

# TOWN OF ACUSHNET



Transcript of Articles in the Warrant for the

## **ANNUAL TOWN MEETING**

**Monday, May 13, 2019**

**At 7:00 p.m.**

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Please bring this report to the meeting for use in the proceedings at the

**ALBERT F. FORD MIDDLE SCHOOL  
708 Middle Road**

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**- IMPORTANT -**

**This Warrant contains Articles, explanations, recommendations, and appendices. Only the Articles are part of the “official” call to Town Meeting. The explanations and appendices are editorial, and the recommendations expressed are those of the Finance Committee. Only the Articles are part of the official town meeting warrant.**

TOWN OF ACUSHNET



WARRANT

Annual Town Meeting

Monday, May 13, 2019

At 7:00 o'clock in the evening at the Albert F. Ford Middle School  
708 Middle Road

**Bristol, SS**

To any of the Constables of the Town of Acushnet, in said County of Bristol, Commonwealth of Massachusetts.

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Acushnet, who being qualified to vote in elections and Town affairs, to meet at the Albert F. Ford Middle School, 708 Middle Road, in said Acushnet, on Monday, the thirteenth day of May, 2019 at 7:00 p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, May 13, 2019, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Please call the Town Clerk's office at least one week before the Town Meeting at 508-998-0200 x4215.

**Town of Acushnet  
Report of the Finance Committee**

GREETINGS TO THE CITIZENS OF ACUSHNET:

The Finance Committee is pleased to present our recommendations for the Fiscal Year 2020 Town Budget.

It is the Finance Committee's responsibility to receive the budgets from all Town Departments, analyze them, conduct hearings and present a balanced budget to Town Meeting.

Beginning in January, we met individually with our Department Heads along with Chairmen of various boards and committees to allow them an opportunity to present and explain their financial needs for FY2020. A prime concern always is balancing the needs presented to us with the effect on our tax rate.

We believe that the requests for funding received from our departments are reasonable and justifiable. We agree with the Board of Selectmen and are recommending a 2% cost of living adjustment in wages and the adoption of the Wage & Classification Plan which have been included in recommended budgets. We must pay competitive wages in order to retain our trained, experienced and dedicated employees.

In addition to the operating budget, we are recommending funding of the capital requests from our various departments as well as funding to maintain our Town Buildings. These requests are addressed as articles on the Town Warrant.

Working with the School Committee, Superintendent and School Business Manager we have recommended a 3.1% increase to the school budget. We are also recommending capital article requests as well. We are ever mindful that the demands on our schools for additional services remains high. We are grateful to be able to work within our means to recommend an increase to their operational budget of \$448,127; capital needs equaling \$230,000 and an additional \$50,000 to a reserve fund for special education costs.

The aggressive management of operating costs over the years has resulted in an operating budget in which there is virtually nothing left to cut unless we decrease services currently provided to our residents. The burden of supplying these services within the tax rate structure will continue to be an uphill struggle.

It is equally important that we maintain an adequate stabilization account. In recent years we have put money into this account and feel the need to continue to save for future emergencies; again, with consideration for the effect on our tax rate.

Your support of the Finance Committee's recommended budget and warrant articles will help ensure the continued financial stability of our Town. The Finance Committee extends our sincere gratitude to all Town Employees, Elected Officials and Appointed Boards, your continued support during these economically challenging years have made it possible to sustain the fiscal stability of the Town of Acushnet.

Sincerely,

**The Acushnet Finance Committee,**

Robert St. Jean, Chairman  
Michael R. Boucher, Vice-Chairman  
Susan Delgado  
Robert A. Ferreira  
Cathy Murray, Secretary

John C. Howcroft  
Eric McGlynn  
Jacqueline Stanley  
Michael St. Onge

**Town of Acushnet**  
**FY20 Revenue Budget Estimate**  
**Includes Other Sources of Funds**

<b>Revenue Sources</b>	<b>FY19 Recap</b>	<b>FY20</b>
<b>General Fund Operations Revenue Estimate:</b>		
Fiscal Year Levy Limit	\$ 16,601,843	\$ 17,237,500
Fiscal Year 2.5% Adjustment	415,046	430,938
Fiscal Year New Growth	220,611	160,000
<b>Legal Levy Limit</b>	<b>17,237,500</b>	<b>17,828,438</b>
Add: Debt Exclusion	453,498	447,498
Less: Unused Levy Capacity	(9,986)	
<b>Actual Levy</b>	<b>17,681,012</b>	<b>18,275,936</b>
Less: FY Overlay (Allowance for Abatements/Exemptions)	(300,475)	(250,000)
Less: Tax Title Certification		
Less: Other Deficits		
Less: Solar Farm Revenue to Cap Exp Fund	(37,200)	(32,150)
<b>Total Estimated Operational Tax Levy:</b>	<b>\$ 17,343,337</b>	<b>\$ 17,993,786</b>
FY Cherry Sheet State Receipts		
Chapter 70	6,323,332	6,348,772
Charter Tuition Reimbursement	16,028	10,272
Unrestricted General Govt Aid	1,567,707	1,610,035
Veteran's Benefits	166,201	166,580
Exemptions (Vets, Blind & Surviving Spouse)	52,966	57,237
State Owned Land	38	40
Plus: Public Libraries	16,053	16,993
<b>Subtotal Estimate State Revenue</b>	<b>8,142,325</b>	<b>8,209,929</b>
Less: FY Offsets - Public Libraries	(16,053)	(16,993)
Less: Assessments	(375,672)	(379,178)
	(391,725)	(396,171)
<b>Total Estimated State Aid:</b>	<b>\$ 7,750,600</b>	<b>\$ 7,813,758</b>
Local Receipts Revenues:		
Motor Vehicle	1,000,000	1,200,000
Penalties & Interest on Taxes	110,000	110,000
Charges for Services - Water	1,620,626	1,695,537
Charges for Services - Solid Waste Fees	7,000	7,000
Fees	32,500	32,500
Other Departmental Revenue	70,000	70,000
Licenses & Permits	160,000	160,000
Fines & Forfeits	10,000	10,000
Investment Income	13,500	13,500
Medicaid Reimbursement	75,000	75,000
<b>Total Estimated Local Receipts:</b>	<b>\$ 3,098,626</b>	<b>\$ 3,373,537</b>
<b>Total Available for Appropriation</b>	<b>\$ 28,192,563</b>	<b>\$ 29,181,081</b>
EMS Receipts Reserved Fund	516,367	519,252
Other Sources of Funds - Debt Premium F/B	1,550	1,550
Water Surplus	-	50,000
Uncaptured Enterprise Indirect Costs	231,858	231,858
Free Cash to Balance GF Budget	230,657	230,657
<b>Total Estimated Other Sources of Operational Funds:</b>	<b>\$ 980,432</b>	<b>\$ 1,033,317</b>
<b>Total Estimated General Fund Operational Revenue:</b>	<b>\$ 29,172,995</b>	<b>\$ 30,214,397</b>

## **GLOSSARY OF TERMS**

**Appropriation:** An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus, which may become Free Cash. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

**Assessed Valuation:** A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

**Budget:** A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

**Capital Budget:** A plan of proposed capital outlays and the means of financing them for the current year.

**Cherry Sheet:** An annual statement received from the Massachusetts Department of Revenue detailing estimated payments to the town for the next fiscal year and the estimated state and county government charges payable by the town. The Assessors in setting the tax rate use these amounts. The actual receipts and charges may vary from the estimates.

**Community Preservation Act (CPA):** The Town adopted the Community Preservation Act (CPA) in 2004. This Act allows the town to collect up to a 3% surcharge (Acushnet has voted 1.5%) on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

**Debt Service:** Payment of interest and repayment of principal to holders of the Town's debt instruments.

**Fiscal Year:** A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example, FY19 is the fiscal year ending June 30, 2019.

**Free Cash:** Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves also reduced by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

**General Fund:** The major town-owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

**Grant:** A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

**Line-Item Budget:** A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for the overlay is added to the appropriations and other charges. Overlay Surplus – see below.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by a vote of the Town, to the reserve account or used for extraordinary items.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Finance Committee for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Tax Classification Tax Allocation: Before setting the tax rate each year, a classification hearing is held by the selectmen to determine the shares of the tax levy to be paid by each class of property in the community, and whether to allow an open space discount, residential exemption, or small commercial exemption. The Assessors provide information about the impact of these options at the hearing. The decisions of the Selectmen are reported to the Bureau of Accounts and are referred to as the “Classification Tax Allocation.”

#### **Terms associated with Proposition 2½:**

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base but does allow the Town to assess taxes for a specific period in excess of the limit for payment of debt service costs or payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

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TOWN OF ACUSHNET



Commonwealth of Massachusetts

WARRANT FOR ANNUAL TOWN MEETING  
Monday, May 13, 2019

At Seven o'clock in the Evening  
at the Albert F. Ford Middle School, 708 Middle Road

**ARTICLE 1:** To see if the Town will accept the reports of its Officers, Boards, Departments, Committees, and Commissions, as printed in the 2018 Annual Report, or act on anything relative thereto.

Requested by the Board of Selectmen

**MOTION:** *I move that the Town hear and act upon the reports of the Officers, Boards, Departments, Committees, and Commissions as printed in the 2018 Annual Report.*

**MOTION BY:** ROGER CABRAL

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

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**ARTICLE 2:** To see if the Town will raise and appropriate, or transfer from available funds a certain sum of money to be added to line item 0104423-529000, Snow Removal/Ice Control, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The Finance Committee recommends this Article unanimously in the amount of \$10,000.**

**MOTION:** *I move that the Town vote to transfer from Free Cash the sum of \$10,000 to the FY2019 Snow and Ice Budget to cover a deficit created by winter snow removal.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

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**ARTICLE 3:** To see if the Town will raise and appropriate, or transfer from available funds a sum of money to meet obligations for union and personnel contracts, said sum to be apportioned by the Finance Director to the applicable line items in Article 3 of the 2018 Annual Town Meeting, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article funds the cost of union and personnel contracts that have settled in the previous fiscal year.**

**The Finance Committee recommends this Article unanimously in the amount of \$50,000.**

***MOTION:*** *I move that the Town vote to transfer from Free Cash the sum of \$50,000 to Article 3 of the Annual Town Meeting of May 2018 Ominibus Budget to cover obligations incurred in the settlement of the Town's Collective Bargaining Agreements and Personnel Contracts.*

**MOTION BY:** DAVID DESROCHES

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

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**ARTICLE 4:** To see if the Town will vote, under the provisions of the General Laws of Massachusetts, Chapter 41, §108, or any amendments thereto, to fix the salaries of all elected officials and to fund and approve collective bargaining agreements for Fiscal Year 2020, and raise and appropriate any sum or sums therefor, and further raise and appropriate any sum or sums of money for the maintenance of the several departments of the Town, and for other necessary charges, in accordance with the amount recommended by the Finance Committee as shown in the final column of the Warrant;

