

ANNUAL TOWN MEETING
May 20, 2020 postponed to August 3, 2020

The Annual Town Meeting of May 20, 2020, was postponed to August 3, by a vote of the Board of Selectman and held at the Venus de Milo, 75 Grand Army Highway, Swansea, Massachusetts per the Town Meeting By Law. The Meeting was called to order by Town Moderator Lucia Casey, followed by announcements and the Pledge of Allegiance. The Assistant Town Moderators in the auxiliary rooms at the facility were Atty. Thomas Killoran and Atty. Arthur Frank and were duly sworn in by the Town Clerk before the start of the Meeting. The meeting was called to order at 6:35 pm.

Article 1: To choose all Town Officers as required by law, to be chosen by ballot.

Moderator: This article has been taken care of in the election of June 13, 2020.

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

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

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

Motion: A motion was made by Selectman Moniz and seconded by Selectman McNamara that the Town vote to Adopt Article 2, as written. No discussion. Motion carried by unanimous vote

Article 3: To see if the Town will vote to establish expenditure limits for revolving funds for the Fiscal Year July 1, 2020 to June 30, 2021, under the provisions of Massachusetts General Law chapter 44, §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	Medical Supplies for clinics and other departmental programs	\$80,000	Available for expenditure fiscal 2021
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 2021
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 2021
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 2021
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	\$1,400,000	Available for expenditure fiscal 2021
F	Early Childhood Program	School Department	Receipts, Tuition and Enrollment Fees	Nurturing, care and education of young children enrolled in the program	\$75,000	Available for expenditure fiscal 2021
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 2021
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 2021
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 2021
J	Use of School Property	School Department	Receipts and Fees	Facilities rentals and operations	\$30,000	Available for expenditure fiscal 2021
K	Technology Revolving Fund	School Department	Fees charged for technology insurance and devices	Technology insurance replacement parts or full device replacement	\$20,000	Available for expenditure fiscal 2021

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

A motion was made by Selectman McNamara to waive the reading of Article 3 by the Moderator followed by several seconds on the floor. Motion carried by a unanimous vote.

Motion: A motion was made by Selectman Moniz and seconded by Selectman McNamara that the Town vote to adopt Article 3, as written and recommended. Hearing no discussion, the Moderator called for the vote.

Motion carried by a unanimous vote.

Article 4: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2020, 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)	\$3,000.00
Board of Selectmen, Clerk	\$2,500.00
Board of Health, Chairman	\$2,500.00
Assessors, Chairman	\$3,950.00
Assessors, (2 members-each)	\$3,450.00
Town Clerk	\$67,993.00
Planning Board, (5 members-each)	\$500.00
Planning Board, Chairman	\$275.00
Planning Board, Clerk	\$275.00
Library Trustees, (6 members-each)	\$400.00
Library Trustee, Chairman	\$275.00
Library Trustee, Secretary	\$225.00
Playground & Recreation Commissioners, (5 members-each)	\$400.00
Playground & Recreation Commission, Chairman	\$275.00
Playground & Recreation Commission, Clerk	\$275.00
School Committee (5 members-each)	\$3,450.00
Water & Sewer Commissioners, Chairman	\$4,000.00
Water & Sewer Commissioners, (2 members-each)	\$3,500.00

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

Motion: A motion was made by Selectman Lawless and seconded by Selectman Moniz that the Town vote to adopt Article 4, as written and recommended. Discussion followed by Selectman Lawless. Following discussion the Moderator called for the vote. The motion carried by a unanimous vote.

Article 5: To see if the Town will vote to amend Table II Compensation Plan for General Government Positions as set forth in the Consolidated Personnel By-law adopted under Article 3 of the Warrant of the Annual Town Meeting of May 19, 1986, and last amended at the May 21, 2018, Annual Town Meeting, by adopting and substituting the following Table effective July 1, 2020, or take any action relative thereto.

**TABLE II
FY 2021 COMPENSATION PLAN
General Government Positions**

	1	2	3	4	5	6	7	8	9	10	11	12
M1	679.32	714.00	749.70	784.38	820.08	854.76	889.44	925.14	959.82	979.02	998.60	1,018.57
M2	785.40	827.22	869.04	910.86	952.68	994.50	1,036.32	1,078.14	1,119.96	1,142.36	1,165.21	1,188.51
M3	858.84	903.72	949.62	995.52	1,040.40	1,086.30	1,132.20	1,178.10	1,222.98	1,247.44	1,272.39	1,297.84
M4	954.72	1,024.08	1,093.44	1,162.80	1,232.16	1,302.54	1,371.90	1,441.26	1,510.62	1,540.83	1,571.65	1,603.08
M5	1,398.42	1,472.88	1,547.34	1,620.78	1,695.24	1,769.70	1,844.16	1,918.62	1,993.08	2,032.94	2,073.60	2,115.07

The Advisory & Finance Committee by a majority vote recommends approval of this article. There was one abstention

Motion: A motion was made by Selectman Lawless and seconded by Selectman Moniz that the Town vote to amend Table II (Wage & Salary Group) for General Government positions of the Consolidated Personnel By-law, as set forth in Article 5, effective July 1, 2020. Discussion followed by Selectman Lawless. Following discussion, the Moderator called for the vote. Motion carried by unanimous vote.

