

**ANNUAL TOWN MEETING
MAY 15, 2017**

(Called to order immediately following the STM at 6:23 pm.)

Article 1: To choose all Town Officers as required by law, to be chosen by ballot.
This article has been taken care of in the election of May 8, 2017.

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.

Motion made by Selectman Moniz and seconded by Mr. Godet the Town adopt Article 2, as written. Motion carried by unanimous vote.

Article 3: To see if the Town will vote to adopt the following new By-law, pursuant to the provisions of Massachusetts General Laws chapter 44, §53½, as most recently amended, establishing various revolving funds specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such By-law to provide as follows:

Revolving Funds By-law

1. Purpose: This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid by the fund [except for those employed as school bus drivers].
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Advisory & Finance Committee.

3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. Authorized Revolving Funds. The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or officer;
- B. The department or agency head, board, committee or officer authorized to spend from each fund;
- C. The fees, charges, and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which each fund is established that shall be credited to each fund by the Town Accountant;
- D. The expenses of the program or activity for which each fund may be used;
- E. Any restrictions or conditions on expenditures from each fund;
- F. Any reporting or other requirements that apply to each fund; and,
- G. The fiscal years each fund shall operate under this by-law.

DEPARTMENTAL REVOLVING FUNDS

A Revolving Fund	B Department, Board, Committee, Agency or Officer Authorized to	C Fees, Charges, or Other Receipts Credited to Fund	D Program or Activity Expense Payable from Fund	E Restrictions or Conditions on Expenses Payable from Fund	F Other Requirements/ Reports	G Fiscal Year
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	Spend from Fund					
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	N/A	N/A	Fiscal Year 2018 and subsequent years
Vacant & Foreclosing Properties	Board of Health	Funds collected for the administration of Town of Somerset By-law concerning Vacant and Foreclosing Properties	The costs of administering said regulations, and performing remediation and maintenance work as needed and authorized by law, and for any purposes incidental thereto	N/A	N/A	Fiscal Year 2018 and subsequent years
Library's Lost and/or Damaged Materials Program	Board of Library Trustees	Fees charged for lost and/or damaged library materials	The costs of replacing lost and/or damaged library materials, and for any purposes incidental thereto	N/A	N/A	Fiscal Year 2018 and subsequent years
Hazardous Materials	Board of Selectmen/Fire Department	Fees charged for disposal of Haz-Mat materials	The purchase of Haz-Mat equipment and/or any incurred Haz-Mat related expenses, and for any purposes incidental thereto	N/A	N/A	Fiscal Year 2018 and subsequent years
Emergency Medical Services	Fire Chief	Fees charged for Emergency Medical Services	The costs associated with the operation of emergency medical services, including salaries and/or wages of Firefighter/Paramedics, overtime costs, medical supplies, related emergency vehicle payments, medical director fees and for any purposes incidental thereto	N/A	N/A	Fiscal Year 2018 and subsequent years
Early Childhood Program	School Department	Tuition charges and enrollment fees for preschool program.	Salaries and/or wages of faculty and staff; supplies and equipment expenditures related to operating the preschool program	Salaries and/or wages for preschool faculty only; supplies and equipment expenditures for the preschool program only are to be charged to this fund	N/A	Fiscal Year 2018 and subsequent years
A Revolving Fund	B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	C Fees, Charges, or Other Receipts Credited to Fund	D Program or Activity Expense Payable from Fund	E Restrictions or Conditions on Expenses Payable from Fund	F Other Requirements/ Reports	G Fiscal Year
Creative Arts Program	School Department	Fees charged and received by the School Department for creative arts program, including performing arts and music	Salaries and/or wages of faculty and staff; supplies and equipment expenditures related to operating a creative arts program	N/A	N/A	Fiscal Year 2018 and subsequent years
Transportation Program	School Department	Fees charged and received by the School Department for busing transportation.	Expenditures related to contractual services to offset transportation costs for the School Department.	Expenditures to offset costs of contracted services only	N/A	Fiscal Year 2018 and subsequent years
School Choice	School Department	Cost share of tuition charges and enrollment fees for the before and after school extended day program	Salaries and/or wages of faculty and staff; supplies and equipment expenditures related to operating the School Department that is allowable under the Department of Education regulations related to School Choice Programs	Education expenditures that benefit the student population as a whole or specific building only. Cannot be used to offset contracted transportation expenditure. Funds received after the school	N/A	Fiscal Year 2018 and subsequent years

				budget for fiscal year is submitted must be accounted for in the next year's budget		
Before & After School Care	School Department	Cost share of tuition charges and enrollment fees for the before and after school extended day program	Various operating expenditures of the School Department.	N/A	N/A	Fiscal Year 2018 and subsequent years
Use of School Property	School Department	Fees collected by outside renters to utilize the School Department buildings and athletic fields.	Expenditures related to custodial costs, utilities, ordinary repairs and maintenance of the school facilities	N/A	N/A	Fiscal Year 2018 and subsequent years

Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with M.G.L. c.44, §53E½.

