

**TOWN OF EASTON  
COMMONWEALTH OF MASSACHUSETTS  
WARRANT FOR SPECIAL TOWN MEETING  
OCTOBER 30, 2018**

BRISTOL, SS.

To either of the Constables of the Town of Easton in the County of Bristol:  
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Easton qualified to vote in elections and Town affairs to meet in the Oliver Ames High School Auditorium in said Easton on Tuesday, the 30th day of October, next, at 7:00 P.M., then and there to act upon the following articles:

**ARTICLE 1. TRANSFER TO STABILIZATION FUND**

To see if the Town will vote to appropriate by transfer from free cash the sum of \$522,302 to be placed into the Stabilization Fund, or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article transfers twenty-five percent of available free cash to the stabilization fund in accordance with the on-going goal to build up reserves.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 2. PAYMENT OF BILL(S) FROM A PRIOR FISCAL YEAR**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to pay the cost of bills incurred in a prior fiscal year, or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article allows for the payment of prior year bills discovered after the close of the fiscal year, should any arise.*

**Selectmen Recommendation:**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 3. SUPPLEMENT FISCAL YEAR 2019 BUDGET**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds the sum of \$152,000 to supplement fiscal year 2019 departmental budgets, as follows:

Selectmen	\$ 2,000
Sewer Enterprise	15,000
Solid Waste and Recycling Enterprise	<u>135,000</u>
	<u>\$ 152,000</u>

or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: The Selectmen's budget requires additional funding for overtime costs related to increased meetings, sewer enterprise requires additional funds to cover increased costs in connection with increased usage to be offset by additional revenues and solid waste and recycling requires a supplement to cover contractual increases and increased recycling costs.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 4. SUPPLEMENT FY2019 CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or appropriate by transfer from available funds, a sum of money to supplement the capital budget needs of the Town for fiscal year 2019, or take any other action relative thereto.

DPW Pavement Management	\$ 500,000
DPW Utility Vehicle Replacement (F350)	55,000
DPW Environmental Health and Safety Program	30,000
Fire – Explorer Replacement Vehicle	40,000
Police Cruisers (3)	138,095
Information Technology – Computer Replacements	28,657
Water – Foundry Street Water Main Replacement	<u>2,400,000</u>
Total	<u>\$ 3,191,752</u>

Submitted by Town Administrator

*Explanation: This article addresses additional capital needs for fiscal 2019. Anticipated funding sources are \$196,752 in free cash for the DPW Environmental Health and Safety Program, police cruisers and computer replacements with the remainder to come from borrowing.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 5. RESCIND PREVIOUSLY AUTHORIZED DEBT**

To see if the Town will vote to rescind \$73,922 of the borrowing authorized under Article 30 of the May 21, 2012 Annual Town Meeting, and further amended under article 8 of the November 19, 2012 Special Town Meeting, said funding originally appropriated for the purpose of

replacing and/or repairing the Easton Middle School roof, but no longer needed as the project is now complete, or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: The Easton Middle School roof project has been completed and the amount to be rescinded represents the balance of the debt authorization that was never borrowed. This “housekeeping” article will remove the authorization which would otherwise remain on the books indefinitely.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 6. APPROVE FUNDING FOR SPEA WATER DIVISION UNIT CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective bargaining agreement between the Town and the and SPEA Water Division Unit, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with the Water Division Unit for fiscal year 2019 through 2021. The incremental costs associated with this article will be funded from water enterprise revenues.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 7. APPROVE FUNDING FOR SPEA DPW UNIT CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective bargaining agreement between the Town and the and SPEA DPW Unit, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with the DPW Unit for fiscal year 2019 through 2021. The incremental costs associated with this article will be funded by transfer from available collective bargaining reserve funds which were programmed into the fiscal year 2019 operating budget adopted by Annual Town Meeting this May and, accordingly, will not require any additional appropriation beyond the transfer of available funds.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation:**

