

**TOWN OF EASTON
COMMONWEALTH OF MASSACHUSETTS
WARRANT FOR ANNUAL TOWN MEETING
May 15, 2017**

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 Monday, the 15th day of May, next, at 7:00 P.M., then and there to act upon the following articles:

ARTICLE 1. ACCEPTANCE OF ANNUAL REPORTS

To see if the Town will vote to accept the reports of the Selectmen, Town Administrator, Assessors, Board of Health, Town Clerk, Treasurer, Collector of Taxes, School Committee, Town Accountant, Director of Public Works, and other Departments, Boards and Committees of the Town, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual vote to accept the Town Report.

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation: RECOMMENDED

ARTICLE 2. BY-LAW AUTHORIZING REVOLVING FUNDS

To see if the Town will vote to amend Chapter 26. Financial Affairs bylaw of the Town of Easton General Bylaws by adding a new § 26-6 to establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers under G.L. c. 44, § 53E½, or take any other action relative thereto, in the Town of Easton as follows:

Chapter 26. Financial Affairs

§ 26-6. Departmental Revolving Funds

A. Purpose.

- (1) This by-law establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

B. Expenditure Limitations.

- (1) A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
 - (a) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund [, except for those employed as school bus drivers²].
 - (b) No liability shall be incurred in excess of the available balance of the fund.
 - (c) The total amount spent during a fiscal year shall not exceed the amount authorized by Town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the select board and finance committee.

C. Interest.

- (1) Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

D. Procedures and Reports.

- (1) Except as provided in General Laws Chapter 44, § 53E^{1/2} and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town accountant auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town accountant auditor provides the department, board, committee, agency or officer on appropriations made for its use.

E. Authorized Revolving Funds.

- (1) The Table establishes:
 - (a) Each revolving fund authorized for use by a town department, board, committee, agency or officer,
 - (b) The department or agency head, board, committee or officer authorized to spend from each fund,
 - (c) The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
 - (d) The expenses of the program or activity for which each fund may be used,
 - (e) Any restrictions or conditions on expenditures from each fund,
 - (f) Any reporting or other requirements that apply to each fund, and the fiscal years each fund shall operate under this by-law.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Fiscal Year
Conservation Commission Chapter 227 Filing Fee Account	Conservation Commission	Fees required by Chapter 227, Wetlands Regulations, of the Code of the Town of Easton	Services of expert engineers and consultants; supplies, services and administrative costs as necessary; the purchase of software; and any other related expenses. to aid the Commission in making decisions on conservation applications, or enforcement actions.	Fiscal Year 2018 and subsequent years
Site Plan & Subdivision Review, Special Permit and Inspection Fees Account	Planning & Zoning Board	Fees received from applicants for subdivision or special permit approval for application review, publication of notices and inspections	Services of expert engineers and consultants, related administrative costs, deemed necessary by the Board; costs and expenses of application review and inspections during construction; the purchase of software; and any other related expenses.	Fiscal Year 2018 and subsequent years
Town Clerk's Record Preservation Fund	Town Clerk	Fees and receipts received from a surcharge applied to all certified vital record copies	Supplies, services, and related administrative costs to aid in the preservation, restoration and documentation of the permanent records of the Town.	Fiscal Year 2018 and subsequent years
Recreation Revolving Fund	Recreation	Fees and receipts received from recreational programs and activities	Supplies, services, and related administrative costs for the operation of recreational programs and activities for the Town.	Fiscal Year 2018 and subsequent years
Recreational Field Maintenance Revolving Fund	Recreation	Fees and receipts and donations received in connection with field usage and related activities	Supplies, services, equipment, and related implementation costs for the operation and maintenance of recreational fields for the Town.	Fiscal Year 2018 and subsequent years

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Fiscal Year
Board of Health Vaccination Revolving Fund	Health Dept.	Fees and receipts received from vaccination activities	Supplies, services, and related administrative costs for the purpose of purchasing and administering vaccinations for the Town.	Fiscal Year 2018 and subsequent years
Board of Health Betterment Fees Revolving Fund	Health Dept.	Fees and receipts received in connection with septic betterment applications	Supplies, services, and related administrative costs for the purpose of administering the Septic Betterment Program for the Town.	Fiscal Year 2018 and subsequent years
Agricultural Commission Revolving Fund	Agricultural Commission	Fees and receipts received in connection with agricultural programs delivered by the Agricultural Commission	Supplies, services, and related administrative costs for the purpose of delivering agricultural programs in the Town.	Fiscal Year 2018 and subsequent years

or take any other action with relative thereto.