Article 6: To see if the Town will vote to amend Table II Compensation Plan for Public Utilities Positions as set forth in the Consolidated Personnel By-law adopted under Article 3 of the Warrant of the Annual Town Meeting of May 19, 1986, and last amended at the May 21, 2018, Annual Town Meeting, by adopting and substituting the following Table effective July 1, 2020, or take any action relative thereto.

**TABLE II
FY 2021 COMPENSATION PLAN
Public Utilities Positions**

	1	2	3	4	5	6	7	8	9	10	11	12
M1	659.94	701.76	744.60	786.42	829.26	871.08	912.90	955.74	997.56	1,017.51	1,037.86	1,058.62
M2	837.42	882.30	926.16	971.04	1,015.92	1,059.78	1,104.66	1,148.52	1,193.40	1,217.27	1,241.62	1,266.45
M3	894.54	950.64	1,007.76	1,064.88	1,120.98	1,178.10	1,235.22	1,292.34	1,348.44	1,375.41	1,402.92	1,430.98
M4	1,201.56	1,291.32	1,382.10	1,471.86	1,561.62	1,680.96	1,742.16	1,831.92	1,922.70	1,961.15	2,000.37	2,040.38
M5	1,564.68	1,647.30	1,730.94	1,813.56	1,897.20	1,979.82	2,062.44	2,146.08	2,228.70	2,273.27	2,318.74	2,365.11

The Advisory & Finance Committee by a majority vote recommends approval of this article. There was one abstention.

A motion was made by Selectman Lawless and seconded by Selectman Moniz that the Town vote to amend Table II (Wage & Salary Group) for Public Utility positions of the Consolidated Personnel By-law, as set forth in Article 6, effective July 1, 2020. Discussion followed by Selectman Lawless. Following discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

Article 7: 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, 2020 as follows, or take any action relative thereto:

A. GENERAL BUDGET

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$0.00	\$0.00	\$0.00
114 Town Moderator	\$500.00	\$0.00	\$500.00
122 Selectmen	\$131,752.00	\$6,700.00	\$138,452.00
123 Town Administrator	\$164,500.00	\$16,400.00	\$180,900.00
124 Contingent	\$0.00	\$0.00	\$0.00
131 A & F Committee	\$3,350.00	\$300.00	\$3,650.00
132 Reserve Fund	0	\$100,000.00	\$100,000.00
135 Town Accountant/Finance Director	\$227,947.00	\$2,930.00	\$230,877.00
136 Annual Audit	\$0.00	\$41,500.00	\$41,500.00
137 Computer	\$0.00	\$139,000.00	\$139,000.00
141 Assessors	\$137,007.00	\$29,205.00	\$166,212.00
143 Tax Foreclosure	\$0.00	\$3,000.00	\$3,000.00
145 Town Treasurer/Tax Collector	\$297,005.00	\$59,200.00	\$356,205.00
151 Law Department	\$0.00	\$132,750.00	\$132,750.00
161 Town Clerk	\$126,055.00	\$8,064.00	\$134,119.00
162 Elec. & Regr.	\$33,915.00	\$33,660.00	\$67,575.00
171 Conservation Comm	\$0.00	\$0.00	\$0.00
175 Planning	\$78,550.00	\$3,150.00	\$81,700.00
176 Zoning Board of Appeals	\$3,025.00	\$4,550.00	\$7,575.00
181 Economic Dev. Comm.	\$0.00	\$4,000.00	\$4,000.00
184 Cable Advisory	\$0.00	\$0.00	\$0.00
192 Town Office	\$52,932.00	\$40,780.00	\$93,712.00
193 Old Town Hall	\$0.00	\$6,450.00	\$6,450.00
195 Town Reports	\$0.00	\$0.00	\$0.00
198 Insurance (Health - Gen. Govt: \$3,167,500.00-Memo) (Health - School Dept: \$5,882,500.00-Memo)	\$0.00	\$9,719,200.00	\$9,719,200.00
199 FICA- General Government	\$0.00	\$157,500.00	\$157,500.00
199 FICA- School Department	\$0.00	\$245,000.00	\$245,000.00
205 Fire/Police Station	\$49,603.00	\$101,293.00	\$150,896.00
210 Police Department	\$3,211,908.00	\$166,750.00	\$3,378,658.00
215 E-911 Dispatch	\$461,050.00	\$8,000.00	\$469,050.00
220 Fire Department	\$1,832,482.00	\$109,010.00	\$1,941,492.00
241 Bldg. Insp./Zoning Agent	\$93,306.00	\$2,434.00	\$95,740.00
242 Gas & Plumbing	\$22,750.00	\$745.00	\$23,495.00
244 Sealer of Standards	\$3,300.00	\$190.00	\$3,490.00
245 Wiring Inspector	\$23,000.00	\$470.00	\$23,470.00
291 Emergency Mgmt.	\$6,000.00	\$1,660.00	\$7,660.00
292 Dog Officer	\$0.00	\$62,098.00	\$62,098.00
294 Tree Warden	\$0.00	\$40,000.00	\$40,000.00
295 Harbor Master	\$4,000.00	\$5,030.00	\$9,030.00
296 Insect Pest Control	0.00	\$0.00	\$0.00
299 Inspector of Animals	\$0.00	\$0.00	\$0.00
420 Highway Department	\$737,674.00	\$120,329.00	\$858,003.00
423 Snow Removal	\$98,770.00	\$73,600.00	\$172,370.00
424 Street Lights	\$0.00	\$100,000.00	\$100,000.00
425 Traffic Signal Maint.	\$0.00	\$0.00	\$0.00
431 Landfill	\$0.00	\$0.00	\$0.00
480 Vehicle Maint. Facility	\$123,392.00	\$312,050.00	\$435,442.00
510 Board of Health/Conservation	\$106,669.00	\$1,500.00	\$108,169.00
522 Town Nurse	\$0.00	\$44,596.00	\$44,596.00
541 Council on Aging	\$93,351.00	\$48,110.00	\$141,461.00
543 Veterans Benefits	\$80,661.00	\$277,670.00	\$358,331.00

