



Annual Town Meeting
June 7, 2022
Norris School
34 Pomeroy Rd, Southampton, MA

The Annual Town Meeting was held on June 7, 2022, Town Moderator, Robert Floyd, opened the meeting at 7:00pm with a quorum present, 101 registered voters were in attendance. The workers were Sabina McCarthy, Eileen Hamel, Cindy Palmer, and Patrice Crevier.

After the pledge of allegiance, which was led by Karl Kuehner, a brief moment of silence, welcome message, and reading a disclosure statement, Mr. Moderator proceeded to read the warrant, and return warrant. He announced that the meeting was being livestreamed and recorded. Town Clerk Luci Dalton swore in Doric Dods who was unanimously elected Deputy Moderator for the year until the next Annual Town Meeting.

Mr. Moderator read an introduction on town meeting guidelines. Mr. Moderator then called for a motion for Article 1

Article 1 Francine Tishman moved, and Jon Lumbra seconded, that the Town amend Article VII of the Town's General Bylaws, entitled "General Government," by amending the existing language as noted, deleting existing language where noted in Section 2 and replacing it with the new language as shown in **boldface text**, as set forth in Article 1 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 1-passed unanimously

Article 2 Francine Tishman moved, and Jon Lumbra seconded, that the Town amend Article XXIV of the Town's General Bylaws, entitled "Fees to the Town Treasury," by amending the existing language as noted, deleting existing language where noted and replacing it with the new language as shown in **boldface text**, as set forth in Article 2 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 2-passed by majority

Article 3 Francine Tishman moved, and Jon Lumbra seconded that the Town delete Article XXVII of the Town's General Bylaws, entitled; 'Solid Waste/Landfill' as set forth in Article 3 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 3-passed unanimously

Article 4 Francine Tishman moved, and Jon Lumbrá seconded that the Town delete Article XXVIII of the Town’s General Bylaws, entitled; ‘Commercial I.D. Stickers/Landfill’s set forth in Article 4 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 4-passed unanimously

Article-5 Francine Tishman moved, and Jon Lumbrá seconded that the Town amend Article XV of the Town’s General Bylaws, entitled “Soliciting Prohibited,” by amending the existing language as noted, deleting existing language where noted and replacing it with the new language as shown in **boldface text**, as set forth in Article 5 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 5-passed by majority

Article 6 Francine Tishman moved, and Jon Lumbrá seconded that the Town amend Article XXIII of the Town’s General Bylaws, entitled “Numbering of Buildings,” by amending the existing language as noted, deleting existing language where noted and replacing it with the new language as shown in **boldface text**, as set forth in Article 6 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 6-passed by majority

Article-7 Christine Fowles moved, and Jon Lumbrá seconded that the Town accept Article XLVIX of the Town’s General Bylaws, entitled “The Naming of Public Buildings, Structures, Bridges, and Public Lands,” as set forth in Article 7 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 7- passed unanimously

Article 8 Christine Fowles moved, and Jon Lumbrá seconded that the Town vote to transfer/appropriate \$139,895 from Free Cash to the Capital Stabilization Fund.

Article 8- passed unanimously

Article 9 Christine Fowles moved, and Jon Lumbrá seconded that the Town vote to transfer \$101,412.60 from Free Cash to the Operational Stabilization Account.

Article 9 -passed unanimously

Article 10 Christine Fowles moved, and Jon Lumbrá seconded that the Town vote to transfer \$33,804.20 from Free Cash to the Other Post-Employment Benefits Account.

Article 10- passed unanimously

Article 11 Christine Fowles moved and Jon Lumbrá seconded that the Town vote to transfer a total of \$3,831.18 for the 12 previous fiscal year bills as listed in Article 11 of the Warrant for the June 7, 2022 Annual Town Meeting Warrant, and to pay the ZBA invoices from their Revolving account and the other invoices to transfer funds from the appropriate expense account to the Prior Year Bills Account for the unpaid bills from McKesson (2), CBS, LPVEC for Norris School (4), Hampshire Regional for Norris School, Witmer Public Safety Group and All Traffic Solutions.

