

**TOWN OF SOMERSET
ANNUAL TOWN MEETING
ARTICLES OF WARRANT
MAY 17, 2010**

The Annual Town Meeting of May 17, 2010, was called to order at 7:21 p.m. by Town 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 10, 2010.

Article 2: To hear the report of the Town Officers and act thereon.

Article 3: To see if the Town will vote to authorize the Collector of Taxes to use the same means which a Treasurer may use when acting as Collector.

Article 4: To hear and act on the report of any Committee and choose any Committee the Town may think proper.

Article 5: To see if the Town will vote 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.

Motion made and seconded that the Town vote to accept Articles 1 through 5 as written and recommended. Voted unanimous in the affirmative.

Article 6: To see if the Town will vote to amend the 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, by substituting and adopting the following, or take any action relative thereto:

**TABLE II
FY 2011 COMPENSATION PLAN**

GRADES	STEPS						
	1	2	3	4	5	6	7
M1	428.37	445.48	463.89	481.76	501.03	521.19	541.97
M2	466.92	485.56	504.99	525.17	546.18	568.01	590.71
M3	508.93	529.24	550.42	572.43	595.97	619.12	642.85
M4	554.73	576.91	599.96	623.93	648.89	674.85	701.85
M5	604.63	628.78	653.91	680.05	707.19	735.52	764.89
M6	659.02	685.41	712.74	741.20	770.89	801.71	833.77
M7	718.26	747.10	776.96	808.04	840.35	873.89	908.83
M8	782.98	814.08	846.83	880.72	915.93	952.55	990.21
M9	853.50	887.65	923.09	960.05	998.40	1038.35	1079.88
M10	930.29	967.53	1006.15	1046.34	1088.19	1131.70	1176.99
M11	1014.06	1054.59	1096.69	1140.58	1186.18	1233.65	1282.94
M12	1105.23	1149.47	1195.37	1243.21	1292.93	1344.63	1398.36
M13	1204.77	1248.46	1303.05	1355.13	1409.31	1465.67	1524.28
M14	1279.87	1331.06	1384.31	1439.68	1497.27	1557.15	1619.44
M15	1431.39	1488.61	1548.14	1610.00	1674.42	1741.33	1810.93
M16	1560.20	1622.57	1687.47	1754.95	1825.11	1898.12	1973.95

Motion made and seconded that the Town vote to accept Article 6 as written and recommended. Voted unanimous in the affirmative.

Article 7: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2010, 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
Treasurer	\$51,762.00
Tax Collector	\$48,920.00
Town Clerk	\$48,920.00
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

Motion made and seconded that the Town vote to accept Article 7 as written and recommended. Voted unanimous in the affirmative.

Article 8: 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, 2010, as follows:

A. GENERAL BUDGET

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$400.00	\$2,300.00	\$2,700.00
114 Town Moderator	\$400.00	\$0.00	\$400.00
122 Selectmen	\$116,818.00	\$2,875.00	\$119,693.00
123 Town Administrator	\$105,053.00	\$1,019.00	\$106,072.00
124 Contingent	\$0.00	\$5,952.00	\$5,952.00
131 A & F Committee	\$3,350.00	\$450.00	\$3,800.00
134 Centrex	\$0.00	\$25,850.00	\$25,850.00
135 Town Accountant	\$157,059.00	\$3,785.00	\$160,844.00
136 Annual Audit	\$0.00	\$37,500.00	\$37,500.00
137 Computer	\$0.00	\$57,997.00	\$57,997.00
141 Assessors	\$104,117.00	\$9,500.00	\$113,617.00
143 Tax Foreclosure	\$0.00	\$3,200.00	\$3,200.00
145 Town Treasurer	\$139,968.00	\$42,295.00	\$182,263.00
146 Tax Collector	\$92,857.00	\$19,675.00	\$112,532.00
151 Law Department	\$0.00	\$135,550.00	\$135,550.00
161 Town Clerk	\$93,164.00	\$1,900.00	\$95,064.00
162 Elec. & Regr.	\$3,700.00	\$31,320.00	\$35,020.00
171 Conservation Comm	\$27,485.00	\$1,560.00	\$29,045.00
175 Planning Board	\$6,550.00	\$1,150.00	\$7,700.00
176 Zoning Board of Appeals	\$3,025.00	\$4,550.00	\$7,575.00
181 Economic Dev. Comm.	\$0.00	\$500.00	\$500.00
184 Cable Advisory	\$1,525.00	\$859.00	\$2,384.00
192 Town Office	\$111,749.00	\$47,112.00	\$158,861.00
193 Town Hall	\$0.00	\$4,900.00	\$4,900.00
195 Town Reports	\$0.00	\$3,500.00	\$3,500.00
199 FICA	\$0.00	\$375,000.00	\$375,000.00
205 Fire/Police Station	\$35,407.00	\$97,790.00	\$133,197.00
210 Police Department	\$2,368,451.00	\$180,616.00	\$2,549,067.00
215 E-911 Dispatch	\$342,815.00	\$6,508.00	\$349,323.00
220 Fire Department	\$1,538,006.00	\$82,700.00	\$1,620,706.00
241 Bldg. Insp./Zoning Agent	\$60,042.00	\$1,725.00	\$61,767.00
242 Gas & Plumbing	\$21,250.00	\$1,525.00	\$22,775.00
244 Sealer of Standards	\$3,300.00	\$300.00	\$3,600.00
245 Wiring Inspector	\$14,000.00	\$1,122.00	\$15,122.00
291 Emergency Mgmt.	\$0.00	\$12,327.00	\$12,327.00
292 Dog Officer	\$0.00	\$37,575.00	\$37,575.00