Submitted by Board of Selectmen

Explanation: This article establishes a bylaw for said revolving funds in accordance with the State’s Municipal Modernization Act. Previously, the revolving funds and their respective spending limits were authorized annually at town meeting in one article. This change allows the funds to remain authorized until revoked by bylaw change and only the spending limits will need to be voted going forward.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 3. SPENDING LIMITS FOR REVOLVING FUNDS

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2017 to be expended in accordance with the bylaws heretofore approved.

FUND	Approved Total Expenditures
Conservation Commission Filing Fees	\$50,000

Planning Board Fees	\$50,000
Town Clerk Records	\$10,000
Recreation	\$300,000
Recreation Field Maintenance	\$50,000
Board of Health vaccinations	\$10,000
Board of Health Betterment Fees	\$5,000
Agricultural Commission	\$25,000

Explanation: This article establishes the spending limits for the funds authorized in Article 2.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 4. ELECTED OFFICIALS' COMPENSATION

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

- Board of Selectmen, each member \$1,800
- Board of Health, each member \$1,000
- Board of Assessors, each member \$1,800
- Moderator \$ 100

or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual article, required by statute, to set the salary levels for all compensated elected officials.

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation: RECOMMENDED

ARTICLE 5. APPROPRIATION AND AUTHORIZATION TO EXPEND CHAPTER 90 FUNDS

To see if the Town will vote to appropriate the sum of \$xxxx to be expended in anticipation of the reimbursement authorized for the State's share of the cost of work to be done under Chapter 90 of the General Laws, or to take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is the Town's annual share of Chapter 90 funds provided by the State for road related improvements in the community.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 6. 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:

ARTICLE 7. SUPPLEMENT FISCAL YEAR 2017 BUDGETS

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to supplement fiscal year 2017 budgets, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 8. TRANSFER TO STABILIZATION FUND

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to be placed into the stabilization fund, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 9. TRANSFER TO OPEB TRUST FUND

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to be placed into the OPEB (Other Post-Employment Benefits) Trust Fund, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 10. TRANSFER TO UNEMPLOYMENT TRUST FUND

To see if the Town will vote to raise and appropriate or appropriate and transfer from available funds a sum of money to be transferred into the unemployment trust fund, or take any other action relative thereto.

Explanation: The balance in the trust fund is XXXX and needs to be supplemented.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 11. FUND SICK LEAVE BUYBACK REQUESTS AS REQUIRED BY COLLECTIVE BARGAINING

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 accumulated sick-leave required to be paid by collective bargaining contract, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This article will fund the buyback of accumulated sick leave for retiring union members and members opting to buyback time as allowed under collective bargaining agreements. Anticipated appropriation for this article is \$115,000 for six employees.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 12. FY 2018 OPERATING BUDGET

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money to defray the Town charges for the ensuing fiscal year including the salaries of the several elected and appointed officers of the Town, and make appropriations for the same as listed below, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This is the annual operating budget for the Town. The Town Administrator and others will make a presentation at town meeting regarding this proposal.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 13. APPROVAL OF TAX AGREEMENT WITH SUNPOWER CORP.

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 14. PROPOSED ARTICLE TO CREATE A DEPARTMENT OF MUNICIPAL FINANCE IN THE TOWN OF EASTON

To see if the Town will vote, pursuant to Section C5-1(b) of the Town of Easton Home Rule Charter, to establish a municipal finance department in the Town of Easton, as follows:

1. Creation of Department of Municipal Finance. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the Town of Easton a department of municipal finance responsible for the coordination of all financial functions and activities of the town, including but not limited to: maintenance of all accounting records and other financial statements; payment of all obligations on behalf of the town; investment of town funds and management of debt; receipt of all funds due; maintenance of a system of property valuation; rendering of advice, guidance, and recommendations to town departments, offices, and boards in matters related to their financial or fiscal affairs; and routine monitoring and reporting of revenues and expenditures by town departments, offices, and boards. The department shall include the offices and functions of the town accountant, treasurer/collector, board of assessors, chief assessor, and assistant assessor. The department shall have such additional powers, duties, and responsibilities with respect to municipal finance-related functions and activities as the town may from time to time provide by bylaw.