544 Graves Registration	\$750.00	\$2,500.00	\$3,250.00
610 Libraries	\$482,532.00	\$157,455.00	\$639,987.00
630 Playground & Rec.	\$114,874.00	\$4,450.00	\$119,324.00
633 Public Outdoor Facilities	\$0.00	\$0.00	\$0.00
691 Historical Comm.	\$0.00	\$350.00	\$350.00
692 Public Celebrations	\$0.00	\$6,000.00	\$6,000.00
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	\$31,300.00	\$31,300.00
710 Maturing Debt - General Government	\$0.00	\$370,000.00	\$370,000.00
710 Maturing Debt - School Department	\$0.00	\$0.00	\$0.00
753 Interest Appropriation General Government	\$0.00	\$28,000.00	\$28,000.00
753 Interest Appropriation School Department	\$0.00	\$0.00	\$0.00
832 Contributory Retirement	\$0.00	\$3,644,127.00	\$3,644,127.00
TOTAL GENERAL GOVT.	\$8,802,610.00	\$16,485,056.00	\$25,287,666.00

	Approved FY20	Proposed FY21	Increase/Decrease
Personal Services	\$8,369,699.00	\$8,802,610.00	+\$432,911.00
Expenses	\$2,712,073.00	\$2,723,729.00	+\$ 11,656.00
Fixed Expenses	\$13,534,088.00	\$13,761,327.00	+227,239.00
Totals:	\$24,615,860.00	\$25,287,666.00	+671,806.00

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

Motion: A motion was made by Selectman Moniz and seconded by Michael McDonald that the Town vote to appropriate the sum of \$25,287,666.00 for the fiscal year July 1, 2020, to June 30, 2021, for the purposes of funding the General Budget as designated and that said sum be raised from taxation. Discussion followed by Selectman Moniz, Allen Smith, Selectman McNamara, and Town Administrator Richard Brown. Following discussion the Moderator called for a vote on article 7A as written and recommended. Motion carried by a unanimous vote.

APPROPRIATION

7B. School Dept. Budget	Approved FY20	Proposed FY21	Increase/Decrease
	\$20,486,756.00	\$22,036,593.00	+\$1,549,837

The Advisory & Finance postponed a decision until Town Meeting. The Moderator asks for the recommendation of the Advisory and Finance Committee. Doris Rousseau, A&F Vice Chair stated that the Advisory and Finance Committee understands that the School Committee will be presenting an amendment to their budget and will make a recommendation following the motion to amend.

Motion: A motion was made by School Committee Member Christopher Godet that the Town Vote to appropriate the sum of \$22,036, 593.00 for the purpose of funding the Somerset Public School Department Budget as designated and that said sum be raised from taxation. There was a second by Michael McDonald. Discussion followed by Mr. McDonald that he wishes to amend the article for the Proposed FY 21 budget amount of \$22,036, 593.00 to \$21,779,009.00, reflecting a decrease of \$257,584.00. There was a second by Richard Peirce. Discussion on the amendment followed by Christopher Godet, and Michael McDonald. Doris Rousseau of the Advisory & Finance Committee advised the body that the Advisory & Finance Committee unanimously recommend the amended motion. Further discussion followed on the motion to amend by Jessica Machado, Paul Kardel, David Ashley, Lloyd Mendes, Christopher Godet, Maria DeCosta, Denise Jordan, Raymond McDonald, Dominic Raffa, and Mr. Mollicone who made a motion to move the question. There were several seconds from the floor. The Moderator called for a vote on the motion to amend. The motion carried by a majority vote. The Moderator hearing no discussion on the motion as amended called for a vote. The motion as amended carried by a majority vote of the body as declared by the Moderator.

A motion was made by David Ashley for no reconsideration of Article 7B, followed by several seconds from the floor. Motion carried by a unanimous vote.