294 Tree Warden	\$500.00	\$11,065.00	\$11,565.00
295 Harbor Master	\$5,000.00	\$4,030.00	\$9,030.00
296 Insect Pest Control	\$400.00	\$1,500.00	\$1,900.00
299 Inspector of Animals	\$0.00	\$1.00	\$1.00
410 Engineering	\$0.00	\$1,550.00	\$1,550.00
420 Highway Department	\$746,515.00	\$43,080.00	\$789,595.00
423 Snow Removal	\$42,000.00	\$52,800.00	\$94,800.00
424 Street Lights	\$0.00	\$210,000.00	\$210,000.00
425 Traffic Signal Maint.	\$0.00	\$500.00	\$500.00
431 Landfill	\$0.00	\$21,000.00	\$21,000.00
440 Water Pollution Control	\$829,844.00	\$788,475.00	\$1,618,319.00
480 Vehicle Maint. Facility	\$104,627.00	\$334,870.00	\$439,497.00
510 Board of Health	\$47,185.00	\$1,500.00	\$48,685.00
522 Town Nurse	48,960.00	\$475.00	\$49,435.00
541 Council on Aging	\$80,273.00	\$6,265.00	\$86,538.00
542 Youth Organizations	\$1,000.00	\$0.00	\$1,000.00
543 Veterans Benefits	\$16,434.00	\$131,200.00	\$147,634.00
544 Graves Registration	\$425.00	\$1,300.00	\$1,725.00
610 Libraries	\$421,834.00	\$134,770.00	\$556,604.00
630 Playground & Rec.	\$58,501.00	\$4,850.00	\$63,351.00
633 Public Outdoor Facilities	\$0.00	\$32,374.00	\$32,374.00
691 Historical Comm.	\$0.00	\$100.00	\$100.00
692 Public Celebrations	\$0.00	\$4,560.00	\$4,560.00
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	\$63,650.00	\$63,650.00
TOTAL GENERAL GOVT.	\$7,753,989.00	\$3,099,902.00	\$10,853,891.00

FIXED EXPENSES:

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
198 Insurance	\$0.00	\$7,728,053.00	\$7,728,053.00
710 Maturing Debt	\$0.00	\$1,100,886.00	\$1,100,886.00
753 Interest Appropriation	\$0.00	\$437,119.00	\$437,119.00
832 Contributory Retirement	\$0.00	\$2,222,283.00	\$2,222,283.00
TOTAL FIXED EXPENSES:	\$0.00	\$11,488,341.00	\$11,488,341.00
GRAND TOTAL:	\$7,753,989.00	\$14,588,243.00	\$22,342,232.00