A motion was made by Mr. Godet and seconded from the floor to waive the reading of Article 3. Motion carried by unanimous vote.

Motion made by Selectman Moniz and seconded by Selectman McNamara that the Town vote to adopt the Revolving Fund By-law as set forth in Article 3. Discussion followed by Selectman Moniz. Motion carried by unanimous vote.

Article 4: To see if the Town will vote to authorize the following revolving funds to continue and to set expenditure limits for said revolving funds for the Fiscal Year July 1, 2017 to June 30, 2018, under the provisions of Massachusetts General Law chapter 44, §53E½:

	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 2018
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 2018
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 2018
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 2018
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 2018
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 2018
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 2018
H	Transportation Program	School Department	Receipts and Tuition.	Nurturing, care and education of young children enrolled in the program	\$100,000	Available for expenditure fiscal 2018
I	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 2018
J	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 2018
K	Use of School Property	School Department	Receipts and Fees	Facilities rentals and operations	\$30,000	Available for expenditure fiscal 2018

The Advisory & Finance Committee recommends by a majority that the Town vote to approve this article (Lines A-H, J and K), with the exception of Line I (School Choice). (Vote 8-1)

Motion made by Selectman Moniz and seconded by Selectman Moniz to waive the reading of Article 4. Motion carried by unanimous vote.

Motion made by Selectman Moniz and seconded by Selectman Berube that the Town vote to adopt Article 4, as written. Motion carried by unanimous vote.

Article 5: To see if the Town will vote to establish the annual salaries of its elected officers commencing July 1, 2017, as follows:

Town Moderator	\$400.00
Board of Selectmen, Chairman	\$6,000.00
Board of Selectmen, (2 members-each)	\$3,000.00
Board of Selectmen, Clerk	\$2,500.00
Board of Health, Chairman	\$2,500.00
Assessors, Chairman	\$3,950.00
Assessors, (2 members-each)	\$3,450.00
Town Clerk	\$55,268.00
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 made by Selectman McNamara and seconded by Selectman Berube to waive the reading of Article 5. Motion carried by unanimous vote.

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town so vote. Motion carried by unanimous vote.

Article 6: To see if the Town will vote to raise, appropriate, and/or transfer from available funds such sums of money as may be considered necessary to defray the Town's expenses for the ensuing 12 month period beginning July 1, 2017, as follows:

A. GENERAL BUDGET

APPROPRIATION	PERSONAL SERVICES	EXPENSES	TOTAL APPROPRIATION
113 Town Meeting	\$0.00	\$0.00	\$0.00
114 Town Moderator	\$400.00	\$0.00	\$400.00
122 Selectmen	\$133,156.00	\$5,700.00	\$138,856.00
123 Town Administrator	\$138,500.00	\$6,625.00	\$145,125.00
124 Contingent	\$0.00	\$6,880.00	\$6,880.00
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	\$182,409.00	\$3,090.00	\$185,499.00
136 Annual Audit	\$0.00	\$40,000.00	\$40,000.00
137 Computer	\$0.00	\$116,250.00	\$116,250.00
141 Assessors	\$123,477.00	\$19,705.00	\$143,182.00
143 Tax Foreclosure	\$0.00	\$3,000.00	\$3,000.00
145 Town Treasurer/Tax Collector	\$253,816.00	\$56,175.00	\$309,991.00
151 Law Department	\$0.00	\$161,750.00	\$161,750.00
161 Town Clerk	\$103,259.00	\$4,350.00	\$107,609.00
162 Elec. & Regr.	\$8,500.00	\$19,675.00	\$28,175.00
171 Conservation Comm	\$0.00	\$0.00	\$0.00
175 Planning Board	\$6,550.00	\$875.00	\$7,425.00
176 Zoning Board of Appeals	\$3,025.00	\$4,050.00	\$7,075.00
181 Economic Dev. Comm.	\$0.00	\$4,000.00	\$4,000.00
184 Cable Advisory	\$1,400.00	\$905.00	\$2,305.00
192 Town Office	\$47,930.00	\$40,300.00	\$88,230.00
193 Old Town Hall	\$0.00	\$6,205.00	\$6,205.00
195 Town Reports	\$0.00	\$2,500.00	\$2,500.00
198 Insurance (Health - Gen. Govt: \$2,879,386.00-Memo) (Health - School Dept: \$4,537,764.00-Memo)	\$0.00	\$9,990,800.00	\$9,990,800.00

