

Annual Town Meeting

May 15, 2023

The Annual Town Meeting was called to order at 6:04 p.m. by the Town Moderator Lucia Casey followed by announcements and the Pledge of Allegiance, led by the Moderator. A moment of silence was held for former Town employees who passed in 2022, following the list being read aloud by the Moderator.

Article 1: 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 has no recommendation on this article.

Motion Article 1: A motion was made by Selectman Souza and seconded by Selectman Smith that the Town adopt Article 1, as written. Discussion followed by Selectman Souza. Hearing no further discussion, the Moderator called for the vote on Article 1 as written. The motion carried by a unanimous voice vote.

Article 2: To see if the Town will vote to establish expenditure limits for revolving funds for the Fiscal Year July 1, 2023 to June 30, 2024, under the provisions of Massachusetts General Law chapter 44, section 53E½ as shown herein, or take any action relative thereto:

	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	The costs of purchasing medical supplies in conjunction with conducting flu clinics, rabies clinics and other departmental programs and for any purposes incidental thereto, and wages and associated costs	\$80,000	Available for expenditure fiscal 2024
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 2024
C	Library's Lost and/or Damaged Materials Program	Board of Library Trustees	Fees charged for Lost and or Damaged library materials	Costs associated with the replacement of lost or damaged library materials	\$2,000	Available for expenditure fiscal 2024
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 2024
E	Emergency Medical Services	Fire Chief	Fees charged for Emergency Medical Services	Purchase of Emergency Medical Services equipment, emergency vehicle payments, and salaries/wages of Emergency Medical Services Personnel and any other costs associated with the operation of Emergency Medical Services	\$1,600,000	Available for expenditure fiscal 2024
F	Early Childhood 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 2024
G	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 2024
H	School Choice	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$200,000	Available for expenditure fiscal 2024
I	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 2024
J	Use of School Property	School Department	Receipts and Fees	Facilities rentals and operations	\$30,000	Available for expenditure fiscal 2024
K	Technology Revolving Fund	School Department	Fees charged for technology insurance and devices	Technology insurance replacement parts or full device replacement	\$25,000	Available for expenditure fiscal 2024

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

Motion Article 2: A motion was made by Selectman Souza and seconded by Selectman Smith that the Town vote to adopt Article 2, as written and recommended. Discussion followed by Selectman Souza. Hearing no

further discussion, the Moderator called for the vote on Article 2 as written and recommended. The motion carried by a unanimous voice vote.

Article 3: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2023, as follows, or take any action relative thereto:

Town Moderator	\$500.00
Board of Selectmen, Chairman	\$6,000.00
Board of Selectmen, (2 members-each)	\$6,000.00
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	\$80,909.00
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 and Finance Committee unanimously recommends approval of this article. (7-0)

Motion Article 3: : A motion was made by Selectman Souza and seconded by Selectman Smith that the Town vote to adopt Article 3, as written and recommended. Discussion followed by Selectman Souza. Hearing no further discussion, the Moderator called for the vote on Article 3 as written and recommended. The motion carried by a unanimous voice vote.

Article 4: To see if the Town will vote to raise and 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, 2023, as follows, or take any action relative thereto:

A. GENERAL BUDGET

APPROPRIATION	PERSONNEL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$0.00	\$0.00	\$0.00
114 Town Moderator	\$500.00	\$0.00	\$500.00
122 Selectmen	\$147,540.00	\$13,586.00	\$161,126.00
123 Town Administrator	\$350,951.00	\$17,200.00	\$368,151.00
124 Contingent	\$0.00	\$0.00	\$0.00
131 A & F Committee	\$3,350.00	\$300.00	\$3,650.00
132 Reserve Fund	0	\$150,000.00	\$150,000.00
135 Town Accountant/Finance Director	\$223,318.00	\$27,574.00	\$250,892.00
136 Annual Audit	\$0.00	\$43,000.00	\$43,000.00
137 Computer	\$0.00	\$226,700.00	\$226,700.00
141 Assessors	\$167,722.00	\$103,250.00	\$270,972.00
143 Tax Foreclosure	\$0.00	\$6,000.00	\$6,000.00
145 Town Treasurer/Tax Collector	\$341,954.00	\$81,700.00	\$423,654.00
151 Law Department	\$0.00	\$261,100.00	\$261,100.00
161 Town Clerk	\$163,875.00	\$6,725.00	\$170,600.00
162 Elec. & Regr.	\$22,144.00	\$38,000.00	\$60,144.00
171 Conservation Comm	\$0.00	\$0.00	\$0.00
175 Planning	\$6,550.00	\$2,650.00	\$9,200.00
176 Zoning Board of Appeals	\$3,025.00	\$3,800.00	\$6,825.00
181 Economic Dev. Comm.	\$0.00	\$12,000.00	\$12,000.00
184 Cable Advisory	\$0.00	\$0.00	\$0.00
192 Town Office	\$49,555.00	\$43,800.00	\$93,355.00
193 Old Town Hall	\$0.00	\$6,350.00	\$6,350.00
195 Town Reports	\$0.00	\$0.00	\$0.00
198 Insurance	\$0.00	\$9,005,000.00	\$9,005,000.00
199 FICA-	\$0.00	\$440,000.00	\$440,000.00
205 Fire/Police Station	\$55,010.00	\$123,580.00	\$178,590.00
210 Police Department	\$3,314,250.00	\$197,000.00	\$3,511,250.00
215 E-911 Dispatch	\$518,885.00	\$11,500.00	\$530,385.00
220 Fire Department	\$2,263,800.00	\$117,265.00	\$2,381,065.00
241 Bldg. Insp./Zoning Agent	\$114,828.00	\$7,140.00	\$121,968.00
242 Gas & Plumbing	\$22,750.00	\$1,150.00	\$23,900.00