**FISCAL 2020 OMNIBUS BUDGET**

DEPARTMENT		FY18 Actual	FY19 Appropriation	FY20 Requested	Finance Committee Recommends
<b>GENERAL GOVERNMENT</b>					
1110	RESERVE FUND				
	Expense Total	168,769	150,000	150,000	150,000
1113	TOWN MEETING & ELECTIONS				
	Expense Total	1,724	11,000	8,500	8,500
1114	MODERATOR				
	Salary Total	725	725	725	725
	Expense Total	-	370	370	370
1122	SELECTMEN				
	Salary Total	199,849	224,361	231,423	231,423
	Expense Total	23,904	29,300	29,700	29,700
1131	FINANCE COMMITTEE				
	Salary Total	1,564	2,025	2,066	2,066
	Expense Total	210	550	550	550
1135	TOWN ACCOUNTANT				
	Salary Total	160,386	164,165	176,098	176,098
	Expense Total	32,300	39,100	40,100	40,100
1141	ASSESSORS				
	Salary Total	106,360	107,252	118,312	118,312
	Expense Total	48,614	46,725	50,755	50,755
1145	TOWN TREASURER/COLLECTOR				
	Salary Total	199,096	195,822	197,756	197,756
	Expense Total	12,347	38,400	47,400	47,400
1151	TOWN COUNSEL				
	Expense Total	65,881	84,500	84,500	84,500
1155	TECHNOLOGY				
	Salary Total	18,025	18,386	24,354	24,354
	Expense Total	149,740	110,464	117,550	117,550
1161	TOWN CLERK				
	Salary Total	121,754	125,980	127,023	127,023
	Expense Total	4,652	5,850	5,825	5,825
1163	BOARD OF REGISTRARS				
	Salary Total	10,842	12,000	11,000	11,000
	Expense Total	7,862	10,850	8,950	8,950
1171	CONSERVATION COMMISSION				
	Salary Total	57,176	58,992	72,795	72,795
	Expense Total	9,210	9,750	9,750	9,750
1172	SOIL BOARD				
	Salary Total	998	1,900	1,900	1,900
	Expense Total	-	200	200	200

DEPARTMENT		FY18 Actual	FY19 Appropriation	FY20 Requested	Finance Committee Recommends
1175	PLANNING BOARD				
	Salary Total	51,998	53,242	55,228	55,228
	Expense Total	266	2,025	1,925	1,925
1176	BOARD OF APPEALS				
	Salary Total	653	2,030	2,030	2,030
	Expense Total	491	2,150	2,150	2,150
1192	TOWN BUILDINGS				
	Salary Total	117,303	132,346	99,838	99,838
	Expense Total	100,201	114,000	119,500	119,500
<b>GENERAL GOVERNMENT TOTAL:</b>		<b>1,673,100</b>	<b>1,754,460</b>	<b>1,798,273</b>	<b>1,798,273</b>
<b>PUBLIC SAFETY:</b>					
2210	POLICE DEPARTMENT				
	Salary Total	1,860,361	1,874,267	2,124,806	2,124,806
	Expense Total	301,601	278,570	284,195	284,195
2220	FIRE/EMS DEPARTMENT				
	Salary Total	856,723	829,176	852,973	852,973
	Expense Total	187,459	146,390	166,840	166,840
2241	BUILDING DEPARTMENT				
	Salary Total	105,470	108,072	130,410	130,410
	Expense Total	10,115	16,850	16,350	16,350
2244	SEALER WEIGHTS/MEASURES				
	Salary Total	1,101	1,123	1,146	1,146
2291	EMERGENCY MANAGEMENT AGENCY				
	Salary Total	990	1,000	2,750	2,750
	Expense Total	8,930	12,064	14,400	14,400
2292	ANIMAL CONTROL				
	Salary Total	41,157	42,165	44,128	44,128
	Expense Total	2,793	4,500	4,500	4,500
2294	FORESTRY				
	Salary Total	600	600	600	600
	Expense Total	5,195	7,775	10,300	10,300
<b>PUBLIC SAFETY TOTAL:</b>		<b>3,382,815</b>	<b>3,322,552</b>	<b>3,653,398</b>	<b>3,653,398</b>
<b>EDUCATION:</b>					
3320	OLD COLONY REGIONAL				
	Expense Total	1,756,434	1,855,472	1,773,537	1,773,537
3325	ACUSHNET SCHOOL DEPARTMENT				
	Expense Total	13,991,125	14,334,404	14,782,531	14,782,531
<b>TOTAL EDUCATION:</b>		<b>15,747,559</b>	<b>16,189,876</b>	<b>16,556,068</b>	<b>16,556,068</b>
<b>PUBLIC WORKS:</b>					
4422	DEPT. PUBLIC WORKS - HIGHWAY				
	Salary Total	340,590	386,155	389,041	389,041
	Expense Total	336,195	306,800	332,200	332,200

DEPARTMENT		FY18 Actual	FY19 Appropriation	FY20 Requested	Finance Committee Recommends
4423	SNOW & ICE REMOVAL				
	Expense Total	164,076	110,000	110,000	110,000
4424	STREET LIGHTING				
	Expense Total	42,619	50,000	25,000	25,000
4431	SEMASS				
	Salary Total	17,439	17,700	18,837	18,837
	Expense Total	787,951	860,500	937,500	937,500
4491	CEMETERY				
	Salary Total	5,464	5,464	5,464	5,464
	Expense Total	1,023	1,325	1,325	1,325
<b>PUBLIC WORKS TOTAL:</b>		<b>1,695,357</b>	<b>1,737,944</b>	<b>1,819,367</b>	<b>1,819,367</b>
<b>HUMAN SERVICES:</b>					
5510	BOARD OF HEALTH				
	Salary Total	147,306	130,614	134,626	134,626
	Expense Total	15,706	16,350	16,350	16,350
5541	COUNCIL ON AGING				
	Salary Total	92,714	100,357	117,342	117,342
	Expense Total	20,734	20,740	21,740	21,740
5543	VETERANS				
	Salary Total	19,284	19,670	20,064	20,064
	Expense Total	211,875	226,345	236,445	236,445
<b>TOTAL HUMAN SERVICES:</b>		<b>507,619</b>	<b>514,076</b>	<b>546,567</b>	<b>546,567</b>
<b>CULTURE &amp; RECREATION:</b>					
6610	LIBRARY DEPARTMENT				
	Salary Total	179,130	199,719	219,263	219,263
	Expense Total	52,629	58,076	59,149	59,149
6630	RECREATION DEPARTMENT				
	Expense Total	17,029	19,687	20,393	20,393
6650	PARK DEPARTMENT				
	Salary Total	20,412	20,420	20,420	20,420
	Expense Total	15,780	18,917	19,167	19,167
6691	HISTORICAL COMMISSION				
	Expense Total	8,891	5,800	5,800	5,800
2699	MISCELLANEOUS				
	Salary Total	4,121	5,000	5,000	5,000
	Expense Total	9,596	11,166	11,166	11,166
<b>CULTURE &amp; RECREATION TOTAL:</b>		<b>307,588</b>	<b>338,785</b>	<b>360,358</b>	<b>360,358</b>
<b>DEBT SERVICE:</b>					
7710	RETIREMENT OF DEBT				
	Expense Total	195,000	252,000	257,000	257,000
7751	INTEREST				
	Expense Total	136,638	142,105	136,540	136,540
<b>TOTAL DEBT SERVICE:</b>		<b>331,638</b>	<b>394,105</b>	<b>393,540</b>	<b>393,540</b>

DEPARTMENT		FY18 Actual	FY19 Appropriation	FY20 Requested	Finance Committee Recommends
<b>NON-DEPARTMENTAL:</b>					
1911	PENSIONS Expense Total	1,339,040	1,412,808	1,509,589	1,509,589
1914	INSURANCE Expense Total	1,725,019	1,887,763	1,831,700	1,831,700
<b>NON-DEPARTMENTAL TOTAL:</b>		<b>3,064,059</b>	<b>3,300,571</b>	<b>3,341,289</b>	<b>3,341,289</b>
<b>GENERAL FUND TOTAL</b>		<b>\$26,709,215</b>	<b>\$27,552,369</b>	<b>\$28,468,860</b>	<b>\$28,468,860</b>

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article advances the Operating Budget for the Town for the Fiscal Year that begins on July 1<sup>st</sup>. The Finance Committee has balanced the available revenue with the department requests and is advancing this budget for the approval of Town Meeting.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town fix the salaries of all elected officials for Fiscal Year 2020 and appropriate funds for the payment of said salaries and compensation, including the approval and funding of the Town's obligations under the Collective Bargaining Agreements completed in the calendar year 2019, the payment of debt and interest, provide for a reserve fund, and for charges, expenses and outlays of the several town departments for the ensuing twelve (12) month period through June 30, 2020; all as set forth in the budget presented by the Finance Committee, and, as funding therefor, to appropriate from Taxation the sum of \$17,993,786; transfer the sum of \$7,813,758 from Projected State Aid Receipts; the sum of \$3,373,537 from Estimated Local Receipts; and to transfer from Free Cash the sum of \$462,515; and transfer from EMS Reserved Receipts account the sum of \$519,252 and further the sum of \$1,550 from Fund Balance Reserved for Debt Premiums. All to fund the budget as recommended by the Finance Committee as shown in the final column of Article 4 in the Warrant for the May 13, 2019 Annual Town Meeting.

**MOTION BY:** ROBERT ST. JEAN

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 13 IN THE WARRANT

**ARTICLE 5:** To see if the Town will vote to authorize the Board of Selectmen to apply for state or federal grants, and to expend any monies received, as outlined in the appropriate grant application; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The Town Meeting must authorize the Board of Selectmen to apply for, accept, and use any funds that may be available to the Town under state or federal grants.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town Authorize the Board of Selectmen to apply for state or federal grants and to expend any monies received as set forth in the appropriate grant applications.

***MOTION BY:*** ROGER A. CABRAL

***VOTE REQUIRED:*** MAJORITY

***PASS/FAIL***

***NOTES:***

PAGE 13 IN THE WARRANT

**ARTICLE 6:** To see if the Town will vote to accept and expend any sum or sums of money that may be available from the Commonwealth of Massachusetts (Massachusetts Department of Transportation) for Chapter 90 type construction, improvements, and/or reconstruction of public ways and associated equipment; and to authorize the Board of Selectmen to enter into contracts relative thereto, and to appropriate said sum or sums in anticipation of reimbursement from the Commonwealth; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This article permits the Town to accept and spend money appropriated to the Town by the Commonwealth for road repairs and related expenses.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to accept and expend any sum or sums of money that may be available from the Commonwealth of Massachusetts for Chapter 90 type construction improvements or reconstruction of public ways and associated equipment, further to authorize the Board of Selectmen to enter into contracts relative thereto and to appropriate said sum or sums in anticipation of reimbursement from the Commonwealth.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 14 IN THE WARRANT

**ARTICLE 7:** To see if the Town will vote to authorize the Town Treasurer, with the consent of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2019, in accordance with the provisions of Massachusetts General Law (MGL), Chapter 44, §4, and to issue a note or notes as may be given for a period of less than one year in accordance with MGL, Chapter 44, §17, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This is a routine Article at Town Meeting, and it allows the Treasurer to borrow money during the normal course of business to cover temporary cash flow deficiencies from time to time.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move the Article as written in the Warrant.*

***MOTION BY:*** *DAVID DESROCHES*

***VOTE REQUIRED:*** *MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 14 IN THE WARRANT

**ARTICLE 8:** To see if the Town will vote to appropriate a sum or sums of money to operate the Golf Club Enterprise Fund as shown below:

Reserve Fund	\$ 100,000
Salaries	525,579
Operation & Maintenance	421,581
Capital Outlay	70,863
Debt Service	346,150
<b>TOTAL</b>	<b>\$1,464,173</b>

and that this sum be raised as follows:

Golf Center Revenue	\$ 1,364,173
Golf Retained Earnings	100,000
<b>TOTAL</b>	<b>\$ 1,464,173</b>

or take any other action relative thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article authorizes the “Enterprise Fund” for the operation of the Golf Club. It permits the use of dedicated funds collected for the services provided to be spent within the fiscal year for the expenses of operating the Golf Club.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town vote to appropriate the sum of \$1,464,173 to operate the Golf Club Enterprise authorized under Massachusetts General Laws Chapter 44, §53F½, as set forth in Article 8 of the May 13, 2019 Annual Town Meeting Warrant.