2. Finance Director. The department of municipal finance shall be under the direct control and supervision of the finance director who shall report to the town administrator. The finance director shall be the town accountant, as appointed by the board of selectmen pursuant to the provisions of § C3-2 (d) of the Town of Easton Home Rule Charter, subject to the bylaws of the Town of Easton, as they may be amended from time-to-time. The director may be removed by the board of selectmen in accordance with the procedures set forth in § C7-11 of the Charter.

The director shall be a person especially fitted by education, experience, and training to perform the duties of the office.

3. Finance Director Duties and Responsibilities. The director shall also serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the office of the town accountant, treasurer/collector, and chief assessor. The director shall assist the town administrator in the preparation of the annual operating budget and capital plan, shall be an advisor to the board of selectmen, town administrator, finance committee, and all other town departments, concerning financial and programmatic implications of current and future financial policies, including standards for the preparation of the annual budget and capital plan. The director shall, in consultation with the town administrator, be responsible for the supervision and coordination of all tasks and activities of the department. The director shall provide the town administrator and board of selectmen with reports no less than quarterly and more often as requested concerning the matters under their supervision. The director shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on the offices of town accountant under the General Laws, except as provided herein. The director shall have such additional duties and responsibilities as may be determined from time-to-time by the town administrator, and as may be determined bylaw.

4. Chief Assessor. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the Town of Easton the position of chief assessor who shall report to the finance director. The chief assessor shall be appointed by the town administrator in consultation with the finance director; provided, however, that said appointment shall be subject to the bylaws of said Town of Easton, as they may be amended from time-to-time. The chief assessor shall be responsible for all the assessing functions for the Town of Easton. The chief assessor shall be a person especially fitted by education, experience, and training to perform the duties of the office. An elected, three-member Board of Assessors shall be part of the Department of Municipal Finance, and shall continue to make decisions on matters of statutory independence, which they are required to make under Massachusetts General Laws.

5. Treasurer/Collector. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the Town of Easton the position of treasurer/collector who shall report to the finance director. The treasurer/collector shall be appointed by the town administrator in consultation with the finance director; provided, however, that said appointment shall be subject to the bylaws of said Town of Easton, as they may be amended from time-to-time. The treasurer/collector shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on the office of treasurer and collector under the General Laws, except as provided herein. The treasurer/collector shall be a person especially fitted by education, experience, and training to perform the duties of those offices.

Submitted by Board of Selectmen

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 15. APPLICATION OF BOND PREMIUM TO PAY PROJECT COSTS

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44 Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs, and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: The State's recent passage of the Municipal Modernization Act now restricts the use of premiums received in connection debt issuances to either offset project costs or be reserved for future capital use. All future borrowing authorizations will require specific language related to premium use. However, the Town has multiple borrowing authorizations outstanding that have not yet been fully bonded. This article provides the necessary language to allow those premiums to be used to offset the costs of those projects and reduce the amount to be borrowed.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 16. ESTABLISHMENT OF SPECIAL EDUCATION RESERVE FUND

To see if the Town will accept the provisions of Chapter 40, Section 13E of the Massachusetts General Laws permitting the School District to establish a Special Education Reserve Fund; or take any other action relative thereto.

