence easterly by said last named land one hundred and fifty feet to a point one hundred and fifty-one and 52/100 feet westerly from said Riverside Avenue; thence northerly one hundred and two and 66/100 feet to the point of beginning, containing fifty-six square rods, more or less, and being lots numbered 21 to 26 both inclusive as represented on a plan of the Broadview lots surveyed by E.M Corbett, March 1902, said plan being on file in the Bristol County Fall River District Registry of Deeds, and being a portion of the premises conveyed to Arba N. Lincoln and Alfred H. Hood and another by William J. Dunn by deed dated July 19, 1902, recorded in the Bristol County Fall River District Registry of Deeds at

Book 93, page 21, and by deed of Thomas H. Angell to Arba N. Lincoln and Alfred H. Hood dated March 2, 1904, recorded in said Registry at Book 104, page 475.

The Advisory & Finance Committee unanimously recommends approval of this article.

Motion and second made from the floor to waive the reading of Article 32.

Motion carried by unanimous vote.

Motion made by Selectman Berube and seconded by Jameson Souza to accept Article 32 as written and recommended. Discussion followed by Stephen Souza, David Messier, Mr. Botelho (??), Selectman Berube and Selectman Lebeau. A motion is made and seconded by several from the floor to move the question.

Motion carried by unanimous vote. The Moderator reminds the body that this article requires a 2/3 vote. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 33: “We, the residents of the Town of Somerset support this petition and would see to it the Town of Somerset will vote to raise, appropriate, and/or transfer from available funds a sum of money necessary to fund changes to the current Consolidated Personnel By-Law Employees Compensation Plan at a 3% wage increase in the FY16 budget. The 46 employees, who serve various departments throughout the Town of Somerset, are not part of any Collective Bargaining unit. We who have signed this petition fully support this article to be placed on the Annual Town Meeting warrant as a Citizen’s Petition warrant article. As a breakdown for consideration, this compensation table affects the following departments as indicated:

DEPT	# OF EMPLOYEES	INCREASE OF 3%
WATER	10	\$ 19,424.13
COUNCIL ON AGING	1	\$ 1,173.08
TREASURER/COLLECTOR	3	\$ 3,719.76
TOWN CLERK	1	\$ 1,298.34
ASSESSORS	2	\$ 3,150.68
VETERANS	1	\$ 1,429.96
BUILDING INSPECTOR	1	\$ 985.69
BOARD OF HEALTH/PERMIT	1	\$ 1,237.39
POLICE/FIRE	2	\$ 2,296.78
SEWER	4	\$ 7,490.79
TOWN BY LAW	2	\$ 2,756.00
PERSONAL SERVICES	2	\$ 3,308.00
LIBRARY SERVICES	8	\$ 11,062.00
PLAYGROUND/RECREATION	1	\$ 1,308.47

HIGHWAY	4	\$	7,322.41
ACCOUNTING	3	\$	4,942.00
	46	\$	72,905.48

”, as petitioned.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 8-0 – 1 Abstained) (\$72,905.48)

A motion was made and seconded to waive the reading of Article 33 from the floor. The motion carried by unanimous vote.

Motion made by Jameson Souza and seconded on the floor that the Town vote to accept Article 33 as petitioned and that the sum of \$53,481.35 be appropriated from Overlay Surplus and the sum of \$19,424.13 be transferred from the Water Enterprise Fund. Discussion followed by Mr. Souza, Selectman Lebeau, and Lloyd Mendes. A motion was made by Mr. Mendes and seconded on the floor to indefinitely postpone Article 33. Discussion on indefinite postponement followed by Mr. Souza, Mrs. Moniz, and J. Ferreira. The Moderator called for the vote on indefinite postponement. Motion failed by majority. Discussion reopened by the Moderator on the main motion. Discussion followed by Mr. Mullen, Selectman Moniz, J. Bednarik, Stephanie Field, and Chris Godet. There is a motion to move the question by Selectman Moniz and seconded on the floor. Point of clarification is called for by David Messier regarding “personal services and Town hall” on the list. The Moderator called for a vote on the main motion. Motion carried by a majority vote as declared by the chair.