**MOTION BY:** ROGER A. CABRAL

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 14 IN THE WARRANT

**ARTICLE 9:** To see if the Town will vote to transfer from Golf Enterprise Fund Retained Earnings a sum not to exceed \$150,000 for the purpose of cart path work, construction of forward tees, bunker work, golf cart re-financing or pre-payment, tent replacement and/or other necessary and proper expenditures approved by the Golf Management Committee and the Board of Selectmen, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article authorizes the capital expenditure of the Golf Enterprise in Fiscal 2020**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move to transfer from the Golf Enterprise Fund Retained Earnings the sum of \$150,000 for the purpose of cart path work, construction of forward tees, bunker work, golf cart re-financing or pre-payment, tent replacement and/or other necessary and proper capital expenditures approved by the Golf Management Committee and the Board of Selectmen.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 15 IN THE WARRANT

**ARTICLE 10:** To see if the Town will vote to appropriate a sum or sums of money to operate the Sewer Enterprise Fund as shown below:

Reserve Fund	\$ 50,000
Salaries	87,714
Operations & Maintenance	555,273
Capital Outlay	3,000
Debt Service	
<b>TOTAL</b>	<b>\$ 695,987</b>

and that this sum be raised as follows:

Sewer Revenues	\$ 645,987
Sewer Retained Earnings	50,000
<b>TOTAL:</b>	<b>\$ 695,987</b>

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article authorizes the “Enterprise Fund” for the operation of the Sewer Department. It permits the use of dedicated funds collected for the services provided to be spent within the fiscal year for the expenses of operating the Sewer Department.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town vote to appropriate the sum of \$695,987 to operate the Sewer Enterprise authorized under Massachusetts General Laws Chapter 44, §53F½, as set forth in Article 10 of the May 13, 2019 Annual Town Meeting Warrant.

**MOTION BY:** DAVID DESROCHES

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 15 IN THE WARRANT

**ARTICLE 11:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sums for the Sewer Phase 3 – Infiltration & Inflow Evaluation Program; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article continues the Infiltration & Inflow investigation by the Town's Engineer's, Woodard & Curran. The program assists the Town to evaluate ongoing excessive seasonal flow within the municipal sewer system, identify sources of extraneous flow, and provide recommendations to abate those sources.**

**The Finance Committee recommends this Article in the amount of \$57,000 unanimously.**

***MOTION:*** *I move that the Town vote to transfer the sum of \$57,000 from the Sewer Enterprise Fund Reserves for the purpose of conducting an Inflow & Infiltration remediation study on a section of the sewer collection system as provided for in Article 11 of the May 13, 2019 Annual Town Meeting Warrant.*

**MOTION BY:**            **ROGER A. CABRAL**

**VOTE REQUIRED:**    **MAJORITY**

**PASS/FAIL**

**NOTES:**

**PAGE 16 IN THE WARRANT**

**ARTICLE 12:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sums recommended, or any other sum or sums, for Capital Improvement Budget for the departments of the Town, as set forth in the following schedule and determine whether such sums will be provided by taxation or by transfer or by a combination thereof,

Department	Item Description	Department Request	Finance Committee Recommends	Source of Funds
Conservation	GIS Plotter	\$ 2,000	\$ 2,000	Overlay Surplus
Police	Copy Machine	10,000	10,000	Overlay Surplus
Fire/EMS	Ambulance Laptops	9,500	9,500	EMS Reserve
Fire/EMS	Firefighter Turn-out Gear	11,700	11,700	EMS Reserve
Fire/EMS	Pumpers Refurbishment	25,000	25,000	Capital Exp. Fund
Fire/EMS	Tanker One Repair	5,000	5,000	Free Cash
Highway	Lift Gate	4,000	4,000	Free Cash
Highway	Mohawk Lift	16,000	16,000	Free Cash
Police	Mobile Computers	50,000	50,000	Free Cash
Police	Speed Limit Signs	7,500	7,500	Free Cash
Selectmen	Town Hall Roof Repair	30,000	30,000	Free Cash
Selectmen	Water Department Utility Truck	60,000	60,000	Water Reserve
Selectmen	Bulky Item Pick-up	13,000	13,000	Free Cash
Town Clerk	Voting Machines	30,000	30,000	Overlay Surplus
Total		\$ 273,700	\$ 273,700	

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article provides for department capital requests.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town vote to transfer the sum of \$21,200 from EMS Receipts Reserved, the sum of \$125,500 from Free Cash, the sum of \$42,000 from Overlay Surplus, the sum of \$25,000 from the Capital Expenditure Account and the sum of \$60,000 from Water Reserve for the purpose of the capital items as described in Article 12 of the May 13, 2019 Annual Town Meeting, and all accessory costs as incidental to the purchase and installation of the equipment aforementioned.

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 16 IN THE WARRANT

**ARTICLE 13:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$250,000 to provide for Road Repairs and Maintenance; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article supplements the Chapter 90 Funds provided by the Commonwealth to perform need paving and maintenance of the town roads, culverts and drainage.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to transfer the amount of \$250,000 from Overlay Surplus to fund road construction and re-construction in accordance with the Pavement Management Plan including all drainage, supplies, police details, engineering costs, and all other related expenses.*

**MOTION BY:**            **DAVID DESROCHES**

**VOTE REQUIRED:**    **MAJORITY**

**PASS/FAIL**

**NOTES:**

PAGE 17 IN THE WARRANT

**ARTICLE 14:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sums recommended, or any other sum or sums, for Capital Improvement Budget of the School Department as set forth in the following schedule and determine whether such sums will be provided by taxation or by transfer or by a combination thereof,

Item Description	Department Request	Finance Committee Recommends	Source of Funds
Curriculum Adoption Round 1	\$ 50,000	\$ 50,000	Free Cash
Driveway/Parking Lot Maintenance & Repair	20,000	20,000	Free Cash
Replace Roof Condensers (AES)	30,000	30,000	Free Cash
Roof Preventative Maintenance	15,000	15,000	Free Cash
Server Room Air Conditioning	6,000	6,000	Free Cash
Technology Equipment	25,000	25,000	Free Cash
Fire/Burglar Alarm	75,000	75,000	Free Cash
HVAC Server Upgrade	9,000	9,000	Free Cash
Total	\$ 230,000	\$ 230,000	

or take any other action thereon or in relation thereto.

Requested by the School Committee

**This Article provides for School Department capital requests.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the Town vote to transfer the sum of \$230,000 from Free Cash for the purpose of providing for the capital requests of the School Department as outlined in Article 14 of the May 13, 2019 Annual Town Meeting, and all accessory costs as incidental to the purchase and installation of the equipment aforementioned.

**MOTION BY:** JODY TAVARES, SCHOOL COMMITTEE CHAIR

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 17 IN THE WARRANT

**ARTICLE 15:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to add to the School District Reserve Fund for Special Education, established under Chapter 40, §13E at the Annual Town Meeting of May 14, 2018; or take any other action thereon or in relation thereto.

Requested by the School Committee

**The Reserve Fund provides for unanticipated or unbudgeted costs of special education, out of district tuition and/or transportation. Money in the fund may only be expended or transferred by a majority vote of both the School Committee and the Board of Selectmen.**

**The Finance Committee recommends this Article in the amount of \$50,000.**

***MOTION:*** *I move that the Town vote to transfer \$50,000 from Free Cash for the purpose of adding to the School District Reserve Fund for unanticipated or unbudgeted costs of special education as established at the Annual Town Meeting of 2018.*

**MOTION BY:** BOB ST. JEAN

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 17 IN THE WARRANT

**ARTICLE 16:** To see if the Town will vote to authorize the Board of Selectmen to negotiate payment in lieu of taxes (PILOT) agreements as authorized under Massachusetts General Law Chapter 59, §38H(b), or any other enabling legislation, on such terms and conditions, and for a term of years as the Board of Selectmen deems in the best interests of the Town and take any other action necessary or convenient for the implementation and administration of such agreement(s). Such agreements shall be submitted to Town Meeting for approval; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article empowers the Board of Selectmen to negotiate PILOT agreements with Solar Energy installations. Setting the value of electric generating equipment is not an exact science and the value of the equipment can vary depending on several factors that cannot be known in advance, such as the demand, the regional economy, and changes in regulations. MGL Chapter 59 §38 allows electrical generators to negotiate a payment in lieu of taxes “which shall be the result of good faith negotiations and shall be the equivalent of full and fair cash valuation...” and the agreement must be ratified by the municipal legislative body (Town Meeting). Such an agreement provides the opportunity to determine a predictable tax revenue stream for the Town and predictable tax payments for the generating company.**

**MOTION:** *I move this Article as written in the Warrant.*

**MOTION BY:**                *ROGER A. CABRAL*

**VOTE REQUIRED:**        *MAJORITY*

**PASS/FAIL**

**NOTES:**

PAGE 18 IN THE WARRANT

**ARTICLE 17:** To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

**AN ACT EXEMPTING ALL UNIFORMED POSITIONS IN THE  
FIRE DEPARTMENT OF THE TOWN OF ACUSHNET FROM THE CIVIL SERVICE LAW**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, all uniformed positions within the fire department of the Town of Acushnet, including the positions of fire chief, deputy chief, captain, lieutenant and firefighter shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in Section 1 on the effective date of this act.

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

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen and the  
Acushnet Permanent Firefighters IAFF Local 3281

**This Article proposes petitioning the Legislature for the removal of the Fire & Emergency Medical Services Department to be removed from Civil Service.**

**MOTION:** *I move that the Town vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth in Article 17 of the May 13, 2019 Annual Town Meeting, provided, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**MOTION BY:** ERIC ARRUDA

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 18 IN THE WARRANT

**ARTICLE 18:** To see if the Town will vote to approve the amended Agreement among the Towns of Acushnet, Carver, Lakeville, Mattapoisett and Rochester with respect to the Establishment of a Regional Vocational Technical High School District as proposed by the Old Colony District School Committee. The proposed agreement has been reviewed by the legal counsel of the Old Colony School District as well as the town counsels of all member communities a copy of which is on file with the Town Clerk; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article updates the Regional Agreement between the Towns of Acushnet, Carver, Lakeville, Mattapoisett, and Rochester.**

***MOTION:*** *I move that the Town vote to approve the amended Regional Agreement as proposed the Old Colony District School Committee.*

***MOTION BY:***                *ROGER A. CABRAL*

***VOTE REQUIRED:***        *MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 19 IN THE WARRANT

**ARTICLE 19:** To see if the Town will vote to accept Massachusetts General Law Chapter 44, §53F¾, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for the fiscal year 2020, which begins on July 1, 2019; and to further appropriate for the budget year 2020 the sum of \$90,000 for salaries and \$100,000 for equipment replacement, repair and/or upgrade, such appropriations under the direction of the Board of Selectmen, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The Department of Revenue has declared that the Town must recognize the cable franchise money received as reserved for cable-related appropriation with oversight and renewal by Town Meeting. This change occurs for the FY20 year and is represented in the Omnibus Budget in Article 4.**

**The Finance Committee recommends this Article unanimously in the amounts indicated.**

***MOTION:*** I move that the Town vote to accept Massachusetts General Law Chapter 44, §53F¾, and establish a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for the fiscal year 2020, which begins on July 1, 2019; and to further appropriate for the budget year 2020 the sum of \$90,000 for salaries and \$100,000 for equipment replacement, repair and/or upgrade, such appropriations shall be under the direction of the Board of Selectmen.