Submitted by School Committee

Explanation: The purpose of this Article is to permit the school district to establish a special education reserve fund pursuant to M.G.L. c. 40, Sec. 13E. Upon acceptance of the statute by majority votes of the school committee and town meeting, the school district will have the ability to establish a Special Education Reserve Fund and appropriate and/ or transfer money to the fund. The money in the fund will be utilized in upcoming fiscal years to pay, without further appropriation, for unanticipated or unbudgeted special education costs, out-of-district special education tuition, and transportation. Distributions from the fund to pay for unanticipated or unbudgeted special education expenses will require a majority vote of the school committee and majority vote of the selectmen approving the distribution. The balance in the Special Education Reserve fund cannot exceed 2% of the annual net school spending of the school district. The district treasurer may invest the monies in the manner authorized in section 54 of chapter 44 and any interest earned thereon shall be credited to and become part of the fund.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 17. APPROVE FUNDING FOR SOUTHEASTERN PUBLIC EMPLOYEES ASSOCIATION PUBLIC SAFETY DISPATCHERS' 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 Professional Administrative Employees Association, such agreement to be effective July 1, 2016 through June 30, 2018; 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 Public Safety Dispatchers Unit for fiscal 2017 - 2018. The estimated cost for fiscal 2017 is \$18,000 and is included in the fiscal 2017 budget.

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation:

ARTICLE 18. FY 2018 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 for the purpose of meeting the capital budget needs of the Town for fiscal year 2018 or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This is the annual capital budget for the Town. Funding sources are borrowing and available funds.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 19. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$124,705 of the borrowing authorized under Article 10 of the May 11, Annual Town Meeting and \$10,000 of the borrowing authorized under Article 27 of the May 11 Annual Town Meeting, said funding originally appropriated for the respective purposes of funding the North Easton Village wastewater treatment and collection facilities construction and the fiscal year 2012 capital budget, but no longer needed as the projects are completed, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The amounts to be rescinded in this article represent authorizations that were not borrowed for the North Easton Village sewer system and the 2012 capital budget. This “housekeeping” article will remove the residual authorizations which would otherwise remain on the books indefinitely.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 20. PERMANENT SEWER EASEMENTS

To see if the Town will vote to raise and appropriate a sum of money for; and authorize the Selectmen to accept gifts, purchase, or take by eminent domain permanent easements and temporary construction easements necessary to construct, operate and maintain sewer infrastructure, including a sewer line and sewer pump station in or off of Washington Street and Country Lane, all as shown on plans of land identified as follows: (1) Washington Street Sewer Pump Station Easement”, prepared by GEOD Consulting, dated August 19, 2016; and (2) “County Lane Sewer Easement”, prepared by GEOD Consulting, dated October 20, 2016 and (3) “Queset Commons Easement Plan”, prepared by GEOD Consulting, dated October 20, 2016, copies of which will be on file with the Town Clerk’s Office 14 days before the Town Meeting; or take any other action relative thereto.

Submitted by Town Administrator

Explanation: The three easements are necessary to install and maintain sewers in the Queset Sewer District.

Selectmen Recommendation:

Finance Committee Recommendation

ARTICLE 21. REPORT AND FY 2018 BUDGET OF THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2018 Community Preservation Budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, or take any other action relative thereto.

PROPOSED FISCAL YEAR 2018 COMMUNITY PRESERVATION BUDGET

<u>Purpose</u>	<u>Recommended Amount</u>
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Appropriations

Administrative Expenses	\$ 72,500
Debt Service	\$ 529,863

Reserves

Annual Budgeted Reserve	\$ 847,637
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Submitted by Community Preservation Committee

Explanation: This article proposes the fiscal year 2018 budget for the Community Preservation Committee. Recommended amounts to be funded shall be considered separate appropriations.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 22. CPA FUNDING – AFFORDABLE HOUSING TRUST FY18 PROGRAMS

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$145,000 from available Community Preservation Funds to the Affordable Housing Trust Fund or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: This article would fund the Affordable Housing Trust's activities for FY 2018. The Trust works to implement the Affordable Housing Action Plan which provides resources and affordable housing options to low and moderate income residents. FY2018 activities will include funding of the Homebuyer Assistance Program, support for creation of group housing for developmentally disabled individuals on Foundry Street, matching funds for rebuilding Housing Authority family unit(s) on Poquanticut Avenue, support for a non-profit developer to create a family unit on Electric Avenue, and support for planning work and related administration. Due in part to the work of the Affordable Housing Trust, the Town of Easton is near compliance with Massachusetts General Law Chapter 40-B, which requires that 10% of a Town's year-round housing be designated as affordable by the State's Department of Housing & Community Development (DHCD). This funding will help ensure the Town reaches and remains at or above the 10% requirement, protecting the Town from housing projects that could potentially circumvent local zoning, while providing housing opportunities for low and moderate income households.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 23. CPA FUNDING – NEW PRACTICE FIELD & TURF FIELD ENGINEERING

