

April 25, 2019

# TOWN OF SOUTHAMPTON

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## ANNUAL TOWN MEETING WARRANT

**Tuesday, May 7, 2019  
7:00 P.M.**



**CAFETERIA/GYMNASIUM  
WILLIAM E. NORRIS SCHOOL  
34 POMEROY MEADOW ROAD  
SOUTHAMPTON, MASSACHUSETTS**

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**WARRANT FOR THE ANNUAL TOWN MEETING**

**May 7, 2019**

**HAMPSHIRE, ss.**

To either of the Constables of the Town of Southampton in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the precincts of the Town of Southampton, County of Hampshire, qualified to vote in elections and Town affairs to meet in the **Cafeteria/Gymnasium, William E. Norris School, 34 Pomeroy Meadow Road, Southampton, Massachusetts**, on

**Tuesday, May 7, 2019 at 7:00 p.m.,**

then and there to act on the following articles:

***Note: Town Meeting will have to elect a Town Clerk to officiate at this Annual Town Meeting according to Statute.***

**AWARDS AND CERTIFICATES**

**ARTICLE 1 PRESENTATION OF EDUCATIONAL AWARDS**

To see if the Town will vote to hear presentations of the Richard C. Allen Educational Awards sponsored by the Southampton Highway Department and Transfer Station; or take any action related thereto. **(Speaker: Highway Superintendent)**

***SUMMARY:*** *These awards are given annually by the Highway Department. Revenues from recycling of bottles and cans at the Transfer Station are deposited into a Special Revenue account which then provides funding for the educational awards.*

***MOTION:*** Move that the Town vote to hear presentations of the Richard C. Allen Educational Awards sponsored by the Highway Department and Transfer Station. ***Simple Majority***

**ARTICLE 2 PRESENTATION OF CERTIFICATES**

To see if the Town will vote to hear presentations of State Certificates; or take any action related thereto. **(Speaker: Town Clerk)**

***SUMMARY:*** *Senator Donald Humason annually presents Certificates from the Massachusetts Great and General Court to Southampton Town retirees who have served the town with distinction.*

***MOTION:*** Move that the Town vote to hear presentations of State Certificates. ***Simple Majority***

## **CITIZEN PETITIONS**

### **ARTICLE 3 CITIZEN PETITION: REDUCE CPA SURCHARGE TAX**

To see if the Town will accept Sections 3 to 7 inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by modifying the surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be 1% of the annual real estate tax levy against real property commencing in fiscal year 2020; and that the Town hereby accepts the following exemption[s] from such surcharge permitted under Section 3(e) of said Act:

[property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town, as defined in section 2 of said Act]

[\$100,000 of the value of each taxable parcel of residential real property]

Or take any other action relative thereto.

***Simple Majority***

**Finance Committee: Does Not Recommend**

## **ADMINISTRATIVE**

### **ARTICLE 4 CHANGE SENIOR EXEMPTION INCOME LEVELS**

To see if the Town, will vote to adjust the eligibility factors for the property tax exemption for senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C, to be effective for the exemptions granted for any fiscal year beginning on or after July 1, 2019 by increasing the income limits to \$20,000 for single and \$25,000 for married couples; or take any other action relative thereto.

**(Speaker: Board of Assessors)**

***SUMMARY:*** *This would change the current income level requirements for senior citizen property tax exemptions under MGL Chapter 59, Section 5, Clause 41C from \$18,000 for a single and \$20,000 for married couples to \$20,000 and \$25,000 respectively.*

**MOTION:** Move that the Town vote to adjust the eligibility factors for the property tax exemption for senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C, to be effective for the exemptions granted for any fiscal year beginning on or after July 1, 2019 by increasing the income limits to \$20,000 for single and \$25,000 for married couples; or take any other action relative thereto.

***Simple Majority***

**Finance Committee: Recommends**

**ARTICLE 5      CHANGE SENIOR EXEMPTION BY REDUCING THE MINIMUM  
AGE REQUIREMENT**

To see if the Town, will vote to adjust the eligibility factors for the property tax exemption for senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C, to be effective for the exemptions granted for any fiscal year beginning on or after July 1, 2019 by reducing the minimum age requirement from 70 years of age to 65; or take any other action relative thereto.

**(Speaker: Board of Assessors)**

**SUMMARY:** *This would change the current minimum age requirements for senior citizen property tax exemptions under MGL Chapter 59, Section 5, Clause 41C from the current 70 years of age reducing it to 65 years of age.*

**MOTION:** Move that the Town vote to adjust the eligibility factors for the property tax exemption for senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C, to be effective for the exemptions granted for any fiscal year beginning on or after July 1, 2019 by reducing the minimum age requirement from 70 years of age to 65; or take any other action relative thereto.

***Simple Majority***

**Finance Committee: Recommends**

## GENERAL BY-LAW AMENDMENTS

### ARTICLE 6 AMENDMENT TO TOWN BY-LAW CHANGE TITLE OF BOARD OF SELECTMEN TO SELECT BOARD

To see if the Town will vote to amend the General By-Laws of the Town of Southampton to change the title of the “Board of Selectmen” to the “Select Board” as follows, or take any other action relative thereto:

1. Amend Article III: 1) by changing the title from “Selectmen” to “Select Board”; 2) by substituting the reference in Section 1 from “Selectmen” to “Select Board”; and 3) by deleting existing Section 7 and replacing it with the following language: “There shall be a Select Board of five members elected for three-year overlapping terms. Such Select Board shall have all the powers and duties of a Board of Selectmen for purposes of any and all federal, state and local laws referring to Board of Selectmen or Selectmen, including but not limited to the Massachusetts General Laws, Code of Massachusetts Regulations and any bylaws and special acts applicable to the Town of Southampton”; and
2. Delete the words “Board of Selectmen” and “Selectmen” in each place in which they appear and insert in their place the words “Select Board”.; or take any other action relative thereto

(Speaker(s): Bylaw Review Comm./Select Board)

**SUMMARY:** *The Board of Selectmen would like to change their official title to a more neutral “Select Board” If approved this By-law amendment would change the current Title and references of Board of Selectmen to Select Board.*

**MOTION:** Move that the Town vote to amend the Town By-Laws Article III, Section 1 and Section 7 and by amending the existing language, as set forth in in Article 6 of the Warrant for the May 7, 2019 Annual Town Meeting, or take any other action relative thereto. ***Simple Majority***

### FINANCE COMMITTEE – NOT WITHIN PURVIEW

### ARTICLE 7 AMENDMENT TO THE TOWN PERSONNEL POLICY AND PROCEDURE BOARD BY-LAW CHANGE FROM ELECTED TO APPOINTED

To see if the Town will vote to amend Section 3-A-1 of the Personnel By-law, pertaining to the Personnel Policies and Procedures Board, by deleting the text shown in strikethrough and inserting the text shown in bold below; or to take any other action relative thereto.

