

**ANNUAL TOWN MEETING  
MAY 16, 2016**

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 9, 2016.**

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: A motion was made by Selectman Berube and seconded by Selectman Moniz that the Town adopt article 2, as written and recommended. Vote: 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, 2016 to June 30, 2017, 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 2017
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 administering the By-law and remediation & maintenance work per the By-law	\$20,000	Available for expenditure fiscal 2017
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 fiscal 2017
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 fiscal 2017
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 2017
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 2017
G	Transportation Program	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$100,000	Available for expenditure fiscal 2017
H	Before & After School Care	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$25,000	Available for expenditure fiscal 2017
I	Use of School Property	School Department	Receipts and Fees	Facilities rentals and operations	\$30,000	Available for expenditure fiscal 2017

**The Advisory & Finance Committee will have a recommendation at Town Meeting. At the Town Meeting the Advisory & Finance Committee unanimously recommends approval of this article.**

**Motion: A motion was made by Selectman Berube and seconded by Mr. Godet that the Town adopt article 3, as written and recommended. In the absence of discussion, the Moderator called for the vote.**

**Vote: Motion carried by unanimous vote to accept Article 3 as written and recommended.**

Article 4: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2016, 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	\$54,932.00
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: A motion was made by Selectman Berube and seconded by Selectman Moniz that the Town so vote. Discussion followed by Mr. Moniz. A motion was made by Lloyd Mendes, 46 Anawan St, to amend Article 4 by reducing each annual salary on the table by 10%, following he stated the salaries as proposed with the reduction of 10%. There was a 2<sup>nd</sup> on the floor. Discussion followed by Mr. Mendes, Phyllis Burnside and Mr. Mendes again. A motion was made by a member of the body to move the question. There was a second on the floor. Following a nearly unanimous vote, the Moderator called for the vote on the motion to amend. The motion failed by a nearly unanimous vote. The Moderator opened the floor to discussion on the original motion. Following no further discussion, the vote was taken. Vote: Motion carried by a nearly unanimous vote to accept Article 4 as written and recommended.**

Article 5: 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, 2016, as follows:

**A. GENERAL BUDGET**

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$0.00	\$0.00	\$0.00
114 Town Moderator	\$400.00	\$0.00	\$400.00
122 Selectmen	\$130,482.00	\$5,725.00	\$136,207.00
123 Town Administrator	\$133,073.00	\$6,275.00	\$139,348.00
124 Contingent	\$0.00	\$6,580.00	\$6,580.00
131 A & F Committee	\$3,350.00	\$300.00	\$3,650.00
132 Reserve Fund	\$0.00	\$100,000.00	\$100,000.00
135 Town Accountant	\$180,475.00	\$3,185.00	\$183,660.00
136 Annual Audit	\$0.00	\$40,000.00	\$40,000.00
137 Computer/Engineering	\$0.00	\$116,250.00	\$116,250.00
141 Assessors	\$120,177.00	\$14,100.00	\$134,277.00
145 Town Treasurer/Tax Collector	\$206,218.00	\$56,175.00	\$262,393.00
151 Law Department	\$0.00	\$163,550.00	\$163,550.00
161 Town Clerk	\$101,650.00	\$4,650.00	\$106,300.00
162 Elec. & Regr.	\$17,500.00	\$34,600.00	\$52,100.00
171 Conservation Comm	\$16,217.00	\$0.00	\$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	\$895.00	\$2,295.00
192 Town Office	\$86,874.00	\$41,796.00	\$128,670.00
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: \$2,843,397.00)	\$0.00	\$8,175,657.00	\$8,175,657.00

(Health School Dept: \$4,841,460.00)			
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	\$39,958.00	\$100,677.00	\$140,635.00
210 Police Department	\$2,407,009.00	\$128,416.00	\$2,535,425.00
215 E-911 Dispatch	\$367,437.00	\$11,369.00	\$378,806.00
220 Fire Department	\$1,501,925.00	\$79,475.00	\$1,581,400.00
241 Bldg. Insp./Zoning Agent	\$55,123.00	\$2,543.00	\$57,666.00
242 Gas & Plumbing	\$15,000.00	\$625.00	\$15,625.00
244 Sealer of Standards	\$3,300.00	\$300.00	\$3,600.00
245 Wiring Inspector	\$24,000.00	\$150.00	\$24,150.00
291 Emergency Mgmt.	\$6,000.00	\$3,760.00	\$9,760.00
292 Dog Officer	\$0.00	\$37,779.00	\$37,779.00
294 Tree Warden	\$0.00	\$30,000.00	\$30,000.00
295 Harbor Master	\$4,000.00	\$5,030.00	\$9,030.00
296 Insect Pest Control	\$1,400.00	\$1,025.00	\$2,425.00
299 Inspector of Animals	\$0.00	\$0.00	\$0.00
420 Highway Department	\$678,847.00	\$64,230.00	\$743,077.00
423 Snow Removal	\$98,400.00	\$73,600.00	\$172,000.00
424 Street Lights	\$0.00	\$175,000.00	\$175,000.00
425 Traffic Signal Maint.	\$0.00	\$3,000.00	\$3,000.00
431 Landfill	\$0.00	\$21,000.00	\$21,000.00
440 Water Pollution Control	\$902,380.00	\$1,222,350.00	\$2,124,730.00
480 Vehicle Maint. Facility	\$115,982.00	\$322,050.00	\$438,032.00
510 Board of Health	\$52,542.00	\$1,400.00	\$53,942.00
522 Town Nurse	\$37,114.00	\$475.00	\$37,589.00
541 Council on Aging	\$73,926.00	\$6,136.00	\$80,062.00
543 Veterans Benefits	\$51,999.00	\$306,550.00	\$358,549.00
544 Graves Registration	\$750.00	\$1,200.00	\$1,950.00
610 Libraries	\$406,921.00	\$135,319.00	\$542,240.00
630 Playground & Rec.	\$89,712.00	\$4,150.00	\$93,862.00
633 Public Outdoor Facilities	\$0.00	\$31,074.00	\$31,074.00
691 Historical Comm.	\$0.00	\$1,760.00	\$1,760.00
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	\$59,650.00	\$59,650.00
710 Maturing Debt General Government	\$0.00	\$567,804.00	\$567,804.00
710 Maturing Debt School Department	\$0.00	\$150,000.00	\$150,000.00
753 Interest Appropriation General Government	\$0.00	\$110,633.00	\$110,633.00
753 Interest Appropriation School Department	\$0.00	\$11,250.00	\$11,250.00
832 Contributory Retirement	\$0.00	2,233,454.00	\$2,233,454.00
<b>TOTAL GENERAL GOVT.</b>	<b>\$7,941,116.00</b>	<b>\$15,024,812.00</b>	<b>\$22,965,928.00</b>