199 FICA- General Government	\$0.00	\$125,000.00	\$125,000.00
199 FICA- School Department	\$0.00	\$205,000.00	\$205,000.00
205 Fire/Police Station	\$40,578.00	\$97,927.00	\$138,505.00
210 Police Department	\$2,626,540.00	\$156,705.00	\$2,783,245.00
215 E-911 Dispatch	\$414,423.00	\$11,369.00	\$425,792.00
220 Fire Department	\$1,516,976.00	\$79,475.00	\$1,596,451.00
241 Bldg. Insp./Zoning Agent	\$57,308.00	\$1,910.00	\$59,218.00
242 Gas & Plumbing	\$22,000.00	\$225.00	\$22,225.00
244 Sealer of Standards	\$3,300.00	\$190.00	\$3,490.00
245 Wiring Inspector	\$22,000.00	\$100.00	\$22,100.00
291 Emergency Mgmt.	\$6,000.00	\$2,960.00	\$8,960.00
292 Dog Officer	\$0.00	\$41,000.00	\$41,000.00
294 Tree Warden	\$0.00	\$30,000.00	\$30,000.00
295 Harbor Master	\$4,000.00	\$5,030.00	\$9,030.00
296 Insect Pest Control	\$1,400.00	\$1,025.00	\$2,425.00
299 Inspector of Animals	\$0.00	\$0.00	\$0.00
420 Highway Department	\$682,493.00	\$88,230.00	\$770,723.00
423 Snow Removal	\$98,770.00	\$73,230.00	\$172,000.00
424 Street Lights	\$0.00	\$190,000.00	\$190,000.00
425 Traffic Signal Maint.	\$0.00	\$0.00	\$0.00
431 Landfill	\$0.00	\$0.00	\$0.00
480 Vehicle Maint. Facility	\$116,453.00	\$322,050.00	\$438,503.00
510 Board of Health/Conservation	\$105,167.00	\$1,550.00	\$106,717.00
522 Town Nurse	\$41,500.00	\$475.00	\$41,975.00
541 Council on Aging	\$75,185.00	\$48,632.00	\$123,817.00
543 Veterans Benefits	\$52,637.00	\$292,300.00	\$344,937.00
544 Graves Registration	\$750.00	\$2,500.00	\$3,250.00
610 Libraries	\$393,582.00	\$148,570.00	\$542,152.00
630 Playground & Rec.	\$89,987.00	\$4,150.00	\$94,137.00
633 Public Outdoor Facilities	\$0.00	\$31,074.00	\$31,074.00
691 Historical Comm.	\$0.00	\$1,150.00	\$1,150.00
692 Public Celebrations	\$0.00	\$3,760.00	\$3,760.00
693 AmVets	\$0.00	\$2,500.00	\$2,500.00
694 American Legion	\$0.00	\$2,500.00	\$2,500.00
695 VFW	\$0.00	\$2,500.00	\$2,500.00
696 Mun & Hist Bldgs.	\$0.00	\$38,650.00	\$38,650.00
710 Maturing Debt - General Government	\$0.00	\$395,000.00	\$395,000.00
710 Maturing Debt - School Department	\$0.00	\$150,000.00	\$150,000.00
753 Interest Appropriation General Government	\$0.00	\$51,975.00	\$51,975.00
753 Interest Appropriation School Department	\$0.00	\$3,750.00	\$3,750.00
832 Contributory Retirement	\$0.00	\$3,078,552.00	\$3,078,552.00
TOTAL GENERAL GOVT.	\$7,376,821.00	\$16,284,149.00	\$23,660,970.00

	APPROVED FY 2017	PROPOSED FY 2018	INCREASE/ DECREASE
Personal Services	\$8,121,677.00	\$7,376,821.00	-\$744,856.00
Expenses	\$3,776,014.00	\$2,614,072.00	-\$1,161,942.00
Fixed Expenses	\$11,248,798.00	\$13,670,077.00	\$2,421,279.00
TOTALS:	\$23,146,489.00	\$23,660,970.00	\$514,481.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$23,660,970.00 for the purposes of this article and that said sum be raised from taxation.