Section 3 Personnel Policies and Procedures Board

A. Composition, mode of selection, term of office, qualifications

There shall be a personnel policies and procedures board (hereafter referred to as the "board") composed of five (5) members selected in the following manner:

1. Three (3) members of the board are ~~elected by the voters Southampton~~ **appointed by the Select Board** for ~~three (3) overlapping terms of three (3) years. The first year one member will be elected appointed for three years, one member for two years, and one member for one year. At each annual Town election~~ **At the beginning of each fiscal year (July 1<sup>st</sup>), thereafter, there shall be an election appointment of Personnel Policies and Procedures Board members whose to fill the term or terms which may have expired that year or to fill the balance of a term where a vacancy has occurred. The Selectmen Select Board will fill any vacancy that occurs mid-year, and the appointee will serve for the remainder of the vacated term. The elected members of the Personnel Policies and Procedures Board serving on the effective date of this amendment shall serve until their respective current terms expire or until they resign, at which time the Select Board shall appoint their respective successors.**

Or take any other action relative thereto.

(Speaker: Personnel Policies and Procedures Board)

**SUMMARY:** *The Personnel Policy and Procedures Board would like to change and if approved this would change the three members of their committee who are currently elected by the voters to be appointed members by the Select Board as the current elected members terms expire or upon their resignation.*

**MOTION:** Move that the Town vote to amend Section 3-A-1 of the Town Personnel By-Law Pertaining to the Personnel Policies and Procedures Board by amending the existing language, as set forth in in Article 7 of the Warrant for the May 7, 2019 Annual Town Meeting, or take any other action relative thereto. ***Simple Majority***

**FINANCE COMMITTEE – NOT WITHIN PURVIEW**



**BUDGET AND FINANCIAL ITEMS**

**ARTICLE 8 ANNUAL OPERATING BUDGET FOR FISCAL 2020**

To see if the Town will vote to fix salaries of all elected officials for the Fiscal Year 2020 for the period for July 1, 2019 to June 30, 2020, and further, to raise and appropriate monies as identified in the Town’s Annual Operating Budget, as attached, for Fiscal Year 2020; or take any other action relative thereto. **Attachment: FY 2020 Budget (Speaker: Select Board)**

**SUMMARY:** *This article will raise and appropriate \$17,560,797.03 for the salaries of elected officials and fund all Town departments for Fiscal Year 2020 (Attachment column Labeled BOS Recommended FY20 Level Funded + 2%). This budget also funds the assessments for Hampshire Regional, Smith Vocational, Westfield Vocational and the Norris Elementary School.*

**MOTION:** Move that the Town raise and appropriate \$17,560,797.03 to fund all municipal departments and the public schools during fiscal year 2020, as shown in the Town’s Annual Operating Budget for Fiscal Year 2020 as shown in the Column Labeled BOS Recommended FY20 Level Funded + 2%, or take any other action relative thereto. **Simple Majority**

**Finance Committee: Recommends**

**ARTICLE 9 TRANSFER STATION ENTERPRISE FISCAL 2020 BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds Two Hundred Eight Thousand One Hundred One Dollars (\$208,101) to operate the Transfer Station Enterprise according to the following budget:

Wages	36,168
Operating Expenses	123,620
Environmental Compliance	9,150
Indirect Costs	18,163
<u>Debt Services</u>	<u>21,000</u>
Total	208,101

And that \$184,264 be raised from Transfer Station Enterprise Revenues and \$5,674 to be taken from retained earnings and \$18,163 to be appropriated in General Fund (Indirect Costs); or take any other action relative thereto. **(Speaker: Highway Superintendent)**

**SUMMARY:** *The Transfer station operates as an “enterprise fund”. Operations of the Transfer Station are supported by the fees and charges that are collected instead of tax revenue from the general fund.*

**MOTION:** Move that the Town vote the budget of the Transfer Station Enterprise Fund as presented in Article 9 of the Warrant for the May 7, 2019 Annual Town Meeting, or take any other action relative thereto. ***Simple Majority***

**Finance Committee: Recommends**

**ARTICLE 10 WATER ENTERPRISE FISCAL 2020 BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds Eight Hundred Seventeen Thousand One Hundred Ninety-Five Dollars (\$817,195) to operate the Water Enterprise, according to the following budget:

Wages	210,356
Operating Expenses	168,893
Capital Outlay	130,000
Indirect Costs	93,946
<u>Debt Services</u>	<u>214,000</u>
Total	817,195

And that \$693,060 be raised from Water Enterprise Revenues and \$30,189 from retained earnings and \$93,946 appropriated in General Fund (Indirect Costs); or take any other action relative thereto. **(Speaker: Water Commissioners)**

**SUMMARY:** *The Water Department operates through an “enterprise fund”, i.e., operations are funded from charges to rate payers.*

**MOTION:** Move that the Town vote to approve the budget of the Water Department Enterprise Fund as presented in Article 10 of the Warrant for the May 7, 2019 Annual Town Meeting, or take any other action relative thereto. ***Simple Majority***