APPROPRIATION

7C. Water and Water Pollution Control Enterprise Operations

	Personal Services	Operating Expenses	TOTAL APPROPRIATION
1. Water Dept.	\$1,026,300.00	\$2,230,721.00	\$3,257,021.00
2. Water Pollution Control Dept.	\$938,355.00	\$2,255,464.00	\$3,193,819.00
TOTAL			\$6,450,840.00

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

Motion: A motion was made by Water/Sewer Commissioner Scott O'Brien and seconded by Commissioner Roger Benevides that the Town vote to appropriate the sum of \$6,450,840.00 for the fiscal year July 1, 2020, to June 30, 2021, for the purposes of funding the Water and Water Pollution Control Enterprise Operations and that the sum of \$6,450,840.00 be raised from the Water and Sewer Enterprise Fund Receipts. Discussion

followed by Mr. O'Brien. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

APPROPRIATION

7D. Fire Department SAFER Grant

Personal Services	Operating Expenses	TOTAL APPROPRIATION
\$210,542.00	\$0.00	\$210,542.00

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

Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$210,542.00 for the purpose of funding the Town's portion of the Fire Department SAFER Grant and that said sum be raised from taxation. Hearing no discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 8: 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, 2020 as follows, or take any action relative thereto:

APPROPRIATION

8. Somerset/Berkley Regional School District

Approved FY 20	Proposed FY 21	Increase/Decrease
\$8,500,743.00	\$8,883,478.00	+\$382,735.00

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

Motion: A motion was made by Somerset/Berkley Regional School Committee member Richard Fenstermaker and seconded by Richard Peirce that the Town vote to accept Article 8 as written. Discussion followed by Regional School Committee member Julie Ramos-Gagliardi. A motion was made by Mrs. Ramos-Gagliardi that the Town vote to amend Article 8 to appropriate the sum of \$8,698,992.00 for the purpose of paying the Town's share of operating expenses (\$7,124,678.00) and capital expenses (\$1,574,314.00) for the Somerset Berkley Regional School District, said amount having been assessed to the Treasurer of the Town of Somerset and that said sum be raised by taxation. The motion to amend was seconded by Richard Peirce. Discussion followed by Mrs. Gagliardi. Hearing no more discussion, the Moderator called for a vote on the motion to amend. The motion to amend carried by a nearly unanimous vote in the affirmative. The Moderator opened the floor to discussion on the motion as amended. Discussion followed by Mrs. Ramos-Gagliardi. Hearing no further discussion, the Moderator called for the vote of Article 8 as amended. The motion carried by a majority vote as declared by the Moderator.

A motion was made by voter David Ashley and seconded by several from the floor, that there be no reconsideration on Article 8. Motion carried by a unanimous vote.

Article 9: 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, 2020 as follows, or take any action relative thereto:

APPROPRIATION

9. Greater Fall River Vocational Technical High School District

Approved FY20	Proposed FY21	Increase/Decrease
\$1,102,288.00	\$1,264,532.00	+\$162,244.00

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

Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$1,264,532.00 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 McNamara. Following discussion, the Moderator called for the vote. 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 such sums of money as may be considered necessary to defray the Town's expenses for the ensuing 12 month period beginning July 1, 2020 as follows, or take any action relative thereto:

APPROPRIATION

10. Bristol County Agricultural School

Approved FY 20	Proposed FY21	Increase/Decrease
\$48,657.00	\$48,657.00	\$0.00

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

Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$48,657.00 for the purpose of funding the Town's assessment for the Bristol County Agricultural School and that said sum be raised from taxation. Discussion followed by Selectman McNamara. Following discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

A motion was made by Victor Machado and seconded by Selectman Moniz that there be no reconsideration of articles 7a, 7c, and 7d. The motion carried by a unanimous vote.

A motion was made by Victor Machado and seconded from the floor that there be no reconsideration of article 9. The motion carried by a unanimous vote.

A motion was made and seconded by Selectman Moniz that there be no reconsideration of article 10. Motion carried by a unanimous vote.

Article 11: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money for the Unused Sick Leave Account as provided in the Consolidated Personnel By-law, Article II, Employee Benefits, Section I, Sick Leave, or take any action relative thereto.

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

Motion: A motion was made by Selectman Lawless and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$11,000.00 for the purpose of this article and that said sum be raised from taxation.

Discussion followed by Selectman Lawless. Following discussion, the Moderator called for the vote. The motion carried by a unanimous 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 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 unanimously recommends approval of this article.

Motion: A motion was made by Selectman Lawless and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$1,700,000.00 for the purpose of this article and that the sum of \$775,000.00 be raised from "offset receipts" pursuant to MGL Chapter 44, section 53E, and that the sum of \$925,000.00 be raised from taxation. Discussion followed by Selectman Lawless. Following discussion, the Moderator called for the vote.

The motion carried by a unanimous vote.

Article 13: To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5C1/2, which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, and to provide that the additional exemption shall be up to seventy-five percent (75%) of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2020, or take any action relative thereto.