**ARTICLE 8. APPROVE FUNDING FOR SPEA CLERICAL UNIT CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective bargaining agreement between the Town and the and the SPEA Clerical Unit, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with the Clerical Unit for fiscal year 2019 through 2021. The incremental costs associated with this article will be funded by transfer from available collective bargaining reserve funds which were programmed into the fiscal year 2019 operating budget adopted by Annual Town Meeting in May and water revenues.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 9. APPROVE FUNDING FOR PROFESSIONAL ADMINISTRATIVE EMPLOYEES ASSOCIATION CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective bargaining agreement between the Town and the and the Professional Administrative Employees Association, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with the Professional Administrative Employees Association for fiscal year 2019 through 2021. The incremental costs associated with this article will be funded by transfer from available collective bargaining reserve funds which were programmed into the fiscal year 2019 operating budget adopted by Annual Town Meeting in May and water revenues.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 10. APPROVE FUNDING FOR EASTON PATROL OFFICERS ASSOCIATION CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective

bargaining agreement between the Town and the and the Easton Patrol Officers Association, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with the Easton Patrol Officers Association for fiscal year 2019 through 2021. At the time of this warrant's printing, negotiations are still underway. This article will be dismissed if the agreement is not ratified by Special Town Meeting.*

**Selectmen Recommendation:**

**Finance Committee Recommendation:**

**ARTICLE 11. APPROVE FUNDING FOR IAFF LOCAL 2790 CONTRACT**

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in a collective bargaining agreement between the Town and the and IAFF, Local 2790, such agreement to be effective July 1, 2018 through June 30, 2021; or take any other action relative thereto.

Submitted by Board of Selectmen

*Explanation: This article will fund the cost items of a new collective bargaining agreement with IAFF, Local 2790 for fiscal year 2019 through 2021. At the time of this warrant's printing, negotiations are still underway. This article will be dismissed if the agreement is not ratified by Special Town Meeting.*

**Selectmen Recommendation:**

**Finance Committee Recommendation:**

**ARTICLE 12. AMENDMENT TO THE TOWN CODE – PERSONNEL BYLAW**

To see if the Town will vote to amend the Code of the Town of Easton, Chapter 59 – Personnel § 59-39 (B)(2) by making the following changes thereto, by deleting the text shown with a ~~striketrough~~, and inserting the text shown as underlined, or take any other action relative thereto.

**§ 59-39 Vacation leave.**

B. Carry-over; buy-back.

- (1) Vacations shall not be exchanged for cash except upon termination of employment.
- (2) Vacation accrued in one fiscal year may be carried over to a subsequent fiscal year up to five ten (10) days. ~~Any "minimum" vacation not used as outlined above, will be forfeited.~~ Any days carried over in excess of five (5) days must be used by Labor Day. Any accrued, unused vacation days, beyond the aforesaid rollover allotment of ten (10) days shall be

forfeited, except in extenuating circumstances, which shall require the approval of the Town Administrator.

Submitted by Town Administrator

*Explanation: The proposed change would make the Personnel Bylaw's vacation carryover provision consistent with that of other department heads and staff in the Professional Administrative Employee Association. The Personnel Bylaw applies only to non-union personnel who are not employed via a contract or employed by the School Department. This leaves approximately 16 full time employees and a small number of part time and non-benefited employees.*

*The change as proposed allows non-union employees to carry over a maximum of 10 days in to a new fiscal year rather than the existing 5 days.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 13. AMENDMENT TO THE TOWN CODE – SMOKING BAN**

To see if the Town will vote to amend the Code of the Town of Easton, Chapter 195 – Smoking Ban - Definitions § 195-4 by making the following changes thereto, by deleting the text shown with a ~~strikethrough~~, and inserting the text shown as underlined, or take any other action relative thereto.

**§ 195-4 DEFINITIONS.**

**SMOKE/SMOKING**

The ~~lighting of, or having possession of any lighted~~ inhaling, exhaling, burning or carrying of a lighted or heated cigar, cigarette, pipe or ~~similar tobacco product~~ other tobacco or non-tobacco product intended for inhalation in any manner or form, including the use of electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization. “Smoking” or “smoke” may also include any other activities as may be defined by analogous Massachusetts General Laws or regulations promulgated thereunder.