	<b>APPROVED FY 2016</b>	<b>PROPOSED FY 2017</b>	<b>INCREASE/ DECREASE</b>
<b>Personal Services</b>	<b>\$7,743,702.00</b>	<b>\$7,941,116.00</b>	<b>\$197,414.00</b>
<b>Expenses</b>	<b>\$3,385,646.00</b>	<b>\$3,776,014.00</b>	<b>\$390,368.00</b>
<b>Fixed Expenses</b>	<b>\$11,481,715.00</b>	<b>\$11,248,798.00</b>	<b>(\$232,917.00)</b>
<b>TOTALS:</b>	<b>\$22,611,063.00</b>	<b>\$22,965,928.00</b>	<b>\$354,865.00</b>

The Advisory & Finance Committee will have a recommendation at Town Meeting. At the meeting A & F Chairman Christopher Godet declared that Advisory & Finance Committee unanimously recommends approval of this article.

Motion: A motion was made by Mr. Berube and seconded by Mr. Godet that the Town vote to appropriate the sum of \$22,965,928.00 for the fiscal year July 1, 2016 to June 30, 2017, 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 \$22,956,898.00 from taxation. Discussion followed by Mr. Berube. A motion was made by Mr. Lloyd Mendes, 46 Anawan Street, that the Town vote to reduce line item #220 personal services by \$38,075. There was a second on the floor. After discussion by Selectman Berube, Selectman Moniz, Chief Jepson, and Mr. Mendes, a motion was made to move the question. There were several seconds from the voting body. The Moderator called for the vote on the motion to amend Article 5A. The motion failed by a nearly unanimous vote. The Moderator opened the

floor for discussion on the original motion. In the absence of further discussion, the Moderator called for a vote. **Vote:** Motion carried by a nearly unanimous vote to accept Article 5A as written and recommended.

**APPROPRIATION**

**5B. School Dept. Budget**

Personal Services	Operating Expenses	Total Appropriation
\$14,337,233.00	\$4,517,543	\$18,854,776.00

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

**Motion:** A motion was made by School Committee Chairman Arastou Mahjoory and seconded by Robert Lima that the Town vote to appropriate the sum of \$18,854,776.00 for the fiscal year beginning July 1, 2016 and ending June 30, 2017, for purposes of funding the Somerset Public School Department Budget as designated, and that said sum be funded through taxation and other available funds. Discussion followed by Mr. Mahjoory. There was a motion by Mr. Lloyd Mendes, 46 Anawan Street, to reduce the Operating Expenses by \$30,000 by reducing one bus route. Discussion followed on the motion to amend by Mr. Mendes, Superintendent Schoonover, and again Mr. Mendes. In the absence of further discussion on the amendment, the Moderator called for a vote. The motion to amend failed by a nearly unanimous vote. The Moderator opened the floor for discussion on the original amendment. In the absence of further discussion, the Moderator called for the vote. **VOTE:** Motion carried by a nearly unanimous vote to accept Article 5B as written and recommended.

**APPROPRIATION**

**5C. Water Department**

Personal Services	Operating Expenses	Total Appropriation
\$957,245.00	\$2,398,379.00	\$3,355,624.00

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

**Motion:** A motion was made by Scott O'Brien and seconded by Mr. Lima that the Town vote to appropriate the sum of \$3,355,624.00 for the fiscal year July 1, 2016 to June 30, 2017, for the purposes of this article and that the sum of \$3,355,624.00 be raised from Water Enterprise Fund Receipts. There was no discussion.

**Vote:** Motion carried by a unanimous vote to accept Article 5C as written and recommended.

Article 6: 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)**

**Motion:** A motion was made by Selectman Moniz and seconded by Mr. Godet that the Town vote to appropriate the sum of \$11,000 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Moniz. **Vote:** Motion carried by a nearly unanimous vote to accept Article 6 as written and recommended.

Article 7: 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 \$7,384,459.00 and capital expenses of \$1,486,892.00 for a total of \$8,871,351.00 for the **Somerset-Berkley Regional School District**, said amount having been assessed to the Treasurer of the Town of Somerset.

**The Advisory & Finance Committee will have a recommendation at Town Meeting.**

**Motion:** A motion was made by SBRSC Chairman Richard Peirce and seconded by Mrs. Gagliardi that the Town vote to appropriate the sum of \$8,871,351 for the purpose of paying the Town's share of operating expense for the Somerset Berkley Regional School District, said amount having been assessed to the Treasurer of the Town of Somerset and that said sum be raised from taxation. Discussion followed by Mr. Peirce and Superintendent Schoonover. A motion was made by Mr. Lloyd Mendes, 46 Anawan Street, to amend the Operating Expenses by \$56, 162.00 reducing the total appropriation to \$8,815,181.00. Discussion on the motion to amend followed by Mr. Mendes and Mr. Peirce who called the motion to amend not in order per Massachusetts General Laws. The Moderator agreed and ruled Mr. Mendes amendment out of order. The floor was opened for discussion on the original motion. In the absence of further discussion the vote was taken. **Vote:** Motion carried by a nearly unanimous vote to accept article 7 as written and recommended.

Article 8: 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. (\$1,219,026)**

**Motion:** A motion was made by Selectman Moniz and seconded by Mr. Godet and several others on the floor that the Town vote to appropriate the sum of \$1,219,026.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Moniz. **Vote:** Motion carried by a nearly unanimous vote to accept Article 8 as written and recommended.