Article 34: To see if the Town will vote to accept the provisions of Massachusetts General Laws chapter 64L, section 2, to authorize the imposition of a local sales tax upon restaurant meals originating within the Town by a vendor at a rate of three quarters of one per cent (.75%) of the gross receipts of the vendor from the sale of restaurant meals. As provided in said section, no such excise shall be imposed if the sale is exempt under section 6 of chapter 64H. As also provided in said section, the vendor shall pay the local sales tax imposed under this provision to the Commissioner of Revenue at the same time and in the same manner as the sales tax due to the Commonwealth. Said tax will take effect on the first day of the calendar quarter following thirty (30) days after acceptance by the Town, or of such later calendar quarter as the Town may designate.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 8-1)

Motion made and seconded from the floor to waive the reading of Article 34. Motion carried by unanimous vote.

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town vote to Town vote to accept the provisions of Massachusetts General Laws chapter 64L, section 2, to authorize the imposition of a local sales tax on meals, as set forth in Article 34. Discussion followed by Selectman Berube, Richard Shane, Selectman Berube, Nick Raffa, Mrs. Moniz, Kathleen Gunning, and Joseph Bolton.

Motion made by Mr. Messier and seconded by Mr. Raffa to move the question. Motion carried by a unanimous vote. The Moderator called for the vote on the motion as written and recommended. Motion carried by nearly unanimous vote in the affirmative.

Motion made by Joseph Ferreira and seconded from the floor that not to revisit Articles 1 – 34. Motion carried by unanimous vote.

Article 35: To see if the Town will vote to accept chapter 41, section 19K, of the Massachusetts General Laws, authorizing the Town of Somerset to compensate the Town Clerk, in addition to the regular annual compensation paid by the Town for services in such office, an annual amount equal to 10 percent of such regular annual compensation, but not more than \$1,000 per year, upon proof the Town Clerk has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks' Association as a certified Massachusetts municipal clerk. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of town clerk for 12 consecutive months. Such additional compensation shall discontinue when certification is discontinued or withdrawn.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,000.00)

Motion made by Selectman Moniz and seconded that the Town accept the provisions of Massachusetts General Laws chapter 41, section 19K, as described in Article 35 and that the Town appropriate the sum of \$1,000.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Moniz. In the absence of further discussion, the Moderator called for the vote. Motion carried as written and recommended by a nearly unanimous vote.

Article 36: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money in addition to the amount previously appropriated under Article 37 of the May 19, 2014, Annual Town Meeting, for the purpose of

acquiring by negotiated purchase an underground utility easement in order to provide utility services to Town-owned property as described in said article.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,700.00)

Motion made by Selectman Moniz and seconded from the floor that the Town vote to appropriate the sum of \$1,700.00 for the purpose of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Moniz. In the absence of further discussion, the Moderator called for the vote. Motion carried as written and recommended by unanimous vote.

Article 37: To see if the Town will vote to appropriate a sum of money for engineering, legal and architectural services in connection with remodeling, reconstructing and making extraordinary repairs to both the Water Treatment Facility and the Water Pollution Control Facility which will allow both facilities to convert from a gaseous chlorine treatment process to a sodium hypochlorite treatment process, including the payment of any costs incidental or related thereto; to determine whether said amount shall be transferred from the Water Enterprise Fund and/or amounts raised by the Sewer Infrastructure Fee; or to take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$275,000.00)

Motion made by Christopher Godet to waive the reading of Article 38, seconded from the floor. Motion carried by unanimous vote.

Motion made by Water & Sewer Commissioner John Walsh and seconded by Commissioner Scott O'Brien that the Town vote to appropriate the sum of \$275,000 to pay the costs of engineering, legal and architectural services in connection with the reconstructing and making extraordinary repairs to both the Water Treatment Facility (an approximate cost of \$157,500) and the Water Pollution Control Facility (an approximate cost of \$117,500) and that the sum of \$157,500.00 be transferred from the retained earnings in the Water Enterprise fund, and the sum of \$117,500.00 be transferred from Water Enterprise Fund Retained Earnings raised by Sewer Infrastructure Fees. Discussion followed by Mr. Walsh. In the absence of further discussion, the Moderator called for the vote. Motion carried as written and recommended by unanimous vote.