Motion made to waive the reading of Article 6 by Mr. Machado and seconded by Selectman Berube. Motion carried by unanimous vote.

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$23,660,970.00 for the fiscal year July 1, 2017 to June 30, 2018, for the purposes of the General Budget as designated and that said sum be raised from taxation. Discussion followed by Lloyd Mendes, Selectman Berube and Town Administrator Richard Brown. Motion carried by unanimous vote.

APPROPRIATION

6B. School Dept. Budget

Personal Services	Operating Expenses	Total Appropriation
\$14,950,734.00	\$4,261,137.00	\$19,211,871.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$19,211,871.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Michael Botelho and seconded by Victor Machado that the Town vote to appropriate the sum of \$19,211,871.00 for the fiscal year beginning July 1, 2017 and ending June 30, 2018, for purposes of funding the Somerset Public School Department Budget as designated, and that said sum be raised from taxation. Discussion followed by Mr. Botelho, Superintendent Schoonover, Cheryl Crossley-Simmons, Lloyd Mendes, and Michael Pasternak. Motion carried by a nearly unanimous vote declared by the Moderator.

APPROPRIATION

6C. Water and Water Pollution Control Enterprise Operations

	Personal Services	Operating Expenses	TOTAL APPROPRIATION
1. Water Dept.	\$997,069.00	\$2,321,755.00	
2. Water Pollution Control Dept.	\$904,541.00	\$2,094,439.00	
TOTAL APPROPRIATION:			\$6,317,804.00

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$6,317,804.00 for the fiscal year July 1, 2017 to June 30, 2018 for the purposes of this article, and that the sum of \$6,076,749.00 be raised from the Water Enterprise Fund Receipts, and the sum of \$241,055.00 be transferred from the retained earnings in the Water Enterprise Fund.

Motion made by Scott O'Brien and seconded by Selectman Berube that the Town vote to appropriate the sum of \$6,317,804.00 for the fiscal year July 1, 2017 to June 30, 2018 for the purposes of this article, and that the sum of \$6,076,749.00 be raised from the Water Enterprise Fund Receipts, and the sum of \$241,055.00 be transferred from the retained earnings in the Water Enterprise Fund. Discussion followed by Mr. O'Brien. Motion carried by unanimous vote.

Article 7: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Unused Sick Leave Account as provided in the Consolidated Personnel Bylaw, Article II, Employee Benefits, Section I, Sick Leave.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$11,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman Berube and seconded by Selectman Moniz the Town vote to appropriate the sum of \$11,000.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Berube. Motion carried by unanimous vote.

Article 8: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating expenses and capital expenses of the Somerset-Berkley Regional School District, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$8,617,679.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by SBRSC Chair Richard Peirce and seconded by Stephanie Field that the Town vote to appropriate the sum of \$8,617,679 for the purpose of paying the Town's share of \$7,102,953 operating expenses and \$1,514,726 capital expenses for the Somerset Berkley Regional School District, said amount having been assessed to the Treasurer of the Town of Somerset and that said sum be raised from taxation. Discussion followed by Mr. Peirce, Mr. Schoonover, Cheryl Crossley-Simmons, Lloyd Mendes, Stephanie Field, Mr. Waksler, Mr. Kucikas and a member of the voting body. Motion made by Christopher Godet and seconded from the floor to move the question. Motion carried by nearly unanimous vote. Motion made by Mr. Waksler and seconded from the floor to vote by paper ballot. Motion failed by majority as declared by the Moderator. Vote on original motion carried by a standing counted vote as requested by the Moderator.

Yes votes – 137 No votes - 15

Article 9: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating expenses of the **Greater Fall River Vocational Technical High School District** as provided for by section 6 of chapter 697 of the Acts of 1962, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$998,392.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman McNamara and seconded by Selectman Moniz and others from the floor that the Town vote to appropriate the sum of \$998,392.00 for the purposes of this article and that said

sum be raised from taxation. Motion carried by a nearly unanimous vote, the Moderator hearing 1 No vote from the floor.

Article 10: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of paying the Town's share of the operating expenses of the **Bristol County Agricultural School** as provided for by section 82 of chapter 6 of the Acts of 1991, said amount having been assessed to the Treasurer of the Town of Somerset.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$42,174.00.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$42,174.00 for the purposes of this article and that said sum be raised from taxation. Motion carried by a nearly unanimous vote, the Moderator hearing 1 No vote from the floor.