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate up to \$268,000 from available Community Preservation Funds for the purpose of constructing a new practice field and to complete an engineering plan in preparation for replacement of the Turf Field at the Oliver Ames High School located at 100 Lothrop Street and listed on Assessors Map 26U as Lot 7, provided that such funds may not be utilized for the purchase of artificial turf itself, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: This article would provide \$250,000 in funding to cover costs associated with construction of a new practice field on existing town-owned land at Oliver Ames High School and \$18,000 for completion of a field engineering plan in preparation for replacement of the turf field at the High School. Construction of the practice field increases field rotation opportunities and will likely aid in extending the life of the turf field.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 24. CPA FUNDING – OAKES AMES MEMORIAL HALL RESTORATION PROJECT

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate up to \$200,000 from available Community Preservation Funds for the purpose of conducting exterior preservation work at Oakes Ames Memorial Hall, located at 3 Barrows Street and listed on Assessors Map 16U as Lot 9, including complete restoration of the northeast stair tower's brownstone roof, masonry work on the balance of the south elevation and window restoration first floor of the west elevation or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: This article would fund restoration work to the historic Oakes Ames Memorial Hall, including complete restoration of the northeast stair tower's brownstone roof, masonry work on the balance of the south elevation and window restoration first floor of the west elevation. This work is recommended in the Comprehensive Needs Assessment for the Hall approved at the November, 2014 Town Meeting. The second phase of emergency repairs was approved at May 2016 Annual Town Meeting. Upon completion of this work the critical building envelope needs will be addressed.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 25. CPA FUNDING - FROTHINGHAM PARK – GAZEBO CONSTRUCTION, TENNIS COURT REHABILITATION

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate up to \$44,000 from available Community Preservation Funds for the purpose of funding the construction of a gazebo and rehabilitating the existing tennis courts at Frothingham Park located at 46 Sheridan Street and listed as Assessors Map 21U, Lot 263. This award is contingent on the applicant submitting design plans for the gazebo to the Community Preservation Committee and the Historical Commission for review and approval prior to construction; and that, prior to authorizing payment of CPA funds for the completed construction of the gazebo, the Community Preservation Committee or its appointed designee confirm the gazebo was constructed according to the approved design plans or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: Costs associated with construction of a gazebo and rehabilitation of the tennis courts within Frothingham Park would be reimbursed up to \$44,000.

Selectmen Recommendation:

Finance Committee Recommendation: RECOMMENDED

ARTICLE 26 –FOR MARIJUANA MORATORIUM

To see if the Town will vote amend its zoning bylaws by adding the following new Section 12 imposing a temporary moratorium regulating recreational marijuana, as follows:

Section 12. Temporary Moratorium the Regulation and Taxation of Marijuana Act

12.1.1. Purpose.

The Initiative Petition for the Regulation and Taxation of Marijuana, also known as Ballot Question Four, Acts 2016, Chapter 334, was approved by voters at the Massachusetts State election on November 8, 2016 (the “Act”). The purpose of the Act is to control the cultivation, production, distribution and sale of marijuana under a system that licenses, regulates and taxes the entities engaged in such activities in a manner similar to alcohol and to make the use of marijuana legal for adults 21 years of age or older. The Act took effect on December 15, 2016, which effective date was postponed for six months pursuant to Acts of 2016, Chapter 351. Section 5 of the Act provides that a town may adopt by-laws that impose reasonable safeguards on the operation of marijuana establishments, provided they are not unreasonably impracticable and are not in conflict with the Act or with regulations made pursuant to the Act. However, the Act contains certain ambiguities and, to date, regulations and anticipated legislative amendments

have not been adopted. As a consequence, the means by which a municipality may regulate the sale, distribution and use of recreational marijuana are unclear.