Article 38: To see if the Town will vote to appropriate a sum of money to pay the costs of remodeling, reconstructing and making extraordinary repairs to both the Water Treatment Facility and the Water Pollution Control Facility which will allow

both facilities to convert from a gaseous chlorine treatment process to a sodium hypochlorite treatment process, including the payment of any costs incidental or related thereto; to determine whether to meet said appropriation by authorizing the Town Treasurer-Collector with the consent of the Board of Selectmen to borrow said money pursuant to Chapter 44, Sections 7 and 8 of the General Laws, or pursuant to any other enabling authority; all or any portion of such amounts authorized to be borrowed pursuant to this article may be obtained through the Massachusetts Clean Water Trust, or otherwise; or to take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$1,136,500.00)

Motion made by Christopher Godet and seconded on the floor to waive the reading of Article 38. Motion carried by nearly unanimous vote.

Motion made by Water & Sewer Commissioner John Walsh and seconded by Commissioner O'Brien that the Town vote to appropriate the sum of \$1,136,500.00 to pay costs of remodeling, reconstructing and making extraordinary repairs to both the Water Treatment Facility (an approximate cost of \$603,500.00) and the Water Pollution Control Facility (an approximate cost of \$533,000.00) which will allow both facilities to convert from a gaseous chlorine treatment process to a sodium hypochlorite treatment process, including the payment of any costs incidental or related thereto; that to meet this appropriation, the Town Treasurer-Collector with the consent of the Board of Selectman, is authorized to borrow said amount pursuant to Chapter 44, Sections 7 and 8 of the General Laws, or pursuant to any other enabling authority; and that all or any portion of the amounts authorized to be borrowed hereunder may be obtained through the Massachusetts Clean Water Trust. Discussion followed by Mr. Walsh, Virgil Pacheco, and Tony Kucikas. In the absence of further discussion, the Moderator called for the vote. The Moderator reminded the body that this article requires a 2/3 vote. Motion carried as written and recommended by a unanimous vote.

Article 39: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of Massachusetts to enact the following special legislation to increase the allowable expenditure limit of a Fire Department Emergency Medical Services Revolving Fund in the Town of Somerset, provided that the General Court may reasonably vary the form of the requested legislation within the scope of the general public objectives of the petition:

SECTION 1. Notwithstanding section 53E1/2 of chapter 44 of the General Laws or any other general or special law to the contrary, the Fire Chief of the Town of Somerset may expend in any one (1) fiscal year from a Fire Department Emergency Medical Services Revolving Fund under his direct control under said section 53E1/2 an amount up to five per cent (5%) of the amount raised by taxation by the town in the most recent fiscal year for which a tax rate has been certified under section 23 of chapter 59 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

The Advisory & Finance Committee unanimously recommends approval of this article.

A motion was made by Christopher Godet and seconded from the floor to waive the reading of Article 39. Motion carried by unanimous vote.

Motion made by Selectman Lebeau and seconded by Selectman Berube that that the Town vote to authorize the Board of Selectmen to file with the General Court of the Commonwealth of Massachusetts a petition requesting passage of a special act in substantially the form set forth in Article 39 to increase the allowable expenditure limit of a Fire Department Emergency Medical Services Revolving Fund. Discussion followed by Chief Scott Jepson. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 40: To see if Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of acquiring by lease/purchase a new pumper, and any necessary equipment incidental thereto, for the Somerset Fire Department.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$450,000.00)

Motion made by Selectman Scott Lebeau and seconded from the floor that the Town appropriate the sum of \$450,000.00 for the purchase of a new fire pumper and any necessary equipment and to authorize the Fire Chief with the approval of the Board of Selectmen to enter into a lease purchase agreement for said truck, the payments for which are to be provided from Somerset's Emergency Medical Services offset receipt account and/or Somerset's Emergency Medical Services Revolving Fund. Discussion

followed by Chief Scott Jepson. In the absence of further discussion the Moderator called for the vote. Motion carried by unanimous vote.

Article 41: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of continuing to fund the development of the Town’s website, or take any action relative thereto.

The Advisory & Finance Committee unanimously does not recommend approval of this article. (\$5,000.00)

Motion made by Selectman David Berube and seconded by Selectman Moniz that the Town vote appropriate the sum of \$5,000.00 for the purpose of this article and that said sum be transferred from Overlay Surplus.