Submitted by Board of Health

*Explanation: The proposed changes to the definition of Smoke/Smoking will mirror the definition used in MGL Chapter 270 section 22 after December 31, 2018. This change will prohibit the use of all inhaled products in the public places as defined in this bylaw. This will not affect smoking in private homes.*

**Selectmen Recommendation: RECOMMEND**

**Finance Committee Recommendation: RECOMMEND**

**ARTICLE 14. ZONING AMENDMENT – PARKING LOT**

**A § 235 Attachment 1, Town of Easton,**

**Appendix A, Table of Use Regulations, Principal Uses A. Residential Uses**

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 21, 2018, by making the following changes thereto, by inserting the text shown in *italics*, or take any other action relative thereto:

Appendix A: TABLE OF USE REGULATIONS

**R - Residential, R1 - Residential 1, B - Business, BN - Business Neighborhood, I - Industrial, E - Eleemosynary, M - Municipal or Open Space, QCD - Queset Commercial District and vbd - village business district. ZBA - Special Permit/Zoning Board of Appeals, PZB - Special Permit/Planning & Zoning Board, Queset Commercial District (QCD) with Sub-Districts A, B, C.**

In the Queset Commercial (QCD) District, the following shall apply: N (or blank) - not permitted; Y - permitted in Subzones A, B, and C; A - permitted in Subzone A only; B - permitted in Subzone B only; C - permitted in Subzone C only; SP (PZB)-permitted by special permit of the Planning and Zoning Board; SP (ZBA) - permitted by special permit of the Zoning Board of Appeals; SP (BOS) - permitted by special permit of the Board of Selectmen.

<b>E. Retail Business and Consumer Service (con't)</b>	<b>R</b>	<b>R 1</b>	<b>B</b>	<b>BN</b>	<b>I</b>	<b>E</b>	<b>M</b>	<b>QC D<sup>1</sup></b>	<b>VBD</b>
7. Personal service establishment	N	N	Y	Y	ZBA	N	N	Y	Y
8. General service establishment	N	N	Y	Y	ZBA	N	N	Y	Y
9. Hand laundry, dry cleaning, or tailoring, or other similar uses, provided personnel is limited to not more than six (6) persons at any one time on the premises	N	N	Y	N	Y	N	N	B/C	Y <sup>1</sup>
10. Mortuary, undertaking, or funeral establishment	N	N	Y	N	N	N	N	B	N
11. Veterinary establishment, provided that animals are kept indoors	N	N	Y	Y	Y	N	N	B/C	N

<sup>1</sup> Dry cleaning facilities are prohibited in the Village Business District

12. Store for retail sale of merchandise such as but not limited to lumber yards and building supply yards wherein merchandise is stored in the open, provided that all merchandise is screened from ground level view from any abutting street or abutting property where such materials are stores	N	N	N	N	Y	N	N	N	N
13. Planned Business Development	N	N	P Z B	N	PZB	N	N	PZB	N
14. Hotel or Motel	N	N	P Z B	N	N	N	N	PZB	PZB
15. Trade, professional, or other school conducted as a private business for gain	N	N	Y	Y	ZBA	Y	N	B/C	Y
16. Nonprofit membership club or fraternal lodge	Z B A	Z B A	Y	N	N	Y	N	B/C	ZBA
17. Commercial recreation, outdoors	Z B A	Z B A	Z B A	ZB A	ZBA	Z B A	ZB A	Y	ZBA
18. Commercial recreation, indoors	N	N	Z B A	N	ZBA	N	N	Y	ZBA
19. Theater	N	N	Z B A	N	N	N	N	Y	ZBA
20. Sales places for flowers, garden supplies, agricultural produce partly or wholly outdoors, including commercial greenhouses	N	N	Y	N	Y	N	N	Y	N
21. Adult Entertainment Establishment	N	N	N	N	ZBA	N	N	N	N
22. <i>Parking Lot</i>	<i>N</i>	<i>N</i>	<i>P Z B</i>	<i>PZ B</i>	<i>PZB</i>	<i>P Z B</i>	<i>PZ B</i>	<i>PZB</i>	<i>PZB</i>

and;



§ 235-60 **Definitions.**

***PARKING LOT***

*A surface on grade for which the primary use is the temporary parking of vehicles. A Parking Lot includes designated parking spaces, access to and from the lot, circulation within the lot, landscaping, landscaped buffer and adequate lighting to ensure public safety.*

Submitted by Planning and Zoning Board

*Explanation: Currently parking lots, whether public or commercial are not allowed as a use within any district. As Easton is experiencing economic growth within several business districts it is reasonable to expect either the town or a private owner would seek to construct a parking lot as a primary use on a parcel of land. This amendment would allow the Planning Board to issue a Special Permit for public or private parking lots as a primary use in the business district.*

**Selectmen Recommendation: RECOMMEND**

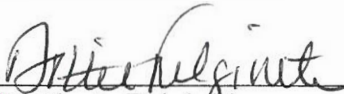
**Finance Committee Recommendation: RECOMMEND**

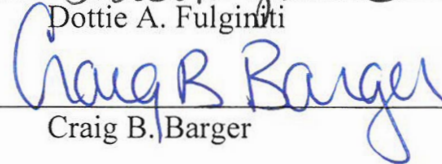
**ARTICLE 15.**

To transact any other business that may legally come before said meeting.