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

Motion: A motion was made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to adopt Article 13, as written. Discussion followed by Selectman McNamara. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 14 : 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, 2020, 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 unanimously recommends approval of this article.

Motion: A motion was made by Selectman Moniz and seconded by Michael McDonald that the Town vote to appropriate from the PEG Access and Cable-Related Fund the sum of \$407,000.00, said funds to be expended during the fiscal year commencing July 1, 2020, 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 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 as written. Discussion followed by Selectman Moniz. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 15: To see if the Town will vote to raise, appropriate, and / or transfer a sum of money for the purpose of providing the Town's share to match a grant from the Massachusetts Department of Transportation for the purchase of a twelve (12) passenger van for the Council on Aging, or take any action relative thereto.

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

Motion: A motion was made by Selectman Moniz and seconded by Selectman Lawless that the Town to appropriate the sum of \$13,502.00 for the purpose of this article as designated, and that said sum be raised from taxation. Discussion followed by Selectman Moniz. Following discussion, the Moderator called for the vote. 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 making improvements to the Wastewater Collection System, or take any action relative thereto.

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

Motion: A motion was made by Water & Sewer Commissioner Joseph Bednarik and seconded by Roger Benevides that the Town vote to appropriate the sum of \$646,600.00 for the purpose of this article and that said sum be transferred from retained earnings in the Water and Sewer Enterprise fund. Discussion followed by Mr. Bednarik. Following discussion, the Moderator called for the vote. The motion carried by a 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 providing the Town's share to match a grant from the Massachusetts Department of Energy Resources for construction of a solar array at the Somerset Water Treatment Facility, or take any action relative thereto.

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

Motion: A motion was made by Water & Sewer Commissioner Roger Benevides that the Town vote to

appropriate the sum of \$564,000.00 for the purpose of this article and that said sum be transferred from retained earnings in the Water and Sewer Enterprise Fund. Discussion followed by Mr. Benevides and Mr. George Andes. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 18: To see if the Town will vote to appropriate and/or transfer from available funds a sum of money to pay for laboratory services provided to the Water Department during Fiscal Year 2019, or take any action relative thereto.

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

Motion: A motion was made by Water & Sewer Commissioner Roger Benevides that the Town vote to appropriate the sum of \$924.00 for the purpose of this article and that said sum be transferred from retained earnings in the Water and Sewer Enterprise Fund. Discussion followed by Mr. Benevides. Following discussion, the Moderator called for the vote reminding the body that this article requires a 4/5 vote. The motion carried by a unanimous vote.

A motion was made by Selectman Moniz and seconded by Selectman McNamara that there be no reconsideration of Articles 12 through 18. The motion carried by a unanimous vote.

Article 19: To see if the Town will vote, pursuant to the Community Preservation Program, to appropriate the total sum of \$145,000.00, of which \$27,800.00 will come from the Community Preservation Fund Open Space Reserve Fund, and the remaining \$117,200.00 will come from the Community Preservation Fund Budgeted Reserve Fund, for the removal and replacement of the Big Red Slide located at Pierce Beach Park, in Somerset, MA, including but not limited to demolition, site preparation, equipment, furnishings and any other incidental or related costs or expenses, or take any action relative thereto.

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

Motion: A motion was made by Community Preservation Committee Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to adopt Article 19, as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for a vote. The motion carried by a nearly unanimous vote as declared by the Moderator.

Article 20: To see if the Town will vote, pursuant to the Community Preservation Program to appropriate the total sum of \$12,000.00, which will come from the Community Preservation Program Historic Resources Reserve Fund for the Palmer Street Cemetery Restoration Phase 1. Palmer Street Cemetery is located in Somerset, MA, including any incidental and related costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article

Motion: A motion was made by Community Preservation Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to adopt Article 20, as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 21 : To see if the Town will vote, pursuant to the Community Preservation Program to appropriate the total sum of \$22,550.00, which will come from the Community Preservation Program Budgeted Reserve Fund to replace the existing asphalt surface around the concession stand and install a handicap parking space adjacent to the concession stand at Ashton Field, which is located in Somerset, MA, including but not limited to demolition, site preparation, equipment, furnishings and any other incidental and related costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article

Motion: A motion was made by Community Preservation Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to adopt Article 21, as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 22 : To see if the Town will vote, pursuant to the Community Preservation Program to appropriate the total sum of \$9,900.00, which will come from the Community Preservation Program Budgeted Reserve Fund to repair and replace the existing outfield fence on Field #2 at Ashton Field, which is located in Somerset, MA including but not limited to demolition, site preparation, equipment, furnishings and any other incidental and related costs or expenses, or take any action relative thereto.

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

Motion: A motion was made by Community Preservation Committee Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to adopt Article 22, as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 23: To see if the Town will vote, pursuant to the Community Preservation Program to appropriate the total sum of \$150,000.00, of which \$30,355.63 will come from the Community Preservation Program Historic Resources Reserve Fund, \$38,000.00 will come from the Community Preservation Program Budgeted Reserve Fund and \$81,644.37 will come from the Community Preservation Program Undesignated Fund Balance Reserve Fund to remove and replace the roofing shingles at the Council on Aging Building, 115 Wood Street , in Somerset, MA, including but not limited to demolition, site preparation, equipment, furnishings and any other incidental and related costs or expenses, or take any action relative thereto.