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 19 IN THE WARRANT

**ARTICLE 20:** To see if the Town will vote to authorize the Board of Selectmen to enter into contracts of up to five (5) years for the purchase of contract services and supplies for the Town, or its Enterprise and Revenue Funds; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**Currently under Massachusetts General Law Chapter 30b, a procurement officer shall not award a contract for a term exceeding three (3) years unless authorized by a majority vote at Town Meeting. This law may apply to any number of types of contracts. This authorization by Town Meeting will allow the Board of Selectmen to have the option of seeking more advantageous, longer term contracts when deemed to be in the best interest of the Town.**

***MOTION:*** *I move that Article 20 as written in the Warrant.*

***MOTION BY:*** *DAVID DESROCHES*

***VOTE REQUIRED:*** *MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 19 IN THE WARRANT

**ARTICLE 21:** To see if the Town will to amend the bylaws of the Town as follows:

Currently:

Article 1, Section 2. The annual election of officers shall be held on the first Monday of April in each year and the annual meeting for the transaction of business shall be held on the fourth (4th) Monday of April, opening and closing at such hours as may be determined by the Board of Selectmen.

Proposed:

Article 1, Section 2.1 The Annual Town Meeting shall be held on the second Monday in May of each year, or at such other time as shall be determined by vote of the Town.

Article 1, Section 2.2 The annual election of officers shall be held on the first Saturday following the annual town meeting or at such other time as shall be determined by vote of the Town.

or take any other action thereon or in relation thereto.

Requested by the Town Clerk

**This Article amends the Town Bylaws to place Town Meeting on the second Monday in May of each year and to move the Annual Town Election to a Saturday after Town Meeting to avoid a school day and to encourage additional participation.**

***MOTION:*** *I move Article 21 as written in the Warrant.*

***MOTION BY:*** *PAMELA LABONTE*

***VOTE REQUIRED:*** *2/3 MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 20 IN THE WARRANT

**ARTICLE 22:** To see if the Town will vote to authorize the Board of Selectmen to enter into energy supply contracts in excess of three years; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article permits the Board of Selectmen to enter into agreements for the purchasing of net metering energy credits that will afford the town significant cost savings over multiple budget years. Often, contracts such as these could be as much as 20 years.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to authorize the Board of Selectmen to enter into energy supply contracts in excess of three years in accordance with the exceptions of MGL Chapter 30(b).*

***MOTION BY:***                ***ROGER A. CABRAL***

***VOTE REQUIRED:***        ***MAJORITY***

***PASS/FAIL***

***NOTES:***

PAGE 20 IN THE WARRANT

**ARTICLE 23:** To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 41, §41B which authorizes the Town to direct the payment of public employees for salaries, wages, or any other compensation by means of direct bank deposit to the account(s) of such employee, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The adoption of this law shall mandate direct deposit payroll to all municipal employees however, the Town Administrator may exempt certain employees from this policy if the employee proves a hardship. Currently most employees use direct deposit for their paychecks. Regretfully, some employees lose or misplace their paychecks or are part-time and may not pick-up or deposit their paychecks in a timely manner. As other responsibilities increase, the Treasurer's office must find ways to improve efficiency and remove unnecessary repetitive tasks.**

**MOTION:** *I move Article 23 as written in the Warrant.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

## **PAGE 20 IN THE WARRANT**

**ARTICLE 24:** To see if the Town will vote to amend the general bylaws of the town by adding a new section to provide for the registration and maintenance of abandoned and/or foreclosed properties;

### **Chapter XXX. Property Maintenance.**

#### **Article I. Registration and Maintenance of Abandoned and/or Foreclosed Properties.**

##### **§ XXX-1. Purpose; enforcement authority.**

- A. It is the purpose and intent of this bylaw to protect and preserve public safety, health, welfare and security, and the quiet enjoyment of occupants, abutters, and neighbors, by:
  - 1. Requiring all residential property owners, including lenders, trustees and service companies, to register abandoned and/or foreclosed residential properties with the Town of Acushnet; and by
  - 2. Regulating the maintenance and security of abandoned and/or foreclosed residential properties to help prevent blighted and unsecured residences.
- B. The Building Commissioner or another designee of the Board of Selectmen shall have enforcement authority as to this bylaw and is herein authorized to conduct inspections as authorized under this bylaw.

##### **§ XXX-2. Definitions.**

When used in this bylaw, the following terms shall have the following meanings, unless a contrary intention clearly appears:

##### **ABANDONED**

A residential property which is not being used or occupied as a residence despite containing a residential building. "Abandoned" does not include a residential building that is unoccupied while undergoing renovations, or while undergoing repairs due to fire or other casualty. "Abandoned" does not apply to accessory buildings or structures on the premises nor does it apply to residential property that is temporarily vacant due to seasonal absences.

##### **COMMISSIONER**

The Building Commissioner of the Town of Acushnet or a designee authorized to enforce the terms of this bylaw.

##### **DAYS**

Consecutive calendar days.

##### **FORECLOSED**

A property, placed as security for a real estate loan, as to which all rights of the mortgagor or his grantee in the property have been terminated as a result of a default of the loan.

##### **LOCAL**

Within 20 miles of the property in question.

## MORTGAGEE

The creditor, including but not limited to service companies, lenders, in a mortgage agreement, or any successor in interest of the mortgagee's rights, interests or obligations under the relevant mortgage agreement.

## PROPERTY

Any real, residential property or portion thereof, located in the Town of Acushnet, including but not limited to buildings and structures situated on such property.

## RESIDENTIAL PROPERTY

Any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

## TOWN

The Town of Acushnet.

### **§ XXX-3. Registration required.**

- A. All owners or mortgagees of abandoned and/or foreclosed residential properties shall register such properties with the Commissioner on forms provided by the Commissioner. If the owner is an out-of-state corporation, person, or other entity, the owner shall appoint an in-state agent authorized to accept service of process and other documents under this bylaw.
  - 1. Each registration must state the owner's, mortgagee's or agent's name, telephone number and mailing address located within the Commonwealth of Massachusetts, including the name of the owner, street number, street name, city or town, and zip code; the mailing address shall not be a post office box.
  - 2. Each registration must also certify that the property has been inspected by the owner and must identify whether the property is abandoned, and if abandoned, the condition of the property and the status of maintenance thereof. Each registration must designate a local individual or local property management company responsible for the maintenance and security of this property. This designation must state the individual or company's name, direct telephone number, and local mailing address; the mailing addresses shall not be a post office box.
    - i. If the owner's inspection determines that the property is abandoned, the registration must be received by the Commissioner within seven days of the owner's inspection.
    - ii. If the owner's inspection determines that the property is not abandoned, but has been foreclosed, the registration must be received by the Commissioner within seven days of the foreclosure.
    - iii. If an inspection by the Commissioner determines that a property is abandoned and improperly maintained, the Commissioner shall notify the owner, mortgagee or his/her agent accordingly and, subsequently, registration as an abandoned property must be received by the Commissioner within 14 days of the Commissioner's notice.
- B. All property registrations pursuant to this section are valid for one calendar year from the date when the registration is received by the Commissioner. An annual registration fee of \$100 must accompany the registration form. Subsequent registrations and fees are due within 30 days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the property remains abandoned and/or remains in foreclosure and shall restate the current condition of such property as required above.
- C. Any owner that has registered a property under this section must report any material change in the information contained in the registration within ten (10) days of the change.
- D. Once the property is no longer abandoned or is sold, the owner shall provide the Commissioner with written notice of legal occupancy or proof of sale, as the case may be.

### **§ XXX-4. Maintenance and security.**

- A. Properties subject to this bylaw must be maintained in accordance with the State Building Code and with orders issued by the Commissioner in order to ensure the safety thereof. The local owner or local property management company must inspect and maintain the property on at least a monthly basis for as long as the property is abandoned.
- B. In accordance with state law, including but not limited to MGL c. 143, §§ 6 through 10, and 780 CMR 121.0, property that is abandoned must be safe and must be secured so as not to be accessible to unauthorized persons.
- C. Compliance with this section does not relieve the owner of any applicable obligations set forth in code regulations, covenant conditions, requirements of the Commissioner, and/or homeowners' association rules and regulations.

#### **§ XXX-5. Inspections.**

Pursuant to the State Building Code, the Commissioner or his/her designee shall have the authority and the duty to inspect properties subject to this bylaw for compliance with this bylaw and to issue citations for any violations. The Commissioner or his/her designee shall have the discretion to determine when and how such inspections are to be made, provided such determination is reasonably calculated to ensure that this bylaw and the State Building Code are enforced.

#### **§ XXX-6. Violations and penalties.**

In addition to any other means of enforcement available to the Commissioner, the Commissioner or a designee hereunder may enforce this bylaw by means of noncriminal enforcement pursuant to MGL c. 40, § 21D. The following penalties are established for purposes of said noncriminal disposition:

- A. A failure to initially register with the Commissioner pursuant to § XXX-3: \$300.
- B. A failure to properly designate the name of the local individual or local property management company responsible for the maintenance and the security of the property pursuant to § XXX-3: \$300 for each violation, and a like penalty for each day's continuation of such violation.
- C. A failure to maintain and/or to secure the property pursuant to § XXX-4: \$300 for each week during which the property is not maintained and/or not secured.
- D. The penalties provided in this section shall not be construed to restrict the Town from pursuing other legal remedies available to the Town. Violation of this bylaw shall be subject to a fine not to exceed \$300 for each violation; each day shall be considered a new violation, except as may be otherwise stated herein.

#### **§ XXX-7. Severability.**

If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, then such provisions shall be considered separately and apart from this bylaw's remaining provisions, which shall remain in full force and effect, to the extent feasible.

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article provides for the Property Maintenance of Abandon and/or Foreclosed Properties. It is designed to protect and preserve public safety, health, welfare, and security, and the quiet enjoyment of occupants, abutters, and neighbors.**

***MOTION:*** *I move Article 24 as written in the Warrant.*

***MOTION BY:*** *DAVID DESROCHES*

***VOTE REQUIRED:*** *2/3rds MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 23 IN THE WARRANT

**ARTICLE 25:** To see if the Town will vote to accept the recommendations of the Planning Board by amending Article VIII as shown in Appendix 4; or take any other action thereon or in relation thereto.

Requested by the Planning Board

**This Article updates the Town's Zoning Bylaw (Article VIII).**

***MOTION:*** *I move Article 25 as written in the Warrant and the Appendix as presented.*

***MOTION BY:***                *ROGER A. CABRAL*

***VOTE REQUIRED:***    *2/3rds Majority*

***PASS/FAIL***

***NOTES:***

A hearing before the planning board and a report and recommendation by the Planning Board at town meeting is required.