Discussion followed by Selectman Berube, Shawn Mills, and Christopher Murphy. A motion was made and seconded from the floor to indefinitely postpone Article 41. Discussion followed by Joseph Ferreira. Motion failed by majority vote. The Moderator reopened discussion on the main motion. Discussion followed by Joseph Ferreira, Christopher Godet, Selectman Berube, Town Administrator Richard Brown, Virgil Pacheco, Charlene Moniz, Alexandra Murphy and Kim Forbes.

In the absence of further discussion, the Moderator called for the vote. Motion failed by majority vote.

Article 42: To see if the Town will vote to appropriate and/or reserve from the Community Preservation Fund annual revenues the following amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2016, with each item to be considered a separate reservation:

Appropriations:

From FY 2016 estimated revenues for Committee Administrative Expenses \$8,375.00

Reserves:

From FY 2016 estimated revenues for Historic Resources Reserve	\$ 16,750.00
From FY 2016 estimated revenues for Community Housing Reserve	\$ 16,750.00
From FY 2016 estimated revenues for Open Space Reserve	\$ 16,750.00
From FY 2016 estimated revenues for Budgeted Reserve	\$108,875.00

or take any other action relative thereto.

The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 8-1)

Motion made by Christopher Godet and seconded on the floor to waive the reading of Article 42. Motion carried by unanimous vote.

Motion made by Matthew Aspden and seconded by Selectman Moniz that the Town vote to appropriate and reserve the sums as stated in Article 42. Discussion followed by Mr. Aspden and Richard Shane. In the absence of further discussion, the Moderator called for the vote. Motion carried by a nearly unanimous vote.

Article 43: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of hiring professional consultants to perform title searches, appraisals and/or other services in connection with potential uses of the old landfill property located west of Brayton Point Road, or take any action relative thereto.

The Advisory & Finance Committee by a majority does not recommend approval of this article. (Vote 8-1) (\$10,000.00)

Motion made by Selectman Steven Moniz and seconded from the floor that the Town vote to appropriate the sum \$10,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Selectman Moniz, Nick Raffa, and Virgil Pacheco. In the absence of further discussion, the Moderator called for the vote. Motion failed by a nearly unanimous vote.

Article 44: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and equipping a new pick-up truck with plow for the Somerset Highway Department, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (\$39,000.00)

Motion made by Selectman Moniz and seconded from the floor that the Town vote to appropriate the sum of \$39,000.00 for the purposes of this article and that said sum be transferred from Overlay Surplus. Discussion followed by Mr. Moniz. In the absence of further discussion the Moderator called for the vote. Motion carried by a nearly unanimous vote.

A motion was made by Christopher Godet to move Articles 52 and 53 to be heard before Article 45. There was a second on the floor. Motion carried by a nearly unanimous vote.

A motion was made by Selectman Moniz and seconded from the floor not to revisit Articles 35-44. Motion carried by unanimous vote.

Article 52: To see if the Town will vote to amend the Zoning By-law of the Town of Somerset by adding a new By-law section 9.6 entitled “Business Industrial Overlay District”, as follows:

9.6 Business Industrial Overlay District

9.6.1 Purpose:

The purposes of this Business Industrial Overlay District (BIOD) By-law are: to encourage a mix of commercial and industrial uses in certain areas of the Industrial District as shown on the Official Zoning Map Town Somerset Massachusetts, adopted May 19, 2008; to encourage redevelopment and infill development in the areas zoned for industrial uses in a manner that establishes controls that will facilitate development while protecting the public interest; to protect and enhance the value of land and buildings and provide for a variety of business and residential uses in areas that are currently zoned for industrial uses, but abut areas used for business and residential uses; and, toward these ends, to allow greater utilization of commercial developments.

9.6.2 Overlay District:

The Business Industrial Overlay District is hereby established as an overlay district. As such, all rules of the underlying district shall remain in full force and effect. Except where the requirements of the BIOD vary uses or dimensional requirements, the requirements otherwise set forth in the Zoning By-Law shall control. Where the requirements of the BIOD vary the uses or dimensional requirements otherwise set forth in the Zoning By-Law, the terms and conditions of the BIOD shall control.