The Advisory & Finance Committee unanimously recommends approval of this article

Motion: A motion was made by Community Preservation Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to adopt Article 23, as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for the vote. The motion carried by a unanimous vote.

Article 24 : To see if the Town will vote to appropriate and/or reserve from the Community Preservation Fund FY21 estimated annual revenues the following amounts recommended by the Community Preservation Committee

for Committee administrative purposes and other expenses in fiscal year 2021, reservations for each of the three purposes of the law in accord with G.L. c.44B, §6, and any other purposes recommended by the Committee, with each item to be considered a separate appropriation or reservation:

Appropriations:

Committee Administrative Expenses: \$2,746.00

Reserves

Historic Resources Reserve: \$27,181.40

Community Housing Reserve: \$27,181.40

Open Space Reserve: \$27,181.40

FY2021 Budgeted Reserve: \$190,309.80

or take any action relative thereto.

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

Motion: A motion was made by Community Preservation Chairman Timothy Turner and seconded by Selectman Moniz that the Town vote to accept Article 24 as written. Discussion followed by Mr. Turner. Following discussion, the Moderator called for the vote. Motion carried by a unanimous vote.

A motion was made by Robert Camara and seconded by several from the floor that Articles 19-24 not be reconsidered. Motion carried by a unanimous vote.

Article 25: [Submitted by Petition]

A motion was made and seconded from the floor to waive the reading of Article 25 by the Moderator. Motion carried by a unanimous vote.

Before taking action on Article 25 the Moderator informs the body that the amendments to the Zoning By Law require a 2/3 vote and since the petition was submitted with four separate amendments, they will be heard and voted on separately and will be numbered 25a, 25b, 25c, and 25d. In addition, the last part of the petitioned article includes a general by law that only requires a majority vote and will be considered as article 25e. The Moderator gives the body time to read the articles as submitted. The Planning Board did not make a recommendation on the articles at the public hearing.

To see if the Town will vote to

Amend the zoning bylaws to include the FOUR SEPARATE ARTICLES attached.

Add the Purposed Noise Nuisance Bylaw to towns bylaws see attached.

or take any action relative thereto.

25a PROPOSED AMENDMENT TO THE ZONING BY LAW

Section 4.2.6 Industrial, Wholesale Business & Storage Uses of Section 4.2 Table of Uses is hereby amended by adding the following described use which shall be prohibited in all zoning districts:

The processing of scrap metal by shredding or crushing.

Motion: A motion was made by Allen Smith that the Town vote to accept Article 25a as written. The motion was seconded from the floor. Discussion followed by Mr. Smith and Mr. Steve Matton who made a motion that Article 25a be indefinitely postponed. The motion was seconded by several on the floor. Discussion followed by Mr. Matton, Selectman McNamara, Jessica Machado, Ed Souza, Kathy Souza, Dennis Viveiros, Eric Fisher, and Lloyd Mendes who made a motion to move the question, which was seconded from several on the floor. The Moderator calls for the vote on the motion to move the question reminding the body that this motion requires a majority vote. The motion carried by a majority vote as declared by the Moderator. The Moderator now calls for a vote on the motion of indefinite postponement. The motion failed by a negative vote in the majority. The Moderator opened the floor for discussion on the original motion. Discussion followed by Selectman Lorne Lawless, Lloyd Mendes, Victor Machado, Town Counsel Mark Reisch, Selectman Steven Moniz, and Brian Murphy. A motion was made by Selectman Moniz to move the question and 2nd by several from the floor. As this motion requires a 2/3 vote to carry, the Moderator called for a standing counted vote. Yes – 203, No – 40 The motion carried, Article 25a passes.

25b PROPOSED AMENDMENT TO THE ZONING BYLAW

Section 4.2.6 Industrial, Wholesale Business & Storage Uses of Section 4.2 Table of Uses is hereby amended by adding the following described use which shall be prohibited in all zoning districts:

Except as provided in the towns MANDATORY RECYCLING BY-LAW the storage and scrap metal for recycling.

Motion: A motion was made by Allen Smith that the Town vote to approve article 25b as written. The motion was seconded by several from the floor. Discussion followed by Mr. Smith, Town Counsel, and a voter in the Chariot Room. A motion was made by Mr. Smith to amend article 25b to change the word “and” to “or”. The motion was seconded by Selectman Moniz. Hearing no discussion on the motion to amend, the Moderator called for the vote reminding the body that a motion to amend requires a majority vote. Motion carried by a majority vote as declared by the Moderator(s). The Moderator opened the floor to discussion on the article as amended. Discussion followed by Peter Congdon, Paul Conley (sp) who then made a motion to amend by article by adding the words “the principal business of which is” after the word by law and before the word the. There is a second from the floor. Discussion followed between to Moderator and Town