PAGE 24 IN THE WARRANT

**ARTICLE 26:** To see if the Town will vote to amend the General Bylaws of the Town by inserting a new bylaw entitled, "Storage or Trailer Boxes: Temporary Licenses" as follows:

**Storage or Trailer Boxes: Temporary Licenses**

Notwithstanding any other provisions of this by-law to the contrary, upon application from the owner or occupier of a parcel of land and payment of such fee, as it may be established from time to time, the Board of Selectmen may issue a temporary license to place a storage or trailer box, as defined herein, on such property to be used for the temporary storage of personal property for a period not to exceed one year. Such license may be renewed annually upon reapplication. All storage or trailer boxes existing on the effective date of this by-law shall be required to be licensed in compliance herewith within two months of the effective date of this by-law.

The term Storage or Trailer Box's is defined for purposes of this by-law as any completely enclosed or covered container of sufficient size to allow walk-in entry by a person, and used for outdoor storage, including, shipping containers, cargo boxes, truck bodies and trailers which were part of a tractor trailer unit. This definition shall not include a travel trailer or camping trailer which is a vehicle designed to be used for travel on highways on rubber tire wheels for recreational or residence purposes, is used for recreational purposes and which is currently registered with the Registry of Motor Vehicles.

All permanently purchased containers of this type shall require a permit from the Building Department and all applications shall be accompanied by a site plan confirming the containers location on the property and its conformance with zoning.

And further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the By-Laws of Town of Acushnet.

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Bylaw is being proposed to require permitting for all containers located on private property as to not impose on the quiet enjoyment of occupants, abutters, and neighbors.**

***MOTION:*** *I move Article 26 as written in the Warrant.*

***MOTION BY:*** *KEVIN A. GASPAR, SR.*

***VOTE REQUIRED:*** *2/3rds MAJORITY*

***PASS/FAIL***

***NOTES:***

**PAGE 24 IN THE WARRANT**

**ARTICLE 27:** To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, or eminent domain, the fee interest, permanent easements and temporary easements in, on and under portions of certain parcels of land located on Hamlin Street and other abutting ways, for public way purposes, including without limitation, for the construction, alteration, installation, maintenance, improvement, repair, rehabilitation, replacement and/or relocation of public ways, including a bridge, sidewalks, driveways, guardrails, drainage, utilities, slopes, embankments, grading, construction and other related purposes, to enable the Town to undertake the Hamlin Street Bridge Over the Acushnet River Reconstruction Project, which parcels are listed on a sheet entitled "Parcel Summary Sheet" and approximately shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Hamlin Street Over Acushnet River (Bridge Nos. A-03-003, A-03-007 & A-03-008)," dated March 21, 2019, prepared by Tylin International, on file with the Town Clerk, as said plans may be amended from time to time, and land within 200 feet of said parcels; to transfer the care, custody, and control of a portion or portions of Town-owned property or properties shown on the aforesaid plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Board of Selectmen for public way and related purposes and further to dedicate said portion or portions of the Town-owned properties to the aforesaid purposes; to raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing and any and all costs incidental or related thereto, including, without limitation, the cost of any land and easement acquisitions ; and, further, to authorize the Board of Selectmen to enter into any and all agreements and take any and all actions necessary or appropriate to carry out the foregoing transactions, or to take any other action relative thereto.

Requested by the Board of Selectmen

**This Article allows for the taking of small parcels of land on Hamlin Street to accommodate the road layout and bridge replacement projects.**

**(See the map in Appendix 5.)**

***MOTION:*** *I move Article 27 as written in the Warrant.*

***MOTION BY:*** *DAVID DESROCHES*

***VOTE REQUIRED:*** *MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 25 IN THE WARRANT

**ARTICLE 28:** To see if the Town will reserve from FY 2020 Community Preservation Fund - Estimated Revenues, the sum of \$9,200 for administrative expenses, 10% (\$18,400) for open space purposes; 10% (\$18,400) for historic preservation; 10% (\$18,400) for affordable housing; and the remaining \$119,600 to the FY 2020 Community Preservation Fund budgeted reserve; or take any other action relative thereon or in relation thereto.

Submitted by the Community Preservation  
Committee

**This Article follows Massachusetts General Law that requires the reserving of certain percentages of the Community Preservation Act funds for specific purposes. This is done annually at Town Meeting.**

**The Finance Committee will make its' recommendation at Town Meeting.**

***MOTION:*** I move the Town vote to reserve from FY 2020 Community Preservation Fund - Estimated Revenues, the sum of \$9,200 for administrative expenses, 10% (\$18,400) for open space purposes; 10% (\$18,400) for historic preservation; 10% (\$18,400) for affordable housing; and the remaining (\$119,600) to the **FY 2020** Community Preservation Fund budgeted reserve.

**MOTION BY:** MARC CENERIZIO

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

CPA ARTICLES CANNOT BE AMENDED TO EXCEED THE AMOUNT RECOMMENDED BY THE CPC.

PAGE 25 IN THE WARRANT

**ARTICLE 29:** To see if the Town will vote to transfer and appropriate the sum of \$25,000 from the Community Preservation Fund balance and/or the Undesignated Fund Balance of the Community Preservation Act Funds account and/or the FY20 budgeted reserves of the Community Preservation Act Funds for the purpose of improvement, expansion, and reconstruction of the School Fields located at 800 Middle Road, all pursuant to the Community Preservation Act; or take any other action relative thereon or in relation thereto.

Requested by the Community Preservation  
Committee

**This Article funds expansion and continued improvement to the School Fields.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to appropriate for recreation the sum of \$25,000 from the Community Preservation Fund Balance from the Undesignated Fund Balance of the Community Preservation Act to contribute to the cost of improvement, expansion, and reconstruction of the School Fields.*

**MOTION BY:**           MARC CENERIZIO

**VOTE REQUIRED:**    MAJORITY

**PASS / FAIL**

**NOTES:**

CPA ARTICLES CANNOT BE AMENDED TO EXCEED THE AMOUNT  
RECOMMENDED BY THE CPC.

PAGE 25 IN THE WARRANT

**ARTICLE 30:** To see if the Town will vote to transfer and appropriate the sum of \$25,000 from the Community Preservation Fund balance for Historic Preservation and/or the Undesignated Fund Balance of the Community Preservation Act funds account and/or the FY20 budgeted reserves of the Community Preservation Act funds for the purpose of refacing the façade of the Parting Ways Building and all incidental and related expenses connected with the construction, pursuant to the Community Preservation Act; or take any other action relative thereon or in relation thereto.

Requested by the Community Preservation  
Committee

**This Article funds the refacing of the Parting Ways Building.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to appropriate and transfer the sum of \$25,000 from the Community Preservation Fund Balance reserved for historic preservation of the Community Preservation Act for the purpose of granting said funds to reface the façade of the Parting Ways Building and all incidental and related expenses connected with the construction.*

**MOTION BY:**            **MARC CENERIZIO**

**VOTE REQUIRED:**    **MAJORITY**

**PASS / FAIL**

**NOTES:**

CPA ARTICLES CANNOT BE AMENDED TO EXCEED THE AMOUNT  
RECOMMENDED BY THE CPC.

**ARTICLE 31:** To see if the Town will vote to transfer and appropriate the sum of \$35,000 from the Community Preservation Fund balance for Historic Preservation and/or the Undesignated Fund Balance of the Community Preservation Act funds account and/or the FY20 budgeted reserves of the Community Preservation Act funds for the purpose of adding ductless HVAC units to the Parting Ways Building and the Town Hall, including all incidental and related expenses connected with the installation, pursuant to the Community Preservation Act; or take any other action relative thereon or in relation thereto.

Requested by the Community Preservation  
Committee

**This Article funds removes the window air-conditioners from the historic façade of the buildings and replaces them with energy efficient ductless HVAC units.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to appropriate and transfer the sum of \$35,000 from the Community Preservation Undesignated Fund Balance of the Community Preservation Act for the purpose of adding ductless HVAC units to the Parting Ways Building and the Town Hall, including all incidental and related expenses connected with the installation.*

**MOTION BY:** MARC CENERIZIO

**VOTE REQUIRED:** MAJORITY

**PASS / FAIL**

**NOTES:**

CPA ARTICLES CANNOT BE AMENDED TO EXCEED THE AMOUNT  
RECOMMENDED BY THE CPC.

PAGE 26 IN THE WARRANT

**ARTICLE 32:** To see if the Town will vote to authorize the members of the Cemetery Board to perform work in the Cemeteries and to determine the compensation to be paid to said members; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article authorizes the Cemetery Board to determine and perform work within the Cemetery and to determine and set the compensation for the Cemetery Board members and employees.**

**MOTION:** *I move this Article as written in the Warrant.*

**MOTION BY:**            *ROGER A. CABRAL*

**VOTE REQUIRED:**    *Majority*

**PASS/FAIL**

**NOTES:**

PAGE 26 IN THE WARRANT

**ARTICLE 33:** To see if the Town will vote to authorize the members of the Recreation Commission to perform work in the park and to determine the compensation to be paid to said members; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article authorizes the Recreation Commission to determine and perform work within the park and to determine and set compensation for the Park & Recreation Commission members and employees.**

**The Finance Committee recommends this Article unanimously.**

**MOTION:** *I move this Article as written in the Warrant.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** *Majority*

**PASS/FAIL**

**NOTES:**

PAGE 27 IN THE WARRANT

**ARTICLE 34:** To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2020 beginning on July 1, 2019 for the revolving funds established in town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½;

<i>Revolving Fund</i>	<i>Authorized to Spend</i>	<i>Use of Funds</i>	<i>Revenue Source</i>	<i>FY20 Limit</i>
Public Library	Library Trustees	Library Activities	Fees & Fines	\$6,000
Conservation	Conservation Commission	Commission's Activities	Fees Rec'd	\$2,500
Park & Recreation	Park & Recreation Commissioners	Park & Recreation Activities	Fees Rec'd	\$12,500
Council on Aging	Council on Aging Board	Senior Center Activities	Fees Rec'd	\$30,000

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The Article seeks to renew the authorization to use the funds collected through fines, permit fees, and application fees for the support of that department's activities. Two of the funds are established under the Bylaws of the Town, but Town meeting still needs to authorize the spending limit.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** I move that the town fix the maximum amount that may be spent during fiscal year 2020 beginning on July 1, 2019 for the revolving funds established in town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as presented in Article 34 of the May 13, 2019 Annual Town Meeting Warrant.

**MOTION BY:** DAVID DESROCHES

**VOTE REQUIRED:** 2/3rds MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 27 IN THE WARRANT

**ARTICLE 35:** To see if the Town will vote to allow the Board of Library Trustees to sell for the sum of \$1 the discarded books and periodicals of the Acushnet Public Library to the Friends of Acushnet Public Library, a non-profit library support group, or take any other action thereon or in relation thereto.