Under the current zoning by-law, a marijuana establishment is not defined and is not a specified permitted use in the town. As this is a new type of land use in the state, there will be unique and new aspects to the use that could require oversight and regulations. These local impacts, which could be legal, land use, public safety, and public health, should be evaluated and addressed in a comprehensive manner in the zoning by-law prior to the permitting of a marijuana establishment. The moratorium, of a finite duration, will allow the town to carefully study the potential impacts, both primary and secondary, of such establishments and, through a directed planning process, recommend zoning by-law amendments to address the town's concerns in the context of comprehensive land-use planning and other town planning goals and objectives.

12.1.2. Definitions. "Marijuana Establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business. The definitions set forth in the Act, as amended, shall apply equally to this article. This definition does not include the cultivation, distribution and/or sale of medical marijuana, which is expressly excluded from regulation under the Act.

12.1.3. Establishment and Duration.

- a. Moratorium - No building permit, special permit, variance, site plan or other permit may be issued under this zoning bylaw, and no use of land or structures shall be allowed for the purpose of establishing a Marijuana Establishment.
- b. The moratorium shall be in effect through and including June 30, 2018, or until such time as zoning amendments are adopted that address marijuana establishments, whichever shall be sooner.

12.1.4. Applicability. This Bylaw shall be effective in all zoning districts in the town, including overlay districts. This Bylaw does not apply to the cultivation, distribution or sale of medical marijuana.

Or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The purpose of this article is to preclude the establishment of recreational marijuana dispensaries until such time as the Town has had an opportunity to review and consider impending State regulations and statutory amendments. Upon the adoption of any such laws, the Town may either prohibit or regulate recreational marijuana cultivation and sales.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 27. PROPOSED AMENDMENT TO THE HOME RULE CHARTER
ARTICLE 4 TOWN ADMINISTRATOR

ARTICLE 28. ZONING AMENDMENT: MINOR CORRECTIONS AND MODIFICATIONS

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 June 20, 2016, by making the following changes thereto, by deleting the text shown with a strikethrough, and inserting the text shown in italics:

Item 1: §6.1.5 TABLE OF OFF-STREET PARKING REGULATIONS – reinsert the following portion of the Table of Off-Street Parking Regulations inadvertently omitted from the 2016 Zoning Bylaw Recoding:

<p>13. <i>Other school</i></p>	<p><i>Two per classroom in an elementary and junior high school. Four per classroom in a senior high plus one space for every ten seats of total seating capacity in auditorium or gymnasium, whichever has the larger capacity.</i></p>
<p>14. <i>Community facility (Town building, recreation, etc.)</i></p>	<p><i>One per each 400 sq. ft. of gross floor space.</i></p>
<p>15. <i>Dormitory, fraternity, sorority, YMCA or similar use</i></p>	<p><i>One for each sleeping room.</i></p>
<p>16. <i>Public utility</i></p>	<p><i>One for each 400 sq. ft. of gross floor area devoted to office use.</i></p>
<p>17. <i>Transportation terminal establishment</i></p>	<p><i>One for each 600 sq. ft. of gross floor area.</i></p>
<p>18. <i>Multiple use</i></p>	<p><i>Shared parking requirement calculated per §7-16 K.6.</i></p>
<p>19. <i>Bank</i></p>	<p><i>Two for each 1,000 sq. ft.</i></p>
<p>20. <i>Drive-Thru Restaurant</i></p>	<p><i>Two for each 1,000 sq. ft.</i></p>
<p>21. <i>Restaurant</i></p>	<p><i>One for each four seats of total seating capacity.</i></p>

22. Any use permitted by this by-law not interpreted to be covered by this schedule	Closest similar use as determined by the Planning & Zoning Board.
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Item 2: §7.1 ADULT ENTERTAINMENT ESTABLISHMENTS.