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 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. (\$55,593)**

**Motion: A motion was made by Selectman Moniz and seconded by Selectman Berube that the Town vote to appropriate the sum of \$55,593.00 for the purposes of this article and that said sum be raised from taxation.**

**Discussion Followed by Selectman Moniz. Vote: Motion carried by a unanimous vote to accept Article 9 as written and recommended.**

Article 10: 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. (\$218,512)**

**Motion: A motion was made by Selectman Moniz and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$218,512.00 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 Selectman Moniz. Vote: Motion carried by a unanimous vote to accept Article 10 as written and recommended.**

Article 11: 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 charges for rubbish bags pursuant to Article 10 of the February 8, 1993, Special Town Meeting, as well as 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)**

**Motion: A motion was made by Selectman Moniz and seconded by Selectman Berube 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 MGL, chapter 44, section 53E, and that the sum of \$550,000.00 be raised from Taxation. Discussion followed by Selectman Moniz. Vote: Motion carried by a unanimous vote to accept Article 11 as written and recommended.**

Article 12: To see if the Town will vote to authorize the Board of Selectmen, pursuant to Massachusetts General Laws chapter 44, section 53E1/2, to establish a revolving fund for the Fire Department to collect and disperse funds in connection with Emergency Medical Services, to provide further that all fees and charges paid in connection therewith shall be deposited into said revolving fund, and to provide that without further appropriation, the Fire Chief may authorize disbursements from said fund during the upcoming fiscal year not to exceed \$1,200,000.00 to be used for Emergency Medical Services related expenses, and for any purposes incidental thereto.

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

**Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town so vote. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 12 as written and recommended.**

Article 13: 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 to indefinitely postpone this article based on the recommendation of Article 12.**

**Motion: A motion was made by Selectman McNamara and seconded by Mr. Godet that this article be indefinitely postponed. There was no discussion. Vote: Motion carried by a unanimous vote to indefinitely postpone Article 13 as recommended.**

Article 14: 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 2017, or take any action relative thereto.

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

**Motion: A motion was made by Assessor Stephanie Schecter and seconded by Arastou Mahjoory that the Town so vote. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 14 as written and recommended.**

Article 15: 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 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 unanimously recommends approval of this article. (\$50,000)**

**Motion: A motion was made by Assessor Stephanie Schecter and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$50,000.00 for the purposes of this article and that said sum be raised from taxation. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 15 as written and recommended.**

Article 16: 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)**

**Motion: A motion was made by Assessor Stephanie Schecter and seconded by Arastou Mahjoory that the Town vote to appropriate the sum of \$5,000.00 for the purposes of this article and that said sum be raised from taxation. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 16 as written and recommended.**

Article 17: To see if the Town will vote to authorize the Board of Selectmen to sell and transfer the parcel of Town-owned land and the building thereon located at 2435 Riverside Avenue, Somerset, (Assessors Map C-2, Lot 36), as further described below, 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 westerly side of Riverside Avenue, Somerset, MA, bounded and described as follows:

Beginning at the northeasterly corner thereof, in the westerly line of said Riverside Avenue, by land now or formerly of Frances Wells; thence running westerly by said last named land one hundred sixty-eight (168) feet more or less to land now or formerly of Charles W. Francis; thence southerly by said last named land sixty (60) feet for a corner and to land now or formerly of Thomas Hargreaves, Jr.; thence easterly by said last named land one hundred fifty-eight (158) feet more or less to said Riverside Avenue; and thence northerly along the westerly line of said Riverside Avenue sixty (60) feet to the point of beginning, containing thirty-three and 16/100 (33.16) square rods more or less.

See Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 422, Page 207.

**The Advisory & Finance Committee unanimously recommends approval of this article. (2/3 vote required)**

**A motion was made by Mr. Godet and seconded on the floor to waive the reading of Article 17, unanimous vote.**

**Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to authorize the Board of Selectmen to sell and transfer the parcel of Town-owned land and the building thereon located at 2435 Riverside Avenue, Somerset as described in Article 17. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 17 as written and recommended.**

Article 18: To see if the Town will vote to accept Massachusetts General Laws Chapter 44, Section 53F3/4, which establishes a special revenue fund known as the PEG (public, educational and governmental) Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2017, which begins on July 1, 2016, or take any other action relative thereto.

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

**Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to accept Massachusetts General Laws chapter 44, section 53F3/4, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2017, which begins on July 1, 2016. There was no discussion. Vote: Motion carried by a nearly unanimous vote to accept Article 18 as written and recommended.**

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 performing cleaning and surging of the Francis J. McCarty Well #2 in Dighton, Massachusetts, along with any necessary repairs to the Chemical Delivery and Pumping Equipment at said well.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$47,000)**

**Motion: A motion was made by Commissioner Scott O'Brien and seconded by Mr. Mahjoory that the Town vote to appropriate the sum of \$47,000.00 for the purposes of this article and that said sum be transferred from the retained earnings in the Water Enterprise Fund. Discussion followed by Mr. O'Brien. Vote: The motion carried by a unanimous vote to accept Article 19 as written and recommended.**

Article 20: 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 one (1) new Heavy Duty Dump Truck for the Water Department.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$150,000)**

**Motion: A motion was made by Commissioner O'Brien and seconded by Mr. Lima that the Town vote to appropriate the sum of \$150,000.00 for the purposes of this article and that said sum be transferred from the retained earnings in the Water Enterprise Fund. Discussion followed by Mr. O'Brien, Mr. McGee, and Mr. Lima. Following discussion, the Moderator called for the vote. Vote: Motion carried by unanimous vote to accept Article 20 as written and recommended.**

Article 21: To see if the Town will vote to appropriate and transfer from available funds a sum of money for the purposes of transporting and disposing of Off-Specification Compost Materials which have been generated at the Water Pollution Control Facility.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$165,372)**

**Motion: A motion was made by Commissioner O'Brien and seconded by Mr. Lima Madam Moderator, I move that the Town vote to appropriate the sum of \$165,372.00 for the purposes of this article and that said sum be transferred from account #32-3213-440 Design and Construction of the Lees River Avenue Pump Station. Discussion followed by Mr. O'Brien. Vote: Motion carried by unanimous vote to accept Article 21 as written and recommended.**