Requested by the Library Trustees

**Town Meeting approval for the disposition of surplus inventory is required. The Library Trustees seek this permission every year to perform this task.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move that the Town vote to allow the Board of Library Trustees to sell discarded books and periodicals of the Acushnet Public Library to the Friends of the Acushnet Public Library for the sum of one dollar.*

**MOTION BY:** JENNIFER ALVES, Library Trustee Chairman

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

PAGE 27 IN THE WARRANT

**ARTICLE 36:** To see if the Town will vote to reaccept and reaffirm the provisions of G.L. c.32B, §20, as amended by the Municipal Modernization Act, Chapter 218 of the Acts of 2016 (the “Act”), under which the Town has established an Other Post-Employment Benefits Liability Trust Fund (the “OPEB Fund”), for which the Treasurer serves as custodian of the Fund; designate the Treasurer/Custodian as the Trustee of the OPEB Fund, with all the powers and responsibilities identified under the Act and this vote; authorize the Treasurer/Custodian, as Trustee, to employ investment consultant(s), as well as outside custodial service(s) to hold the monies in the Fund, and to pay for those services from the OPEB Fund; authorize the investment of the OPEB Fund under the prudent investor rule established under G.L. c.203C; authorize the Treasurer/Custodian, as Trustee, to execute any and all documents necessary to utilize outside custodial service(s) and/or investment consultant(s), including but not limited to trust agreements, participation agreements, investment agreements, and administrative services agreements; and designate the Treasurer/Custodian as the “Plan Administrator”, as may be necessary to utilize outside custodial service(s) and authorize the Treasurer/Custodian acting as Plan Administrator to take any other action as may be necessary to carry out the purposes of the vote taken hereunder; and, further, that the balance in full be transferred from the OPEB Stabilization Account and the additional sum of \$100,000 be transferred from Overlay Surplus and deposited in the OPEB Fund; or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**To move the town funds from a dedicated stabilization account to the State’s Trust Fund which will cut auditing expenses and administration fees and dramatically reduce the Town’s projected liability for OPEB.**

**The Finance Committee recommends this Article unanimously.**

**MOTION:** *I move Article 36 as written in the Warrant.*

**MOTION BY:**                *ROGER A. CABRAL*

**VOTE REQUIRED:**        *MAJORITY*

**PASS/FAIL**

**NOTES:**

PAGE 28 IN THE WARRANT

**ARTICLE 37:** To see if the Town will vote to transfer from available funds or otherwise provide a certain sum of money to be added to the Stabilization Fund as established in accordance with the provisions of Massachusetts General Law, Chapter 40, Section 5B, or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**The Finance Committee recommends this Article in the amount of \$263,209. The Stabilization Fund is Acushnet's "savings account" for the future needs of the Town. It is vitally important to the financial health of the Town to provide for the future.**

**The Finance Committee recommends this Article unanimously.**

***MOTION:*** *I move the Town vote to transfer from Free Cash the sum of \$263,209 to be added to the Town's Stabilization Account.*

***MOTION BY:*** *BOB ST. JEAN*

***VOTE REQUIRED:*** *MAJORITY*

***PASS/FAIL***

***NOTES:***

PAGE 28 IN THE WARRANT

**ARTICLE 38:** To see if the Town will adopt the resolution outlined in Appendix 2 of this document, to wit:

**RESOLUTION**

**WHEREAS** the efficient administration of Town affairs is achieved through the largely voluntary assumption of official responsibilities by elected or appointed officers combined with the loyal and faithful service of salaried employees, and,

**WHEREAS** certain persons have during the calendar year of 2018 concluded periods of service during which they have made substantial contributions to the public weal,

**BE IT RESOLVED** that the names and nature of service of the following named persons be herewith noticed and recorded in the minutes of this Annual Town Meeting of 2019 in grateful recognition of their work on behalf of the Town,

or take any other action thereon or in relation thereto.

Requested by the Board of Selectmen

**This Article seeks to recognize and express the Town's gratitude for the service rendered by the parties listed in the Appendix of this document.**

***MOTION:*** *I move that the town recognize and express our gratitude to those employees, board, and commission members who completed their service to the Town in the calendar year 2018 by the adoption of the resolution as shown in Appendix 2 of the Annual Town Meeting Warrant of 2019.*

**MOTION BY:** KEVIN A. GASPAR, SR.

**VOTE REQUIRED:** MAJORITY

**PASS/FAIL**

**NOTES:**

You are directed to serve this Warrant by posting a copy thereof attested to by you in writing in each of nine public places in the Town at least fourteen days before the time for holding the meeting called for in the Warrant. Herefore fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk of said Town on or before the 25th day of April 2019.

Given under our hands this 23rd day of April in the year of our Lord two thousand and nineteen.

THE BOARD OF SELECTMEN

\_\_\_\_\_  
Roger A. Cabral, Chairman

Attest:

\_\_\_\_\_  
Kevin A. Gaspar, Sr.

\_\_\_\_\_  
Pamela A. Labonte, Town Clerk

\_\_\_\_\_  
David Desroches

\_\_\_\_\_  
Date

**BRISTOL, SS.**

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Acushnet by posting up attested copies of the same at the Town Hall, the Council on Aging, the Acushnet Post Office, Jason's Variety, Scuttlebutts Variety, Ford Middle School, Acushnet Elementary School and the Acushnet Public Library, of said Town fourteen days at least before the date hereof, as within directed.

\_\_\_\_\_  
Constable of Acushnet

\_\_\_\_\_  
Date

**MAY REMOVE AFTER MAY 13, 2019**

## **APPENDIX 1: Town Meeting Parliamentary Procedure**

Parliamentary procedure has a long history. Originating in the early English Parliaments, it came to America with the first European settlers and became uniform in 1876 when Henry Robert published his manual, known as "Robert's Rules of Order." Our Town Meeting proceedings are governed by the rules contained in "*Town Meeting Time: A Handbook of Parliamentary Law*" except as modified by the Massachusetts General Laws, Chapters 39 and 43A.

Parliamentary procedure means that everyone may be heard and to come to decisions without confusion. It means democratic rule, flexibility, the protection of rights and most importantly a fair hearing for everyone.

The basic parts of parliamentary procedure provide for the presentation of motions, the seconding or the expression of support of another's motion, an opportunity to debate, and ability to make a decision.

There are five general types of motions:

- Main Motions: These introduce subjects for consideration.
- Subsidiary Motions: This motion change how the main motion is handled. (They are voted on before the main motion.)
- Privileged Motions: These motions concern special or important matters not related to the pending business. In general, they are considered before other types of motions.
- Incidental Motions: These are questions of procedure that arise out of other motions, and they must be considered before the other motion.
- Motions that bring a question again before the assembly: These enable certain items to be reconsidered. In general, they are brought up when no business is pending.

Some questions relating to motions:

- Is it in order? Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the law.
- May I interrupt the speaker? Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.
- Do I need a second? Usually, yes, A second indicates that another member would like to consider your motion and it prevents spending time on a question that interests only one person.
- Is it debatable? Parliamentary procedure guards the right to free and full debate on motions. However, some subsidiary or privileged, and incidental motions are not debatable.
- Can it be amended? Striking out or inserting wording, or both, can change some motions. Amendments must relate to the subject as presented in the main motion.
- What vote is needed? Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the town meeting, borrowing, and some other miscellaneous subjects may require "supermajorities" of  $\frac{3}{4}$  or 9/10's depending on the applicable state law.
- Can it be reconsidered? Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the "winning" side.

How Do I Present My Motion?

Obtain the Floor:

- Wait until the previous speaker is finished.
- Rise and address the Moderator. Say, "Mr. Moderator."
- Wait until you are recognized.
- State your name and address for the record.

Make your motion:

- Speak clearly and concisely.
- State your motion affirmatively. Say, "I move that we do...." Instead of "I move that we do not..."
- Stay on the subject and avoid personal attacks.

You wait for a second:

- Another member will say, "I second the motion."
- Or the Moderator will call for a second.
- If there is no second, your motion will not be considered. (Motions made at the direction of a board or committee (more than one person) do not require a second.)

The Moderator states your motion:

- The Moderator must say, "It is moved and seconded that we..."
- After this happens, debate or voting can occur.
- Your motion is now "assembly property," and you can't change it without the consent of the body.

You expand on your motion:

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the Moderator
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a 2/3 vote.

The Moderator puts the question:

- The Moderator asks, "Are you ready for the question?"
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The Moderator announces the result.

The method of voting on a motion:

- Voice: The Moderator asks those in favor to say "aye" and those opposed to say "no." A member may move for an exact count.
- General Consent: When a motion isn't likely to be opposed, the chair says, "If there is no objection..." Members show consent by their silence. If someone says, "I object," the matter must be put to a vote.
- Show of hands: Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.
- Ballot: Members write their vote on a slip of paper and this is done when secrecy is desired.

More Motions:

A motion to lay on the table: This motion is used to lay something aside temporarily to take care of more urgent matters. It should not be used to prevent debate or to kill a question. Members can "take from the table" a motion for reconsideration. This must happen by the end of the town meeting.

A motion to indefinitely postpone: This is a parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.

## **APPENDIX 2: A Resolution of Gratitude**

### **RESOLUTION**

**WHEREAS** the efficient administration of Town affairs is achieved through the largely voluntary assumption of official responsibilities by elected or appointed officers combined with the loyal and faithful service of salaried employees, and,

**WHEREAS** certain persons have during the calendar year of 2018 concluded periods of service during which they have made substantial contributions to the public weal,

**BE IT RESOLVED** that the names and nature of service of the following named persons be herewith noticed and recorded in the minutes of this Annual Town Meeting of 2019 in grateful recognition of their work on behalf of the Town:

SCOTT A. ALEXANDER, MAINTENANCE FOREMAN  
WILLIAM H.M. BLAKE, INTERN  
LEO J. BRAZ, PARK LABORER  
MARC C. BRODEUR, CONSERVATION COMMISSION  
NOLAN C. CARREIRO, COOP STUDENT  
KRISTIE A. COSTA, TREASURER/COLLECTOR  
DIANA I. DEFRIAS, COUNCIL ON AGING  
OMER H. DESCHAMPS, GOLF COURSE EQUIPMENT OPERATOR  
LOUISE M. DESROCHES, ELECTION INSPECTOR  
HOLLY A. FABIAN, FINANCE COMMITTEE  
DONNA G. FORAND, ELECTION INSPECTOR  
PETER J. GIAMPA, CALL FIRE FIGHTERS/MONTHLY  
ALEC D. GOMES, SUMMER RECREATION  
CHERYL M. GREESON, ADMINISTRATION  
CHRISTINE A. LAGASSE, SR CLERK  
CHRISTOPHER P. LAVIOLETTE, INTERIM TOWN TREASURER/COLLECTOR  
RUSSELL B. LITCHFIELD, SPECIAL POLICE DETAIL  
ANNE C. MARSHALL, SUMMER HELPER CUSTODIAN  
JUSTIN M. MEDEIROS, PART TIME PARAMEDIC  
MARCIA R. MITCHELL, COUNCIL ON AGING  
JOHN J. NELSON, PARK LABORER  
JOSHUA M. NUNES, PARK LABORER  
PATRICK C. PERKINS, GOLF COURSE EQUIPMENT OPERATOR  
WAYNE R. PIMENTAL, CALL FIRE FIGHTERS/MONTHLY  
ANITA L. POITRAS, ELECTION INSPECTOR  
ELIZABETH S. RODERICKS, SUMMER RECREATION  
JOHN E. ROY, ENERGY COMMITTEE  
DEBRA A. SAUCIER, ACCOUNTING CLERK  
ZACHARY J. SOUCY, SUMMER RECREATION  
BRAYDEN P. TETREault, GOLF SUMMER HELP  
MACKENZIE A. VIEIRA, SUMMER HELPER CUSTODIAN  
JESSICA R. VINJERUD, EMT PARAMEDICS  
CHRISTINE M. YORK, SR CLERK