9.6.3 Approving Authority:

- A. A Special Permit under Section 7.5 of this By-Law shall be required for a BIOD Development (a “BIOD Development Special Permit”). The Planning Board shall act as the Special Permit Granting Authority for applications submitted under this Section of the By-Law and may adopt and from time to time amend reasonable regulations for the administration of this By-Law. The regulations shall contain detailed

requirements governing applications for review, which shall include, but need not be limited to, the following:

1. The content of plans;
2. The designation of proposed building locations;
3. Location and design characteristics of proposed roads, driveways, and parking area;
4. Existing and proposed site grades;
5. Identification of wetlands affected by or adjoining the proposed project;
6. Utility service to the proposed project and drainage plans and calculations;
7. Traffic studies relating to the proposed project;
8. Screening plans for the proposed project; and,
9. Performance and Design Guidelines.

- B. The Planning Board shall act on a special permit application according to the procedures set forth in M.G.L. Chapter 40A, section 11, and the provisions of section 7.5 (Special Permits) of this By-Law.

9.6.4 Definitions.

The terms used in this section of the By-Law shall have the meanings set forth in Section 2.0 hereinabove.

9.6.5 Use Regulations:

The Business Industrial Overlay District is an overlay district superimposed over the underlying Industrial District set forth in this Zoning By-Law. Within the Business Industrial Overlay District, the requirements of the underlying Industrial District continue to apply, except in uses as follows:

Permitted Uses.

The following are uses allowed in a qualifying BIOD Development (defined below) with a BIOD Development Special Permit:

- i. All uses allowed in the Business Districts in Section 4.2 hereinabove.
- ii. All accessory uses which are allowed as incidental to an allowed use in the Business Districts, provided the prerequisites

and conditions for such accessory uses meet all of the requirements for allowed incidental uses in Business Districts as set forth in this By-Law.

Prohibited Uses.

Any uses not specifically permitted herein are prohibited. In addition, adult entertainment uses and medical marijuana facilities are prohibited in the BIOD notwithstanding any other provision in this By-law.

9.6.6 Density and Dimensional Regulations.

Where a BIOD Development project involves an entire parcel or multiple contiguous parcels, densities shall be calculated on the development of the area as a whole.

The following shall guide the design of a development within the Business Industrial Overlay District (a “BIOD Development”):

Densities. The density of a BIOD development must comply with the density requirements of Section 5.0 hereinabove.

Dimensional Regulations BIOD Developments shall comply with these parameters:

Minimum Lot Area: 20,000 sq.ft.

All other dimensional requirements set forth in Section 5.0 shall apply to any BIOD Development.

The Advisory & Finance Committee unanimously recommends approval of this article. (Question arises from Mr. Pierce as to why A&F Board made a recommendation. Chairman Godet noted that it is an Advisory recommendation)

The Planning Board will have a recommendation at Town Meeting. Gary Simons, Chairman of the Planning Board, makes an unfavorable recommendation on Article 52.

A motion was made by Christopher Godet to waive the reading of Article 52 and seconded from the floor. Motion carried by unanimous vote

A motion was made by Jim Burke that the Town vote to amend the Somerset Zoning By-law by adding as a new Section 9.6 thereto the “Business Industrial Overlay District” provisions set forth in Article 52. Discussion followed by Connie Brodeur and Mr. Burke. Mrs. Brodeur made a motion for indefinite postponement, which was seconded from the floor. Before taking the vote on the motion, there was discussion on indefinite postponement by Arastou Mahjoory, Mr. Simons, and Mr. Richard Peirce, Christopher Godet, Mr. Simons, Jim Burke, Mr. Bennett, Lloyd Mendes, Pauline Rodrigues, Phyllis Burnside who made a motion to move the question on indefinite postponement, there was a second on the floor. The Moderator called for the vote on indefinite postponement. Motion failed by a majority vote. The Moderator re-opens discussion on the original motion. Discussion followed by Selectman Lebeau, Mr. Bennett, Kathleen Gunning, and Phyllis Burnside. In the absence of further discussion, the Moderator called for the vote (2/3). A standing, counted vote was taken. Total Votes – 137; Yes votes – 114; No votes – 23. Motion carried as 91 votes were required.