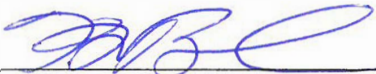
You are directed to serve this Warrant by posting attested copies thereof one at each meeting house and post office and one at the Oliver Ames High School Auditorium and one at the Town Offices, fourteen days at least before the time of holding said meeting.

Given under our hands this 15<sup>th</sup> day of October the year Two Thousand Eighteen.

  
\_\_\_\_\_  
Dottie A. Fulginiti

  
\_\_\_\_\_  
Craig B. Barger

  
\_\_\_\_\_  
David R. Mills

  
\_\_\_\_\_  
Thomas W. Brussard

  
\_\_\_\_\_  
Charles P. King

EASTON BOARD OF SELECTMEN

Easton, Mass Oct 16 2018

By virtue hereof and as within directed, I have this day posted attested copies of this Warrant.

  
\_\_\_\_\_  
Constable of Easton

## OFFICIAL PROCEDURES TO BE USED AT TOWN MEETING

Approved - Town Meeting - May 1978

1. **Main Motion:** **Debatable**  
When a motion has been made, seconded and stated by the Chair, the assembly is not at liberty to consider any other main motion until this motion has been disposed of.
2. **Motion to Amend:** **Majority Vote Required** **Debatable**  
This motion is to change, add, or omit words in the original main motions.
3. **Motion to Amend the Amendment** **Majority Vote Required** **Debatable**  
This is a motion to change, add, or omit words in the first amendment.  
Method of Vote: The first vote is on changing words of second amendment. If the first vote adopts the change, the second vote is on the first amendment as changed or amended. The third vote is on adopting the main motion as changed or amended.
4. **Motion to Commit or Refer:** **Majority Vote Required** **Debatable, Amendable**  
When a motion becomes involved through amendments or when it is wise to investigate a question more carefully, it may be moved to commit or refer the motion to a committee for further consideration.
5. **Motion to Close Debate** **2/3 Vote Required** **Not Debatable**  
When debate does not seem to be shedding additional light on a question, you may move to end it by calling the question: "Mr. Moderator, I call the question." You must be recognized by the Chair before making this motion. As soon as this Motion is made, debate ceases and a vote on closing debate is taken. If the motion is carried, a vote is immediately taken on the question under consideration.
6. **Motion to Reconsider:** **Majority Vote Required** **Debatable**  
This motion must be made the same day as the original motion was carried or defeated. "A vote can be reconsidered only once."
7. **Motion to Adjourn:** **Majority Vote Required** **Debatable**  
This motion is always in order except (a) when a speaker has the floor, (b) when a vote is being taken, (c) after it has just been voted down (d) when the assembly is in the middle of some business which cannot be abruptly stopped. A definite time and place must be set.

### MISCELLANEOUS MOTIONS

These motions (or questions) are not necessarily related to the Main Motion and do not fall within the order of precedence. They may be made as appropriate or necessary.

1. **Question of Privilege:** A motion unrelated to the business taking place, e.g. "Question of privilege, please! It is too noisy. I request that the Chair ask that all talking be stopped."
2. **Point of Information:** Motion used to ask a question or obtain clarification of facts pertaining to the motion at hand. "Point of information, please! What would be the cost to repair this piece of machinery rather than replace it?" There is no vote or debate. The Chair provides the information sought.
3. **Point of Order:** This motion is always in order but can be used only to present an objection to some method of parliamentary procedure. "Mr. Moderator, I rise to a point of order!" Then the objection is stated. There is no vote or debate and the Chair immediately rules on the point of order.
4. **Point of No Quorum:** This motion requires no second and is not debatable. No other motion may be applied to it. It may not be used to interrupt a speaker. When the point is properly raised, the Moderator must then ascertain whether or not a quorum exists.
5. **Secret Ballot:** At any Annual or Special Town Meeting when any article is put to the meeting for a vote, if a voter stands to request a secret ballot, he shall be promptly recognized by the Moderator and if on inquiry by the Moderator such voter is joined by at least 29 other standing voters, the Moderator shall automatically order a secret ballot without a debate.