244 Sealer of Standards	\$3,300.00	\$190.00	\$3,490.00
245 Wiring Inspector	\$23,000.00	\$525.00	\$23,525.00
291 Emergency Mgmt.	\$0.00	\$4,600.00	\$4,600.00
292 Dog Officer	\$0.00	\$67,658.00	\$67,658.00
294 Tree Warden	\$0.00	\$50,000.00	\$50,000.00
295 Harbor Master	\$5,000.00	\$6,000.00	\$11,000.00
296 Insect Pest Control	0.00	\$0.00	\$0.00
299 Inspector of Animals	\$0.00	\$0.00	\$0.00
420 Highway Department	\$863,877.00	\$117,825.00	\$981,702.00
423 Snow Removal	\$99,000.00	\$77,000.00	\$176,000.00
424 Street Lights	\$0.00	\$130,000.00	\$130,000.00
425 Traffic Signal Maint.	\$0.00	\$0.00	\$0.00
431 Landfill	\$0.00	\$0.00	\$0.00
480 Vehicle Maint. Facility	\$140,670.00	\$428,100.00	\$568,770.00
510 Board of Health/Conservation	\$118,615.00	\$11,400.00	\$130,015.00
522 Town Nurse	\$0.00	\$52,321.00	\$52,321.00
541 Council on Aging	\$92,707.00	\$55,135.00	\$147,842.00
543 Veterans Benefits	\$109,209.00	\$179,000.00	\$288,209.00
544 Graves Registration	\$750.00	\$2,500.00	\$3,250.00
610 Libraries	\$492,636.00	\$176,043.00	\$668,679.00
630 Playground & Rec.	\$136,919.00	\$4,400.00	\$141,319.00
633 Public Outdoor Facilities	\$0.00	\$0.00	\$0.00
691 Historical Comm.	\$0.00	\$300.00	\$300.00
692 Public Celebrations	\$0.00	\$22,000.00	\$22,000.00
693 Military Buildings/Groups	\$0.00	\$12,000.00	\$12,000.00
694 American Legion	\$0.00	\$0.00	\$0.00
695 VFW	\$0.00	\$0.00	\$0.00
696 Mun & Hist Bldgs.	\$0.00	\$32,300.00	\$32,300.00
710 Maturing Debt - General Government	\$0.00	\$0.00	\$0.00
710 Maturing Debt - School Department	\$0.00	\$1,275,000.00	\$1,275,000.00
752 Interest Appropriation – Short Term School Department	\$0.00	\$106,935.00	\$106,935.00
753 Interest Appropriation School Department	\$0.00	\$2,029,740.00	\$2,029,740.00
832 Contributory Retirement	\$0.00	\$4,315,790.00	\$4,315,790.00
TOTAL GENERAL GOVT.	\$9,855,690.00	\$20,103,132.00	\$29,958,822.00

	Approved FY23	Proposed FY24	Increase/(Decrease)
Personnel Services	\$9,206,756.00	\$9,855,690.00	\$648,934.00
Expenses	\$3,230,691.00	\$3,370,667.00	\$139,976.00
Fixed Expenses	\$13,356,411.00	\$16,732,465.00	\$3,376,054.00
Totals:	\$25,793,858.00	\$29,958,822.00	\$4,164,964.00

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

Motion Article 4A: A motion was made by Selectman Souza that the Town vote to appropriate the sum of \$29,958,822.00 for the fiscal year July 1, 2023, to June 30, 2024, for the purposes of funding the General Budget as designated and that the sum of \$28,958,822.00 be raised from taxation and that the sum of \$1,000,000.00 be transferred from the Overlay Surplus Account. Discussion followed by Selectman Souza and Victor Machado. Mr. Machado made a motion to put a hold on line 123 Town Administrator, and seconded by Steven Moniz. The motion carried by a unanimous voice vote. Discussion followed by Mr. Machado to request that Personnel Services be reduced by \$101,000.00. More discussion followed by Kim Michaud, 222 Highview Avenue. A motion was made by Mrs. Michaud and seconded from the floor to hold line 543 – Veterans Benefits. The motion carried by a unanimous voice vote. Discussion followed by Mrs. Michaud, Selectman Smith and Town Administrator Mark Ullucci, and Selectman Souza. Hearing no further discussion, the Moderator called for a motion Article 4A with the exception of Line item 543 – Veterans and 123 – Town Administrator. A motion was made by Selectman Souza and seconded from the floor to vote to appropriate \$29,302,462.00 for the Fiscal Year July 1, 2023, to June 30, 2024, for the purpose of funding the General Budget and that the sum of \$28,302,462.00 be raised by taxation and that the sum of \$1,000,000.00 be transferred from the Overlay Surplus Account. Discussion followed by Selectman Souza. Hearing no further discussion the Moderator called for the vote with Line 123 and 543 held and to be acted on separately. The motion carried by a nearly unanimous vote in the affirmative.

The Moderator opened the floor for discussion on Line 543 – Veterans Benefits. Discussion followed by Kim Michaud, Selectmen Smith, and Town Administrator Ullucci. Hearing no further discussion, the Moderator called for a motion. A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate \$288,209.00 and that said sum be raised by taxation. The motion carried by a unanimous vote.

The Moderator then opened the floor for discussion on Line 123 – Town Administrator. Discussion followed by Victor Machado, who made a motion to amend Line 123 – Town Administrator to be reduced by

\$101,000.00 for a total appropriation of \$267,151.00. Mr. Machado also asked for a recommendation from the A&F Board. They only had a recommendation on the article as a whole, and are not making a recommendation on the amendment. Discussion followed by Selectman Vaught, Jessica Machado – 91 Washington Avenue, Kim Michaud – 222 Highview Avenue, Nicole McDonald – 30 Admiral’s Way, Lloyd Mendes – 46 Anawan Street, Richard Peirce – 15 Saddlebrook Terrace who noted that the amendment should read (\$101,000.00) from the Personnel Services portion of Line 123, Selectman Vaught, Selectman Smith, Sharron Puccini – 4019 Riverside Avenue, Ed Souza – 130 Pocasset Street, Robert Gaw – 119 Butternut Road who made a motion to move the question. The motion to move the question was seconded from the floor. The Moderator called for a standing visual vote. The Moderator declared that the motion to reduce Line 123 failed. The Moderator called for a vote for Line Item 123 as written in the General Budget. The Moderator called for the vote and declared the motion carried by a voice vote in the majority.

APPROPRIATION

4B. School Dept. Budget	Approved FY23	Proposed FY24	Increase/(Decrease)
	\$22,777,525.00	\$23,941,494.00	\$1,163,969.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$23,941,494.00 for the purposes of this article and that said sum be raised from taxation. (7-0)

Motion Article: A motion was made by School Committee Member Robert Gaw and seconded by several on the floor that the Town vote to appropriate the sum of \$23,941,494 for the fiscal year July 1, 2023 to June 30, 2024, for the purposes of funding the Somerset Public School Department Budget as written in the article, and that said sum be raised from taxation. Discussion followed by Robert Gaw who made a motion to amend the original motion to reduce the Somerset School Department Budget from \$23,941,494 to \$23,882,809 which reflects a decrease of \$58,685 for the fiscal year July 1, 2023 to June 30, 2024. The motion was seconded by Victor Machado. Hearing no further discussion, the Moderator called for the vote on the amended motion. The amendment carried by a majority vote. The Moderator opened the floor for discussion on the motion as amended. Hearing no discussion, the Moderator called for the vote on the article as amended. The motion carried by a unanimous voice vote.

APPROPRIATION

4C. Water and Water Pollution Control Enterprise Operations

	Personnel Services	Operating Expenses	TOTAL APPROPRIATION
1. Water Dept.	\$1,254,012.00	\$2,921,923.00	\$4,175,935.00
2. Water Pollution Control Dept.	\$1,186,830.00	\$2,411,202.00	\$3,598,032.00
TOTAL			\$7,773,967.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$7,773,967.00 for the purpose of this article and that said sum be raised from the Water & Sewer Enterprise Fund Receipts. (7-0)

Motion Article 4C: A motion was made by Water and Sewer Commissioner Steve Cadorette and seconded by Commissioner Bednarik that the Town vote to appropriate the sum of \$7,773,967.00 for the fiscal year July 1, 2023, to June 30, 2024, for the purposes of this article and that the sum of \$7,773,967.00 be raised from the Water and Sewer Enterprise Fund Receipts. Discussion followed by Commissioner Cadorette. Hearing no further discussion, the Moderator called for the vote on Article 4C as written and recommended. The motion carried by a nearly unanimous voice vote.