Counsel to clarify that the amendment would change the article to read “Except as provided in the Town’s Mandatory Recycling By-Law, the principal business of which is the storage of scrap metal for recycling.” Further discussion followed by Ed Souza, Daniel Buckley, Lloyd Mendes, Scott ??, Allen Smith. A motion and several seconds were made from the floor to move the question on the amendment. Motion carried by a unanimous vote. Vote on motion to amend carried by a majority vote in all rooms as declared by the Moderator(s). A motion was made by Peter Pelletier to reconsider the article as amended. There was a second from the floor. Following much discussion, it is clear to the Moderator that the body did not clearly understand the vote on the amendment, therefore called for a vote on reconsideration of the amendment. The motion carried by a majority vote in all rooms as declared by the Moderator(s). The Moderator opened the floor to discussion on the motion as amended and repeats the article will read:

Except as provided in the Town’s Mandatory Recycling By-Law, the principal business of which is the storage of scrap metal for recycling.

Discussion followed by Kim Michaud, Denise Chagnon, Jessica Machado, Patrick MacDonald, Jeff Kardel, Lloyd Mendes, Chris Freitas, Eric Fisher. A motion was made by Rick Profio to move the question and seconded from the floor. The Moderator called for the vote. The motion to move the question carried by a nearly unanimous vote in the Main room, and unanimous in the Chariot and Venus Rooms as declared by the Moderator(s). The motion to amend failed by a majority vote in the Main room, nearly unanimous in the Venus room, and nearly unanimous in the Chariot room as declared by the Moderator(s).

The Moderator, hearing no further discussion on the original motion as amended to read “Except as provided in the Town’s Mandatory Recycling By-Law, the storage of scrap metal for recycling. The Moderator called for a standing counted vote. Yes – 163, No – 6 The Moderator declared that the motion carried obtaining more than the 2/3 required vote.

25c PROPOSED AMENDMENT TO THE ZONING BYLAW

Section 4.2.6 Industrial, Wholesale Business & Storage Uses of Section 4.2 Table of Uses is hereby amended by adding the following described use which shall be prohibited in all zoning districts:

The rock; scrap concrete or scrap asphalt.

Motion: A motion was made by Allen Smith and seconded by several from the floor that the Town vote to accept Article 25c as written. Discussion followed by Stephen Cadorette, ZBA Chairman and a voter from the Venus room. A motion was made by Mr. Smith and seconded by several to amend the article as written to add the words “the processing of” after the word The and before the word rock, due to a typographical error on the warrant as compared to the submitted petition. The motion carried by a unanimous vote in all rooms. The Moderator reiterates to the body that the article will read “The processing of rock, scrap concrete or scrap asphalt.” Discussion on the article as amended followed by Paul Connelly, Lloyd Mendes, Holly McNamara, Chief McNeil, and Brian Michaud. Hearing no further discussion, the Moderator called for a standing counted vote on the article as amended. Yes – 145, No - 16 The motion carried by more than the required 2/3 vote as declared by the Moderator.

25d PROPOSED AMENDMENT TO THE ZONING BYLAW

Section 4.2.6 Industrial, Wholesale Business & Storage Uses of Section 4.2 Table of Uses is hereby amended by adding the following described use which shall be prohibited in all zoning districts:

The keeping of more than two used, damaged or undamaged, operable or inoperable automobiles, trucks, other vehicles, trailers, construction and farm equipment and machinery, except by a person licensed under MG-L C. 140, § 59 for on premises retail sales of undamaged vehicles.

Motion: A motion was made by Allen Smith to indefinitely postpone Article 25d. The motion was seconded by Selectman Lawless. Discussion followed by Allen Smith. Hearing no further discussion, the Moderator called for a standing vote. Motion carried by a unanimous vote in all rooms as declared by the Moderator(s).

A motion was made by Allen Smith and seconded by several on the floor for no reconsideration of Articles 25 a, b, c, and d. The motion carried by a nearly unanimous vote in all rooms as declared by the Moderator(s).

25e Proposed Noise Nuisance Bylaw for the Town of Somerset

Section 01 It is unlawful for any person to cause, or for any person in possession of property to allow to originate from the property, sound which has been determined a public nuisance noise.

(1) This section shall apply to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound, or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other manmade sounds that cause noise.

(2) This section shall not apply to sounds emitted during and associated with: (A) parades, public gatherings, or sporting events, for which all required town permits have been issued; (B) emergency police, fire, and ambulance vehicles; (C) police, fire, and civil and national defense activities; (D) customary, domestic

equipment such as lawn mowers, leaf blowers, and power saws, during Daytime; (E) temporary projects for the maintenance or repair of residential property and appurtenances; (F) discharge of firearms on authorized shooting ranges; (G) lawfully conducted blasting; (H) installation or repair of essential utility services; (I) bells, chimes, or carillons, not operating for more than five minutes in any one hour.