	APPROVED FY 2010	PROPOSED FY 2011	INCREASE/ DECREASE
Personal Services:	\$7,890,047.00	\$7,753,989.00	(\$136,058.00)
Operating Expenses:	\$3,130,468.00	\$3,099,902.00	(\$30,566.00)
Fixed Expenses:	\$11,393,009.00	\$11,488,341.00	\$95,332.00
TOTALS:	\$22,413,524.00	\$22,342,232.00	(\$71,292.00)

Motion made and seconded that the Town vote to accept Article 9 as written and recommended to appropriate the sum of \$22,342,232.00 for the Fiscal Year 2011 for the purposes of the General Budget as designated, and that the sum be raised as follows: transferring \$900,000.00 from Undesignated Surplus; transferring \$7,400 from the Municipal Waterways Improvement Account; Transferring \$178,810.00 from Water Enterprise Fund Retained Earnings; and \$21,256,022.00 from taxation. Voted unanimous in the affirmative.

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
8B. SCHOOL DEPARTMENT	\$19,192,294.00	\$6,484,248.00	\$25,676,542.00

Motion made and seconded that the Town vote to approve Article 8B as written and to appropriate the sum of \$25,676,542.00 for the Fiscal Year 2011 for the purposes of the School Department Budget, and that said sum be raised from taxation. Voted unanimous by majority vote as declared by the moderator.

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
8C. WATER DEPARTMENT	\$847,326.00	\$2,297,949.00	\$3,145,275.00

Motion made and seconded that the Town vote to approve Article 8C as written and to appropriate the sum of \$3,145,275.00 for the Fiscal Year 2011 for the purposes of the Water Department Budget, and that the sum of \$3,025,275.00 be raised from the Water Enterprise Fund Receipts, and that the sum of \$120,000.00 be transferred from the Water Enterprise Fund Retained Earnings. Voted unanimous in the affirmative.

Article 9: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Reserve Fund.

Motion made and seconded that the Town vote to approve Article 9 as written and recommended to appropriate the sum of \$150,000.00 for the purpose of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 10: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Stabilization Fund, or take any action relative thereto.

Motion made and seconded that the Town vote to approve Article 10 as written and recommended to appropriate the sum of \$397,575.00 for the purpose of this article and that said sum be transferred from Undesignated Surplus. Voted unanimous in the affirmative.

Article 11: To see if the Town will vote to raise, appropriate, and/or transfer 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.

Motion made and seconded that the Town vote to accept Article 11 as written and recommended to appropriate the sum of \$8,100.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 12: To see if the Town will vote to raise, appropriate, and/or transfer 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.

Motion made and seconded that the Town vote to approve Article 12 as written and recommended to appropriate the sum of \$1,255,090.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 13: To see if the Town will vote to raise, appropriate, and/or transfer 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.

Motion made and seconded that the Town vote approve Article 13 as written and recommended to appropriate the sum of \$16,170.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Motion made and seconded to move Articles 42 and 43. Voted unanimous in the affirmative.

Article 42: To see if the Town will vote to authorize the Board of Selectmen to submit to the General Court of Massachusetts the following petition in order to make the position of Somerset Town Treasurer an appointed position rather than an elected position, provided that the legislature may reasonably vary the form of the requested legislation within the scope of the general public objectives of the petition:

SECTION 1. Notwithstanding the provisions of section 1 of chapter 41 of the General Laws or any other general or special law to the contrary, the office of Treasurer in the Town of Somerset shall be appointed by the Board of Selectmen of said Town for a term not to exceed three (3) years and the person so appointed shall have all of the powers and duties vested in Town Treasurers by the General Laws. A vacancy in said office shall be filled in like manner for the unexpired term of the office.

SECTION 2: Notwithstanding the provisions of section 1, the incumbent in the office of Treasurer upon the effective date of this act shall continue to hold said office and to perform the duties thereof until the expiration of his current term and the appointment of a new treasurer, unless said office is sooner vacated.

SECTION 3: This act shall take effect upon its passage.

Motion made and seconded that the Town vote to accept Article 42 as written and recommended. Motion made to move the question. Vote taken by hand count as requested by the moderator. Motion failed by majority. 103 affirmative, 146 negative.