Article 5: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town’s share of the operating and capital expenses of the Somerset Berkley Regional School District, said amount having been assessed to the Treasurer of the Town of Somerset and with said assessment subject to the provisions of the certain Amended Agreement approved by the vote taken under Article 6 of the May 17, 2021 Annual Town Meeting, or take any action relative thereto.

APPROPRIATION

5. Somerset Berkley Regional School District

Approved FY23	Proposed FY 24	Increase/(Decrease)
\$9,986,304.00	\$10,128,209.00	\$141,905.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$10,128,209.00 for the purpose of this article and that sum be raised from taxation. (7-0)

Motion Article 5: A motion was made by Somerset Berkley Regional School Committee Member Julie Ramos-Gagliardi and seconded by Mr. Machado that the Town vote to appropriate the sum of \$10,128,209.00 for the purpose of paying the Town’s share of operating expenses (\$8,511,751.00) and capital expenses (\$1,616,458.00) for the Somerset Berkley Regional School District, said amount having been assessed by the Treasurer of the Town of Somerset and that said sum be raises from taxation. Discussion followed by Mrs. Ramos-Gagliardi. Hearing no further discussion, the Moderator called for the vote on Article 5 as written and recommended. The motion carried by a unanimous voice vote.

Article 6: To see if the Town will vote to raise and appropriate, and/or transfer from available funds such sums 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, or take any action relative thereto:

APPROPRIATION

6. Greater Fall River Vocational Technical High School District

Approved FY23	Proposed FY24	Increase/(Decrease)
\$1,566,543.00	\$1,756,986.00	\$190,443.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$1,756,986.00 and that said sum be raised from taxation. (7-0)

Motion Article 6: A motion was made by Selectman Smith and seconded by Selectman Vaught that the Town vote to appropriate the sum of \$1,756,986.00 for the purpose of funding the Town’s assessment for the Greater Fall River Vocational Technical High School District and that said sum be raised from taxation. Discussion followed by Selectman Smith. Hearing no further discussion, the Moderator called for the vote on Article 6 as written and recommended. The motion carried by a unanimous voice vote.

Article 7: To see if the Town will vote to raise and appropriate, and/or transfer from available funds such sums 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, or take any action relative thereto:

APPROPRIATION

7. Bristol County Agricultural School

Approved FY 23	Proposed FY24	Increase/(Decrease)
\$211,524.00	\$225,696.00	\$14,172.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$225,696.00 for the purposes of the article and that said sum be raised from taxation. (7-0)

Motion Article 7: A motion was made by Selectman Smith and seconded by Selectman Vaught that the Town vote to appropriate the sum of \$225,696.00 for the purposes of funding the Town’s assessment for the Bristol County Agricultural School and that said sum be raised from taxation. Discussion followed by Selectman Smith. Hearing no further discussion, the Moderator called for the vote on Article 7 as written and recommended. The motion carried by a unanimous voice vote.

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

The Advisory & Finance Committee will have a recommendation at the Town Meeting. The A&F Committee has no recommendation on this article.

Motion Article 8: A motion was made by Selectman Smith and seconded by Selectman Vaught that the Town vote to appropriate the sum of \$2,000,000.00 for the purpose of this article and that the sum of \$700,000.00 be raised from “offset receipts” pursuant to MGL Chapter 44, section 53E, and that the sum of \$1,300,000.00 be raised from taxation. Discussion followed by Selectman Smith, Michael McDonald – 36 Utah Avenue, and Dennis Viveiros – 3096 Riverside Avenue. Hearing no further discussion, the Moderator called for the vote on Article 8 as written. The motion carried by a nearly unanimous voice vote.

Article 9: To see if the Town will vote to appropriate and transfer from the PEG Access and Cable-Related Special Revenue Fund a sum of money to be expended during the fiscal year commencing July 1, 2023, under the direction of the Board of Selectmen for necessary and expedient cable-related purposes consistent with the Town’s license agreement, and further to authorize the Board of Selectmen to enter into agreements of up to ten years or such lesser terms as the Board of Selectmen shall determine to be in the best interest of the Town for the expenditure of such funds for the provision of PEG community access television services, or take any action relative thereto.

The Advisory & Finance Committee will have a recommendation at the Town Meeting. The A&F Committee recommended by unanimous vote (6-0) in favor of this article.

Motion Article 9: A motion was made by Selectman Smith and seconded by Selectman Vaught that the Town vote to appropriate from the PEG Access and Cable-Related Fund the sum of \$350,000.00, said fund to be expended during the fiscal year commencing July 1, 2023, under the direction of the Board of Selectmen for necessary and expedient cable-related purposes consistent with the Town’s license agreement and to authorize the Board of Selectmen to enter into agreements of up to ten year or such lesser terms as the Board of Selectmen shall determine to be in the best interest of the Town for the expenditure. Discussion followed by Selectman Smith. Hearing no further discussion, the Moderator called for the vote on Article 9 as written and recommended. The motion carried by a nearly unanimous vote.

A motion was made by Richard Peirce and seconded by several from the floor for no reconsideration of Articles 4A, 4B, 4C, 5, 6, & 7. The motion carried by a unanimous vote.

Article 10: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of repairing, renovating, and reconstruction of the South Complex Concession Stand located at Hot & Cold Lane in Somerset, MA including any design, engineering, construction, and any incidental or related costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Board of Selectmen	Repair, Renovate, and Reconstruct South Complex Concession	\$42,000.00

	Stand Located at Hot & Cold Lane in Somerset, MA	
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The Advisory & Finance Committee by a majority does not recommend approval of this article. (6-1) – A&F Recommendation revised to recommend (6-0) this article.

Motion Article 10: A motion was made by Selectman Smith and seconded by Selectman Vaught that the Town vote to appropriate the sum of \$42,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Smith, Donald DiBiasio – 360 Harborview Blvd, Jim Faria – 5 Moffitt Avenue, and Joshua Darlington – 204 Denham Avenue. Hearing no further discussion, the Moderator called for the vote on Article 10 as written and recommended. The motion carried by a nearly unanimous voice vote.

Article 11: To see if the Town will vote to accept Sunshine Drive as a public way as laid out by the Board of Selectmen and shown on a plan entitled “Street Layout As-Built Plan” on file with the Town Clerk, and authorize the Board of Selectmen to acquire, by gift, purchase and/or eminent domain, the fee to and/or easements in such way as shown on the aforesaid plan for all purposes for which public ways are used in the Town of Somerset and any drainage, utility, access, or other related easements, or take any action relative thereto.