Article 22: To see if the Town will vote to appropriate and transfer from available funds a sum of money for the purpose of obtaining engineering, design, legal, and construction services for making necessary repairs at the Route 6 Wastewater Pumping Station and appurtenances thereto, or to take any action necessary to carry out this project.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$200,000)**

**Motion: A motion was made by Commissioner O'Brien and seconded by Mr. Lima that the Town vote to appropriate the sum of \$200,000.00 for the purposes of this article and that said sum be transferred from account #32-3213-440 Design and Construction of the Lees River Avenue Pump Station. Discussion followed by Mr. O'Brien, and Lloyd Mendes, 46 Anawan Street. Vote: Motion carried by unanimous vote to accept Article 22 as written and recommended.**

Article 23: To see if the Town of Somerset will vote to transfer the remaining balance of Account #37-3216-300 (Middle School Water Damage) approved under Article 10 of the November 2015 Special Town Meeting to a new capital account for the purpose of funding infrastructure improvements for technology, such as wiring and hardware, at North Elementary School and Somerset Middle School.

**The Advisory & Finance Committee by a majority does not recommend approval of this article (Vote 7-1) (\$41,305)**

**Motion: A motion was made by Michael Botelho and seconded on the floor that the Town vote to transfer the remaining balance of Account #37-3216-300 (Middle Water Damage) approved under Article 10 of the November 2015 Special Town Meeting to a new capital account for the purpose of funding infrastructure improvements for technology, such as wiring and hardware, at North Elementary School and Somerset Middle School. Discussion followed by Dennis Viveiros, Michael Pasternak, and Mr. Botelho. A motion was made by Selectman Moniz to move the question, seconded by Selectman Berube. Voted nearly unanimous to move the question. Vote: Article 23 failed by a standing and counted vote as requested by the Moderator. Count: Yes votes – 68 No votes - 76**

Article 24: To see if the Town of Somerset will vote to raise, appropriate, and/or transfer from available funds a sum of money in order to perform capital improvements at the Somerset Middle School to remove and replace the existing lockers that are original to the building constructed in 1964.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$65,000)**

**Motion: A motion was made by Michael Botelho and seconded by Arastou Mahjoory that the Town vote to raise, appropriate and/or transfer from available funds a sum of \$65,000 to perform capital improvements at the Somerset Middle School by removing and replacing the existing lockers that are original to the building constructed in 1964, and that said sum be transferred from undesignated surplus. There was no discussion. Vote: Motion carried by a unanimous vote to accept Article 24 as written and recommended.**

Article 25: To see if the Town of Somerset will vote to raise, appropriate, and/or transfer from available funds a sum of money in order to perform capital improvements at the Somerset Middle School to replace the wireless clock system.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$11,000)**

**Motion: A motion was made by Michael Botelho and seconded by Mr. Mahjoory that the Town vote to raise, appropriate and/or transfer from available funds a sum of \$11,000 to perform capital improvements at the Somerset Middle School to replace the wireless clock system, and that said sum be transferred from undesignated surplus. No discussion followed. Vote: Motion carried by a unanimous vote to accept Article 25 as written and recommended.**

Article 26: To see if the Town of Somerset will vote to raise, appropriate, and/or transfer from available funds a sum of money in order to perform capital improvement at Chace Elementary School to remove existing rugs and replace with tile in 2 classrooms and the teachers work area.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$6,000)**

**Motion: A motion was made by Mr. Botelho and seconded that the Town vote to raise, appropriate and/or transfer from available funds a sum of \$6,000 to perform capital improvements at Chace Elementary School by removing and replacing the existing rugs and replace with tile in two classrooms and teacher work area, and that said sum be transferred from undesignated surplus. No discussion followed. Motion carried by a unanimous vote to accept Article 26 as written and recommended.**

Article 27: To see if the Town will vote, pursuant to Chapter 40, Section 15A of the Massachusetts General Laws, to transfer from the Somerset School Committee to the Town of Somerset for general municipal purposes, the care, custody, management and control of the so-called Wilbur School, located at 861 Brayton Point Road, Somerset, Massachusetts containing 5.07 acres of land, including all buildings and structures thereupon, shown on the Town of Somerset Assessors' Map A-5 as Lot 61; and further to authorize the School Committee and the Board of Selectmen to take any action required to obtain any approval necessary to accomplish the purposes of this article; or to take any other action in the matter.

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

**The Moderator declared that this article requires a 2/3 vote.**

**Motion: A motion was made by Mr. Botelho and seconded by Mr. Mahjoory that the Town vote, pursuant to Chapter 40, Section 15A of the Massachusetts General Laws, to transfer from the Somerset School Committee to the Town of Somerset for general municipal purposes, the care, custody, management and control of the so-called Wilbur School, located at 861 Brayton Point Road, Somerset, Massachusetts containing 5.07 acres of land and 21,893 square footage all buildings and structures there upon, as shown on the Town of Somerset Assessors' Map A5 as Lot 61; and further to authorize the School Committee and the Board of Selectmen to take any action required to obtain any approval necessary to accomplish the purposes of this article; or to take any other action in the matter. No discussion followed. Vote: Motion carried by a unanimous vote to accept Article 27 as written and recommended.**

**A motion was made by Selectman Moniz and seconded by Christopher Godet for no reconsideration on Articles 1 – 27. Motion carried by a nearly unanimous vote as declared by the Moderator.**

Article 28: To see if the Town will vote to appropriate a total of \$55,000.00, of which \$23,835.00 will come from the Community Preservation Open Space Fund and the remaining \$31,165.00 will come from the Community Preservation Fiscal Year 2016 Budgeted Reserve, to the **Somerset Baseball League, Inc.**, for the purpose of **installing lighting on Field One at the South Complex Fields**; or take any action relative thereto.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$55,000)**

**Motion: A motion was made by CPC Chairman James O'Rourke that the Town vote to appropriate a total of \$55,000.00, of which \$23,835.00 will come from the Community Preservation Open Space Fund and the remaining \$31,165.00 will come from the Community Preservation Fiscal Year 2016 Budgeted Reserve, to the Somerset Baseball League, Inc. for the purpose of installing lighting on Field One at the South Complex Fields. Discussion followed by Mr. O'Rourke, Dominic Raffa, Mr. Faria, Mr. Robert Mullen and again by Mr. O'Rourke. In the absence of further discussion, the Moderator called for the vote. Vote: Motion carried by a nearly unanimous vote to accept Article 28 as written and recommended.**

Due to a conflict, Moderator Lucia Casey asked for a Temporary Moderator to present Article 29 and called upon Mr. Richard Peirce. Mr. Peirce was sworn in to act as Temporary Moderator by the Town Clerk, Dolores Berge.