Section 02 Definitions

1. PERSON means an individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.
2. PUBLIC NUISANCE NOISE means the presence amount of acoustic energy for that amount of time necessary to:
 - a) cause temporary or permanent hearing loss in persons exposed;
 - b) otherwise be injurious, or tend to be, on the basis of current information, injurious, to the public health or welfare;
 - c) cause a nuisance;
 - d) interfere with the comfortable enjoyment of life and property or the conduct of business;
 - e) A source of sound if such source: (i) increases the broadband sound level by more than ten (10) dB(A) above ambient; and/or (ii) produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three(3) decibels or more.
 or.
 - e) exceed standards or restrictions established herein or pursuant to the granting of any permit by the {Board of Selectmen/Board of Health}.
3. Acoustical terminology used throughout these Regulations is that most recently approved as American Standard Acoustical Terminology by the American National Standards Institute (ANSI); except as may be specified . otherwise herein.
4. NIGHTTIME shall mean the period between the hours of six post meridian (6:00 PM) and seven ante meridian (7:00 AM) except Saturday and Sunday, when Nighttime shall mean six post meridian (6:00 PM) and nine ante meridian (9:00 AM).

Section 03 Standards or Restrictions

Measurement. Shall be taken at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded ninety (90) percent of the time, measured during vehicle or equipment operating hours. The ambient may also be established by other means with the consent of the Massachusetts Department of the Environmental Protection.

Maximum permissible sound pressure levels at specified points of measurement for noise radiated continuously from a facility during Nighttime shall be as follows:

Frequency Band (Cycles per second)	Sound Pressure Level (Decibels re 0.0002 syne/CM ²)
20-75	69
75-100	54
150-300	47
300-600	41
600-1,200	37
1,200-2,400	34
2,400 - 4800	31
4,900 – 10,000	28

If the sound is not smooth and continuous, the following corrections should be added to each of the actual decibels levels given:

Daytime operation only +5

Noise source operates less than 20% of any hour period +5

Section 04 Enforcement. The provisions of this section shall be enforced by the police department or the board of health, and the building commissioner in the connection activities undertaken pursuant to the state building code, and the zoning administrator in connection with activities undertaken pursuant to the Somerset Zoning Bylaw.

Enforcement of this bylaw is hereby authorized in accordance with provisions of Section 21D of Chapter 40 of the General Laws, for non-criminal disposition of violations.

Section 05 Penalties.

Any person who violates any section of this chapter shall be fined for a first offense \$100.00.

Any person who willfully or knowingly violates any section of this chapter shall be fined for a first offense \$100.00, a second offense the sum of \$200.00 and \$300.00 for a third and subsequent offense. Each day of violation of any section of this chapter shall constitute a separate offense.

Section 06 Other enforcement remedies.

This Noise Nuisance Bylaw shall not be construed to impair any common law or statutory cause of action or legal remedy therefrom of any person for injury or damage arising from any violation of this chapter or from other law.

The Planning Board makes no recommendation on this article.

The Moderator gives the body some time to read and review Article 25e.

Motion: A motion was made by Allen Smith and seconded by several from the floor that the Town vote to accept Article 25e as written. Discussion followed by Allen Smith and he made a motion to amend Section 2 (04) to delete the word "six" after the word of and insert the word "ten" and delete the number (6:00 PM) and insert the number (10:00 PM) and after the word "mean" delete the word "six" and insert the word "ten" and delete the number (6:00 PM) and insert the number (10:00 PM). Discussion followed by Allen Smith, Sam Bianco, Ryan Mille, Lloyd Mendes, and Tom Ouellette. Hearing no further discussion, the Moderator called for the vote on the amendment. The motion to amend carried by a majority vote in all rooms as declared by the Moderator(s). The Moderator opened the floor to discussion on the article as amended. Discussion followed by Richard Peirce, Sam Bianco, Ed Souza, Lloyd Mendes, Lorne Lawless, James Burke, Mike Durand, Paul Cadrin, Victor Machado, and Rend Driscoll. A motion was made by Ms. Driscoll and seconded by several from the floor that the Town vote to indefinitely postpone Article 25e. Discussion on indefinite postponement followed by Jeff Kardel, Steve Chagnon, Jessica Machado, Maria DaCosta, Patricia McDonald, and Tony Arias. Hearing no further discussion on the motion to indefinitely postpone Article 25e, the Moderator called for a standing counted vote, as a voice vote was not clear to the Moderators. Yes – 57, No – 82 Motion on indefinite postponement failed by a majority vote. A motion was made from the floor and seconded by several on the floor to move the question. Motion carried by a unanimous vote in all rooms. The Moderator called for a standing counted vote on the motion to accept Article 25e as amended. Yes – 83, No 52 The motion carried by a majority vote.

A motion was made from the floor and seconded by several from the floor for no reconsideration of Article 25e. Motion carried by a nearly unanimous vote.

The Moderator declared that all Articles of the Annual Town Meeting have been acted on and entertained a motion to dissolve the meeting. A motion was made by Selectman McNamara and seconded by several to dissolve the Annual Town Meeting at 11:17 pm. Motion carried by a unanimous vote.

Attendance: 383

A true copy attest;

Dolores Berge

Dolores Berge, Town Clerk