**THE TOWNSPEOPLE OF ACUSHNET  
MAY 2019**

**APPENDIX 3: Finance Committee's Recommendations (Sources of Funds)**

#	Description	Department	Request	Finance Committee Recommends	Source of Funds					
					Raise & Appropriate	Free Cash	Overlay Surplus	Enterprise/ Revenue	CPA	Other
1	Accept Town Reports	Selectmen	-							
2	Snow Deficit	Selectmen	10,000	10,000		10,000				
3	Union & Personnel Contracts	Selectmen	50,000	50,000		50,000				
4	FY2020 Budget	Selectmen	30,214,398	30,214,398	29,181,081	462,515		569,252		1,550
5	Apply & Accept State & Federal Grants	Selectmen								
6	Accept Chapter 90 Funds	Selectmen								
7	Treasurers Authorization	Selectmen								
8	Golf Enterprise Fund	Selectmen	1,464,173	1,464,173				1,464,173		
9	Golf Capital Article	Selectmen	150,000	150,000				150,000		
10	Sewer Enterprise Fund	Selectmen	695,987	695,987				695,987		
11	Sewer Phase 3 I/I Investigation program	Selectmen	57,000	57,000				57,000		
12	Conservation - GIS Plotter	Selectmen	2,000	2,000			2,000			
12	Copy Machine (Police Department)	Selectmen	10,000	10,000			10,000			
12	Fire/EMS Ambulance Laptops	Selectmen	9,500	9,500				9,500		
12	Fire/EMS Firefighter Turnout Gear	Selectmen	11,700	11,700				11,700		
12	Fire/EMS Pumpers Refurbishment	Selectmen	25,000	25,000						25,000
12	Fire/EMS Tanker One Repair	Selectmen	5,000	5,000		5,000				
12	Highway - Liftgate	Selectmen	4,000	4,000		4,000				
12	Highway - Mohawk Lift	Selectmen	16,000	16,000		16,000				
12	Police Mobile Computers	Selectmen	50,000	50,000		50,000				
12	Speed Limits	Selectmen	7,500	7,500		7,500				
12	Town Hall Roof Repair	Selectmen	30,000	30,000		30,000				
12	Water Department Utility Truck	Selectmen	60,000	60,000				60,000		
12	Bulky Item Pick-Up	Selectmen	13,000	13,000		13,000				
12	Voting Machines	Town Clerk	30,000	30,000			30,000			
13	Highway - Supplemental Road Repair Budget	Selectmen	250,000	250,000			250,000			
14	Curriculum Adoption Round	School Committee	50,000	50,000		50,000				
14	Parking Lot Maintenance & Repair	School Committee	20,000	20,000		20,000				
14	Replace Roof Condensers (AES)	School Committee	30,000	30,000		30,000				
14	Roof Preventative Maintenance	School Committee	15,000	15,000		15,000				
14	Server Room AC	School Committee	6,000	6,000		6,000				
14	Technology Equipment Refresh	School Committee	25,000	25,000		25,000				
14	Upgrade Fire/Burglar Alarm	School Committee	75,000	75,000		75,000				

#	Description	Department	Request	Finance Committee Recommends	Source of Funds					
					Raise & Appropriate	Free Cash	Overlay Surplus	Enterprise/ Revenue	CPA	Other
14	Upgrade HVAC Server	School Committee	9,000	9,000		9,000				
15	Special Education Stabilization	School Committee	50,000	50,000		50,000				
16	Authorization to Negotiate PILOT Agreements	Selectmen								
17	Fire/EMS Removal from Civil Services	Selectmen								
18	Amend Old Colony Regional Agreement	Selectmen								
19	Accept Chapter 44, §53F3/4 Cable Fund	Selectmen	190,000	190,000				190,000		
20	Authorization to finance/leasing >3 yrs	Selectmen								
21	Bylaw Changes	Town Clerk								
22	Net Meter Solar Credits Contract Authorization	Selectmen								
23	Require Direct Deposit Payroll	Selectmen								
24	Abandon Property Registration	Planning								
25	Zoning Amendment - Article VIII	Planning								
26	General Bylaw - Storage or Trailer Boxes Temporary License	Selectmen								
27	Hamlin Street Bridge Right-of-Way	Selectmen								
28	CPA General Reserve Article	CPC	184,000	184,000					184,000	
29	School Fields Improvement	CPC	25,000	25,000					25,000	
30	Parting Ways Façade	CPC	25,000	25,000					25,000	
31	HVAC to Parting Ways & Town Hall	CPC	35,000	35,000					35,000	
32	Cemetery Board Authorization	Cemetery Board								
33	Park & Recreation Board Authorization	Park & Recreation								
34	Revolving Funds Authorization	Selectmen								
35	Authorization to Sell Books	Library								
36	OPEB Funding	Selectmen	100,000	100,000			100,000			
37	Stabilization	Selectmen	263,209	263,209		263,209				
38	Resolution of Gratitude	Selectmen								
			<b>\$34,267,467</b>	<b>\$34,267,467</b>	<b>\$29,181,081</b>	<b>\$1,191,224</b>	<b>\$392,000</b>	<b>\$3,207,617</b>	<b>\$269,000</b>	<b>\$ 26,550</b>

## **APPENDIX 4:**      Italics and underline indicate addition.

### **ARTICLE VIII**

#### **ZONING**

##### **SECTION 1**

##### **Miscellaneous Provisions**

#### **1.2 Definitions.**

B.

**FRONTAGE** – The distance along a continuous portion of a street line between intersections with lot side lines, provided that for lots abutting more than one (1) street, frontage shall be required and measured along one (1) street only, but the front yard required by Section 3 hereof shall be provided along each street the lot abuts, and that for corner lots, frontage shall be measured to the intersection of street lines or to the middle of the corner rounding curve connecting such street lines, and further provided that a lot shall only be deemed to have “frontage” along any street to which it has both legal and physical access to and from the buildable portion of the lot, unless permitted as a common drive under 3.3.D.13.

**STRUCTURE** – A man-made combination of materials assembled in a fixed location to give support or shelter or for any other purpose, including buildings, frameworks, platforms, sheds, and the like, provided that fences not over six (6) feet in height, signs, utility poles, and small decorative or accessory structures not over three (3) feet in height or six (6) feet in any dimension, such as sculptures, mailboxes, birdbaths, benches, and the like, shall not be subject to the ~~yard~~ setback requirements of this chapter if located at least two (2) feet from side or rear lot lines or buildings.

##### **SECTION 3**

##### **Use Regulations**

#### **3.3 Schedule of Use Regulations.**

C. The following notes apply to all districts:

14. Driveway Construction Standards

(a) The following standards shall apply to all common driveways:

8) No common driveway shall be constructed within one hundred and fifty feet of any principal structure served thereby.

(Clarification. Proposed for 2019)

9) All principal structures shall be serviced by a driveway that is located within one hundred and fifty (150) feet of that structure which meets the construction standards herein specified.

(Clarification. Proposed for 2019)

##### **3.3.1 Residence A District (RA).**

B. Uses by special permit are as follows:

(2) Boat livery, cemetery, children’s camp, private nonprofit membership club, public utility, riding stable, ~~ski tow~~.

(Proposed for 2019)

(10/25/2008 b 10 p 115-116 a 11)

E. Development standards are as follows:

(9) Lot Width shall not be less than eighty (80) feet at any location within the parameters of the required lot size. Lot width within the required lot depth shall meet the requirement of 3.3”C”

(Proposed for 2019)

G. Permits.

(1) Prior to the issuance of a permit, the Zoning Enforcement Officer shall request a review and comment from the following, which shall respond in writing within 14 days:

(a) The Superintendent of Streets, or designee, on the structural adequacy of the surrounding streets, drainage issues, as well as the servicing of Town water and Sewer.

(b) The Planning Director, or designee, on the adequacy of proposed parking facilities per sec 3.7 and the adequacy of storm water infiltration for the site.

(c) The Conservation Commission, or designee, on percent of impervious surface/coverage and the adequacy of storm water infiltration for the site and all buildings.

(d) The Fire Chief, or designee, on emergency ingress and egress or other issues under his jurisdiction.

(e) The Police Chief, Public Safety Officer, or designee, on traffic and pedestrian circulation and other safety issues.

(f) The Board of Health, or designee, as to the adequacy of proposed on site water supply and designed septic system in relation to proposed use.

(Proposed for 2019)

**3.3.2 Business Village District (BV).**

G. Permits.

(1) Prior to the issuance of a permit, the Zoning Enforcement Officer shall request a review and comment from the following, which shall respond in writing within 14 days:

(a) The Superintendent of Streets, or designee, on the structural adequacy of the surrounding streets, drainage issues, as well as the servicing of Town water and Sewer.

(b) The Planning Director, or designee, on the adequacy of proposed parking facilities per sec 3.7 and the adequacy of storm water infiltration for the site

(c) The Conservation Commission, or designee, on percent of impervious surface/coverage and the adequacy of storm water infiltration for the site and all buildings.

(d) The Fire Chief, or designee, on emergency ingress and egress or other issues under his jurisdiction.

(e) The Police Chief, Public Safety Officer, or designee, on traffic and pedestrian circulation and other safety issues.

(f) The Board of Health, or designee, as to the adequacy of proposed on site water supply and designed septic system in relation to proposed use.

(Proposed for 2019)

**3.3.3 Business/Commercial District (B/C)**

F Permits.

(1) Prior to the issuance of a permit, the Zoning Enforcement Officer shall request a review and comment from the following, which shall respond in writing within 14 days:

(a) The Superintendent of Streets, or designee, on the structural adequacy of the surrounding streets, drainage issues, as well as the servicing of Town water and Sewer.

(b) The Planning Director, or designee, on the adequacy of proposed parking facilities per sec 3.7

(c) The Conservation Commission, or designee, on percent of impervious surface/coverage and the adequacy of storm water infiltration for the site and all buildings.

(d) The Fire Chief, or designee, on emergency ingress and egress or other issues under his jurisdiction.

(e) The Police Chief, Public Safety Officer, or designee, on traffic and pedestrian circulation and other safety issues.

(f) The Board of Health, or designee, as to the adequacy of proposed on site water supply and designed septic system in relation to proposed use.

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(Proposed for 2019)

### 3.3.4 Residential Village District (RV)

#### G. Permits

(1) Prior to the issuance of a permit, the Zoning Enforcement Officer shall request a review and comment from the following, which shall respond in writing within 14 days:

(a) The Superintendent of Streets, or designee, on the structural adequacy of the surrounding streets, drainage issues, as well as the servicing of Town water and Sewer.

(b) The Planning Director, or designee, on the adequacy of proposed parking facilities per sec 3.7 and the adequacy of storm water infiltration for the site.

(c) The Conservation Commission, or designee, on percent of impervious surface/coverage and the adequacy of storm water infiltration for the site and all buildings.

(d) The Fire Chief, or designee, on emergency ingress and egress or other issues under his jurisdiction.

(e) The Police Chief, Public Safety Officer, or designee, on traffic and pedestrian circulation and other safety issues.

(f) The Board of Health, or designee, as to the adequacy of proposed on site water supply and designed septic system in relation to proposed use.

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(Proposed for 2019)

### 3.5 Site Plan Approval.

#### A.

- (1) Any nonresidential development that results in an increase in on-site parking of more than ~~thirty (30)~~ ten (10) spaces.
- (2) All new or modified nonresidential development that increases gross floor area more than ~~five thousand (5,000)~~ three thousand (3,000) square feet.
- (3) All new or modified nonresidential development that increases impervious coverage more than ~~twelve thousand (12,000)~~ five thousand (5,000) square feet.
- (4) All Large-scale ground-mounted solar photovoltaic installations. The Special Permit Granting Authority for this use shall be the Planning Board.