Article 11-passed unanimously meeting 4/5 majority

Article 12 Christine Fowles moved, and Jon Lumbrá seconded that the Town vote to authorize the Select Board to enter into a five-year contract for copy machine leases at Town Hall and for the Police Station for the Police Department as presented in Article 12 of the Warrant for the June 7, 2022, Annual Town Meeting.

Article 12-passed unanimously

Article-13 Maureen Groden moved, and Jon Lumbrá seconded that the Town raise and appropriate \$18,980,642.31 to fund all municipal departments and the public schools during fiscal year 2023, as shown in the Town's Annual Operating Budget for Fiscal Year 2023 and to fix the salaries for all elected officials as shown and identified in the Column Labeled FY 2023 Recommended Budget, from taxation, \$17,500 from WPAT loan and \$100,000 from Ambulance Fees. *With these three different funding sources the total Operating Budget for FY 2023 is \$19,098,142.31.*

Article 13 The vote was broken into categories as follows:

General Government-\$781,468.40-passed unanimously
Public Safety-\$2,077,862.14-passed unanimously
Education-\$12,133,688.00-passed unanimously
Public Works-\$958,215.07-passed unanimously
Health and Human Services-\$151,345.11-passed unanimously
Culture and Recreation \$184,929.05-passed unanimously
Employee Benefits-\$2,489.335.78-passed unanimously
Debt Service-Principal-\$244,500.00-passed unanimously
Debt Service -Interest-\$76,798.76-passed unanimously

Total FY23 Budget \$19,098,142.31

Article-14 Maureen Groden moved, and Jon Lumbra seconded that the Town vote the budget of the Transfer Station Enterprise Fund as presented in Article 14 of the Warrant for the June 7, 2022, Annual Town Meeting.

Wages	45,081
Operating Expenses	167,200
Environmental Compliance	4,000
<u>Indirect Costs</u>	<u>19,024</u>
Total	235,305

And that \$198,250 be raised from Transfer Station Enterprise Revenues \$37,055 to be taken from retained earnings and \$19,024 to be appropriated in General Fund (Indirect Costs):
or take any other action relative thereto.

Article 14-passed unanimously

Article-15 Maureen Groden moved, and Jon Lumbra seconded that the Town vote to approve the budget of the Water Department Enterprise Fund as presented in Article 15 of the Warrant for the June 7, 2022, Annual Town Meeting.

Salaries & Wages	305,364.88
Operating Expenses	169,526.00
Capital Outlay	100,000.00
Indirect Costs	98,869.00
<u>Debt Services</u>	<u>294,000.00</u>
Total	967,759.88

And that \$922,854.90 be raised from Water Enterprise Revenues, \$44,905 from retained earnings and \$98,869 appropriated in General Fund (Indirect Costs).
or take any other action relative thereto.

Article 15-passed unanimously

Article-16 Maureen Groden moved, and Jon Lumbra seconded that the Town vote to transfer/appropriate a total of \$47,930.00 from Free Cash to the Debt Highway Account (\$47,000.00 in Principal & \$930.00 in Interest) for the FY 23 Debt payment on the Debt Highway Dump Truck new.

Article 16-passed unanimously

Article-17 Maureen Groden moved, and Jon Lumbra seconded that the Town vote to transfer/appropriate a total of \$15,000.00 from Free Cash to the Account for Mass Trails Grant Match for design and engineering costs for the Greenway Bike and Pedestrian Trail if the Town receives the Grant.

Article 17-passed unanimously

Article-18 Maureen Groden moved, and Jon Lumbra seconded that the Town vote to rescind the vote on Article 25 from the June 12, 2021, Annual Town Meeting Warrant which was to appropriate the sum of \$270,000 as a debt exclusion to acquire the Right of Way for the Greenway Rail Trail (Bike and Pedestrian) Path.

A motion was read by Maureen that is different from the warrant that was handed out at the meeting and is above the motion that was read is as follows:

Article 18

MOTION: Move that the Town vote to rescind the portion of the vote on Article 25 from the June 12, 2021 Annual Town Meeting Warrant which was to appropriate the sum of \$270,000 as a debt exclusion to acquire the Right of Way for the Greenway Rail Trail (Bike and Pedestrian) Path.