Article 29: To see if the Town will vote to appropriate \$6,090.00 from the Community Preservation Housing Fund to the **Somerset Housing Authority** for the purpose of preparing a **feasibility study to convert the former Wilbur School to a transitional community housing facility for veterans**; or take any action relative thereto.

**The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 7-1) (\$6,090)**

**Motion: A motion was made by Mr. O'Rourke and seconded by Selectman Moniz that the Town vote to appropriate \$6,090.00 from the Community Preservation Housing Fund to the Somerset Housing Authority for the purpose of preparing a feasibility study to convert the former Wilbur School to a transitional community housing facility for veterans. Discussion followed by Mr. O'Rourke, Mrs. Casey, Mr. Lloyd Mendes, Anthony Kucikas, Arastou Mahjoory, Dennis Viveiros, and Selectman Moniz. A motion was made by Selectman Moniz and seconded by Selectman Berube to move the question. Motion to move the question carried by a nearly unanimous vote. Vote: Motion carried by a nearly unanimous vote to accept Article 29 as written and recommended.**

Article 30: To see if the Town will vote to appropriate \$13,250.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Town of Somerset for materials to **allow the Town Clerk to preserve historic birth, death and marriage records**; or take any action relative thereto.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$13,250)**

**Motion:** A motion was made by Mr. O'Rourke and seconded by Selectman Moniz that the Town vote to appropriate \$13,250.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Town of Somerset for materials to allow the Town Clerk to preserve historic birth, death and marriage records. Discussion followed by Mr. O'Rourke. **Vote:** Motion carried by a unanimous vote to accept Article 30 as written and recommended.

Article 31: To see if the Town will vote to appropriate a total of \$43,000.00, of which \$23,835.00 will come from the Community Historic Resources Fund and the remaining \$19,165.00 will come from the Community Preservation Fiscal Year 2016 Budgeted Reserve, to the Town of Somerset for the purpose of purchasing materials to repair the roof at the historic Quaker Meetinghouse and that the Community Preservation Committee be charged with responsibility to ensure compliance with the Secretary of Interior's Standards for Rehabilitation of Historic Properties in connection with such repairs; or take any action relative thereto.

**The Advisory & Finance Committee unanimously does not recommend approval of this article. (\$43,000)**

**Motion:** A motion was made by Mr. O'Rourke that the Town vote to appropriate a total of \$43,000.00, of which \$23,835.00 will come from the Community Historic Resources Fund and the remaining \$19,165.00 will come from the Community Preservation Fiscal Year 2016 Budgeted Reserve, to the Town of Somerset for the purpose of purchasing materials to repair the roof at the historic Quaker Meetinghouse and that the Community Preservation Committee be charged with responsibility to ensure compliance with the Secretary of Interior's Standards for Rehabilitation of Historic Properties. Discussion followed by Mr. O'Rourke, Anthony Soares, 55 Prospect Street, Maryann MacDonald, Gerome Waxler, Richard Peirce, and Town Administrator Richard Brown, upon request, Cheryl Crossly-Simmons, Phyllis Burnside, and Selectman Moniz. A motion was made by Selectman Moniz and seconded on the floor to move the question. **Motion carried by a nearly unanimous vote. Vote:** Motion the accept Article 31 as written carried by a nearly unanimous vote.

Article 32: To see if the Town will vote to appropriate \$13,200.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Somerset Historical Society for Phase Two of the repair and rehabilitation of a historic fire apparatus owned by the Society; or take any action relative thereto.

**The Advisory & Finance Committee by a majority does not recommend approval of this article. (Vote 7-1) (\$13,200)**

**Motion:** A motion was made by Mr. O'Rourke and seconded on the floor that the Town vote to appropriate \$13,200.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Somerset Historical Society for Phase Two of the repair and rehabilitation of a historic fire apparatus owned by the Society. Discussion followed by Mr. O'Rourke. **Vote:** Motion carried by a nearly unanimous vote to accept Article 32 as written.

Article 33: To see if the Town will vote to appropriate \$32,060.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Town of Somerset to allow the Playground and Recreation Department to rehabilitate and reconfigure the basketball courts at the Pottersville Playground; or take any action relative thereto.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$32,060)**

**Motion:** A motion was made by Mr. O'Rourke and seconded by a member on the floor that the Town vote to appropriate \$32,060.00 from the Community Preservation Fiscal Year 2016 Budgeted Reserve to the Town of Somerset to allow the Playground and Recreation Department to rehabilitate and reconfigure the basketball courts at the Pottersville Playground. Discussion followed by Mr. O'Rourke. **Vote:** Motion carried to accept Article 33 as written and recommended by a unanimous vote.

Article 34: To see if the Town will vote to appropriate \$5,866.00 from the Community Preservation Undesignated Fund Balance to the Town of Somerset to allow the Playground and Recreation Department to replenish the beach sand at Pierce Beach; or take any action relative thereto.

**The Advisory & Finance Committee unanimously recommends approval of this article. (\$5,866)**

**Motion:** A motion was made by Mr. O'Rourke and seconded by a member on the floor that the Town vote to appropriate \$5,866.00 from the Community Preservation Undesignated Fund Balance to the Town of Somerset to allow the Playground and Recreation Department to replenish the beach sand at Pierce Beach. Discussion followed by Mr. O'Rourke. **Vote:** Motion carried to accept Article 33 as written and recommended by a unanimous vote.