7.1.1 Purpose. *It is the purpose of this Section governing Adult Entertainment Establishments to address and mitigate the secondary effects of Adult Entertainment Establishments and sexually oriented businesses that are referenced and defined herein. Secondary effects have been shown to include increased crime, adverse impacts on public health, adverse impacts on the business climate of the Town, adverse impacts on the property values of residential and commercial properties, and adverse impacts on the quality of life in the Town. All of said secondary impacts are adverse to the health, safety and general welfare of the Town and its inhabitants.*

1. The provisions of this By-Law have neither the purpose nor intent of imposing a limitation on the content of any communicative matter or materials, including sexually oriented matter or materials. Similarly, it is not the purpose or intent of this By-Law to restrict or deny access by adults to Adult Entertainment Establishments or to sexually oriented matter or materials that are protected by the Constitution of the United States of America or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors or exhibitors of such matter or materials may have to sell, rent, distribute or exhibit such matter or materials. Neither is it the purpose or intent of this By-Law to legalize the sale, rental, distribution or exhibition of obscene or other illegal matter or materials.

7.1.2 Authority. *This By-Law is enacted pursuant to G.L. Chapter 40A and pursuant to the Massachusetts Constitution to serve the compelling Town interests of limiting the location of and preventing the clustering and concentration of certain Adult Entertainment Establishments for the reasons set forth, above.*

7.1.3 Applicability. *An Adult Entertainment Establishment shall be permitted as set forth in the Table of Use Regulations by special permit by the Board of Appeals when the Board determines that the requirements of Sections 10.4 and 10.5, excepting 10.5.2(2 & 4), have been met, and provided further that conditions imposed under Section 10.5.4 shall be limited to conditions that are both content-neutral and the least-restrictive means available of regulating the proposed facility.*

7.1.4 Location. *Adult Entertainment Establishments may not be located less than 750 (seven hundred fifty) feet from:*

- 1. Each other;*
- 2. Residential uses;*

3. *Public or private nursery schools;*
4. *Public or private day care centers;*
5. *Public or private kindergartens;*
6. *Public or private elementary schools;*
7. *Public or private secondary schools;*
8. *Playgrounds; and*
9. *Churches.*

7.1.5 Conditions.

1. *In no instance shall the Board of Appeals issue a special permit to any person convicted or violating G.L. c. 119, s. 63 or G.L. c. 272, s. 28.*
2. *No pictures, publications, electronic media, or other implements, items, or advertising that fall within the definition of adult merchandise shall be displayed in store windows or be visible from areas used by the general public.*

Item 3: §9.1.2 AQUIFER PROTECTION OVERLAYS DISTRICTS; ESTABLISHMENT AND LOCATION. The Aquifer Protection Overlays District (APOD) shall be as delineated on the Zoning Map of the Town of Easton and shall be superimposed over any other district established by this By-law. They are based upon a 5-foot contour interval water table map, surficial geologic mapping and ground water modeling.

9.1.3 PROHIBITED USES. Within an APOD, the following uses are specifically prohibited:

1. Sales or storage of fuels;
2. Junk yards;
3. Municipal sewage treatment facilities with on-site disposal of primary or secondary treated effluent;
4. Packaged sewage treatment plants;
5. Car washes;
6. Road salt stockpiles not stored in approved structures;
7. Dumping of snow from outside the district;
8. Dry cleaning establishments;
9. Motor vehicle and boat service and repair facilities;
10. Metal plating establishments;
11. Veterinary clinic/animal hospital;
- ~~12. Planned Business Development~~
12. ~~13.~~ Planned Industrial Development;
13. ~~14.~~ Chemical and bacteriological laboratories;
14. ~~15.~~ Any other use which involves as a principal activity the manufacture, storage, use, transportation or disposal of toxic or hazardous materials, except as allowed by special permit in this Section.
15. ~~16.~~ Sanitary Landfills; specifically excluded from this provision is the

continued use and vertical expansion of the existing municipal sanitary landfill off Prospect Street in accordance with approval by the Massachusetts Department of Environmental Protection (DEP).

16. ~~17.~~ Solid waste facilities; with the specific exception that the existing landfill located off Prospect Street may be converted to a composting facility and/or a solid waste transfer station.

17. ~~18.~~ Land filling of sludge and septage.