### **3.9 Temporary Moratorium on Medical Marijuana Treatment Centers.**

#### **Section A. PURPOSE**

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

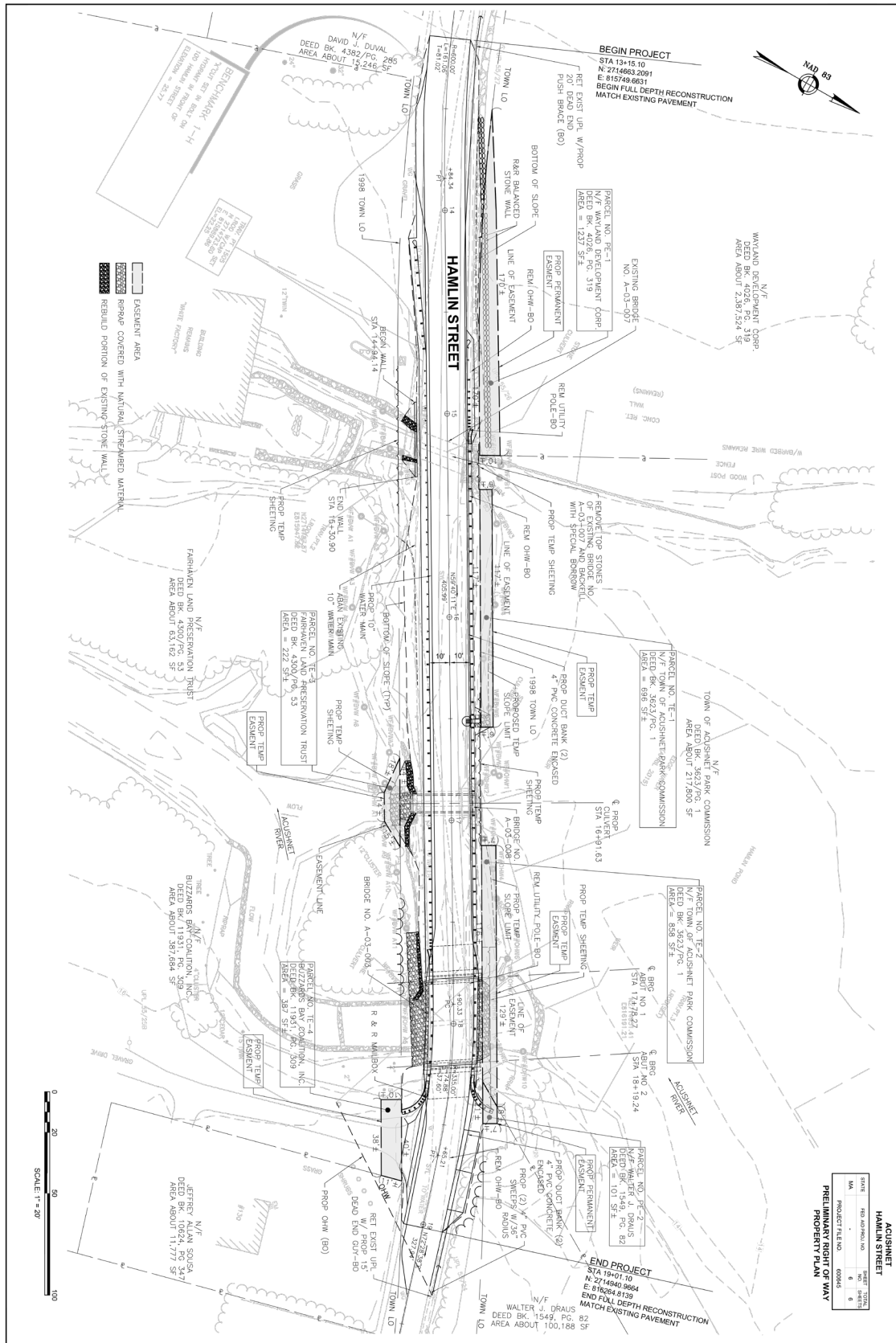
#### **Section B. DEFINITION**

"Medical Marijuana Treatment Center" shall mean a "not for profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

#### **Section C. TEMPORARY MORATORIUM**

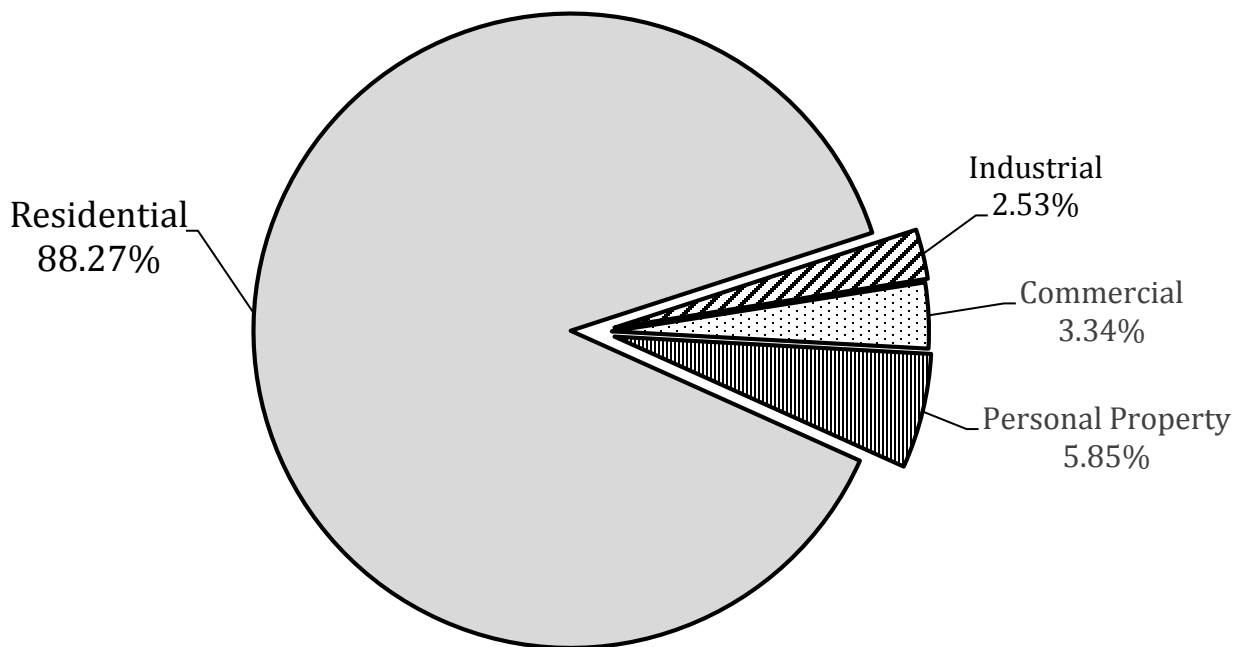
For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through November 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

## **APPENDIX 5: Hamlin Street Bridge Re-Construction**



## **Tax Facts:**

### **Acushnet's Tax Base FY2019**



Residential Rate  
\$14.18 / thousand  
(\$0.24 decrease)

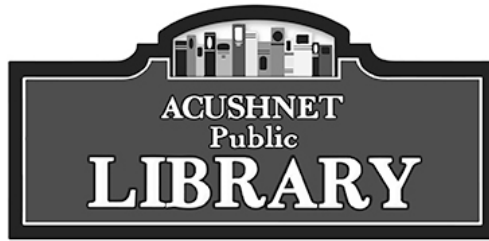
Commercial/Industrial/Personal Property Rate  
\$18.20 / thousand  
(\$0.30 decrease)

The Average Single-Family home is valued at \$294,340

Single Family homes showed an increase in value from the last fiscal year. Last year the single-family average was \$272,130.

Commercial Values have also increased.

The State requires the Town to conduct a cyclical inspection every ten years. This means that every property needs to be measured and inspected to make sure that the property is assessed at the fair market value (FMV).



**On average, 2,575 people visit the Library every month!**

**Check out what YOUR library has to offer:**

- **Access to over 25,000 books, DVDs, CDs, magazines and more in-house, plus hundreds of thousands of titles you can borrow from 75 network libraries or download online**
- **Reduced / free admission to area museums and attractions: Buttonwood Park Zoo, The Hall at Patriot Place, Isabella Stewart Gardner Museum, Mass State Parks, Mystic Aquarium, New Bedford Whaling Museum, Plimoth Plantation, Roger Williams Park Zoo, USS Constitution Museum and Zoo New England**
- **Any Acushnet resident, age 5+, can have a FREE library card. Stop by the Info Desk with a photo ID/proof of address and fill out an application to receive yours. Thanks to our collaboration with the Council on Aging, we offer a homebound delivery program, too!**
- **FREE programs for kids, teens and adults – upcoming highlights:**
  - **Coming in June: A Universe of Stories, the annual Summer Reading program for all ages**
  - **Our annual Summer Concert series kicks off Monday, July 1 with G & Friends**
  - **And later this Fall, we'll begin the centennial celebration of the Marie S. Howard School, now the Acushnet Public Library**

**Acushnet Public Library  
232 Middle Road  
508-998-0270      [acupl.org](http://acupl.org)**



Pamela A. Labonte, CMMC  
Town Clerk

OFFICE OF THE TOWN CLERK  
**TOWN OF ACUSHNET**

[www.acushnet.ma.us](http://www.acushnet.ma.us)  
130 MAIN STREET  
ACUSHNET, MASSACHUSETTS 02743-1548

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Facsimile: 508-998-0216  
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**2019-2020**  
**IMPORTANT DATES AT-A-GLANCE**

<b>EVENT</b>	<b>DATE</b>	<b>LOCATION</b>
Quarterly Real Estate & Personal Property Tax Bills Due	May 1, 2019	Collector's Office
Quarterly Water & Sewer Bills Due	May 13, 2019	Collector's Office
Voter Registration Deadline for Annual Town Meeting (8:00 P.M.)	April 23, 2019	Town Clerk's Office
Annual Town Meeting (7:00 P.M.)	May 13, 2019	Ford Middle School – 708 Middle Rd.
Quarterly Real Estate & Personal Property Tax Bills Due	August 1, 2019	Collector's Office
Quarterly Water & Sewer Bills Due	August 12, 2019	Collector's Office
Chapter 61A/61B Applications - DEADLINE	October 1, 2019	Assessor's Office
Quarterly Real Estate & Personal Property Tax Bills Due	November 1, 2019	Collector's Office
Quarterly Water & Sewer Bills Due	November 12, 2019	Collector's Office
2020 Dog Licensing Begins	December 1, 2019	Town Clerk's Office
Nomination Papers Available for 2020 Annual Town Election	January 3, 2020	Town Clerk's Office
Presidential Primary Election (Super Tuesday)	March 3, 2020	Elementary School – 800 Middle Rd.
Quarterly Real Estate & Personal Property Tax Bills Due	February 1, 2020	Collector's Office
Quarterly Water & Sewer Bills Due	February 10, 2020	Collector's Office
2020 Rabies Clinic	TBD	Town Barn – 700 Middle Road
2020 Dog Licensing - DEADLINE	March 31, 2020	Town Clerk's Office
Property Tax Exemption Applications for Persons, Residential, and Small Commercial Space –DEADLINE	April 1, 2020	Assessor's Office

**\*The above list is not inclusive, and dates are subject to change.**