Article 35: 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 2017, with each item to be considered a separate reservation:

**Appropriations:**

From FY 2017 estimated revenues for Committee Administrative Expenses: \$10,234.00

**Reserves**

From FY 2017 estimated revenues for Historic Resources Reserve: \$20,468.00

From FY 2017 estimated revenues for Community Housing Reserve: \$20,468.00

From FY 2017 estimated revenues for Open Space Reserve: \$20,468.00

From FY 2017 estimated revenues for Budgeted Reserve: \$133,042.00

or take any other action thereto.

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

**A motion was made to waive the reading of Article 35 by Christopher Godet and seconded by Selectman Moniz. Motion carried by a unanimous vote.**

**Motion: A motion was made by Mr. O'Rourke and seconded by Selectman Moniz that the vote to appropriate and reserve the sums as stated in Article 35. Vote: Motion carried to accept Article 35 by a unanimous vote.**

**A motion was made by Mr. Matthew Aspden and seconded by Selectman Moniz that Articles 28-35 not be reconsidered. Motion carried by a unanimous vote.**

**(The Moderator reminds the body that Articles 36 through 44 require a 2/3 vote of the body.)**

Article 36: To see if the Town will vote authorize the Board of Selectmen to grant Liberty Utilities a temporary easement over the following described town-owned property for the purposes of constructing and installing a gas pipeline and appurtenances thereto, on such terms and conditions as the Board of Selectmen deems necessary:

Commencing at point, said point being N 62° 26' 17" W a distance of 291.90 feet from the intersection of the southerly sideline of Slades Ferry Avenue and the westerly sideline of Riverside Avenue in Somerset, Massachusetts, to the point of beginning; thence

S 27° 33' 43" W along land now or formerly of the Town of Somerset a distance of 36.28 feet to a point; thence  
S 62° 26' 17" E along land now or formerly of the Town of Somerset a distance of 23.96 feet to a point; thence  
S 27° 33' 43" W along land now or formerly of the Town of Somerset a distance of 43.16 feet to a point; thence  
S 62° 23' 58" W along land now or formerly of the Town of Somerset a distance of 273.99 feet to a point; thence  
N 27° 36' 02" E along land now or formerly of the Town of Somerset a distance of 79.25 feet to a point on the southerly sideline of Slades Ferry Avenue; thence  
S 62° 26' 17" E along the southerly sideline of Slades Ferry Avenue a distance of 250.00 feet to the point of beginning.

Containing an area of 20,870 +/- square feet (0.479 acres)

**A motion was made by Christopher Godet and seconded by Mr. Raffa to waive the reading of Article 36. Motion carried by a unanimous vote.**

**A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote authorize the Board of Selectmen to grant Liberty Utilities a temporary easement, as described in Article 36. Discussion followed by Selectman McNamara. Vote: Motion carried to accept Article 36 as written and recommended by a unanimous vote.**

Article 37: To see if the Town will vote to authorize the Board of Selectmen to grant Liberty Utilities a permanent easement over the following described town-owned property for the purposes of constructing, installing, operating and maintaining a gas pipeline and appurtenances thereto, on such terms and conditions as the Board of Selectmen deems necessary:

Beginning at point on the southerly sideline of Slades Ferry Avenue and the westerly sideline of Riverside Avenue in Somerset, Massachusetts, thence

S 21° 50' 53" W along Riverside Avenue a distance of 15.07 feet to a point; thence  
N 62° 26' 17" W along land now or formerly of the Town of Somerset a distance of 93.24 feet to a point; thence  
S 72° 33' 43" W along land now or formerly of the Town of Somerset a distance of 30.09 feet to a point; thence  
N 62° 26' 17" W along land now or formerly of the Town of Somerset a distance of 178.87 feet to a point; thence  
N 27° 33' 43" E along land now or formerly of the Town of Somerset a distance of 36.28 feet a point in the southerly sideline of Slades Ferry Avenue; thence  
S 62° 26' 17" E along the southerly sideline of said Slades Ferry Avenue a distance of 15.00 feet to a point; thence  
S 27° 33' 43" W along land now or formerly of the Town of Somerset a distance of 21.28 feet to a point; thence  
S 62° 26' 17" E along land now or formerly of the Town of Somerset a distance of 157.66 feet to a point; thence

N 72° 33' 43" E along land now or formerly of the Town of Somerset a distance of 30.09 feet to a point on the southerly sideline of Slades Ferry Avenue; thence  
S 62° 26' 17" E along the southerly sideline of said Slades Ferry Avenue a distance of 97.96 feet to the point of beginning.

Containing an area of 4,841 +/- square feet (0.11 acres)

**A motion was made by Christopher Godet and seconded by Selectman Moniz to waive the reading of Article 37. Motion carried.**

**Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to authorize the Board of Selectmen to grant Liberty Utilities a permanent easement, as described in Article 37. No discussion. Vote: Motion carried by a nearly unanimous vote to accept Article 37 as written.**

Article 38: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1916 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 41 on Assessors Map B-9, and more particularly bounded and described as follows:

Southerly by Grand Army Highway (Route 6) ninety-seven and 94/100 (97.94) feet;  
Easterly by Lot #16 on a plan hereinafter referred to ninety (90) feet;  
Northerly in part by Lot #19 and in part by Lot #20 on said plan ninety-seven and 94/100 (97.94) feet; and  
Westerly by Lot #14 on said plan ninety (90) feet. Containing 8,813 square feet, more or less.

Being shown as Lot #15 on Subdivision Plan of Read Street Estates, located in Somerset, Massachusetts, belonging to "Ridgeview of Tiverton, Inc." Surveyed by Manuel R. Salgado, Jr., Civil Engineer, Scale 1 inch = 50 feet, dated May 5, 1960, on file in the Bristol County Fall River District Registry of Deeds.