**Finance Committee: Recommends**

**ARTICLE 11    TRANSFER FOR AMORTIZATION OF WPAT BONDS FY 2020  
BUDGET**

To see if the Town will vote to transfer Twenty Thousand Two Hundred Dollars (\$20,200) to fund the amortization of WPAT bonds, said sum to be taken from the WPAT Loan Repayment Account; or take any other action relative thereto. **(Speaker: Town Accountant)**

**SUMMARY:** *The Commonwealth of Massachusetts has established several state Revolving Funds (SRF) to assist municipalities in financing infrastructure improvements. The Water Pollution Abatement Trust is an SRF which was used by the Water Department to finance system improvements. This article will transfer \$20,401 from a special revenue account to fund amortization of the department's WPAT bonds.*

**MOTION:** Move that the Town vote to transfer \$20,200 from the WPAT Loan Repayment Account to fund amortization of the WPAT Bonds in the Water Department; or take any other action relative thereto. **Simple Majority**

**Finance Committee: Recommends**

**ARTICLE 12    TRANSFER FOR AMBULANCE RELATED EXPENSES & WAGES  
FY 2020 BUDGET**

To see if the Town will vote to transfer One Hundred Thousand Dollars (\$100,000) to fund EMS/Ambulance Related Expenses, said sum to be taken from the Ambulance Receipts Reserved for Appropriation Account; or take any other action relative thereto. **(Speaker: Town Accountant)**

**SUMMARY:** *Fees collected by the Fire/EMS Department for ambulance transports are deposited into a special fund called Ambulance Receipts Reserved for Appropriation. This article transfers \$100,000 from Receipts Reserved to the Fire/EMS Expenses budget to fund ambulance operations.*

**MOTION:** Move that the Town vote to transfer \$100,000 from the Ambulance Receipts Reserved for Appropriations account to the Fire/EMS Department Expense account to fund ambulance transportation; or take any other action relative thereto. **Simple Majority**

**Finance Committee: Recommends**

### **ARTICLE 13    TRANSFER FOR AMBULANCE LOAN REPAYMENT**

To see if the Town will vote to Transfer Sixty-Five Thousand Dollars (\$65,000) to fund Loan Payment for the New Ambulance, said sum to be taken from the Ambulance Receipts Reserved for Appropriation Account; or take any other action relative thereto.     **(Speaker: Town Accountant)**

**SUMMARY:** *Fees collected by the Fire/EMS Department for ambulance transports are deposited into a special fund called Ambulance Receipts Reserved for Appropriation. This article transfers \$65,000 from Ambulance Receipts Reserved for Appropriation to fund the repayment of the loan to purchase the newest ambulance.*

**MOTION:** Move that the Town vote to transfer \$65,000 from the Ambulance Receipts Reserved for Appropriations account to the Debt Expense account to fund the repayment of the loan to purchase the newest ambulance; or take any other action relative thereto.   ***Simple Majority***

**Finance Committee: Recommends**

### **ARTICLE 14    TRANSFER TO AMBULANCE STABILIZATION**

To see if the Town will vote to transfer Ten Thousand Dollars (\$10,000) to Ambulance Stabilization Account; said sum to be taken from the Ambulance Receipts Reserved for Appropriation Account; or take any other action relative thereto.     **(Speaker: Town Accountant)**

**SUMMARY:** *Fees collected by the Fire/EMS Department for ambulance transports are deposited into a special fund called Ambulance Receipts Reserved for Appropriation. This article transfers \$10,000 from Ambulance Receipts Reserved for Appropriation Account to the Ambulance stabilization Account.*

**MOTION:** Move that the Town vote to transfer \$10,000 from the Ambulance Receipts Reserved for Appropriations account to the Ambulance Stabilization Account; or take any other action relative thereto.     ***Simple Majority***

**Finance Committee: Recommends**

### **ARTICLE 15    FUNDING FOR POLICE ACADEMY EXPENSES**

To see if the Town will vote to transfer Thirty-Five Thousand Four Hundred Twenty Dollars and Five Cents (\$35,420.05) from the Operational Stabilization Account to the Police Expenses and Wages for Recruit Academy Training; or take any other action relative thereto.   **(Speaker: Police Chief)**

**SUMMARY:** *During the upcoming fiscal year the Police Department will have two new Officers in the Training Academy in order to fill two vacated positions within the department. Approval of this transfer will fund the Training Academy fee, equipment and testing required for those two officers and the cost of the wages of backfilling the coverage of the regular shifts which*

*these two officers would normally work while they are attending the academy rather than being able to be assigned to work a regular shift.*

**MOTION:** Move that the Town vote to transfer the sum of \$35,420.05 from the Operational Stabilization Fund to the Police Expenses and Wages for Recruit Academy for the placement and training and of two new Police Officers during fiscal year 20; or take any other action relative thereto. **2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 16 FUNDING FOR MS-4 STORMWATER MANAGEMENT PERMIT EXPENSES**

To see if the Town will vote to transfer Thirty-Five Thousand Dollars (\$35,000) from the Operational Stabilization Account to the Highway Department MS-4 Stormwater Management Permit Account to fund the mandated permit requirements for State/Federal compliance in FY 20; or take any other action relative thereto. **(Speaker: Highway Superintendent/Town Administrator)**

**SUMMARY:** *During the upcoming fiscal year the Highway Department under the Federal and State mandate will need to perform further work and mapping and studying of the Town's Stormwater System to stay within the Federal and State compliance standards and timeline of the MS-4 Stormwater Management Permit program. The authorization of this \$35,000 in funding will allow the required work to take place during fiscal year 2020 and allow the Town to stay within compliance of this Federal and State mandated program.*

**MOTION:** Move that the Town vote to transfer the sum of \$35,000.00 from the Operational Stabilization Fund to the Highway Department MS-4 Stormwater Management Permit Account to fund the mandated permit requirements for State/Federal compliance in FY 20; or take any other action relative thereto. **2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 17 FIVE YEAR CONTRACT FOR THE HAMPSHIRE REGIONAL SCHOOL DISTRICT FOR BUSING SERVICES**

To see if the Town will vote to allow the Hampshire Regional School District Administration to enter into a five year contract consisting of a three year base with the option to renew two additional one year periods to provide bus transportation to Hampshire Regional High School, Chesterfield Goshen Regional School, Southampton Public Schools, Westhampton Public Schools, Williamsburg Public Schools, and Vocational Transportation; or take any other action relative thereto.