Article 18-passes unanimously

Article -19 : Christine Fowles moved and Jon Lumbra seconded that the Town appropriates the sum of \$231,000.00 to purchase a new wheel loader for the use of the Highway department, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the treasurer, with the approval of the Select Board, is authorized to borrow the sum of \$231,000 under G.L. c. 44, §7(1) 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 G.L. c. 59, §21C with respect to the repayment of the amounts authorized to be borrowed by this vote. The total amount authorized to be borrowed by this vote shall be reduced to the extent of any trade-in value the town receives for the wheel loader to be replaced with this purchase, which amount shall be applied to offset the purchase price of the new wheel loader.

Article 19- was a borrowing article and had to pass by 2/3 majority paper ballot. The counters counted 95 yays and 4 nays

Article- 20 Christine Fowles moved, and Jon Lumbra seconded to see if the Town will vote to transfer 7,500 from the Capital Stabilization Fund to fund the cost of an engineer to define the scope and specifications for the repair of masonry issues on the Exterior of the building at the Norris Elementary School.

Article 20- passed unanimously to meet 2/3 majority

Article -21 Christine Fowles moved, and Jon Lumbra seconded to see if the Town will vote to transfer the sum of \$56,000 from the Capital Stabilization Fund to the Highway Department

Capital Budget to fund the replacement of the heating system for the Town Highway Garage.

Article 21- passed unanimously to meet 2/3 majority

Article- 22 Christine Fowles moved, and Jon Lumbrá seconded to see if the Town will vote to transfer the sum \$7,400 from Capital Stabilization Fund to the Norris Elementary School Capital Budget to fund the repairs to the roof at the Elementary School.

Article 22- passed unanimously to meet 2/3 majority

Article-23 Christine Fowles moved, and Jon Lumbrá seconded to see if the Town will vote to transfer the sum of \$13,200 from the Capital Stabilization Fund to the Cemetery Capital Budget to fund the installation of new replacement water lines in the Center Cemetery.

Article 23- passed unanimously to meet 2/3 majority

Article-24 Christine Fowles moved, and Jon Lumbrá seconded to see if the Town will vote to transfer the sum of \$18,000 from the Capital Stabilization Fund to the Fire/EMS Capital Budget to fund the purchase of a new Brush Fire & Rescue UTV and Trailer to be used for brush fires and rescue of individuals by the Fire/EMS and Police Departments.

Article 24-passed unanimously meeting 2/3 majority

Article-25 Jon Lumbrá moved, and Christine Fowles seconded that the Town vote to transfer/appropriate \$50,000.00 from Public, Educational, and Government (PEG) Access Capital Fund to the Town's PEG Access Designee, Easthampton Media, to fund the replacement, upgrade and installation of the PEG TV broadcasting, streaming, and recording equipment at their facility for the purposes of broadcasting on the local cable channels. Additionally, funds will be used to update and upgrade studio and field production equipment used by members and staff.

Article 25-passed unanimously

Article-26 Move that the Town vote to authorize the Select Board to petition the General Court for special legislation to authorize the grant of an additional package store liquor license, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or take any other action relative thereto:

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the licensing authority of the Town of Southampton may

grant 1 additional license for the sale of alcoholic beverages to be drunk off the premises under Section 12 of said Chapter 138.

The license shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all requirements of said Chapter 138, except said section 17 relative to the number of licenses that may be granted.

SECTION 2. If a license granted pursuant to this act is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 3. This Act shall take effect upon its passage.

**** A motion was read from the floor that reads as follows:**

MOTION: Jon Lumbra moved, and Christine Fowles seconded that the Town vote to authorize the Select Board to petition the General Court for special legislation to authorize the grant of an additional package store liquor license, as set forth in Article 26 of the warrant; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this

Article 26-passed unanimously

Article -27 Jon Lumbra moved, and Christine Fowles seconded that the Town vote to authorize each written demand issued by the Collector a fee of \$25 to be added and collected as part of the tax, as authorized by MGL c.60, § 15, effective as of July 1, 2022.