Article 11: To see if the Town will vote to raise, appropriate and/or transfer from available funds a sum of money for the expense of **collecting and disposing of mixed solid waste, recyclables, yard waste, and white goods** and to determine whether pursuant to M.G.L. chapter 44, section 53E, the appropriation for said expense will be offset, in part or in the aggregate, by the estimated receipts from the fees charges for rubbish bags pursuant to Article 10 of the February 8, 1993, Special Town Meeting, as well as funds raised by taxation or transferred from available funds in the Treasury.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$1,200,000.00 for the purposes of this article and that the sum of \$600,000.00 be raised from 'offset receipts' and that the sum of \$600,000.00 be raised from taxation.

Motion made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$1,200,000.00 for the purposes of this article and that the sum of \$600,000.00 be raised from 'offset receipts', pursuant to MGL, chapter 44, section 53E, and that the sum of \$600,000.00 be raised from taxation. Motion carried by unanimous vote.

Article 12: To see if the Town will vote to accept chapter 73, section 4, of the Acts of 1986, as amended by chapter 126 of the Acts of 1988, to allow an additional exemption which shall be uniform for a Surviving Spouse (Clause 17), for Veterans (Clause 22), for the Elderly (Clause 41C) and for the Blind (Clause 37), and none of which shall exceed seventy-five (75%) per cent of said exemptions for which they qualify for Fiscal Year 2018, or take any action relative thereto.

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

Motion made by Assessor Marc Dionne and seconded by Mr. Godet that the Town so vote. Motion carried by unanimous vote.

Article 13: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of hiring expert and legal services to assist the Town on issues relating to valuation and taxation of current and former electric and gas utilities and generating facilities, or take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Assessor Marc Dionne and seconded by Selectman Berube that the Town vote to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be raised from taxation. Motion carried by unanimous vote.

Article 14: To see if the Town will vote to transfer from available funds a sum of money for the payment of the General Obligation Bond Anticipation Note which was used to pay for the Sodium Hypochlorite Conversion at the Water and Water Pollution Control Facilities.

The Advisory & Finance Committee unanimously recommends that the Town vote to transfer from the following accounts an amount needed to pay the short term borrowing amount used to fund the Sodium Hypochlorite Conversion at the Water and Water Pollution Control Facilities:

From Account # 35-3215-450 Article #16 (Water Main Replacement), Special Town Meeting, December 1, 2014 an amount of \$635,824.38;

From Account #35-3211-450 Article #38 (Restore/Construct Water Storage Tank), Annual Town Meeting, May 17, 2010, an amount of \$114,898.90;

From Account #61-450-434-5790 Article #34 (Land Purchase-Buffer), Annual Town Meeting, May 20, 2013, an amount of \$41,721.25;

From Account #61-450-437-5580 Article #20 (Heavy Duty Dump Truck), Annual Town Meeting May 16, 2016, an amount of \$11,368.28;

From Account #32-3217-440 Article #21 (Transport Off Spec Compost), Annual Town Meeting, May 16, 2016, an amount of \$153,888.23;

From Account # 01-440-435-5880 Article #17 (Pick -Up Truck), Special Town Meeting, December 1, 2014, an amount of \$5,228.59;

From Account #01-440-432-5871 Article #7 (Underground Tanks), Special Town Meeting, December 12, 2011, an amount of \$5,000.00;

From Account #01-440-427-5891 Article #3 (Sewer Easement), Special Town Meeting, November 27, 2006, an amount of \$2,441.80;

From Account #34-3213-506 Article #14 (Shore Protection, Compost Modification, De-chlorination), Annual

Town Meeting, May 20, 1991, an amount of \$29,047.90;
From Account #01-440-434-5300 Article #35 (Treatment Plant Study), Annual Town Meeting, May 20, 2013, an amount of \$17,520.58;
From Account #01-440-434-5305, Article #38 (Sewer System Study), Annual Town Meeting, May 20, 2013, an amount of \$50,000.00;
and the remaining amount of \$83,726.88 from Account #32-3207-440, Article #6 (Pumping Stations), Special Town Meeting, November 27, 2006, for a total appropriation of \$1,150,666.79, for the purposes of this article.

Motion made by Water & Sewer Commissioner Joseph Bednarik and seconded by Mr. Godet that the Town vote to appropriate the sum of \$1,150,666.74 for the purpose of this article and that said sum be transferred from available funds as set forth in the Advisory & Finance Committee recommendation. Motion carried by unanimous vote.

Article 15: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the Surface Drainage Account.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman Moniz and seconded by several from the floor that the Town vote to appropriate the sum of \$25,000.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Moniz. Motion carried by unanimous vote.