**SUMMARY:** *A contract of more than three years requires approval of the Town Meeting. This article would authorize a five-year contract (a three-year base period and then an option to renew the contract for two additional one-year periods) to provide bus transportation to Hampshire Regional*

*High School, Chesterfield – Goshen Regional School, Southampton Public Schools, Westhampton Public Schools, Williamsburg Public Schools and Vocational Transportation.*

**MOTION:** Move that the Town vote to authorize the Hampshire Regional School District to enter into a five-year contract consisting of a three-year base with the option to renew for two additional one-year periods to provide bus transportation as presented in Article 17 of the Warrant for the May 7, 2019 Annual Town Meeting, or take any other action relative thereto.

**Simple Majority**

### **ARTICLE 18 TEN YEAR CONTRACT FOR THE TOWN FOR RECYCLING SERVICES**

To see if the Town will vote to authorize the Select Board to enter into a ten (10) year contract with the option for a five (5) year extension, commencing on July 1, 2020 with the qualified vendor selected by MassDEP through a competitive bid process for recycling processing services for the Town, subject to the Select Board's determination that the contract is in the best interests of the Town and subject to Town Meeting approval in the Spring 2020 for funding for these services; or take any other action relative thereto. **(Speaker: Highway Superintendent)**

**SUMMARY:** *A contract of more than three years requires approval of the Town Meeting. This article would authorize the Select Board and Board of Health to enter into a ten-year contract with an option for a five-year extension period commencing on July 1, 2020 with the qualified vendor selected by the Mass DEP through a competitive bid process for recycling processing services on a regionalized basis for the Town. The current contract for these services with the current Materials Recycling Facility (MRF) which is located in Springfield will be expiring.*

**MOTION:** Move that the Town vote to authorize the Select Board to enter into a ten-year contract with the option for a five (5) year extension, commencing on July 1, 2020 with the qualified vendor selected by MassDEP through a competitive bid process for recycling processing services for the town, subject to the Select Board's determination that the contract is in the best interests of the town and subject to Town Meeting approval in the Spring 2020 for funding for these services; or take any other action relative thereto. **Simple Majority**

### **ARTICLE 19 TOWN TO JOIN MOSQUITO CONTROL PROGRAM**

To see if the Town will vote to become a member in the Pioneer Valley Mosquito Control District for a minimum three-year period, pursuant to Massachusetts General Laws Chapter 252, §5A and other applicable sections of said law; and fund the membership fee of \$5,000 from Free Cash, or take any other action relative thereto. **(Speaker: Board of Health)**

**SUMMARY:** *An affirmative vote would allow the Town to join and become a member in the Pioneer Valley Mosquito Control District. This would be for a minimum three-year commitment. The funding of \$5,000 would provide the Town with the mapping of mosquito breeding areas and*

*testing of mosquitoes for any diseases which they may carry. While funding at this level will not provide for mosquito treatment services it would make the town eligible for funding if the federal government declared an emergency in the area due to mosquito carried virus or disease. The Town would not be eligible for such funding if it were not a part of the Mosquito Control District.*

**MOTION:** Move that the Town vote to become a member in the Pioneer Valley Mosquito Control District for a minimum three-year period, pursuant to Massachusetts General Laws Chapter 252, §5A and other applicable sections of said law; and to fund the membership fee transfer/appropriate \$5,000 from Free Cash, or take any other action relative thereto. **Simple Majority**

**Finance Committee: Recommends**

**ARTICLE 20 FUNDING FOR HIGHWAY PLOW/DUMP TRUCK**

To see if the Town will vote to appropriate the sum of \$250,000.00 to purchase a new Dump Truck with plow and sander body for the Highway Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$250,000.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor, provided, however, that the appropriation authorized hereunder shall be contingent on the approval by the voters of the town of a so-called Proposition 2-1/2 debt exclusion under General Laws c. 59, section 21C, and authorize the Treasurer with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44, Section 7 (9), or any other general or special law; or take any other action relative thereto. **(Speaker: Highway Superintendent)**

**SUMMARY:** *This article will provide funding and authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$250,000.00 for said appropriation to purchase a replacement Highway Department Dump Truck equipped with plow and sander. The vehicle it would replace is a 1995 Ford L9000 Dump Truck which has a heavily rusted body and frame. The usual useful life of this type of truck is ten to fifteen years.*

**MOTION:** Move that the Town vote to appropriate the sum of \$250,000.00 to purchase a new Dump Truck with plow and sander body for the Highway Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$250,000.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor, and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied that may be necessary for that purpose, provided, however, that the appropriation authorized hereunder shall be contingent on the approval by the voters of the town of a so-called Proposition 2-1/2 debt exclusion under General Laws c. 59, section 21C, and authorize the Treasurer with the approval of the Select Board, to issue any bonds or notes therefor, and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs

and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied that may be necessary for that purpose, as authorized by General Laws Chapter 44, Section 7 (9), or any other general or special law.

***2/3rds Majority***

**Finance Committee: Recommends**

**ARTICLE 21 FUNDING FOR NORRIS ELEMENTARY SCHOOL BUILDING IMPROVEMENT**

To see if the Town will vote to appropriate the sum of \$97,800.00 for the Norris Elementary School Building Improvement Project,(said project to include \$9,000 for sink replacement in the science labs/classrooms; \$28,500 to replace carpeting in several classrooms; \$48,500 for the replacement and repair of exterior doors in the school; \$10,500 for repairs and caulking to the roof gutters, drains and roof drain scuppers; and \$1,300 for the repair of the exterior masonry of the building) and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$97,800.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor, provided, however, that the appropriation authorized hereunder shall be contingent on the approval by the voters of the town of a so-called Proposition 2-1/2 debt exclusion under General Laws c. 59, section 21C, and authorize the Treasurer with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44, Section 7 (9), or any other general or special law; or take any other action relative thereto.