Article 53: To see if the Town will vote to amend the Official Zoning Map of the Town of Somerset, adopted under Article 37 of the May 19, 2008, Annual Town Meeting and as subsequently amended, by changing the zoning district of the following described parcel from Industrial to Business Industrial Overlay District:

A parcel of land situated on the northwesterly side of Riverside Avenue, the southeasterly side of County Street and the northeasterly side of Stevens Street, Town of Somerset, Bristol County, Commonwealth of Massachusetts, bounded and described as follows:

BEGINNING at a point at the southeasterly side of County Street at the northerly corner of Lot 4 and the westerly corner of Lot 3 as shown on the Plan hereinafter referenced;

THENCE S 45° 13' 55" E by said Lot 3, six hundred seventy six and 30/100 feet (676.30') to a point on the northwesterly side of Riverside Avenue;

THENCE S 44° 46' 05" W by said Riverside Avenue, three hundred thirty four 37/100 feet (334.37') to a point on the northeasterly side of Stevens Street;

THENCE N 45° 13' 55" W by said Stevens Street, one hundred eighty one and 18/100 feet (181.18') to a point;

THENCE N 62° 54' 45" W by said Stevens Street, five hundred nine and 92/100 (509.92') to a point on the southeasterly side of said County Street; THENCE N 43° 40' 54" E by said County Street, four hundred eighty nine and 33/100 feet (489.33') to the point of beginning.

Being Lot 4 shown on plan entitled "Approval-Not-Required Plan of Land Riverside Avenue Somerset, MA." dated February 26, 2015 by Surveying and Mapping Consultants, and Recorded March 23, 2015 with the Bristol County (Fall River District) Registry of Deeds in Plan Book 157, Page 15.

Motion was made by Mr. Godet and seconded on the floor to waive the reading of Article 53. Motion carried by unanimous vote.

The Planning Board will have a recommendation at Town Meeting. Gary Simons, PB Chair, recommends the Town so vote following the passage of Article 52.

Motion was made by Jim Burke and seconded from the floor that the Town so vote to accept Article 53 as set forth and now recommended. In the absence of any discussion, the motion carried by a nearly unanimous vote with 1 (one) no as declared by the Moderator.

Article 45: To see if the Town will vote to amend the provisions of section 5.2 of the Somerset Zoning By-law ("Table of Dimensional Requirements") as follows: by deleting the figure "12" in the column for "One Family House in any District" and in the row "Minimum Side Yard in Feet" and replacing it with the figure "15"; by deleting the footnote that reads "Sum of both sides at least 30 feet" in the column for "Remarks" and the row for "Minimum Side Yard in Feet"; and, by adding a new "Note 5" after the other notes below the Table as follows:

"5. Steps, Fireplaces, and Chimneys shall be permitted within the front, side, and rear set-backs in a Residential District only."

The Planning Board recommends that the Town so vote.

Motion was made by Mr. Godet and seconded on the floor to waive the reading of Article 45. Motion carried by unanimous vote.

Motion was made by Gary Simons and seconded by Selectman Moniz that the Town vote to amend the Somerset Zoning By-law as set forth in Article 45.

Discussion followed by Mr. Simons. In the absence of further discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 46: To see if the Town will vote to amend the provisions of section 6.3 (“Non-Conforming Uses”) of the Somerset Zoning By-law by adding the following as a new third paragraph:

Single-family and two-family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Building Inspector that such proposed reconstruction, extension, alteration, or change does not increase the non-conforming nature of such structure. Exterior walls can be extended at or along the same non-conforming distance within a required yard, provided that the Building Inspector finds that the proposed modification will not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

The Planning Board recommends that the Town so vote.

Motion made by Mr. Godet and seconded from the floor to waive the reading of Article 46. Motion carried by a unanimous vote.

A motion was made by Gary Simons and seconded by Mr. Godet that the Town vote to amend the Somerset Zoning By-law as set forth in Article 46.

Discussion followed with a point of order noting that these articles were brought forward by the Building Inspector. In the absence of further discussion the Moderator called for the vote. The motion carried by unanimous vote.