See also Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 785, Page 120.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority does not recommend approval of this article. (Vote 3-0 2 abstained)**

**Motion was made by Christopher Godet and seconded by Selectman Moniz to waive the reading of Article 38. Motion carried.**

**Motion: A motion was made by Jim Burke, Chairman EDC and seconded from the floor that Article 38 be indefinitely postponed. Discussion followed by Mr. Burke. Vote: Motion carried by a nearly unanimous vote that Article 38 be indefinitely postponed.**

Article 39: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1936 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 36 on Assessors Map B-9, and more particularly bounded and described as follows:

Southerly by Grand Army Highway (Route 6) ninety-seven and 93/100 (97.93) feet;  
Easterly by Lot #15 on plan of land hereinafter referred to ninety (90) feet;  
Northerly in part by Lot #20 and in part by Lot #21 on said plan ninety-seven and 93/100 (97.93) feet; and  
Westerly by Lot #13 on said plan ninety (90) feet. Containing 8,814 square feet.

Being shown as Lot #14 on Subdivision Plan of Read Street Estates, located in Somerset, Massachusetts, belonging to "Ridgeview of Tiverton, Inc." Surveyed by Manuel R. Salgado, Jr., Civil Engineer, 222 Elm Street, Somerset, Mass., Scale 1"=50' Date: May 5, 1960, on file in the Bristol County Fall River District Registry of Deeds.

See also Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 2244, Page 66.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority does not recommend approval of this article. (Vote 3-0 2 abstained)**

**Motion was made by Christopher Godet and seconded by Selectman Moniz to waive the reading of Article 39. Motion carried.**

**Motion: A motion was made by Jim Burke, Chairman EDC and seconded from the floor that Article 38 be indefinitely postponed. Discussion followed by Mr. Burke. Vote: Motion carried by a unanimous vote that Article 39 be indefinitely postponed.**

Article 40: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1956 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 64 on Assessors Map B-9, and more particularly bounded and described as follows:

Southerly by Grand Army Highway, ninety-seven and 94/100 (97.94) feet;  
Easterly by Lot #14 on plan of land hereinafter mentioned, ninety (90) feet;  
Northerly by Lot #21 on said plan, ninety-seven and 94/100 (97.94) feet;  
and  
Westerly by Lot #12 on said plan Ninety (90) feet. Containing 8,814 square feet on land.

Being shown as Lot #13 on Subdivision Plan of Read Street Estates, in Somerset, Massachusetts, belonging to Ridgeview of Tiverton, Inc., surveyed by Manuel R. Salgado, Jr., Scale 1"=50', dated May 5, 1960, on file in the Bristol County Fall River District Registry of Deeds.

See also Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 6690, Page 46.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority does not recommend approval of this article. (Vote 3-0 2 abstained)  
Motion was made by Christopher Godet and seconded by Selectman Moniz to waive the reading of Article 40. Motion carried.**

**Motion: A motion was made by Jim Burke, Chairman EDC and seconded from the floor that Article 38 be indefinitely postponed. Discussion followed by Mr. Burke. Vote: Motion carried by a unanimous vote that Article 40 be indefinitely postponed.**

Article 41: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1878 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 85 on Assessors Map B-9, and more particularly bounded and described as follows:

Beginning at a point in the northerly line of Grand Army Highway (Route 6) at the southwesterly corner of Lot #16 on plan of land hereafter mentioned;  
Thence running northerly by said Lot #16, ninety (90) feet to Lot #18 on said plan for a corner;  
Thence running easterly by said Lot #18, one hundred ten and 59/100 (110.59) feet to land of New England Power Service Company for a corner;  
Thence running southerly by said last named land ninety and 88/100 (90.88) feet to the northerly line of Grand Army Highway (Route 6) for a corner;  
Thence running westerly in the northerly line of said Grand Army Highway (Route 6) ninety-seven and 94/100 (97.94) feet to the point of beginning, containing 9,385 square feet.

Being shown as Lot #17 on Subdivision Plan of "Read Street Estates" located in Somerset, Mass. belonging to Ridgeview of Tiverton, Inc., surveyed by Manuel R. Salgado, Jr., Civil Engineer, 222 Elm Street, Somerset, Mass. Scale: 1"=50', dated May 5, 1960, on file in the Bristol County Fall River District Registry of Deeds.

See also Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 6669, Page 154.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority does not recommend approval of this article. (Vote 3-0 2 abstained)  
Motion was made by Selectman Moniz and seconded by Selectman Berube to waive the reading of Article 41. Motion carried.**

**Motion: A motion was made by Jim Burke, Chairman EDC and seconded from the floor that Article 38 be indefinitely postponed. Discussion followed by Mr. Burke. Vote: Motion carried by a unanimous vote that Article 41 be indefinitely postponed.**

Article 42: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1748 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 8 on Assessors Map B-9, and more particularly bounded and described as follows:

Beginning at a point on the northerly side of the Fall River and Providence Highway now known as Route 6 at the southeasterly corner of the land to be described and at the southwesterly corner of land now or formerly of Jessie V. Veloza;  
thence running northerly by last named land one hundred twenty-eight (128) feet to land now or formerly of Cassandra M. Slade;  
thence running westerly by last named land now or formerly of Cassandra M. Slade to a point one hundred (100) feet northerly from said highway;  
thence running southerly by last named land one hundred (100) feet to said highway; and  
thence running easterly by said highway eighty (80) feet to the point of beginning, containing about 9,000 square feet, more or less.

See Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 8305, Page 244.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority recommends that the town so vote. (Vote 3-0 2 abstained)**

**A motion was made by Steve Moniz and seconded by Christopher Godet to waive the reading of Article 42. Motion carried.**

**Motion: A motion was made by Gary Simons, PB, and seconded by Christopher Godet that the Town vote to amend the Somerset Zoning By-law and the Zoning Map of the Town of Somerset, MA adopted May 19, 2008, and subsequently amended, by rezoning the parcel of land from a Residential District to a Business District, as set forth in Article 42. Discussion followed by Jim Burke. Vote: Motion carried by a nearly unanimous vote to accept Article 42 as written and recommended by the Planning Board.**

Article 43: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1898 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway), identified as Lot 40 on Assessors Map B-9, and more particularly bounded and described as follows:

Southerly by Grand Army Highway (Route 6) ninety-seven and 93/100 (97.93) feet;  
Easterly by Lot #17 on plan of land hereinafter mentioned ninety (90) feet;  
Northerly partly by Lot #18 and partly by Lot #19 on said plan ninety-seven and 93/100 (97.93) feet; and  
Westerly by Lot #15 on said plan ninety (90) feet; containing 8,814 square feet.