Article 16: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and equipping a new heavy-duty dump truck and plow for the Highway Department.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$150,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman Moniz and seconded by Selectman Berube that the Town vote to appropriate the sum of \$150,000.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Moniz. Motion carried by unanimous vote.

Article 17: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing and equipping two (2) new 4x4 dump trucks and plows for the Highway Department.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$151,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman Moniz and seconded by Selectman Berube that the Town vote to appropriate the sum of \$151,000.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Moniz. Motion carried by unanimous vote.

Article 18: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of purchasing nine (9) complete sets of Turnout Gear for the Fire Department.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$34,500.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$34,500.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman Berube. Motion carried by unanimous vote.

Article 19: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of performing capital improvements to the Chace Street Elementary School to replace a secondary boiler, or to take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$50,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by SC member Michael Botelho and seconded by Victor Machado that the Town vote to appropriate the sum of \$50,000 for the purpose of performing capital improvements to the Chace Elementary School and that said sum be raised from taxation. Discussion followed by Mr. Botelho. Motion carried by unanimous vote.

Article 20: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purpose of performing capital improvements to the Chace Street Elementary School parking lot and front lawn area, or to take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$93,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by SC member Michael Botelho and seconded by Mr. Machado that the Town vote to appropriate the sum of \$93,000 for the purpose of performing capital improvements to the Chace Elementary School and that said sum be raised from taxation. Discussion followed by Mr. Botelho. Motion carried by unanimous vote.

Article 21: To see if the Town will vote to raise, appropriate, and/or transfer from available funds a sum of money for the purposes of capital repairs and improvements to Town government buildings under the control of the Board of Selectmen, said money to be expended as said Board deems necessary and subject to all requirements of

state and local procurement laws, and any other applicable laws and regulations, or take any other action relative thereto.

The Advisory & Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$300,000.00 for the purposes of this article and that said sum be raised from taxation.

Motion made by Selectman McNamara and seconded by Selectman Moniz that the Town vote to appropriate the sum of \$300,000.00 for the purposes of this article and that said sum be raised from taxation. Discussion followed by Selectman McNamara, R. Fenstermaker, and Town Accountant Joseph Bolton. Motion carried by unanimous vote.

Article 22: To see if the Town will vote to appropriate from the PEG Access and Cable-Related Fund a sum of money to be expended during the fiscal year commencing July 1, 2017 under the direction of the Board of Selectmen for necessary and expedient cable-related purposes consistent with the Town's license agreement, of which the sum of \$410,000.00 is the estimated license revenue to be received during Fiscal Year 2018 in accordance with the license agreement and the sum of the \$410,000.00 shall be allocated from the available fund balance, or take any other action relative there.

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

Motion made by Selectman Berube and seconded by Selectman Moniz that the Town vote to appropriate from the PEG Access and Cable-Related Fund the sum of \$820,000.00, said funds to be expended during the fiscal year commencing July 1, 2017 under the direction of the Board of Selectmen for necessary and expedient cable-related purposes consistent with the Town's license agreement, of which the sum of \$410,000.00 is the estimated license agreement revenue to be received during Fiscal Year 2018 in accordance with the license agreement and the sum of \$410,000.00 shall be allocated from the available fund balance, or to take any other action relative thereto. Discussion followed by Selectman Berube, Cheryl Crossley-Simmons, Mr. Waksler & John Tripp. Motion carried by unanimous vote.

Article 23: To see if the Town will vote pursuant to Massachusetts General Laws chapter 29, section 9A, to amend its vote under Article 17 of the March 10, 1975, Annual Town Meeting and adopt the following by-law regarding the holding of annual elections and the annual town meetings:

BYLAW REGARDING THE DATES OF TOWN ELECTIONS AND ANNUAL TOWN MEETINGS:

Commencing in 2018, the annual election of Town officials and other matters to be determined by ballot shall take place on the second Monday in April and the annual town business meeting shall take place on the third Monday in May. As provided in Massachusetts General Laws chapter 41, section 1, the officers currently serving shall continue to hold their offices until the election and qualification of their successors.

Motion made by Selectman Moniz and seconded by Selectman Berube that the Town vote to adopt said By-law as set forth in Article 23. Discussion followed by Selectman Moniz and Selectman Berube. Motion carried by unanimous vote.

Article 24: To see if the Town will vote to appropriate \$2,309.00 from the Community Preservation Open Space Fund to the Somerset Baseball League, Inc., for the purpose of replacing the existing shed at Pierce Beach, adjacent to the baseball field, with a new shed; or take any action relative thereto.