***SUMMARY:*** *This article will provide funding and authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$97,800.00 for said appropriation to perform facility repairs at the Norris Elementary School consisting of sink replacement in the science labs/classrooms, replacing carpeting in several of the classrooms which is buckling and presents a trip hazard, replacing and repairing of exterior doors in the school as well as repairs and caulking to the roof gutters, roof drains and roof drain scuppers and repairs to the exterior masonry and mortar of the school building.*

***MOTION:*** Move that the Town vote to appropriate the sum of \$97,800.00 for the Norris Elementary School Building Improvement Project,(said project to include \$9,000 for sink replacement in the science labs/classrooms; \$28,500 to replace carpeting in several classrooms; \$48,500 for the replacement and repair of exterior doors in the school; \$10,500 for repairs and caulking to the roof gutters, drains and roof drain scuppers; and \$1,300 for the repair of the exterior masonry of the building) and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$97,800.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor, and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied that may



be necessary for that purpose, provided, however, that the appropriation authorized hereunder shall be contingent on the approval by the voters of the town of a so-called Proposition 2-1/2 debt exclusion under General Laws c. 59, section 21C, and authorize the Treasurer with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44, Section 7 (9), or any other general or special law.

**2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 22 FUNDING FOR SUV CRUISER FOR THE POLICE DEPARTMENT**

To see if the Town will vote to appropriate the sum of \$46,672.00 to purchase a new SUV Police Cruiser for the Police Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,672.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor; or take any other action relative thereto. (Speaker: Police Chief)

**SUMMARY:** *This article will provide funding and authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,672.00 for said appropriation to purchase a replacement Police Cruiser (SUV style) for the Police Department. The vehicle it would replace is a 2011 Crown Victoria with 144,423 miles.*

**MOTION:** Move that the Town vote to appropriate the sum of \$47,672.00 to purchase a new SUV Police Cruiser for the Police Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,672.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor; or take any other action relative thereto.

**2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 23 FUNDING FOR ADMINISTRATIVE VEHICLE FOR FIRE DEPARTMENT**

To see if the Town will vote to appropriate the sum of \$46,186.00 to purchase a new SUV Administrative Vehicle for the Fire Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,186.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor; or take any other action relative thereto. (Speaker: Fire Chief)

**SUMMARY:** *This article will provide funding and authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,186.00 for said appropriation to purchase a replacement Administrative Vehicle (SUV style) for the Fire Department which is used by the Fire Chief who is on call 24/7. The vehicle it would replace is a 2007 pickup truck with 137,000 miles.*

**MOTION:** Move that the Town vote to appropriate the sum of \$46,186.00 to purchase a new SUV Administrative Vehicle for the Fire Department, and to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of \$46,186.00 for said appropriation under applicable sections of Chapter 44 Sections 7 and 8 of the General Laws or any other enabling authority and to issue bonds and notes therefor; or take any other action relative thereto.

***2/3rds Majority***

**Finance Committee: Recommends**

#### **ARTICLE 24    TRANSFER FOR NORRIS SCHOOL FIRE ALARM SYSTEM**

To see if the Town will vote to transfer \$28,498.00 from the Capital Stabilization Fund to the Norris School Capital Budget to fund the replacement of the Fire Alarm system at the Norris School; or take any other action relative thereto.

**SUMMARY:** *This article will provide funding to purchase and replace the Fire Alarm System at the Norris Elementary School which replacement parts are no longer available. This is deemed by the Capital Committee as a priority life safety issue. Funding to come from the Capital Stabilization Account.*

**MOTION:** Move that the Town vote to transfer the sum of \$28,498.00 from the Capital Stabilization Fund to the Norris School Capital Budget to fund the replacement of the Fire Alarm system at the Norris School.

***2/rds Majority***

**Finance Committee: Recommends**

#### **ARTICLE 25    TRANSFER FOR NORRIS SCHOOL SIDEWALK REPLACEMENT/REPAIR**

To see if the Town will vote to transfer \$26,000.00 from the Capital Stabilization Fund to the Norris School Capital Budget to fund the replacement/repair of the concrete sidewalks at the Norris School; or take any other action relative thereto.

**SUMMARY:** *This article will provide funding to replace and repair areas of the concrete sidewalks outside at the Norris Elementary School which are in disrepair. This is deemed by the Capital Committee as a priority life safety issue. Funding to come from the Capital Stabilization Account.*

**MOTION:** Move that the Town vote to transfer the sum of \$26,000.00 from the Capital Stabilization Fund to the Norris School Capital Budget to fund the replacement/repair of the concrete sidewalks at the Norris School.

***2/3rds Majority***

**Finance Committee: Recommends**

**ARTICLE 26    TRANSFER FOR POLICE DISPATCH RADIO CONSOLE  
REPLACEMENT**

To see if the Town will vote to transfer/appropriate \$92,112.00 from the Capital Stabilization Fund to the Police Dispatch Capital Budget to fund the replacement of the Dispatch Radio Console at the Police Department which serves Police, Fire, EMS and Highway; or take any other action relative thereto. (Speaker: Police Chief)

***SUMMARY:*** This article will provide funding to replace the Dispatch Radio Console at the Police department which serves the Police, Fire, Ambulance and Highway Departments. The current console is beyond its estimated useful life and parts are no longer available to repair it if it breaks. Funding to come from the Capital Stabilization Account.

***MOTION:*** Move that the Town vote to transfer/appropriate the sum of \$92,112.00 from the Capital Stabilization Fund to the Police Dispatch Capital Budget to fund the replacement of the Dispatch Radio Console at the Police Department which serves Police, Fire, EMS and Highway. **2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 27    TRANSFER FOR FIRE DEPARTMENT FIRE TURNOUT GEAR**

To see if the Town will vote to transfer \$12,000.00 from the Capital Stabilization Fund to the Fire Department Capital Budget to fund the replacement of Fire Turnout Gear; or take any other action relative thereto. (Speaker: Fire Chief)

***SUMMARY:*** This article will provide funding for the replacement of Fire Turnout Gear. This is the gear/equipment worn by firefighters for safety and protection when they are fighting fires. This gear has a useful life and must be replaced when it is out of date. Each year a number of sets of turnout gear are replaced on a rotating basis so that not all the Turnout Gear has to be replaced at one time. Funding to come from the Capital Stabilization Account.