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board unanimously recommends approval of this article. (5-0)

Motion Article 11: A motion was made by Planning Board member Tim Turner and seconded from the floor that the Town vote to accept Sunshine Drive as a public way, as set forth in this article. Discussion followed by Tim Turner. Hearing no further discussion, the Moderator called for the vote on Article 11 as written and recommended by the Planning Board. The motion carried by a unanimous voice vote.

Article 12: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Wages and Compensation for the position of “Town Planner”, or take any action relative thereto.

Department	Description	Amount
1. Board of Selectmen	Raise & Appropriate, and/or Transfer a Sum of Money for the Propose of Paying the Wages and Compensation for the Position of “Town Planner”. (Salary: \$85,000 .00)	\$85,000.00

The Advisory & Finance Committee unanimously does not recommend approval of this article. (7-0)

Motion Article 12: A motion was made by Selectman Souza and seconded by Selectman Smith that the Town vote to indefinitely postpone Article 12. Discussion followed by Selectman Souza, Victor Machado – 119 Desmond Avenue, Raymond Richard – 152 Grant Avenue. A motion was made from the floor to move the question and seconded by several on the floor. The motion to move the question carried by a unanimous voice vote. The Moderator called for the vote on the motion of indefinite postponement. The motion carried by a unanimous voice vote.

Article 13: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Wages and Compensation for the position of “Town Grant Writer”, or take any action relative thereto.

Department	Description	Amount
1. Board of Selectmen	Raise & Appropriate, and/or Transfer a Sum of Money for the Propose of Paying the Wages and Compensation for the Position of “Town Grant Writer”. (Salary: \$70,000 .00)	\$70,000.00

The Advisory & Finance Committee unanimously does not recommend approval of this article. (7-0)

Motion Article 13: A motion was made by Selectman Souza and seconded by Selectman Smith that the Town vote to indefinitely postpone Article 13. Discussion followed by Selectman Souza, Raymond Richard – 152 Grant Avenue, Jackie Seney – 135 Samson Avenue, and Robert Gaw – 119 Butternut Road. Hearing no further discussion, the Moderator called for the vote on the motion of indefinite postponement. The motion carried by a nearly unanimous voice vote.

A motion was made by Allen Smith and seconded by several from the floor that there be no reconsideration of Articles 8 through 13. Motion carried by a unanimous vote.

Article 14: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of making retirement payments to a special funds for military service credit for employees on military leave of absence, or take any other action relative thereto.

Department	Description	Amount
1. Treasurer / Collector	Special Fund for Military Service Credit	\$10,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$10,000.00 for the purposes of this article and that said sum be transferred from Free Cash. (7-0)

Motion Article 14: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$10,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Smith. Hearing no further discussion, the Moderator called for the vote on Article 14 as written and recommended. The motion carried by a unanimous voice vote.

Article 15: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing five (5) Poll Pads for the Town Clerk’s Office, including any incidental

costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Elections & Town Meetings	Purchase of Five (5) Poll Pads for the Town Clerk's Office	\$7,975.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$7,975.00 for the purposes of this article and that said sum be transferred from Free Cash. (7-0)

Motion Article 15: A motion was made by Selectman Vaught and seconded by Selectman Souza that the Town vote to appropriate the sum of \$ 7,975.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Souza. Hearing no further discussion, the Moderator called for the vote on Article 15 as written and recommended. The motion carried by a unanimous vote.

Article 16: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing two (2) Police Cruisers for the Somerset Police Department, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Police Department	Purchase of Two (2) Police Cruisers for the Police Department	\$120,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$120,000.00 for the purposes of this article and that said sum be transferred from Free Cash. (7-0)

Motion Article 16: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$120,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Vaught, Victor Machado – 119 Desmond Avenue, Chief Todd Costa and Selectman Smith. Hearing no further discussion, the Moderator called for the vote on Article 16 as written and recommended. The motion carried by a nearly unanimous vote.

Article 17: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing a Computer Server Firewall for the Somerset Police Department, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Police Department	Purchase of Computer Server Firewall for the Police Department	\$75,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sums of \$75,000.00 for the purposes of this article and that said sum be transferred from Free Cash. (7-0)

Motion Article 17: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$75,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Vaught. Hearing no further discussion, the Moderator called for the vote on Article 17 as written and recommended. The motion carried by a unanimous vote.

Article 18 : To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing Office Furniture for the Officer's Room located at the Somerset Police Station, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Police Department	Purchase of Office Furniture for the Officers Room at the Police Department	\$17,500.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$17,500.00 for the purposes of this article and that said sum be transferred from Free Cash. (7-0)

Motion Article 18: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$17,500.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Vaught. Hearing no further discussion, the Moderator called for the vote on Article 18 as written and recommended. The motion carried by a nearly unanimous vote.

Article 19: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and equipping a SUV Command Vehicle for the Fire Department, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Fire Department	Purchase of SUV Command Vehicle	\$65,000.00

The Advisory & Finance Committee by a majority recommends that the Town vote to appropriate the sum of \$65,000.00 for the purposes of this article and that said sum be transferred from Free Cash. (6-1)

Motion Article 19: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$65,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Vaught. Hearing no further discussion, the Moderator called for the vote on Article 19 as written and recommended. The motion carried by a nearly unanimous vote.

Article 20: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and equipping a Fire Engine for the Fire Department, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Fire Department	Purchase of Fire Engine	\$850,000.00

The Advisory & Finance Committee by a majority recommends that the Town vote to appropriate the sum of \$850,000.00 for the purposes of this article and that said sum be transferred from Free Cash. (6-1)

Motion Article 20: A motion was made by Selectman Vaught and seconded by Selectman Smith that the Town vote to appropriate the sum of \$850,000.00 for the purpose of this article and that said be transferred from Free Cash. Discussion followed by Selectman Vaught. Hearing no further discussion, the Moderator called for a vote on Article 20 as written and recommended. The motion carried by a unanimous vote.

Article 21: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and installing a Scale and Scale House for the Transfer Station at the Somerset Highway Department, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Highway Department	Purchase of Scale and Scale House for Transfer Station	\$150,000.00

The Advisory & Finance Committee will have a recommendation at the Town Meeting. The A&F Committee voted unanimous (6-0) in favor of Article 21.

Motion Article 21: Madam Moderator, I move that the Town vote to appropriate the sum of \$150,000.00 for the purpose of this article and that said sum be transferred from Free Cash. Discussion followed by Selectman Vaught and Peter Cabral – 158 Prescott Drive. Hearing no further discussion, the Moderator call for a vote on Article 21 as written and recommended. The motion carried by a unanimous vote.

A motion was made by Selectman Smith and seconded by Selectman Souza and others from the floor that there be no reconsideration on Articles 14 through 21. Motion carried by a unanimous vote. There was also a motion made and seconded from the floor for no reconsideration of Articles 1, 2 & 3. The motion carried by a unanimous vote.

