

# Town of Southamptton

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## Special Town Meeting Summaries and Motions

Saturday, March 22, 2025  
10:00 A.M.



**NORRIS ELEMENTARY SCHOOL  
34 POMEROY MEADOW ROAD  
SOUTHAMPTON, MASSACHUSETTS**

- Article 1            Public Safety Complex Design and Construction Costs (Debt Exclusion)
- Article 2            Prudent Investor Rule
- Article 3            OPEB Declaration of Trust
- Article 4            Amendment to General Bylaws Article I: Annual Town Meeting and Election Dates
- Article 5            Amendment to General Bylaws Article X: Swimming Pool Safety
- Article 6            Amendment to General Bylaws Article III: Naming of Public Buildings, Structures and Lands
- Article 7            Transfer of Funds for Legal Costs
- Article 8            Unpaid Accounts from Prior Fiscal Years
- Article 9            CPA Funding for Historical Preservation of First Congregational Church of Southampton

**Article 1 Public Safety Building Planning Bonds (Debt Exclusion)**

To see if the Town will vote to appropriate a sum of money for engineering/architectural services to build a public safety building, and all costs incidental and related thereto including an owners project manager; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

**Article 2 Prudent Investor Rule**

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule", or take any other action relative thereto.

**Article 3 OPEB Declaration of Trust**

To see if the Town will vote to adopt/ re-adopt and accept the provisions of Section 20 of Chapter 32B of the Massachusetts General Laws, as amended by Section 15 of Chapter 218 of the Acts of 2016, establishing an Other Post-Employment Benefits Liability Trust Fund; to authorize the Select Board and Treasurer to execute a declaration of trust creating an expendable trust for the purpose of holding monies appropriated to such fund; to designate the Treasurer as the trustee of such trust; to authorize the transfer of any and all monies currently held for the purpose of paying retiree health and life benefits to such trust; and to authorize the trustee to invest and reinvest the monies in such fund accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws; or take any other action relative thereto.

**Article 4 Amendment to General Bylaws Article I: Annual Town Meeting and Election Dates**

To see if the Town will vote to change the Town By-Laws, Article 93, Section 1 by amending the existing language as noted below, deleting existing language with a strikethrough and adding new language shown in boldface text which reads as follows:

“The Annual Meeting of the Town shall be held on the first ~~Tuesday~~ **Saturday** in May, commencing at ~~7:00 p.m.~~ **10:00 a.m.** in the ~~evening~~ **morning**, and if not completed in a reasonable time, prescribed by the Moderator, shall continue on successive evenings beginning at 7:00 p.m. until its conclusion, excluding Sundays and holidays. The Annual Election of Town officers shall be held on the third Tuesday in May of each year.”

Or take any other action relative thereto.

**Article 5 Amendment to General Bylaws Article X: Swimming Pools Safety**

To see if the Town will vote to change the town bylaw entitled Swimming Pools, by amending the existing language as noted below, deleting existing language with a strikethrough and replacing it with new language shown in boldface text which reads as follows:

“Chapter 234. Swimming Pools

~~[HISTORY: Adopted by the Town Meeting of the Town of Southampton as Art. X of the General Bylaws.~~

~~Amendments noted where applicable.]~~

~~§ 234-1. Swimming pool defined.~~

~~A swimming pool, within the meaning of this bylaw, shall be any permanent depression in the ground, or a permanent container of water, either above or below the ground, in which water of more than 12 inches in depth is contained and which is primarily for the purpose of bathing and swimming.~~

~~§ 234-2. Barrier required.~~

~~All outdoor pools to be constructed or which are already constructed shall be enclosed by a barrier not less than four feet in height, which shall be constructed in such a manner and of a type not readily climbed by children. All gates and doors opening through such enclosures shall be of the self-latching hook type and shall be kept locked when the pool is not in actual use or left unattended.~~

~~§ 234-3. Setback from lot lines.~~

~~A pool shall not be nearer than 10 feet to any lot line.~~

~~§ 234-4. Violations and penalties.~~

~~[Amended 5-9-2023 ATM by Art. 31]~~

~~A person who violates this bylaw shall be liable to a penalty as provided in Chapter 203, Noncriminal Disposition."~~

## "Chapter 234. Swimming Pools

### Definitions:

Definitions for the purposes of this bylaw:

**Swimming Pools et al:** Any body of water more than twenty-four (24) or more inches in depth above or below ground in an artificial or semi-artificial receptacle or container, permanent or temporary, whether located indoors or outdoors, used or intended to be used for swimming by adults and/or children, and includes all structures, equipment, appliances, and all other facilities appurtenant to or intended for the operation and maintenance of a swimming pool. (780 CMR, §R105.2)

### Restrictions:

1. All swimming pools when installed in the rear yard shall be placed no less than fifteen (15) feet from the rear and/or side lot line.
2. No swimming pool shall be placed less than forty feet (40 ft.) from the front lot line.
3. Pools, inground or above ground, will be enclosed in a barrier at least 4 feet in height. Above ground pools may include the height of the pool and may require an addition on the pool to attain the required height. In addition to any other protective measures, a fence is still required by Southampton. Chain link fencing mesh size shall not exceed 2¼ inches.
4. Pools located on fenced property also require an adequate barrier immediately surrounding the pool.
5. Pool fencing must have a self-latching gate and swing outward. All gates and doors opening through such enclosures shall be kept locked when the pool is not in actual use or left unattended.
6. In compliance with MA Building Code 780 CMR, above-ground pools must be removed when the pool is not in use, if not secured by fencing.
7. Permits for swimming pools can be obtained from the Building Department.

### Exemptions:

Small plastic or inflatable children's pools are exempt as are hot tubs with approved safety covers.

### Enforcement:

**The Building Commissioner/Inspector is the enforcing authority and will issue notices of violation to property owners for failure to comply with this bylaw. Penalties/fines will be levied per bylaw Ch. 203, Non-Criminal Disposition.”**

Or take any other action relative thereto.

**Article 6 Amendment to General Bylaws Article III: Naming of Public Buildings, Structures and Lands**

To see if the Town will vote to change the town bylaw entitled The Naming of Public Buildings, Structures and Lands, by amending the existing language as noted below, deleting existing language with a strikethrough and replacing it with new language shown in boldface text which reads as follows:

**“§ 66-5. Procedure.**

The naming, renaming or other designation of any public building, structure, bridge, or public lands shall be by majority vote ~~at an Annual or Special Town Meeting of the~~ **Select Board**. Once public buildings, structures, bridges, or public lands have been named, they shall not be renamed unless changes are recommended by the Select Board and approved by Town Meeting.

**§ 66-6. Criteria.**

Any proposed name or designation of any public building, structure, bridge, or public lands shall be submitted to the Select Board, in writing, **accompanied by a recommendation from any department or agency having jurisdiction**, for its review and recommendation as to the appropriateness thereof, **and a letter of support from the Southampton Historical Commission, where applicable.**

**If named after a person, the Select Board shall take into account the nominee’s past residence in Southampton, extraordinary service and/or contributions to the Town.**

**Public lands may be named according to natural descriptors of the land or after a specific individual as part of a bequest, or some kind of special circumstance.**

~~A. Applicable criteria for naming/renaming consideration shall include, but is not limited to:~~

- ~~—(1) Nominee's past residence in Southampton.~~
- ~~—(2) Nominee's extraordinary service to the Town.~~
- ~~—(3) Nominee's significant contribution to the Town.~~
- ~~—(4) The designated item to be named relates to the individual's service or contribution to the Town.~~
- ~~(5) No public building, structure, bridge, or public lands shall be named for any living person, or commercial enterprise.~~
- ~~—(6) Letter of support from the Southampton Historical Commission, where applicable.~~

~~B. The Select Board may consider additional standards and criteria for consideration of proposed names or designations. Following following a duly advertised scheduled public hearing meeting, the Select Board shall forward its recommendation(s) to Special or Annual Town Meeting for approval.~~

~~C. The naming, renaming or other designation of individual rooms, areas or subareas within a public building or structure or areas or subareas associated with any public lands shall be by the department or agency having~~

jurisdiction over the same. The Select Board shall be notified in writing in advance of the intent to name/rename or designate any subarea within public buildings, structures, and public lands. The Select Board shall be notified within seven days of the installation and naming or renaming permitted under this section. The requirements of Subsection B shall not apply to the naming, renaming or other designation authorized by this Subsection C, provided that the naming, renaming, or other designation is consistent with the following criteria:

- ~~(1) Such rooms, areas, or subareas constitute less than 25% of the public building, structure or public lands at or in which the same may be located;~~
- ~~(2) No such room, area or subarea shall be named for any living person;~~
- ~~(3) No such room, area or subarea shall bear the name of a commercial enterprise; and~~
- ~~(4) A duly advertised public hearing is held at which such naming, renaming or designation is considered and acted upon by said department or agency. Any person objecting to such naming, renaming or designation by the department or agency may, within 10 days thereafter, appeal the action in writing to the Select Board, which shall, after a duly advertised public hearing, approve or reject the action.~~

~~D. The installation and naming, renaming or other designation of features shall be by the department or agency having jurisdiction over the same. The Select Board may, after a duly advertised scheduled public hearing meeting, establish standards and specifications for signs, plaques, markers or other features to be erected on public property within the Town."~~

Or take any other action relative thereto.

**Article 7 Transfer of Funds for Legal Costs**

To see if the Town will vote to transfer an amount totaling \$5,000 from the Group Health Insurance account to Town Hall accounts as listed below;

Amount	From	To	Reason
\$5,000	Group Health Insurance	Legal Expenses	Additional legal expenses

Or take any other action relative thereto.

**Article 8 Unpaid Accounts from Prior Fiscal Years**

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Southampton, or take any other action relative thereto.

Account	Title	Vendor	Amount
01-163-5700-00000	Election/Registration Expenses	Paradise Copies	\$97.06
01-196-5701-00000	Technology Services	Northeast IT	\$202.60
01-422-5701-00000	Machinery Maintenance	Skyline Services	\$112.00
01-422-5702-00000	MS4 Storm Water Management	Tighe & Bond	\$1,748.75
25-200-5008-00000	Dog Control	LL Data Designs	\$495.00
01-220-5700-00000	FY 22 Fire Safe Grant	Dept. of Fire Services	\$7,430.00
25-200-5024-00000	Weights and Measures	COMA Div. of Standards	\$4,462.00
01-300-5700-00000	Elementary School	Pearson	\$141.40
01-300-5700-00000	Elementary School	Jees	\$1,122.00
01-300-5700-00000	Elementary School	Supreme Systems	\$3,217.24

01-300-5700-00000	Elementary School	CH Neurology Foundation	\$1,128.97
01-300-5700-00000	Elementary School	CH Neurology Foundation	\$397.94
01-300-5700-00000	Elementary School	CH Neurology Foundation	\$374.70
01-300-5700-00000	Elementary School	CH Neurology Foundation	\$128.18
22-300-5700-00000	Elementary School	HPC Foodservice Dist.	\$394.44

**Article 9 CPA Funding for Historical Preservation of First Congregational Church of Southampton**

To see if the Town will vote to transfer the sum of \$15,000 from Community Preservation Act Funds to the First Congregational Church of Southampton for installation of three heat pumps, in the portion of the Church used by the public for community activities, to preserve this historic building. Said funds to be transferred from Community Preservation Surcharges—Historic Preservation Account; or take any other action relative thereto.

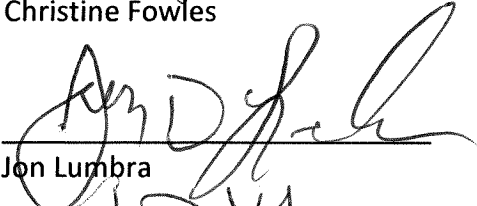
And you are hereby directed to serve this Warrant by posting attested copies thereof in six usual places in said Town, fourteen (14) days at least before the time of holding said meeting. Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this fourth day of March in the year Two Thousand and Twenty-Five.

SELECT BOARD



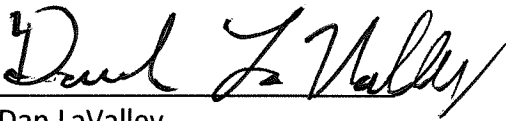
Christine Fowles



Jon Lumbra



Stephen Johnson



Dan LaValley



Cindy Palmer

A True Copy:

ATTEST: \_\_\_\_\_  
Constable

OFFICER'S RETURN  
Hampshire, SS

Date: \_\_\_\_\_

This is to certify that I have served the within warrant by posting attested copies thereof in six usual places fourteen (14) days at least before the time of holding said meeting.

\_\_\_\_\_  
Constable

A True Copy, ATTEST:  
Lucille Dalton, Town Clerk of Southampton