***MOTION:*** Move that the Town vote to transfer the sum of \$12,000.00 from the Capital Stabilization Fund to the Fire Department Capital Budget to fund the replacement of Fire Turnout Gear. **2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 28    TRANSFER FOR LIBRARY ROOF REPLACEMENT**

To see if the Town will vote to transfer/appropriate a total of \$44,000.00 (\$20,000.00) from the Capital Stabilization Fund and (\$24,000) from the Operating Stabilization Fund to the Library Department Capital Budget to fund the replacement of the Southampton Edwards Public Library Roof; or take any other action relative thereto. (Speaker: Town Administrator)

***SUMMARY:*** This article will provide funding for the replacement of Edwards Public Library Roof. The roof is now over twenty-two years old and is in need of replacement. Shingles have broken off

*the roof and there has been some leaking which has been able to be patched over the last several years, but the broken shingles are getting more numerous and it is time to replace the roof. Funding to come from the Capital Stabilization Account and Operating Stabilization Account.*

**MOTION:** Move that the Town vote to transfer/appropriate a total sum of \$44,000.00 (\$20,000.00) from the Capital Stabilization Fund and (\$24,000) from the Operating Stabilization Fund to the Library Department Capital Budget to fund the replacement of the Southampton Edwards Public Library Roof. **2/3rds Majority**

**Finance Committee: Recommends**

## **ARTICLE 29   TRANSFER FOR POLICE DEPARTMENT IT PC AND SOFTWARE UPGRADES**

To see if the Town will vote to transfer/appropriate \$15,025.00 from Free Cash to the Police Department Capital Budget to fund the replacement of 5 PCs with software licenses and to purchase Microsoft Office and Windows 10 software licenses for the existing PC's which will not be replaced in the Police Department and Dispatch at this time; or take any other action relative thereto. **(Speaker: Police Chief)**

**SUMMARY:** *This article will provide funding for the replacement of 5 PC's with software licenses and will purchase Microsoft Office and Windows 10 licenses for the remaining computers in the Police and Dispatch Departments to be upgraded so they remain compliant with licensing and support. Funding to come from Free Cash.*

**MOTION:** Move that the Town vote to transfer/appropriate a total sum of \$15,025.00 from Free Cash to the Police Department Capital Budget to fund the replacement of 5 PCs with software licenses and to purchase Microsoft Office and Windows 10 software licenses for the existing PC's which will not be replaced in the Police Department and Dispatch at this time.

**Simple Majority**

**Finance Committee: Recommends**

## **ARTICLE 30   TRANSFER FOR TOWN HALL IT PC AND SOFTWARE UPGRADES**

To see if the Town will vote to transfer/appropriate \$8,029.00 from Free Cash to the Town Hall Department Capital Budget to fund the replacement of 7 PCs complete with software licenses; or take any other action relative thereto **(Speaker: Town Administrator)**

**SUMMARY:** *This article will provide funding for the replacement of 7 PC's complete with software licenses This will start the rotational cycle of replacing the Municipal computers which are now between four and five years old which will be done over the next several years. Funding to come from Free Cash.*

**MOTION:** Move that the Town vote to transfer/appropriate a total sum of \$8,029.00 from Free Cash to the Town Hall Department Capital Budget to fund the replacement of 7 PCs complete with software licenses. **Simple Majority**

**Finance Committee: Recommends**

## **REVOLVING FUNDS**

### **ARTICLE 31 REVOLVING FUNDS**

To see if the Town will vote to amend Article XLII of the General Bylaws, pursuant to the provisions of Section 53E½ of Chapter 44 of the Massachusetts General Laws, as most recently amended, by inserting two new revolving funds for Conservation Commission and Fire Chief and specifying the departmental receipts to be credited to the fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend the fund, such bylaw to provide as follows:

Revolving Funds: There are hereby established in the Town of Southamptton, pursuant to the provisions of G.L. c.44, §53E½, the following Revolving Funds:

Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, §53E1/2.

<b>Program or Purpose</b>	<b>Representative or Board Authorized to Spend Fund</b>	<b>Department Receipts</b>
<i><b>Conservation Forestry</b> (Cost of oversight and management of conservation land, including forest land)</i>	<i>Conservation Commission</i>	<i>Revenue from Forestry undertaken on Town Conservation land</i>
<i><b>Fire Department (Brush Services) Clothing and Equipment</b></i>	<i>Fire Chief</i>	<i>Revenue collected from Fire Permits to go toward Brush Equipment</i>

And, further, to set the FY2020 spending limits for such revolving funds as follows:

**Program or Purpose: Conservation Commission**

Use of Funds: Cost of oversight and management of conservation land including forest land.  
FY20 Spending Limit: \$10,000

**Program or Purpose: Fire Department (Brush Services)**

Use of Funds: For Fire Chief to purchase much needed brush equipment to fight brush fires (clothing and equipment)  
FY 20 Spending Limit: \$5,000

Or take any other action relative thereto.

(Speaker: Town Accountant)

***SUMMARY:*** *This article would amend the current Revolving Fund By-law by adding two Revolving Fund categories one to be utilized by the Conservation Commission to be funded from any receipts which may be received from the harvesting/forestry of trees on the conservation properties which are under their supervision and are their responsibility to maintain (note these type of fees would not be recurring on an every year basis). The second one to be used by the Fire Chief to be funded by fees from the Fire Burning Permits which would be utilized specifically to purchase equipment and clothing used to fight “brush fires”.*

***MOTION:*** Move that the Town vote to amend Article XLII of the Town General by Bylaws, pursuant to the provisions of Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, as most recently amended, by inserting two new categories to the revolving funds, “Conservation Commission and Fire Chief “ and specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, with the new language noted in italics, as per Article 31 of the Warrant for the May 7, 2019 Annual Town Meeting and to set the FY spending limits as specified in Article 31.