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

Motion made by CPC Chairman James O'Rourke and seconded by Mr. Godet that the Town so vote. Discussion followed by Mr. O'Rourke. Motion carried by unanimous vote.

Article 25: To see if the Town will vote to appropriate a total of \$105,000.00, of which \$18,159.00 will come from the Community Preservation Open Space Fund and the remaining \$86,841.00 will come from the Community Preservation Fiscal Year 2017 Budgeted Reserve, to the Town of Somerset to allow the Playground and Recreation Department to remove and replace existing playground equipment in the large playground area of Pierce Beach and Playground Park; or take any action relative thereto.

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

Motion made by CPC Chairman James O'Rourke and seconded by Mr. Berube that the town so vote. Discussion followed by Mr. O'Rourke, Mary Kate Muphy, and Playground & Recreation Director Barry Fontaine. Motion carried by unanimous vote.

Article 26: To see if the Town will vote to appropriate a total of \$60,000.00, of which \$46,201.00 will come from the Community Preservation Fiscal Year 2017 Budgeted Reserve and the remaining \$13,799.00 will come from the Community Preservation Undesignated Fund Balance, to the Town of Somerset to allow the Playground and Recreation Department to remove and replace the existing playground equipment in the small playground area of Pierce Beach and Playground Park set aside for young children; or take any action relative thereto.

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

Motion made by CPC Chairman James O'Rourke and seconded by Mr. Godet that the Town so vote. Discussion followed by Mr. O'Rourke and Selectman McNamara. Motion carried by unanimous vote.

Article 27: To see if the Town will vote to appropriate a total of \$53,200.00, of which \$20,468.00 will come from the Community Preservation Historic Resources Fund and the remaining \$32,732.00 will come from the

Community Preservation Undesignated Fund Balance, to the Town of Somerset to allow the Historical Commission to restore a portion of the exterior of the Old Town Hall, to wit, to remove the existing handicapped ramp and door, fabricate and install a new window to replace the door, repave the parking lot adjacent to the existing ramp, construct a new sloped concrete handicapped-accessible walkway and landing at the main entrance on the west side, fabricate and install a new handicapped-accessible door and fixed panel at the main entrance, and construct a new exit door as a second means of egress at the rear, or east side, of the building; or take any action relative thereto.

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

Motion made by members of the body from the floor and seconded by Selectman Moniz to waive the reading of article 27. Discussion followed by Mr. O'Rourke. A motion was made to move the question by Mr. Godet and seconded from the floor, motion carried. Motion on article 27 carried by unanimous vote.

Article 28: To see if the Town will vote to appropriate and/or reserve from the Community Preservation Fund annual revenues the following amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2018, with each item to be considered a separate reservation:

Appropriations:

From FY 2018 estimated revenues for Committee Administrative Expenses: \$10,750.00

Reserves

From FY 2018 estimated revenues for Historic Resources Reserve: \$21,500.00
From FY 2018 estimated revenues from Community Housing Reserve: \$20,500.00
From FY 2018 estimated revenues for Open Space Reserve: \$21,500.00
From FY 2018 estimated revenues for Budgeted Reserve: \$139,750.00

or take any other action thereto.

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

Motion made by Selectman Steve Moniz and seconded by Selectman Berube to waive the reading of article 28. Motion carried by unanimous vote.

Motion made by CPC Chairman James O'Rourke and seconded by Selectman Berube that the Town vote to appropriate and reserve the sums as stated in Article 28. Discussion followed by Mr. O'Rourke and he made a motion to amend the amount for "From FY 2018 estimated revenues from Community Housing Reserve" from \$20,500.00 to \$21,500.00. The motion to amend was seconded by Selectman Moniz. The motion to amend carried by a unanimous vote. Following some discussion on the motion as amended by Mr. O'Rourke, the Moderator called for a vote of Article 28 as Amended. Motion carried by unanimous vote.

Article 29: To see if the Town will vote to amend two provisions of the Somerset Zoning By-law relating to the permitting of Medical Marijuana Facilities, as follows:

--Amend section 4.2.6 (Table of Use Regulations), subsection 4.2.6 m, Medical Marijuana Facility, which currently reads as follows:

		Ltd.	Open		Lt.
Res.	Bus.	Bus.	Rec.	Ind.	Ind.
No	No	No	No	SP	SP

by changing the designations under Business District and Limited Business District from a "No" to a "SP"; and,

--Amend section 7.6.3 Medical Marijuana Facility by Special Permit, subsection d. Standards of Granting of Special Permits to Operate Medical Marijuana Facility, second line, which currently reads as follows:

Districts: Industrial and Light Industrial

by adding "Business" and "Limited Business" as additional Districts where such use may be permitted by special permit; or take any other action relative thereto.