Article 47: To see if the Town will vote to amend the last sentence of subsection (5) in section 6.5.3 of the Somerset Zoning By-law, which addresses wall signs for non-conforming businesses in a residential district, by deleting the existing sentence which reads “In no instance shall the sign exceed twenty (20) square feet” and replacing it with the following new sentence: “In no instance shall the sign exceed twelve (12) square feet”.

The Planning Board recommends that the Town so vote.

Motion was made by Gary Simons and seconded by Selectman Berube that the Town vote amend the Somerset Zoning By-law as set forth in Article 47.

Discussion followed by Joseph Bednarik, Virgil Pacheco. A motion followed by Mr. Bednarik and seconded on the floor that Article 47 be indefinitely postponed. In the absence of further discussion, the Moderator called for a vote. The motion on indefinite postponement carried by a majority as declared by the Moderator.

Article 48: To see if the Town will vote to amend the provisions of section 6.5.4 (“Signs in Business and Industrial Districts”) of the Somerset Zoning By-law as follows:

--In subsection (4), by deleting the existing language, which reads as follows:

4) No part of any free-standing sign shall extend higher than thirty-five (35) feet from the ground level, nor shall any part of the free-standing sign other than the post or other support structure be located lower than eight (8) feet above the ground. No Freestanding sign shall be larger than can be fitted within an area of one hundred twenty (120) square feet.

and replacing it with the following:

4) No part of any freestanding sign shall extend higher than twenty-three (23) feet from ground level or be greater than fifteen (15) feet in width, nor shall any part of the freestanding sign other than the post or other support structure be located lower than eight (8) feet above the ground. No freestanding sign shall be larger than one hundred twenty (120) square feet. No such sign shall be located so as to impede or obstruct the views of traffic and in no event shall any part of such sign be located less than eight (8) feet from any boundary line.

--In subsection (7), by adding the following new language after the existing language:

No such sign shall project more than four (4) feet perpendicularly from the face of the wall to which it is attached.

--In subsection (12), by deleting the existing language, which currently reads as follows:

Auxiliary signs and special event signs may be permitted as follows: The total area of all auxiliary signs, window signs, and special event signs allowed in this section shall not exceed thirty-three percent (33%) of the area of the building walls facing a public way.

and replacing it with the following:

Auxiliary signs and special event signs may be permitted as follows: The total area of all such wall signs, window signs and other special event signs allowed in this section shall not exceed thirty-three percent (33%) of the area of the building walls facing a public way. Freestanding auxiliary signs shall not be larger than eight (8) square feet. Auxiliary and special event signs can be displayed for no more than sixty (60) consecutive days in a six (6) month period.

The Planning Board recommends that the Town so vote.

A motion was made by Christopher Godet and seconded on the floor to waive the reading of Article 48. Motion carried by unanimous vote.

Motion was made by Gary Simons and seconded from the floor that the Town so vote. Motion made by Joseph Bednarik and seconded by Christopher Murphy this article be indefinitely postponed. Motion carried by a majority vote as declared by the Moderator.

Article 49: To see if the Town will vote to amend the provisions of section 6.5.12 (“Prohibited Signs”) of the Somerset Zoning By-law as follows:

--By amending subsection (1), which currently reads: “Any sign which incorporates any flashing, moving, intermittent, animated or rotating lighting except those displaying time and temperature on separate displays”, by inserting the words “is electronic or” after the words “Any sign which” at the beginning of the subsection; and,

--By amending subsection (11), which currently reads “Signs including banners advertising products, sales, events or activities which are tacked, painted or otherwise attached to poles, benches, barrels, buildings, traffic signal boxes, posts, trees, sidewalks, curbs, and rocks regardless of construction or application, except as otherwise specifically provided herein”, by inserting the words “teardrop-style flag,” after the words “Signs including” at the beginning of the subsection.

The Planning Board recommends that the Town vote.

A motion was made by Christopher Godet and seconded from the floor to waive the reading of Article 49. Motion carried by unanimous vote.

Motion was made by Gary Simons and seconded by Christopher Godet that the town so vote. Discussion followed by Joseph Bednarik who motion that Article 49 be indefinitely postponed. Discussion followed by Lloyd Mendes, and Gary Simons. In the absence of further discussion, the Moderator called for the vote on indefinite postponement. The motion carried by a majority vote as declared by the Moderator.