Being shown as Lot #16 on Subdivision Plan of "Read Street Estates" located in Somerset, Massachusetts. Belonging to Ridgeview of Tiverton, Inc., surveyed by Manuel R. Salgado, Jr., Civil Engineer, May 5, 1960, on file in the Bristol County Fall River District Registry of Deeds.

See also Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 1718, Page 315.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority does not recommend approval of this article. (Vote 3-0 2 abstained)**

**A motion was made by Christopher Godet and seconded by Selectman Berube to waive the reading of Article 43. Motion carried.**

**Motion: A motion was made by Jim Burke that Article 43 be indefinitely postponed. Discussion followed by Mr. Burke and Gary Simons. Vote: Motion carried by a unanimous vote.**

Article 44: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land located at and near 1692 GAR Highway in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the northerly side of Route 6 (GAR Highway) and the westerly side of Lees River Avenue, identified as Lot 9 on Assessors Map B-9, and more particularly bounded and described as follows:

Beginning at the northeasterly corner of the lot to be described at a point on the westerly side of Lees River Avenue, at the center of an old stone wall; and running thence westerly by the center of said stone wall to a point one hundred and fifty (150) feet westerly from the westerly side of said Lees River Avenue; thence running southerly to the northerly side of New State Highway, running from Fall River, in said County, to Providence, Rhode Island, at a point on said northerly side one hundred and fifty (150) feet westerly from the point of inter-

section of the extensions of said northerly side of said Main highway and the westerly side of said Lees River Avenue; thence running easterly and northeasterly by the northerly side and by the curve of said main Road to the westerly side of said Lees River Avenue; thence running northerly by the westerly side of said Lees River Avenue, one hundred and thirty (130) feet to the point of beginning.

See Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 8700, Page 259.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority recommends that the town so vote. (Vote 3-0 2 abstained)**

**A motion was made by Selectman Moniz and seconded on the floor to waive the reading of Article 44. Motion carried.**

**Motion: A motion was made by Gary Simons, PB, and seconded by Jim Burke that the Town vote to amend the Somerset Zoning By-law and the Zoning Map of the Town of Somerset, MA adopted May 19, 2008, and subsequently amended, by rezoning the parcel of land from a Residential District to a Business District, as set forth in Article 44. Discussion followed by Mr. Burke and Kathleen Gunning. Vote: Motion carried by a unanimous vote to accept Article 44 as written and recommended by the Planning Board.**

Article 45: To see if the Town will vote pursuant to Massachusetts General Law chapter 40A, section 5 to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof by rezoning the premises hereinafter described, whereby the zoning of said parcel would be changed from a "Residential District" to a "Business District", said parcel of land being bounded and described as follows:

Being the land in Somerset, Bristol County, Massachusetts, with all buildings and improvements thereon, if any, situated on the easterly side of Brayton Point Road and northerly side of Route 6 (GAR Highway), identified as Lot 301 on Assessors Map B-6, and more particularly bounded and described as follows:

Beginning at a point on the southwesterly side of Lepes Road at the northeasterly corner of the land to be conveyed and the northwesterly corner of Lot #130 on plan of land hereinafter mentioned; thence running northwesterly by said Lepes Road one hundred thirteen and 18/100 (113.18) feet to the tangent of a curve whose radius is thirty (30) feet; thence running westerly, southwesterly and southerly to another tangent point of the same curve in the southeasterly line of Brayton's Point Road; thence running southwesterly by said Brayton's Point Road one hundred twenty and 56/100 (120.56) feet for a corner; thence running southeasterly ten (10) feet, more or less, to the tangent of a curve whose radius is forty (40) feet; thence making an arc and running southerly, southeasterly and easterly to the Grand Army Highway (Route 6) to another tangent point for a corner; thence running southeasterly along said Grand Army Highway one hundred (100) feet for a corner; and thence turning an interior angle of 85° 34' and running northeasterly by Lot #130 on said plan one hundred ninety (190) feet, to Lepes Road and the point of beginning, there making an interior angle of 94° 28' and containing 26,964 square feet.

Being shown as an unnumbered lot adjoining Lot #130 on "Plan of Section III, 'Suburbia Plat', Somerset, Mass. Belonging to Ridgeview of Tiverton, Inc. by Manuel Salgado, Jr., Civil Engineer, County Street, Somerset, Mass., November 7, 1956", on file at the Bristol County Fall River District Registry of Deeds.

See Deed recorded in the Bristol County Fall River District Registry of Deeds at Book 1210, Page 96.

For further description see plan on record with the Somerset Town Clerk.

**The Planning Board by a majority recommends that the town so vote. (Vote 3-0 2 abstained)**

**A motion was made from the floor and seconded on the floor to waive the reading of Article 45. Motion carried.**

**Motion: A motion was made by Gary Simons, PB, and seconded by Jim Burke, that the Town vote to amend the Somerset Zoning By-law and the Zoning Map of the Town of Somerset, MA adopted May 19, 2008, and subsequently amended, by rezoning the parcel of land from a Residential District to a Business District, as set forth in Article 45. Discussion followed by Jim Burke. Vote: Motion carried by a unanimous vote to accept Article 45 as written and recommended by the Planning Board.**

Article 46: To see if the Town will vote to amend the Table I (Wage & Salary Groups) of the Consolidated Personnel By-law adopted at the May 19, 1986, Annual Town Meeting, and subsequently amended, by deleting the position of "C – Payroll Clerk" under Grade 4, and inserting said position under Grade 5 as "C – Payroll/Treasurer Clerk", or take any action relative thereto.

**The Advisory & Finance Committee by a majority recommends approval of this article. (Vote 7-0 1 abstained)**

**Motion: A motion was made by Selectman Moniz and seconded by Selectman Berube that the Town vote to amend Table I (Wage & Salary Groups) of the Consolidated Personnel By-law by making the changes set forth in Article 46. No discussion. Vote: Motion carried by a unanimous vote to accept Article 46 as written and recommended.**

A true copy attest;

*Dolores Berge*