The Advisory & Finance Committee unanimously voted to not recommend approval of this article.

The Planning Board unanimously recommends approval of this article.

Motion made by Mr. Godet and seconded by several on the floor to waive the reading of Article 29. Motion carried by unanimous vote.

Motion made by Planning Board Chairman Gary Simons that vote to amend section 4.2.6 (Table of Use Regulations), subsection 4.2.6 m, Medical Marijuana Facility and section 7.6.3 Medical Marijuana Facility by Special Permit, subsection d. Standards of Granting of Special Permits to Operate Medical Marijuana Facility of the Somerset Zoning By-law, by making the changes set forth in Article 29. Discussion followed by many including Michael Pasternak, A&F; Town Admin. Richard Brown; Police Chief George McNeil; Lloyd Mendes; Selectman McNamara; John Toulan; and Gary Simons. A motion was made to move the question by Chairman Selectman McNamara and seconded by Mr. Godet. Motion failed. More discussion followed and a motion was made by Mr. Waksler to vote by ballots. There was a second from the floor. Motion failed by voice vote declared by the Moderator. After much discussion, the Moderator called for the vote on the motion to accept

reminding the body that the article requires a 2/3 vote. The Moderator called for a standing and counted vote. Motion failed – Yes votes – 72 No votes – 57 (required 86 yes votes to pass)

Article 30: To see if the Town will vote to amend the provisions of section 7.6 of the Somerset Zoning By-law relating to “Customary Home Occupations in Dwelling”, by amending the existing language in numbered subsection 9, which currently reads as follows:

9. Not more than one commercial vehicle used in connection with such home occupation shall be stored on the premises, and an off-street parking space shall be provided for such a vehicle.

By adding the following new sentence after that sentence:

For the purposes of this section, a “commercial vehicle” shall be defined as a vehicle that has a gross weight rating of 26,000 pounds or less and the operation of which does not require a Class A, Class B, Class C, Hoisting, or CDL License.

The Planning Board unanimously recommends approval of this article.

Motion made by Planning Board Chairman Gary Simons and seconded from the floor the Town vote to amend section 7.6 (Customary Home Occupations in Dwelling), of the Somerset Zoning By-law, by making the changes set forth in Article 30. Discussion followed by Mr. Simons, Richard Peirce, Steve Cadorette, Atty. Brown, and Brian Martin. The Moderator reminds the body that this article requires a 2/3 vote. Motion carried by a unanimous vote.

Article 31: To see if the Town will vote to amend section 7.5.1 of the Somerset Zoning By-law in order to conform with current state law by deleting the words “Six Month” and “six months” and replacing them with the words “One Year” and “one year” in the subsection entitled “Six Month Rule”, so that after the amendment said section will read as follows:

One Year Rule. Construction or operations under a special permit shall conform to any subsequent amendment to this By-law unless use or construction under said special permit has commenced within one year after the date said special permit is issued.

The Planning Board unanimously recommends approval of this article.

Motion made by Planning Board Chairman and seconded from the floor that the Town vote to amend section 7.5.1 of the Somerset Zoning By-law, by making the changes set forth in Article 31. Motion carried by unanimous vote.

Article 32: “To see if the Town will vote to raise, appropriate and/or transfer from available surplus the amount of \$9,000.00 (Nine Thousand Dollars) for the purpose of supporting the operation of the headquarters of the veterans organizations incorporated or chartered by the Congress of the United States that have been in operation in the Town for at least three years, specifically: Veterans of Foreign Wars Post 8500 - \$3,000.00, American Legion Post 228 - \$3,000.00, and Amvets Post 72 - \$3,000.00”, as petitioned.

The Advisory & Finance Committee recommended by a majority that the Town vote to approve this article. (Vote: 8 – 0, 1 abstain).

Motion made by Stephen Souza (petitioner) and seconded by Mr. Berube that the Town vote to accept article 32 as written and recommended. Discussion followed by Mr. Souza, Lloyd Mendes, and Lorne Lawless. Motion to move the question was made by Selectman Moniz and seconded by Selectman McNamara. Motion carried by unanimous vote. Article 32 passed by a nearly unanimous vote hearing one nay from the floor.

Motion was made to dissolve the Annual Town Meeting at 9:21 pm by Selectman Moniz and seconded by Selectman McNamara. Motion carried by unanimous vote.

Attendance: 180

A true copy attest;

Dolores Berge, Town Clerk