Article 43: To see if the Town will vote to authorize the Board of Selectmen to submit to the General Court of Massachusetts the following petition in order to make the position of Somerset Collector of Taxes an appointed position rather than an elected position, provided that the legislature may reasonably vary the form of the requested legislation within the scope of the general public objectives of the petition:

SECTION 1. Notwithstanding the provisions of section 1 of chapter 41 of the General Laws or any other general or special law to the contrary, the office of Collector of Taxes in the Town of Somerset shall be appointed by the Board of Selectmen of said Town for a term not to exceed three (3) years and the person so appointed shall have all of the powers and duties vested in Collectors of Taxes by the General Laws. A vacancy in said office shall be filled in like manner for the unexpired term of the office.

SECTION 2: Notwithstanding the provisions of section 1, the incumbent in the office of Collector of Taxes upon the effective date of this act shall continue to hold said office and to perform the duties thereof until the expiration of her current term and for an additional term of three (3) years, unless said office is sooner vacated.

SECTION 3: This act shall take effect upon its passage.

Motion made and seconded to indefinitely postpone Article 43. Motion carried by majority taken by hand count vote as requested by the Moderator. 126 affirmative, 96 negative

Motion made and seconded not to reconsider Articles 42 & 43. Voted nearly unanimous in the affirmative.

Article 14: 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 2011 Sewer Debt Service authorized pursuant to chapter 44, section 7(1), of the General Laws and appropriated under Article 8A of this meeting, items number 710 (Maturing Debt) and 753 (Interest Appropriation), or take any other action relative thereto.

Motion made and seconded that the Town vote to accept Article 14 as written and recommended. Voted unanimous in the affirmative.

Article 15: 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.

Motion made and seconded that the Town vote to accept Article 15 as written and recommended to appropriate the sum of \$600,000.00 for the purposes of this article and that said sum be raised from the Fire Department's Emergency Medical Services Offset Receipts. Voted unanimous in the affirmative.

Article 16: To see if the Town will vote to raise, appropriate and/or transfer 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.

Motion made and seconded that the Town vote to accept Article 16 as written and recommended to appropriate the sum of \$1,220,000.00 for the purposes of this article and that the sum of \$665,000.00 be raised from "offset receipts", pursuant to M.G.L. chapter 44, section 53D, and that the sum of \$555,000.00 be raised from taxation. Voted nearly unanimous in the affirmative.

Article 17: To see if the Town will vote to authorize the Board of Health, pursuant to M.G.L. chapter 44, section 53E1/2, to continue the revolving fund for the **Somerset Town Nursing Program**, such fund to be used to collect and disperse funds in connection with conducting flu clinics, rabies clinics or other departmental programs, 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 Board of Health may authorize disbursements from said fund during Fiscal Year 2011 not to exceed \$45,000.00 to be used for the cost of purchasing medical supplies in conjunction with conducting flu clinics, rabies clinics and other departmental programs, and for any purposes incidental thereto.

Motion made and seconded that the Town vote to accept Article 17 as written & recommended. Voted unanimous in the affirmative.

Article 18: To see if the Town will vote to authorize the Board of Selectmen, sitting as the Board of Health, to continue the revolving fund in accordance with M.G.L. chapter 44, section 53E1/2, to be used to collect and disburse funds in connection with administering the "**Board of Health Regulations Concerning Vacant and Foreclosed Properties**", and to provide that without further appropriation, the Board of Health may authorize disbursements from said fund during Fiscal Year 2011 not to exceed \$20,000.00 to be used for the costs of administering said regulations, and performing remediation and maintenance work as needed and authorized by law, and for any purposes incidental thereto.

Motion made and seconded that the Town vote to accept Article 18 as written and recommended. Voted unanimous in the affirmative.

Article 19: To see if the Town will vote to authorize the Board of Selectmen, pursuant to M.G.L. chapter 44, section 53E1/2, to continue the revolving fund for the **Somerset Police Department**, such fund to be used to collect and disburse funds in connection with the conducting of employment examinations, to provide further that all fees and charges paid in connection with the examinations shall be deposited into said revolving fund, and to provide that without further appropriation, the Board of Selectmen may authorize disbursements from said fund during Fiscal Year 2011 not to exceed \$10,000.00 to be used for the costs of purchasing and conducting said examinations, and for any purposes incidental thereto.

Motion made and seconded that the Town vote to accept Article 19 as written and recommended. Voted unanimous in the affirmative.