Item 4: APPENDIX: TABLE OF USE REGULATIONS

PRINCIPAL USES									
A. Residential Uses	R	R1	B	BN	I	E	M	QCD¹	VBD
1. Single family dwelling	Y	Y	Y	ZBA	N	ZBA	N	N	ZBA
2. One 2-family or one duplex dwelling	PZB	PZB	PZB	N	N	N	N	B	PZB
3. Multifamily Dwellings (See Sec. 8.4)	N	N	Y	N	N	N	N	N	N
4. Conversion of an existing dwelling to two dwelling units	PZB	PZB	Y	N	N	N	N	B	PZB
5. Mixed Use ²	N	N	Pzb	N	N	N	N	PZB/A C	Y
6. Assisted living residence (See Sec. 8.2)	ZBA PZB	ZBA PZB	ZBA PZB	N	N	N	N	N	ZBA PZB
7. Bed and breakfast (See Sec. 8.3) * ZBAPZB for 5 to 10 rooms for rent	Y	Y	Y	N	N	N	N	N	Y

¹ Under Queset Commercial (QCD), letter designations A, B, or C refer to the subdistricts. Where Y appears the use is permitted anywhere in the QCD.

² Provided that in the Queset Commercial District, mixed-use development shall be permitted only if at least 2/3 of the total gross floor area in the project is used for Office, Retail or Restaurant Uses permitted under Subsections D and E of Section 5.3.

Submitted by Planning & Zoning Board

Explanation: In 2016, the Planning and Zoning Board updated the Zoning Bylaw. During the drafting of the Recoded Bylaw a portion of the Off-Street Parking was inadvertently omitted; Planned Business Developments were not intended to be included in the list of prohibited uses within the Aquifer Protection District; and the Zoning Board of Appeals, rather than the Planning and Zoning Board was listed in the Table of Use Regulations as the Special Permitting Authority for Assisted Living Residences and Bed and Breakfast establishments of a certain size. Additionally, the Attorney General's office disallowed section 7.1 of the recoded bylaw as it did not provide clear direction as to when a Special Permit for an Adult Entertainment Establishment must be allowed.

DRAFT

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation:

ARTICLE 29. DISPOSITION OF TOWN LAND

To see if the Town will vote to authorize the Board of Selectmen to convey two certain parcels of land at 6 and 10 Electric Avenue, upon such terms and conditions, and for such consideration as the Board of Selectmen deem to be in the best interest of the Town for the purpose of developing the parcels as a single lot for the construction of one single-family house containing no more than three bedrooms and subject to a deed restriction for occupancy by an income-eligible household such that the unit would be eligible for inclusion on the Massachusetts Subsidized Housing Inventory as affordable housing, or take any other relative action thereto.

Submitted by Board of Selectmen

Explanation: 6 and 10 Electric Avenue are two parcels of land taken by tax-title. A preliminary site development feasibility study indicates that these two parcels might be merged into one and be suitable for the development of up to a three-bedroom house. The purpose of this article would be to allow the Selectmen to convey the parcel to a non-profit developer.

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation:

ARTICLE 30. REQUEST TO CHANGE DEFINITION OF SECTION 2.6.1 OF THE 2016 EASTON ZONING BYLAWS

Current definition codified in Section 2.6.1 of the 2016 Town of Easton zoning by laws in it's present text states:

“When a lot is situated in part in the Town of Easton and in part in an adjacent municipality, the provisions of this bylaw shall be applied to the portion of such lot in the Town of Easton in the same manner as if the entire lot were situated in the Town of Easton.”

Proposed new definition codified in Section 2.6.1 of the 2016 Town of Easton zoning by law shall state:

“When a lot is situated in part in the Town of Easton and in part in an adjacent municipality, the land located in an adjacent municipality may be combine with land located in the Town of Easton to comply with the area and dimensional requirements of the Town of Easton zoning bylaws provided that: (1) the use of the portion of the land that lies within Easton must comply with the underlying Easton zoning district in which the land sits; (2) the lot to be created has the frontage along a public or private way located in the Town of Easton; and, (3) any structure(s) must be built wholly within the Town of Easton.”

Submitted by Citizen Petition

Motion: [to be made by petitioner]

Explanation: This was submitted by citizen petition.

ARTICLE 31.

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

DRAFT