Article 22: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of replacing the Chlorination/Dichlorination Controllers at the Water Pollution Control Facility, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Pollution Control Department	Replace Chlorination/Dichlorination Controllers at the Water Pollution Control Facility	\$20,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$20,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article: 22 A motion was made by Water & Sewer Commissioner Joseph Bednarik and seconded by Commissioner Robert Lima that the Town vote to appropriate the sum of \$20,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Bednarik. Hearing no further discussion, the Moderator called for the vote on Article 22 as written and recommended. The motion carried by a nearly unanimous vote in the affirmative.

Article 23: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of replacing the Pump Controller at the Foley Avenue Pumping Station, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Pollution Control Department	Replace the Pump Controller at the Foley Avenue Pumping Station	\$50,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$50,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 23: A motion was made by Water & Sewer Commissioner Joseph Bednarik and seconded by Commissioner Robert Lima that the Town vote to appropriate the sum of \$50,000 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Bednarik. Hearing no further discussion, the Moderator called for the vote of Article 23 as written and recommended. The motion carried by a unanimous vote.

Article 24: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of replacing Sewage Pumps at Pilot Drive and Foley Avenue Pumping Stations, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Pollution Control Department	Rebuild or Replace Sewage Pumps at the Pilot Drive and Foley Avenue Pumping Station	\$200,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$200,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 24: A motion was made by Water & Sewer Commissioner Joseph Bednarik and seconded by Commissioner Robert Lima that the Town vote to appropriate the sum of \$200,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Bednarik. Hearing no further discussion, the Moderator called for the vote on Article 24 as written and recommended. The motion carried by a unanimous vote.

Article 25: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of replacing the HVAC System at the Water Pollution Control Facility Operations Building, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
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1. Water Pollution Control Department	Replace HVAC Systems at the Operations Building	\$100,000.00
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The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$100,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 25: A motion was made by Water & Sewer Commissioner Steve Cadorette and seconded by Commissioner Bednarik that the Town vote to appropriate the sum of \$100,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Bednarik. Hearing no further discussion, the Moderator called for the vote on Article 25 as written and recommended. The motion carried by a unanimous vote.

Article 26: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of constructing a new Liquid Sludge Pumping Station for the Water Pollution Control Facility, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Pollution Control Department	New Liquid Sludge Pumping Station	\$400,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$400,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 26: A motion was made by Water & Sewer Commissioner Steve Cadorette and seconded by Commissioner Lima that the Town vote to appropriate the sum of \$400,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Cadorette. Hearing no further discussion the Moderator called for the vote on Article 26 as written and recommended. The motion carried by a unanimous vote.

Article 27: To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable general or special law, including M.G.L. Chapter 29C, a sum of money for construction, upgrades, improvements and/or rehabilitation of the five (5) Somerset Wastewater Pump Stations located at, 150 Cherry Street; 10 Durfee Court; 67 Gay Street and 14 Owen Street in the Town, and at 288 Miller's Lane in Swansea, MA, and that the Treasurer or Board of Selectmen each be authorized to enter into any agreements and take any other action necessary to carry out said projects, including execution of one or more grant, financing, security and/or project regulatory agreement(s) with the Massachusetts Clean Water Trust, Massachusetts Department of Environmental Protection or any other entity to obtain reimbursement of such funds or as may be required to borrow or expend such funds, as applicable, or take any action relative thereto.

Department	Description	Amount
1. Water Pollution Control Department	Construction, Upgrades, Improvements and or Rehabilitation of Five (5) Wastewater Pumping Stations	\$5,500,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to borrow the sum of \$5,500,000.00 for the purposes as written in the article. (7-0)

Motion Article 27: A motion was made by Water & Sewer Commissioner Steve Cadorette and seconded by Commissioner Lima that the Town vote to authorize the Treasurer, with the approval of the Selectman, to borrow \$5,500,000.00 for the purpose as written in the article, on behalf of the Water & Sewer Commissioners. Discussion followed by Commissioner Cadorette, ??? Smith, and Jackie Seney – 135 Samson Avenue. Hearing no further discussion, the Moderator called for the vote on Article 27 as written and recommended, reminding the body that this article requires a 2/3 majority vote of those present and voting and has requested a standing counted vote. Yes – 176, No – 3 The motion carried by a more than 2/3 majority vote.

Article 28: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of improving and upgrading the Raw Water Pumping Station, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Department	Improvements and Upgrades to the Raw Water Pumping Station	\$300,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$300,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 28: A motion was made by Water & Sewer Commissioner Robert Lima and seconded by Commissioner Cadorette that the Town vote to appropriate the sum of \$300,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by Commissioner Lima. Hearing no further discussion, the Moderator called for a vote on Article 28 as written and recommended. The motion carried by a unanimous vote.

Article 29: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of upgrades and modifications to the Filter and Clarifier Units at the Water Treatment Plant, including any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Water Department	Upgrades and Modifications to Filters and Clarifiers	\$400,000.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$400,000.00 and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. (7-0)

Motion Article 29: Water & Sewer Commissioner Robert Lima and seconded by Commissioner Bednarik that the Town vote to appropriate the sum of \$400,000.00 for the purpose as written in the article, and that said sum be transferred from retained earnings in the Water & Sewer Enterprise Fund. Discussion followed by

Commissioner Lima and Lori Belche – 119 Berube Avenue. Hearing no further discussion, the Moderator called for the vote on Article 29 as written and recommended. The motion carried by a nearly unanimous vote.

Article 30: To see if the Town will vote to transfer from the board or officer currently having care, custody and control for the purpose for which the property is currently held, to the Board of Selectmen for the limited purpose of disposition of an interest in land therein, the care, custody, and control of that portion of the Town’s property at Hot and Cold Lane, Assessor’s Parcel ID Map B-7, Lot 139, utilized for water supply purposes, and further to authorize the Board of Selectmen to grant an easement or easements in such property for utility purposes, which purposes may include the provision of electricity and the transmission of intelligence and communications to the property and the facilities located thereon, upon such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, and to authorize the Board of Selectmen to execute all documents and agreements and take all actions necessary to effectuate the purpose of this vote, or take any action relative thereto.

The Advisory & Finance Committee has no recommendation on this article

Motion Article 30: A motion was made by Water & Sewer Commissioner Robert Lima and seconded by Commissioner Bednarik and others from the floor that the Town vote to authorize the Board of Selectmen to grant the easement as written in the article. Discussion followed by Commissioner Lima. Hearing no further discussion, the Moderator called for a vote on Article 30 as written. The motion carried by a unanimous vote.

The Moderator stepped down due to a conflict with Article 31. Attorney Arthur Frank presented Article 31 having been duly sworn by the Town Clerk as Acting Town Moderator for Article 31.