Article 20: To see if the Town will vote to authorize the Board of Library Trustees, pursuant to M.G.L. chapter 44, section 53E1/2, to continue the revolving fund for the Library's **Lost and/or Damaged Library Materials Program**, such fund to be used to collect and disburse funds in connection with the replacement of lost and/or damaged library materials, 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 Board of Library Trustees may authorize disbursements from said fund during Fiscal Year 2011 not to exceed \$2,000.00 to be used for the costs of replacing lost/or damaged library materials, and for any purposes incidental thereto.

Motion made and seconded that the Town vote to accept Article 20 as written and recommended. Voted unanimous in the affirmative.

Article 21: To see if the Town will vote to authorize the School Department, pursuant to M.G.L. chapter 44, section 53E1/2, to continue a revolving fund for the Public School's **Early Childhood Program**, such fund to be used to collect and disburse funds for the nurturing, care, and education of young children enrolled in such program, and to further provide that all receipts, tuition, and enrollment fees received by the School Department for participation in the **Early Childhood Program** shall be deposited in the **Early Childhood Program 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 \$75,000.00, pass any vote, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 21 as written and recommended. Voted unanimous in the affirmative.

Article 22: To see if the Town will vote to authorize the School Department, pursuant to M.G.L. chapter 44, section 53E1/2, to continue a revolving fund for the Public School's **Creative Arts Program**, such fund to be used to collect and disburse funds for the nurturing, care, and education of young children enrolled in such program, and to provide further that all receipts, tuition, and enrollment fees received by the School Department for participation in the **Creative Arts Program** shall be deposited in the **Creative Arts Program 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 \$20,000.00, pass any vote, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 22 as written and recommended. Voted unanimous in the affirmative.

Article 23: To see if the Town will vote to authorize the School Department, pursuant to M.G.L. chapter 44, section 53E1/2, to continue a revolving fund for the receipt of **P.T.O. Grants**, such fund to be used to collect and disburse funds for the nurturing, care, and education of students enrolled in the Somerset Public Schools, and to provide further that all receipts received by the School Department as **P.T.O. Grants** shall be deposited in said **P.T.O. 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 \$50,000.00, pass any vote, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 23 as written and recommended. Voted unanimous in the affirmative.

Article 24: 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 twenty-five (25%) per cent of said exemptions for which they qualify for Fiscal Year 2011, or take any other action relative thereto.

Motion made and seconded that the Town vote to accept Article 24 as written and recommended. Voted unanimous in the affirmative.

Article 25: 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 data collection regarding residential and personal property in the Town of Somerset, as required to satisfy the Commonwealth of Massachusetts Department of Revenue re-certification requirements, and for any purposes incidental thereto.

Motion made and seconded that the Town vote to accept Article 25 as written and recommended to appropriate the sum of \$15,000.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 26: 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 of electric generating and transmission facilities.

Motion made and seconded that the Town vote to accept Article 26 as written and recommended to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 27: To see if the Town will vote to appropriate \$180,000 for the purpose of conducting

engineering design and extraordinary repair services to the heating systems of the High School, Middle School, and North Elementary School; and to determine how said sum shall be raised and appropriated or be transferred from the available funds in the Treasury.

Motion made and seconded that the Town vote to accept Article 27 as written and recommended to appropriate the sum of \$180,000.00 for the purposes of this article and that said sum be transferred from Undesignated Surplus. Voted nearly unanimous in the affirmative.

Article 28: 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 ambulance for the Fire Department, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 28 as written and recommended to appropriate the sum of \$245,000.00 for the purposes of this article and that said sum be transferred from Undesignated Surplus. Voted unanimous in the affirmative.

Article 29: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Fire Department for the purpose of performing annual Aerial Certification Inspections of the new Ladder 1 Truck, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 29 to appropriate the sum of \$5,385.76 for the purposes of this article and that said sum be transferred from Account #01-220-419-5860 (established pursuant to Article 3 of the May 1999 Special Town Meeting). Voted unanimous in the affirmative.

Article 30: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Fire Department for the purpose of making repairs to and/or refurbishing Engine 6 and Rescue 2, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 30 as written and recommended to appropriate the sum of \$6,116.11 for the purposes of this article and that said sum be transferred from Account #01-220-422-5869 (established pursuant to Article 6 of the May 2002 Special Town Meeting). Voted unanimous in the affirmative.