***Simple Majority***

**Finance Committee: Recommends**

**ARTICLE 32 REVOLVING FUND SPENDING LIMITS**

To see if the town will vote to set the Revolving Fund FY2020 spending limits for such revolving funds as follows:

Or take any other action relative thereto.

<b>Program or Purpose</b>	<b>Use of Fund</b>	<b>FY 20 Spending Limit</b>
<b>Conservation</b>	Operating Expenses/Admin. Expenses	\$10,000
<b>Council on Aging Van</b>	Payment for Operation of COA Van	\$31,000
<b>Dog Licensing &amp; Control</b>	Expenses Related to Admin. Of Licenses & Dog Control	\$8,000
<b>Electrical Inspections</b>	Payment for Electrical Inspection services	\$20,000
<b>Park Commission</b>	Operating Expenses/Admin Expenses	\$10,000
<b>Planning Board</b>	Admin. Expenses	\$10,000
<b>Planning Board</b>	Consultant Costs	\$15,000
<b>Plumbing Inspections</b>	Payment for Plumbing inspection services	\$20,000
<b>Tax Title</b>	Tax Title related costs	\$10,000
<b>Weights &amp; Measures</b>	Weights & Measures Fees	\$3,000
<b>Zoning Board of Appeals</b>	ZBA Expenditures	\$5,000

Or take any other action relative thereto.

(Speaker: Town Accountant)

**SUMMARY:** *This article sets the spending limits for the various approved Revolving Funds. There have been no changes to the Spending limits for these Revolving Funds for fiscal year 2020 from their authorized level from FY 2019.*

**MOTION:** Move that the Town vote to set the limitation on expenditures for each Revolving Fund be established according to Article 32 of the May 7, 2019 Annual Town Meeting.

**Simple Majority**

**Finance Committee: Recommends**

**COMMUNITY PRESERVATION PROJECTS**

**ARTICLE 33 REPORT OF THE COMMUNITY PRESERVATION COMMITTEE**

To see if the Town will vote to hear and act, pursuant to Massachusetts General Laws Chapter 44B, on the report of the Community Preservation Committee for the Fiscal Year 2020 Community Preservation Budget and to appropriate or reserve from the Community Preservation Fund the following sums of money as recommended by the Community Preservation Committee for Committee administrative expenses, community preservation projects and other necessary and proper expenses in the fiscal year beginning July 1, 2019, with each item to be considered as a separate appropriation: (Speaker: CPC Chair)

Administrative Expenses..... \$7,500

Reserves:

From FY20 Estimated revenues for Historic Resources Reserve ..... \$27,000  
From FY20 Estimated revenues for Community Housing Reserve.... \$27,000  
From FY20 Estimated revenues for Open Space Reserve..... \$27,000

Or take any other action relative thereto. (Speaker: CPC Chair)

**SUMMARY:** *State enabling legislation establishing the Community Preservation Program limits program expenditures to three areas; 1) Historic Preservation; 2) Affordable Housing; and 3) Open Space and Recreation. At least 10% of annual expenditures must be set aside for each of the three program areas respectively, and the Community Preservation Committee may spend a portion of available funds for administrative expenses. This is the standard article, voted annually, setting aside the required minimums for open space/recreation, affordable housing and historic preservation and allocating \$7,500 for administrative expenses.*

**MOTION:** Move that the Town vote to hear and act on the report of the Community Preservation Committee for fiscal year 2020 and to allocate sums of money from the Community Preservation Fund as presented in Article 33 of the Warrant of the May 7, 2019 Annual Town Meeting.

**Simple Majority**

**Finance Committee: Recommends**



**ARTICLE 34 68 POMEROY MEADOW ROAD ACQUISITION RIGHT OF FIRST REFUSAL FOR DRINKING WATER PROTECTION**

To see if the Town will vote:

- (a) to raise, appropriate, or transfer from available funds, accept gifts and grants and/or borrow the sum of Six Hundred Sixty Thousand Dollars (\$660,000.00) for the purpose of acquiring, for the purposes set forth below, certain property located at Pomeroy Meadow Road, Southamptn, shown as Lot 1E, Lot 2E, Lot 3E, Lot 4E and Lot 5E on a plan entitled "Plan of Land in Southamptn, Massachusetts, Surveyed For John & Donna Gwosch," dated December 27, 2018, prepared by Heritage Surveys, Inc., recorded with the Hampshire Registry of Deeds in Plan Book 243, Page 77, containing approximately 14.382 acres of land, provided, however, Lot 2E may be acquired pursuant to the Town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8;
- (b) that, to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Six Hundred Sixty Thousand Dollars (\$660,000.00) in accordance with Massachusetts General Laws Chapter 44, Section 7 and/or Chapter 44B, Section 11, and any other enabling authority, and to issue bonds or notes therefor, and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;
- (c) that the Select Board and/or the Board of Water Commissioners is authorized to acquire said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Massachusetts General Laws Chapter 61, Section 8, as may be amended, for water supply protection purposes pursuant to Chapter 40, Sections 38, 39B and 41 and subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Board of Water Commissioners, and further, that pursuant to Chapter 40, Section 15B, before any portion of this property can be transferred from the Town to a different ownership or control, or to a different use, approval of the Massachusetts Department of Environmental Control must be obtained;
- (d) that the Select Board and/or the Board of Water Commissioners is authorized to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under a DWSP (Drinking Water Supply Protection) Grant, upon such terms and conditions as the Water Commissioners, with the approval of the Select Board, shall determine to be appropriate, and that said interests in said property be conveyed to the Town, under the provisions of Massachusetts General Laws, Chapter 40, Sections 38, 39B and 41, as they

may hereafter be amended, and other Massachusetts statutes relating to water supply purposes, said property to be managed and controlled by the Water Commissioners; and further that the Select Board and/or the Water Commissioners is authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any state and/or federal programs in aid of water supply land acquisition, including but not limited to, all applications deemed necessary for grants and/or reimbursements from the DWSP Grant Program, and to receive and accept such grants and/or reimbursements for this purpose, and/or any grants or reimbursement programs in any way connected with the scope of this article, and to accept and expend any grants and/or reimbursements that may be provided to defray all or a portion of the costs of said acquisition, and to repay all or a portion of the sum borrowed hereunder; and that the Select Board and/or the Water Commissioners be authorized to enter into all agreements and execute any instruments, including a grant of a perpetual water supply restriction to the Commonwealth, or a non-profit corporation or trust that meets the requirements of General Laws, Chapter 184, §§31-33, as may be necessary to effect said acquisition or obtain such grant;