Article 50: To see if the Town will vote to amend the Somerset Zoning By-law by adding the following changes and provisions allowing accessory units in single-family residential dwellings by special permit:

--In section 2.0 (“Definitions”), add the following new definition in alphabetical order:

Accessory Unit. An independent unit within the main dwelling that allows family members to have alternative housing opportunities. Such a unit must be located within or attached to a single-family dwelling and the record owner of the lot must reside in either the principal dwelling or the accessory unit.

--In section 4.2.1 (“Table of Use Regulations: Residence and Accessory Uses”), add a new subsection “4.2.1.i” providing for the following use:

	Res.	Bus.	Ltd. Bus.	Open Rec.	Ind.	Lt. Ind.
i. Accessory Unit	SP	SP	SP	SP	No	No

--In section 7.6 (“Specific Uses by Special Permit”) add the following new provisions alphabetically by title:

Accessory Units for Single Family Dwellings

SPGA: Planning Board

District: Residential; Business; Limited Business; Open Recreational

Special Conditions: The intent of this provision is to provide housing to meet the needs of families who might be on a fixed income and enable them to stay more comfortably and securely in the homes and neighborhoods to which they are accustomed. An accessory unit is not meant to be a rental unit, but only as a convenience for members of the owner’s family, and must meet the following requirements:

1. The unit shall not exceed 750 square feet in size.
2. The unit shall have at least two means of egress, with one egress directly to the outdoors and one egress through the main dwelling.

3. All utilities shall be extensions of the existing utilities serving the main dwelling and may not be separately metered. No new meters of any kind shall be installed.
4. The unit may have no more than one bedroom, one bathroom, one living area, and one dining/kitchen area, with said dining/kitchen area having up to eight (8) feet of counter-top, one sink no larger than two (2) square feet, one under-counter refrigerator, and one counter-top cooking appliance (microwave oven, toaster oven, etc.).
5. Only one accessory unit shall be allowed per single-family dwelling.
6. Adequate off-street parking must be provided.
7. One of the two units must be owner-occupied.
8. The addition of any such unit must maintain the single-family residential character of the dwelling and the neighborhood.

The Planning Board recommends that the Town vote.

A motion was made by Christopher Godet and seconded on the floor to waive the reading of Article 50. Motion carried by unanimous vote.

Motion made by Gary Simons and seconded from the floor that the Town so vote. Discussion followed by Virgil Pacheco. A motion to amend Article 50 by eliminating #4 was made by Virgil Pacheco and seconded from the floor. The Moderator requested a standing vote. The motion to amend carried by a majority vote declared by the Moderator by standing vote. In the absence of further discussion on the article as amended, the Moderator called for the vote. The motion carried by a nearly unanimous vote, (2 in the negative) declared by the Moderator to accept Article 50 as amended.

Article 51: To see if the Town will vote to amend the “Table of Off-Street Parking and Loading Requirements” in section 6.7 of the Somerset Zoning By-law by deleting the existing minimum number of required off-street spaces for “Retail Business or Office” uses, which is currently “One space per 150 square feet of gross floor area but not fewer than 3 spaces per separate enterprise”, and replacing it with the following: “One space for every three hundred (300) square feet of gross floor area but not fewer than three (3) spaces per separate enterprise”.

The Planning Board recommends that the Town vote.

A motion was made by Christopher Godet and seconded on the floor to waive the reading of Article 51. Motion carried by unanimous vote.

Motion was made by Jim Burke and seconded by Selectman Lebeau that he Town vote to amend the Somerset Zoning By-law as set forth in Article 51.

Discussion followed by Jim Burke, Phyllis Burnside, Joseph Bednarik, Jack Toulan, Charlene Moniz, and Atty. Brown. In the absence of further discussion, the Moderator called for the vote. Motion carried by unanimous vote to accept Article 51 as recommended.

A motion was made at 10:56 to dissolve the Annual Town Meeting from the floor, seconded from the floor. Motion carried by a unanimous vote.

Attendance: 420

A true copy attest;

**Dolores Berge
Town Clerk**