Article 27-passed by majority

Article-28 Jon Lumbra moved and Christine Fowles seconded that the Town vote to authorize the Select Board to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 (sections 34 and 47C) of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services.

Article 28-passed unanimously to meet 2/3 majority

Article- 29 Jon Lumbra moved and Christine Fowles seconded that \$200,000 be appropriated for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$200,000 and issue bonds or notes therefore under M.G.L. c.111, s.127B½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Health or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects.

Article 29-passed by majority 1 nay, meeting 2/3 majority requirement.

Article-30 Jon Lumbra and Christine Fowles moved and seconded that the Town vote to set the limitation on expenditures for each Revolving Fund be established according to Article 30 of the June 7, 2022, Annual Town Meeting.

Article 30-passed unanimously

Article-31 Robert Kozub moved, and Jon Lumbra seconded that the Town vote to hear and act on the report of the Community Preservation Committee for fiscal year 2023 and to allocate sums of money from the Community Preservation Fund as presented in Article 31 of the Warrant of the June 7, 2022, Annual Town Meeting.

Article 31- passed by majority

Article-32 Robert Kozub moved, and Jon Lumbra seconded that the Town vote to transfer the sum of \$125,000 from the Community Preservation account to the Housing Authority said funds to be transferred from Community Preservation Surcharge Community Housing Account for the purpose of acquiring 1.32 acres of property and for associated costs of the acquisition to be used for affordable housing.

Article 32-passed unanimously

Article-33 Robert Kozub moved, and Jon Lumbra seconded the Town to vote (a) to appropriate the sum of Four Hundred Forty-Three Thousand Seven Hundred Dollars (\$443,700) from the CPA Undesignated Account for the purpose of acquiring approximately 76 acres of land on

Pomeroy Meadow Road, being Assessor's Map 8, Parcel 1, and described in a deed recorded with the Hampshire Registry of Deeds in Book 14282, Page 287; and
(b) to acquire said property by gift, purchase, or otherwise, for conservation, passive recreation and/or water supply and drinking water protection purposes, said property being in the immediate recharge area for the Barnes Aquifer, said acquisition being subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution; and
(c) to authorize the Water Commissioners, to apply for a DWSP Grant, upon such terms and conditions as the Water Commissioners, with the approval of the Select Board, shall determine to be appropriate, and that the interest in said property shall be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, §§ 39B and 41, as they may hereafter be amended, and other Massachusetts statutes relating to water supply and conservation 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 and conservation 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 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 and conservation restriction to the Commonwealth, or a non-profit corporation or trust that meets the requirements of Massachusetts General Laws, Chapter 184, §§31-33, as may be necessary to effect said acquisition or obtain such grant, and in the event any such grant is awarded, said awarded funds shall be used to reimburse the CPA Undesignated Account; and
(d) to authorize the Conservation Commission, the Water Commissioners and/or the Select Board and any other appropriate Town Officers to take all related actions necessary or appropriate to carry out this acquisition and the grant of a perpetual conservation restriction and the intent of this article.

Article 33 Moderator Robert Floyd removed himself as moderator for this article. Deputy Moderator Doric Dods stepped into present Article 33

Article 33-passed unanimously

Speakers on articles:

**Christine Fowles
Francine Tishman
Jon Lumbr
Maureen Groden
Randall Kemp
Ed Gibson
Aliza Pluta
James Seney
Doric Dods**

**Dylan Mawdsley
Erin Dufresne
Chief John Workman
Robert Kozub
Kim Florek
Patrice Crevier
Karl Kuehner
Jennifer Day**

Tim Gaudet
Jeff Mastroianni
Janet Cain
Kaitlin Swistak-Rooks
David Rooks
Edward Palmer
Bridget Likely
Cindy Palmer

**A motion was made and seconded to dissolve the Annual Town Meeting at
8:40pm**

A true copy Attest,

Lucille A Dalton
Town Clerk