Article 31: 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 two (2) new marked police cruisers, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 31 as written and recommended to appropriate the sum of \$60,000.00 for the purposes of this article and that said sum be transferred from Undesignated Surplus. Voted unanimous in the affirmative.

Article 32: 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 installing a new 60KW stand-by generator for the Highway Department Facility, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 32 as written and recommended to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be transferred from Undesignated Surplus. Voted unanimous in the affirmative.

Article 33: 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 14 of the December 7, 2009, Special Town Meeting, for the purposes of monitoring and maintaining the former landfill located west of Brayton Point Road, or take any other action relative thereto.

Motion made and seconded that the Town vote to accept Article 33 as written and recommended to appropriate the sum of \$50,000.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 34: 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 $\frac{3}{4}$ ton pick-up truck for the Water Pollution Control Department, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 34 as written and recommended to appropriate the sum of \$35,000.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous in the affirmative.

Article 35: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of replacing, reconstructing and/or making extraordinary repairs and improvements to the Administration Building and four (4) roofs located at the Water Pollution Control Facility, and for other expenses incidental to that project, including but not limited to engineering, advertising and legal costs, or take any action relative thereto.

Motion made and seconded that the Town vote to accept Article 35 as written and recommended to appropriate the sum of \$425,000.00 for the purposes of this article and that said sum be transferred from available funds raised by the sewer infrastructure fee. Voted unanimous in the affirmative.

Article 36: To see if the Town will vote to transfer a sum of money, in addition to amounts previously appropriated under Article 35 of the May 16, 2005, Annual Town Meeting, for the purposes of taking by eminent domain or acquiring by negotiated purchase or any other lawful means land within the areas designated by the November 3, 1986, Special Town Meeting as the Watershed Protection District for a

distance of up to five hundred (500') feet from the mean high water mark of the Somerset Reservoir in order to provide a buffer to protect and preserve the purity of the Town's water supply.

Motion made and seconded that the Town vote to accept Article 36 as written and recommended to appropriate the sum of \$175,000.00 for the purposes of this article and that said sum be transferred from Water Enterprise Fund Retained Earnings. Voted unanimous in the affirmative.

Article 37: To see if the Town will vote to authorize the Board of Selectmen to transfer use of Town-owned property located directly behind the existing water storage tank on Hot & Cold Lane to the Somerset Board of Water and Sewer Commissioners for the purposes of constructing and maintaining a new water storage tank, being a portion of the premises shown as Lot 139 on Somerset Assessors Map B-7 (as more particularly shown on the map on file at the Somerset Town Clerk's Office), bounded and described as follows:

Beginning at a point, said point being the southeasterly corner of land of the Somerset Water Department and Three Hundred and 00/100 (300.00) feet from the easterly sideline of Hot & Cold Lane; thence

Easterly	Three Hundred Fifty and 00/100 (350.00) feet by land of the Town of Somerset to a point; thence
Northerly	Three Hundred Sixty Eight and 86/100 (368.86) feet by said land of the Town of Somerset to a point; thence
Westerly	Three Hundred Fifty One and 97/100 (351.97) feet running parallel and Forty (40) feet south of an easement to Montaup Electric Company; thence
Southerly	Three Hundred Thirty One and 68/100 (331.68) feet by said land of the Somerset Water Department to the point and place of beginning.

Said parcel contains Two and 81/100 (2.81) acres.

Motion made and seconded that the Town vote to accept Article 37 as written and recommended. Voted unanimous in the affirmative.

Article 38: To see if the Town will vote to appropriate a sum of money for the construction of a new water storage tank at a location east of the existing Hot and Cold Lane storage tank, for the reconstruction or new construction of the water tank presently located at Hot & Cold Lane, and for remodeling or extraordinary repairs to the Segregansett River Intake Station, including original equipment and costs incidental or related thereto; to determine whether to meet said appropriation by authorizing the Town Treasurer with the consent of the Board of Selectmen to borrow said money pursuant to Massachusetts General Laws chapter 44, section 7, or any other enabling authority, or by borrowing from the Massachusetts Water Pollution Abatement Trust, or otherwise, or to take any other action relative thereto.