Article 31: To see if the Town will vote to amend the Somerset Zoning By-law and the Zoning Map which is a part thereof to change the zoning of the premises hereinafter described, and identified as Assessor’s Map B-6, Lot 341, from “Limited Business District” to “Business District”:

Beginning at the Southeasterly corner of the parcel to be described, at a point situated on the Northerly side of G.A. R. Highway; thence running N 01 degrees 34’00” W by parcel B as shown on a plan of land hereinafter referred to, 400.00 feet to Lot #8 as shown on a plan of land hereinafter referred to; thence turning and running N 59 degrees 56’01” W by lots #8, #9, #10, #11, #12, #13, #14, #296 and #293, a distance of 859.50 feet to a point for a corner; thence turning and running S 37 degree 22’54” E by the Northerly line of G.A.R. Highway, a distance of 224.78 feet to a point for an angle; thence turning and continuing along the Northerly lien of said G.A.R. Highway in a general Southeasterly direction a distance of 884.48 feet to the point of beginning, and containing 170,214.20 square feet of land, more or less Being Parcel “A” as shown on a plan of land entitled, “Plan of Land in Somerset, Massachusetts, prepared for Somerset Housing Authority, dated May 31, 1989” recorded with the Bristol County, Fall River Registry of Deeds at Plan Book 92, Page 79.

, and further to authorize the Board of Selectmen to release to the Somerset Housing Authority and its successors and assigns, upon such terms and conditions as the Board of Selectmen may determine, the congregate housing restriction held by the Town in the above said property pursuant to that deed recorded with the aforesaid Registry in Book 2157, Page 11, or take any action relative thereto.

Department	Description	Amount
1. Somerset Housing Authority	Re-zone Parcel of Land From “Limited Business District” to a “Business District” Located on North Side of Route 6 (Assessor’s Map B-6, Lot 341) & Release Restriction Held by Town	N/A

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board by a majority recommends approval of this article. (7-0)

Motion Article 31: A motion was made by Housing Authority Member Matthew Aspden and seconded by several from the floor that the Town vote to accept and adopt article 31 as written. Discussion followed by Committee member Aspden, Lloyd Mendes – 46 Anawan Street and Robert Gaw – 119 Butternut Road who corrected that the Vote noted on the Planning Board recommendation for this article should have read 4-1. Hearing no further discussion, the Moderator called for a vote on Article 31 as written and recommended by the Planning Board and reminded the body that this article requires a 2/3 majority vote and asked for a standing counted vote. Yes – 126, No 42. The motion carried by more than a 2/3 majority vote.

A motion was made by Matthew Aspden and seconded by several on the floor for no reconsideration on Article 31. The motion carried by a unanimous vote.

A motion was made from the floor and seconded by several for no reconsideration of Articles 22 through 30. The motion carried by a unanimous vote.

Article 32: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the purpose of improvements to the Chace Elementary, North Elementary and South Elementary School Building envelopes that will include but not be limited to window replacement, egress doors, HVAC upgrades, and architectural and engineering services, and any incidental costs or expenses, or take any action relative thereto.

Department	Description	Amount
1. Somerset School Department	Replacement of Windows and Egress Doors and HVAC Upgrades at K5 Schools	\$4,500,000.00

The Advisory & Finance Committee will have a recommendation at the Town Meeting. The Advisory & Finance Committee did not make a recommendation on this article.

Motion Article 32: A motion was made by School Committee Member Christine Courville and seconded by several from the floor that the Town vote to appropriate the sum of \$4,500,000 for the purpose as written in the article, and that said sum be transferred from Free Cash. Discussion followed by Committee Member Courville who made a motion to amend Article 32 to reduce the amount from \$4,500,000.00 to \$1,426,509.00 for the purpose of Article 32 and that said sum be raised by Taxation. The motion was seconded by several from the floor. Discussion followed by Ms. Courville, Committee Member Victor Machado, Selectman Vaught, Ed Souza – 130 Pocasset Street, who made a motion for indefinite postponement with several seconds from the floor. Discussion followed by Mr. Machado, Jackie Seney – 135 Samson Avenue, Committee Member Robert Gaw, Michael McDonald – 36 Utah Avenue, Selectman Smith, and Denise Jordan. The Moderator called for the vote on indefinite postponement which takes precedence over the amendment motion. The Moderator declared that the motion on indefinite postponement carried by a majority voice vote.

A motion was made by Selectman Smith and seconded by several from the floor that there be no reconsideration of Article 32. The motion carried by a nearly unanimous vote.

Article 33: To see if the Town will vote to authorize the Board of Selectmen to grant a permanent easement or easements for utility purposes to Massachusetts Electric Company or similar entity, which purposes may include the provision of electricity and the transmission of intelligence and communications, in the land situated on the northerly side of Read Street and the westerly side of Brayton Avenue identified as Assessor’s Map B-5, Lot 344, on such terms and conditions as the Board of Selectmen and School Committee deem appropriate, or take any action relative thereto.

Department	Description	Amount
1. Somerset School Department	Grant of Easement – Massachusetts Electric Company	N/A

The Advisory & Finance Committee has no recommendation on this article.

Motion Article33: A motion was made by Selectman Souza and seconded by Selectman Smith that the Town vote to authorize the Board of Selectmen to grant the easement as written in the article. Discussion followed by Selectman Souza. Hearing no further discussion, the Moderator called for the vote on Article 33 as written. The motion carried by a nearly unanimous vote.

Article 34: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$52,800.00, of which \$41,364.00 will come from the Community Preservation Open Space Reserve Fund and \$11,436.00 will come from the Community Preservation Budgeted Reserve Fund for the removal and replacement of the swing sets at the Pottersville Field, located at 115 Wood St., Somerset, MA and O’Neil Field, located at 591 Brayton Point Road in Somerset, MA, including but not limited to site preparation, equipment, furnishings and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article: 34 A motion was made by Community Preservation Committee Member Tim Turner and seconded by several on the floor that the Town vote to adopt Article 34, as written and recommended. Discussion followed by Mr. Turner. Hearing no further discussion, the Moderator called for the vote on Article 34 as written and recommended. The motion carried by a unanimous vote.

Article 35: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$15,762.50 which will come from the Community Preservation Budgeted Reserve Fund for the installation of entrance/main signs at all Somerset Playground and Recreation facilities including at the Pottersville Field, located at 115 Wood Street in Somerset, MA, South Field Complex, located at 50 Hot & Cold Lane in Somerset, MA, Ashton Field located at 90 Olympic Road in Somerset, MA and the Village School Playground Located at 274 High Street in Somerset, MA, including but not limited to equipment and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 35: A motion was made by Community Preservation Committee Member Tim Turner and seconded from the floor that the Town vote to adopt Article 35, as written. Discussion followed by Mr. Turner. Hearing no further discussion, the Moderator called for the vote on Article 35 as written and recommended. The motion carried by a unanimous vote.

Article 36: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$26,635.00 which will come from the Community Preservation Budgeted Reserve Fund for the installation of dugouts and bullpens at the Pottersville Baseball Field located at 115 Wood Street in Somerset, MA, including but not limited to site preparation, equipment, furnishings and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 36: A motion was made by Community Preservation Committee Member Tim Turner and seconded from the floor that the Town vote to adopt Article 36, as written. Discussion followed by Mr. Turner. Hearing no further discussion, the Moderator called for the vote on Article 36 as written and recommended. The motion carried by a unanimous vote.