- (e) to authorize the Select Board and the Board of Water Commissioners to take all related actions necessary or appropriate to carry out this acquisition and grant of a perpetual water supply restriction;

or take any other action relative thereto.

**(Speaker: Water Commissioners)**

***SUMMARY:*** *This project's purpose is to acquire and preserve a 14.4 acre parcel off Pomeroy Meadow Road for the Town including a 3.2 acre Lot 2E under its Right of First Refusal. This would protect the property as it has been deemed critical to the recharge area of the town drinking water well by a geology study and has been requested to be preserved by our Water commissioners to protect the Town's Drinking Water System. This Article would utilize Community Preservation Funding and borrowing from future Community Preservation surcharges to acquire the property. The Town has been awarded a \$216,000 Drinking Water Protection Grant for this purpose. By acquiring this property for drinking Water Protection purposes this may help leverage some nearby approximately seventy acres of land to be placed into a conservation restriction to keep that property as open space as well.*

***MOTION:*** Move the Town to vote (a) to raise, appropriate, or transfer from available funds, accept gifts and grants and/or borrow the sum of Six Hundred Sixty Thousand Dollars (\$660,000.00) for the purpose of acquiring, for the purposes set forth below, certain property located at Pomeroy Meadow Road, Southamptton, shown as Lot 1E, Lot 2E, Lot 3E, Lot 4E and Lot 5E on a plan entitled "Plan of Land in Southamptton, Massachusetts, Surveyed For John & Donna Gwosch," dated December 27, 2018, prepared by Heritage Surveys, Inc., recorded with the Hampshire Registry of Deeds in Plan Book 243, Page 77, containing approximately 14.382 acres of land, provided, however, Lot 2E may be acquired pursuant to the Town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8;

(b) that, to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Six Hundred Sixty Thousand Dollars (\$660,000.00) in accordance with Massachusetts General Laws Chapter 44, Section 7 and/or Chapter 44B, Section 11, and any other enabling authority, and to issue bonds or notes therefor, and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;

(c) that the Select Board and/or the Board of Water Commissioners is authorized to acquire said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Massachusetts General Laws Chapter 61, Section 8, as may be amended, for water supply protection purposes pursuant to Chapter 40, Sections 38, 39B and 41 and subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Board of Water Commissioners, and further, that pursuant to Chapter 40, Section 15B, before any portion of this property can be transferred from the Town to a different ownership or control, or to a different use, approval of the Massachusetts Department of Environmental Control must be obtained;

(d) that the Select Board and/or the Board of Water Commissioners is authorized to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under a DWSP (Drinking Water Supply Protection) Grant, upon such terms and conditions as the Water Commissioners, with the approval of the Select Board, shall determine to be appropriate, and that said interests in said property be conveyed to the Town, under the provisions of Massachusetts General Laws, Chapter 40, Sections 38, 39B and 41, as they may hereafter be amended, and other Massachusetts statutes relating to water supply purposes, said property to be managed and controlled by the Water Commissioners; and further that the Select Board and/or the Water Commissioners is authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any state and/or federal programs in aid of water supply land acquisition, including but not limited to, all applications deemed necessary for grants and/or reimbursements from the DWSP Grant Program, and to receive and accept such grants and/or reimbursements for this purpose, and/or any grants or reimbursement programs in any way connected with the scope of this article, and to accept and expend any grants and/or reimbursements that may be provided to defray all or a portion of the costs of said acquisition, and to repay all or a portion of the sum borrowed hereunder; and that the Select Board and/or the Water Commissioners be authorized to enter into all agreements and execute any instruments, including a grant of a perpetual water supply restriction to the Commonwealth, or a non-profit corporation or trust that meets the requirements of General Laws, Chapter 184, §§31-33, as may be necessary to effect said acquisition or obtain such grant;

(e) to authorize the Select Board and the Board of Water Commissioners to take all related actions necessary or appropriate to carry out this acquisition and grant of a perpetual water supply restriction;

**2/3rds Majority**

**Finance Committee: Recommends**

**ARTICLE 35 FUNDING FOR PRIOR YEAR BILL FOR COOK ROAD**

To see if the Town will vote to transfer Two Thousand Seven Hundred Sixty-Two Dollars and Fifty Cents (\$2,762.50) from Community Preservation Funds to the Cook Road Account for the payment of bill from Winding River Land Conservancy, said funds to be transferred from Community Preservation Surcharges–Open Space Account; or take any other action relative thereto.

**(Speaker: CPC Chair)**

**SUMMARY:** *This article appropriates \$2,762.50 from the Community Preservation Surcharges – Open Space Account to pay a previous fiscal year bill which came to the Town late from the Winding River Land Conservancy which is associated with the purchase of the Cook/County Road property acquisition which had been funded through Community Preservation Funds.*

**MOTION:** Move that the Town vote to transfer Two Thousand Seven Hundred Sixty-Two Dollars and Fifty Cents (\$2,762.50) from Community Preservation Funds to the Cook Road Account for the payment of bill from Winding River Land Conservancy, said funds to be transferred from Community Preservation Surcharges–Open Space Account; or take any other action relative thereto.

**4/5ths Majority**

**Finance Committee: Recommends**