Motion made and seconded that the Town vote to approve Article 38 as written and recommended to appropriate the sum of \$6,200,000.00 for the purposes of this article and that said sum be raised by borrowing. Voted unanimous in the affirmative.

Article 39: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of conducting meteorological studies for siting a wind turbine.

Motion made and seconded that the Town vote to approve Article 39 as written and recommended to appropriate the sum of \$12,000.00 for the purposes of this article and that said sum be raised from taxation. Voted unanimous by majority in the affirmative. (2 negative)

Article 40: To see if the Town will vote to authorize the Board of Selectmen to take by eminent domain or acquire by any other lawful means an easement for the purposes of constructing, inspecting, repairing, replacing, operating, and forever maintaining a surface and subsurface drainage system and appurtenances thereto, and to do all other acts incidental to the foregoing, in, over, through, and under the following-described premises, including the right to pass along and over the land for the aforesaid purposes and to allow water to flow through, over, and under the same, together with the right to enter onto said premises in order to do whatsoever might be necessary to accomplish the foregoing, said premises being a portion of the premises shown as Lot 473 on Somerset Assessor's Map C-7, being bounded and described as follows:

Beginning at a the northeasterly corner of the lot to be described in the southerly line of Susie Street;
Thence, running N 63°-21'-40" W along the southerly side of Susie Street and the southerly side of Shand-Court Circle, for a distance of One Hundred Twenty-seven and 94/100 (127.94) feet to a point;
Thence, turning and running S 26°-30'-53" W for a distance of Eight-five and 81/100 (85.81) feet to a point;
Thence, turning and running S 63°-21'-40" E for a distance of One Hundred Twenty-seven and 94/100 (127.94) feet to a point;
Thence, turning an running N 26°-30'-53" E for a distance of eighty-five and 81/100 (85.81) feet to the point and place of beginning; containing Ten thousand Nine Hundred Ninety-eight and 00/100 (10,998) square feet of land, more or less.

Being a portion of the land conveyed by deed of Kathleen A. Raposa, Trustee of the Amen Realty Trust, recorded with the Bristol County Fall River Division Registry of Deeds on September 19, 2002, at Book 4518, Pages 20-22, and being an easement area shown on the plan of land entitled "Definitive Subdivision 'Candlelight Terrace'", last revised on July 13, 1999, and recorded with the Bristol County Fall River District Registry of Deeds in Plan Book 177, at Page 19.

Motion made and seconded to waive the reading of Article 40. Voted unanimous in the affirmative. Motion made and seconded to accept Article 40 as written. Voted unanimous in the affirmative.

Article 41: To see if the Town will vote to accept Shand-Court Circle as a town street, if and as laid out by the Board of Selectmen, and to take by eminent domain or acquire by any other lawful means any fee, easement, or other interest in land necessary therefore, no appropriation being required.

Motion made and seconded that the Town vote to accept Article 41 as written and recommended. Voted unanimous in the affirmative.

Article 42 and 43 motioned to be heard after Article 13.

Article 44: 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 through December 7, 2009, as follows:

Under Grade 14, insert the following position: "S – Finance Director/Accountant";

or take any action relative thereto.

Motion made and seconded to indefinitely postpone Article 44. Voted unanimous in the affirmative.

Article 45: To see if the Town will vote to amend the Somerset Responsible Employer By-law, adopted under Article 15 of the December 7, 2009, Special Town Meeting, as follows:

--In the second sentence of section I.C., after the words "for that period the company has", by deleting the words "been in existence" and inserting in their place the words "maintained a bona fide apprenticeship training program"; and

--In section I.C., by deleting in its entirety the third sentence, which currently reads as follows: "Apprentices shall be employed at the rate of one (1) apprentice to at least five (5) journeyworkers on projects covered by this by-law"; and,

--In the second sentence of section I.K., by inserting the word "shall" after the words "determined to have violated any of the obligations set forth in this by-law" and before the words "be barred from performing any work".

Motion made and seconded that the Town vote to accept Article 45 to amend the Somerset Responsible Employer By-law with the changes set forth in Article 45. Voted unanimous in the affirmative.

Motion made and seconded to adjourn the Annual Town Meeting of the Town of Somerset at 9:30 p.m. on May 17, 2010. Voted unanimous in the affirmative.

A true copy attest:

Dolores Berge, Town Clerk