Article 37: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$80,000.00 which will come from the Community Preservation Budgeted Reserve Fund for the removal and replacement of the existing playground equipment and basketball court at the Hillside Playground located at 659 Brayton Avenue in Somerset, MA, including but not limited to site preparation, equipment, furnishings and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 37: A motion was made by Community Preservation Committee Member Tim Turner that the Town vote to adopt Article 37, as written. Discussion followed by Mr. Turner, W&S Commissioner Cadorette, Lloyd Mendes – 46 Anawan Street, and Recreation Director Barry Fontaine. A motion was made by Joshua Darlington – 204 Denham Avenue, and seconded by several on the floor to move the question. The motion carried by a unanimous vote. The Moderator called for the vote on Article 37 as written and recommended. The motion carried by a unanimous vote.

Article 38: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$12,500.00 which will come from the Community Preservation Budgeted Reserve Fund for the rehabilitation and reconfiguration of the basketball courts located at Leahy Park, on Leahy Avenue in Somerset, MA, including but not limited to site preparation, equipment, furnishings and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 38: A motion was made by Community Preservation Committee Member Tim Turner and seconded by several from the floor that the Town vote to adopt Article 38, as written. Discussion followed by Mr. Turner, Selectman Smith, and Recreation Director Barry Fontaine. Hearing no further discussion, the Moderator called for the vote on Article 38 as written and recommended. The motion carried by a unanimous vote.

Article 39: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$45,000.00 which will come from the Community Preservation Budgeted Reserve Fund for the repair, removal and replacement of the existing basketball and tennis court and to appropriately stripe the tennis court to include pickle ball court at Pierce Beach Playground located at South Street in Somerset, MA, including but not limited to site preparation, equipment, furnishings and any incidental costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 39: A motion was made by Community Preservation Committee Member Tim Turner and seconded by Selectman Souza that the Town vote to adopt Article 39, as written. Discussion followed by Mr. Turner. Hearing no further discussion, the Moderator called for the vote on Article 39 as written and recommended. The motion carried by a unanimous vote.

Article 40: To see if the Town will vote to appropriate and/or reserve from the Community Preservation Fund fiscal year 2024 estimated annual revenues the following amounts recommended by the Community Preservation Committee for Committee administrative purposes and other expenses in fiscal year 2024, reservations for each of the three purposes of the law in accord with M.G.L. chapter 44B, section 6, and any other purposes recommended by the Committee, with each item to be considered a separate appropriation or reservation:

Appropriations:

Committee Administrative Expenses: \$16,800.00

Reserves:

Historic Resources Reserve: \$33,600.00

Community Housing Reserve: \$33,600.00

Open Space Reserve: \$33,600.00

FY 2024 Budgeted Reserve: \$218,400.00

, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article. (7-0)

The Community Preservation Committee unanimously recommends approval of this article. (7-0)

Motion Article 40: A motion was made by Community Preservation Committee Member Tim Turner and seconded from the floor that the Town vote to adopt Article 40, as written. Discussion followed by Mr. Turner. Hearing no further discussion, the Moderator called for the vote on Article 40 as written and recommended. The motion carried by a unanimous vote.

Article 41: To see if the Town will vote to: Approve and appropriate the sum of \$16,000.00 for the fireworks for the town's annual Spirit of Somerset Celebration on Saturday September 9, 2023. The fireworks would include the display be shot off a barge on the Federally Recognize as a "Wild & Scenic Resource: being the Taunton River. We would hope that the citizens of Somerset would approve of this article.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$16,000.00 for the purposes of this article and that said sum be transferred from Free Cash.

Article 41 Motion: Citizens Petitioned Article motioned by petitioner David Berube – 233 Forest Avenue. A motion was made by Mr. Berube that Article 41 be indefinitely postponed. The motion was seconded from the floor. Discussion followed by Mr. Berube, Advisory & Finance Chair Michael Pasternak, and Selectman Souza. Hearing no further discussion, the Moderator called for the vote on the motion for indefinite postponement. The motion carried by a unanimous vote.

Article 42 : To see if the Town will vote to direct the Town of Somerset through the Board of Water and Sewer Commissioners to stop adding fluoride to the water supply at the Somerset Water Treatment Plant.

The Advisory & Finance Committee has no recommendation on this article.

Motion Article 42: Citizen's Petitioned Article motioned by Peter Cabral – 158 Prescott Drive on behalf of petitioner Elizabeth Paskowski. A motion was made to amend Article 42 by Mr. Cabral, however, the Moderator explained that a Citizen's Petitioned Article cannot be amended on the floor and that the amendment was out of the scope of the original article as signed by the 14 registered voters in the community. Discussion followed by Mr. Cabral, Town Counsel Matt Feher who further explained the process. Mr. Cabral motioned to accept Article 42 as written. The motion was seconded by several on the floor. Discussion followed by Dr. Robitaille, DDS, Lori Belche – 119 Berube Avenue, Jaimee Martin – 104 Perron Avenue, and Robert Gaw – 119 Butternut Road who made a motion to move the question. There were several seconds from the floor. The Moderator called for the vote to move the question. The motion carried by a nearly unanimous vote in the affirmative. The Moderator then called for a vote on Article 42 as written. After hearing the voice vote, the Moderator was in doubt and asked for a standing counted vote. Yes – 54, No – 80. The motion failed by a majority vote in the negative.

A motion was made from the floor and seconded by several from the floor that there be no reconsideration of Articles 33 through 42. The motion carried by a unanimous vote.

Article 43: Now come the undersigned Petitioners, who are all registered voters in the Town of Somerset, Massachusetts, and do hereby petition the Somerset Board of Selectmen to place on the next Annual Town Meeting Warrant, an Article seeking to amend the Somerset Zoning By-law Section 4.2.6(b), which presently reads as follows:

“Wholesale business or storage where part or all of the goods are stored outside a structure, provided that a fence of woven board type, split sapling type, picket type with pickets not more than 3 inches apart, or thick evergreen hedge 6 feet high is erected on any side of the lot directly abutting a residence or open recreation district and further provided that all dust and fumes incident to storage or handling are effectively confined to the premises.”

And amend it to read as follows:

“Wholesale business or storage where part or all of the goods are stored outside a structure, provided that a fence of woven board type, split sapling type, picket type with pickets not more than 3 inches apart, or thick evergreen hedge 6 feet high is erected on any side of the lot directly abutting a residence or open recreation district and further provided that all dust, fumes, odors, smoke, and vapors incident to storage or handling are effectively confined to the premises; and noise, vibration, or flashing is not perceptible without instruments beyond the lot on which the use is located.

Pursuant to this section, the following goods, materials, and items are expressly prohibited from being stored outside:

Scrap metal and scrap products

Aggregate products (including rock, sand, gravel, stone, pumice, and solite)

Soils (including clay and topsoil)

Alloys

Aluminum Hydrate

Silicate

Argonite

Calcium Carbonate

Cement and Concrete Products (including bauxite, clinker, fly ash, slag, gypsum)

Coal products

Fly Ash

Ferro Alloys (including ferrochrome and ferro silicon)

Fertilizer Products (including potash, triple phosphate, phosphate rock, urea, and vermiculite)

Bulk Salt

Bulk Sugar

Glass Products such as cullet, beads, crushed glass

Wallboard Products (including gypsum and syn-gypsum)

Wood Products (including wood chips and pellets).

Bulk Shells (including oyster, clam, quahog, muscles, etc.)

Any good or material that is considered hazardous as that term is defined within Massachusetts General Laws

or Massachusetts Code of Regulations or by any state or federal agency. Any good or material that produces corrosive or toxic fumes; gas; smoke; odors or obnoxious dust; or explosive or environmental hazards.”

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board by majority recommends approval of this article. (2-1- 1 abstained-1 recused)

Motion Article 43: Citizens Petitioned Article motioned by petitioner Nicole McDonald – 30 Admiral’s Way, that the Town Vote to accept Article 43. There were several seconds from the floor. Discussion followed by Nicole McDonald – 30 Admiral’s Way, Patrick McDonald – 50 Admiral’s Way, Lloyd Mendes – 46 Anawan Street, Peter Pelletier – 13 Stoddard Street, Brian Gerry – 116 Sullivan Avenue, Amy Rigtrup – 100 Pocasset Street, petitioner Nicole McDonald, and again Mr. Mendes. A motion was made by Mrs. McDonald to move the question. The motion was seconded by many on the floor. The Moderator called for the vote to move the question. The motion carried by a majority vote. The Moderator called for a vote on Article 43 as written and recommended, reminding the body that this article requires a 2/3 vote to pass as it is an amendment to the Town’s existing Zoning By Law. The Moderator asked for a standing counted vote. Yes – 87, No 47 There were 134 votes requiring 89 yes votes to pass. The Moderator declared Article 43 failed. There was then a motion from the floor to have a ballot vote. There were several seconds from the floor. The Moderator called for a vote on the motion to vote this article again by ballot. The motion carried by a majority vote. Following the vote by ballot the results were Yes – 79, No 53 There were 132 total votes requiring 88 yes votes to pass. The Moderator declared Article 43 failed.

Article 44: Now come the undersigned Petitioners, who are all registered voters in the Town of Somerset, Massachusetts, and do hereby petition the Somerset Board of Selectmen to place on the next Annual Town Meeting Warrant, an Article seeking to amend the Somerset Zoning By-law Section 4.2.6(b), which presently reads as follows:

“Wholesale business or storage where part or all of the goods are stored outside a structure, provided that a fence of woven board type, split sapling type, picket type with pickets not more than 3 inches apart, or thick evergreen hedge 6 feet high is erected on any side of the lot directly abutting a residence or open recreation district and further provided that all dust and fumes incident to storage or handling are effectively confined to the premises.”

And amend it to read as follows:

“Wholesale business or storage where part or all of the goods are stored outside a structure, provided that a fence of woven board type, split sapling type, picket type with pickets not more than 3 inches apart, or thick evergreen hedge 6 feet high is erected on any side of the lot directly abutting a residence or open recreation district and further provided that all dust, fumes, odors, smoke, and vapors incident to storage or handling are effectively confined to the premises; and noise, vibration, or flashing is not perceptible without instruments beyond the lot on which the use is located.”

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board by majority recommends approval of this article. (2-1- 1 abstained-1 recused)

Motion Article 44: Citizens Petitioned Article motioned by petitioner Patrick McDonald – 30 Admiral’s Way: A motion was made by Patrick McDonald and seconded from the floor that Article 44 be indefinitely postponed. Hearing no discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 45: Now come the undersigned Petitioners, who are all registered voters in the Town of Somerset, Massachusetts, and do hereby petition the Somerset Board of Selectmen to place on the next Annual Town Meeting Warrant, an Article seeking to amend the Somerset Zoning By-law “Section 4.2.6 Industry, Wholesale Business and Storage Uses” to be amended by adding the following to Section 4.2.6 as a prohibited use:

	Res.	Bus.	Ltd Bus.	Open Rec.	Ind.	Lt. Ind.
Cement or concrete processing, manufacturing, or mixing plants or facilities	No	No	No	No	No	No

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board by majority recommends approval of this article. (2-1- 1 abstained-1 recused)

Motion Article 45: Citizens Petitioned Article motioned by petitioner Patrick McDonald – 30 Admiral’s Way: A motion was made by Patrick McDonald and seconded by several from the floor that the Town vote to approve Article 45. Discussion followed by Nicole McDonald – 30 Admiral’s Way, Lloyd Mendes – 46 Anawan Street, Selectman Vaught, Michael Martin – 35 Cobblestone Court, ??? Miller, Jackie Seney – 135 Samson Avenue, W&S Commissioner Cadorette, Ed Souza – 130 Pocasset Street, Paul Cogley – 159 Main Street. A motion was made by Nicole McDonald and seconded by several from the floor to move the question. The Moderator called for the vote to move the question. The motion carried. The Moderator called for the vote on Article 45 as written and recommended by the majority of the Planning Board and reminded the body that this article requires a 2/3 vote as it is an amendment to the Town’s existing Zoning By Law and called for a counted standing vote. Yes – 101, No – 6 The motion carried by more than the required 2/3 majority vote.

A motion was made from the floor and seconded by several from the floor that there be no reconsideration of Article 45. The motion carried by a unanimous vote.

Article 46: Now come the undersigned Petitioners, who are all registered voters in the Town of Somerset, Massachusetts, and do hereby petition the Somerset Board of Selectmen to place on the next Annual Town Meeting Warrant, an Article seeking to amend the Somerset Zoning By-law “Section 4.2.6 Industry, Wholesale Business and Storage Uses” to be amended by adding the following to Section 4.2.6 as a prohibited use:

	Res.	Bus.	Ltd Bus.	Open Rec.	Ind.	Lt. Ind.
Asphalt processing, manufacturing, or mixing plants or facilities	No	No	No	No	No	No

The Advisory & Finance Committee has no recommendation on this article.

The Planning Board by majority recommends approval of this article. (4-1 recused)

Motion Article 46: Citizens Petitioned Article motioned by petitioner Patrick McDonald – 30 Admiral’s Way: A motion was made by Patrick McDonald, that the Town vote to accept Article 46. There were several seconds from the floor. Discussion followed by Nicole McDonald. Hearing no further discussion, the Moderator called for the vote on Article 46 as written and recommended by the Planning Board, and the Moderator reminded the body that this article requires a 2/3 majority vote as it is an amendment to the Town’s existing Zoning By Law. Yes – 100, No – 1 The Moderator declared the motion carried by more than the required majority vote.

Having all articles of the Annual Town Meeting being acted and voted upon, the Moderator entertained a motion to dissolve the meeting. The motion was made by several from the floor at 11:18 pm by and seconded by several. The motion carried by a unanimous vote. The Moderator declared the Annual Town Meeting to be dissolved.

Attendance: 286

A true copy attest;

Dolores Bence

Town Clerk