

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF SCITUATE, MASSACHUSETTS**

**WARRANT**

Plymouth ss.

TO: Either of the Constables of the Town of Scituate

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Scituate qualified to vote in elections and Town affairs that a **SPECIAL TOWN MEETING** will be held in the **SCITUATE HIGH SCHOOL GYMNASIUM**, 606 Chief Justice Cushing Highway on Monday, the 2nd day of November, 2015, at 7:00 p.m. or as soon thereafter as the subject matter of this warrant can then and there be reached, and the Town Clerk is required to notify and warn the Town Meeting members then and there to meet and act on the following Articles:

**ARTICLE 1. Reports of Boards and Committees**

To see if the Town will vote to hear or act upon any reports from town officers or committees, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 2. Fiscal Year 2016 Budget Reconciliations**

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$740,000.00, or a greater or lesser sum, for the purpose of balancing the Fiscal Year 2016 Operating Budget pursuant to Articles 4, 7 and 9 of the April 13, 2015 Annual Town Meeting warrant, or take any other action relative thereto:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>REASON</u>
Water Department Expense	Retained Earnings	\$350,000	Debt Adjustment & Electricity increase
Sewer Department Expense	Retained Earnings	\$315,000	Electricity increase & Repair of key components
School	Contributory Health Ins.	\$ 50,000	School Portion Surplus
Police	Contributory Health Ins.	\$ 25,000	Personnel Changes

*Sponsored by: Board of Selectmen*

### **ARTICLE 3. 2015 Storm Mitigation and Remediation Costs**

To see if the Town will vote to transfer from available funds in the Treasury, the sum of \$1,150,000.00, or a greater or lesser sum, into the Stabilization Fund to replace amounts transferred to pay Fiscal Year 2015 bills associated with record breaking winter storms and weather, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

### **ARTICLE 4. General Fund Debt Service Reconciliation**

To see if the Town will vote to reduce the amount authorized pursuant to Article 3 of the April 13, 2015 annual town meeting warrant relative to General Fund Debt by reducing the appropriation \$1,556,591.00, or a greater or lesser sum, to reflect the actual cost of Debt Service for General Fund Projects for Fiscal Year 2016, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

### **ARTICLE 5. Wampanatuck School Renovation Surplus Funding for Middle School Project**

To see if the Town will vote to appropriate the unexpended funds initially borrowed to finance costs of the Wampanatuck Elementary School Remodeling Project, as approved under Article 2 of the Warrant at the Special Town Meeting held May 17, 2010, which project is now complete, and for which no further financial liability remains, to pay costs of the Middle School Project, which project was authorized by vote of the Town under Article 2 of the Warrant at the December 3, 2014 Special Town Meeting; the amount authorized to be borrowed for the Middle School Project shall be reduced to the extent of excess Wampanatuck Elementary School Remodeling project funds applied to pay costs of that project; or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

### **ARTICLE 6. Allocation of Bond Sale Premium for Public Facilities Projects and Reduction in Authorized/Unissued Balance of Total Project Borrowing**

To see if the Town will vote to appropriate the net premium paid to the Town upon the sale of bonds issued in the amount of \$5,085,000.00, for (i) designing, constructing and equipping the Scituate Middle School, and the Scituate High School auditorium and the renovation of the existing Scituate High School space, which bonds were approved by a vote of the Town passed at the special town meeting held on December 3, 2014 (Article 2), (ii) designing, constructing and equipping the public safety complex, which bonds were approved by a vote of the Town passed at the special town meeting held on December 3, 2014 (Article 1), and (iii) designing renovating and adding to the public library, which bonds were approved by a vote of the Town passed at the special town meeting held on November 4, 2013 (Article 12), each of which is the subject of a Proposition 2½ debt exclusion, to pay costs of each respective project being financed by such bonds or notes and to reduce the amount authorized to be borrowed for each such project, but not yet issued by the

Town, by the same amount, or to take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 7. Public Safety Complex Funding**

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$938,315.85, or a greater or lesser sum, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$562,000.00, or a greater or lesser sum, for the purpose of fully funding the designing, construction and furnishing of a new Public Safety Complex pursuant to Article 1 of the December 3, 2014 special town meeting, with said additional amounts to fund the “base bid” set out in the general contractor bid documents and all costs incidental thereto, or take any other action related thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 8. Public Safety Complex Funding For Second Sally Port Bay & Third Fire Bay**

To see if the Town will vote to appropriate the sum of \$751,000, or a greater or lesser sum for the purpose of fully funding Add Alternates 1) Sally port and 2) third bay, as set out in the general bid contract documents and all costs incidental thereto associated with the proposed new Public Safety Complex pursuant to Article 1 of the December 3, 2014 special town meeting warrant, and to determine if borrowing shall be authorized for said purpose or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 9. Water Stabilization Fund**

To see if the Town will vote to transfer from Retained Earnings in the Water Enterprise Fund to the Water Stabilization Fund the sum of \$250,000.00, or a greater or lesser sum, for the purpose of apportioning water payments for repair and improvement of the Town’s water system infrastructure pursuant to Article 9 of the April 13, 2015 warrant, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 10. Reduction of Borrowing Authorized for Water Pipe Replacement Project**

To see if the Town will appropriate a sum of \$1,153,000.00, or a greater or lesser sum, from Retained Earnings in the Water Enterprise Fund to pay costs of the Water Pipe Replacement Project approved pursuant to Article 11 of the November 14, 2013 annual town meeting warrant, for which said funds shall reduce the amount authorized to be borrowed but not yet issued by the Town for the project, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 11. Acceptance of Loan – Seawall Repairs Oceanside Drive**

To see if the Town will authorize the Treasurer to borrow, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, or any other applicable law, \$1,500,000.00, or a greater or lesser sum, in the form of a low interest loan from the Commonwealth’s Executive Office of Energy and Environmental Affairs Dam and Seawall Loan Fund, to fund the replacement of a portion of the seawall at Oceanside Drive, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 12. Rescission of Community Preservation Funds – Girls Softball Field**

To see if the Town will vote to rescind the sum of \$314,150.00, or a greater or less sum, from a Community Preservation appropriation for construction of a Girls Softball Field pursuant to Article 15, Item 12, of the 2009 annual town meeting warrant and an additional \$104,000.00, authorized under Article 16, Item 16 of the April 9, 2012 annual town meeting warrant, also for construction of the field, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 13. Rescission of Authorized Unissued Debt**

To see if the Town will vote to rescind the balance of the loan authorized and un-issued pursuant to the following article and town meeting approval or take any other action relative thereto.

<u>Item</u>	<u>Original Amount</u>	<u>ATM/STM Date(s)</u>	<u>Balance Unissued</u>
Bucket Truck – DPW	\$130,000	04/2009 Art. 4-N	\$60,000

*Sponsored by: Board of Selectmen*

**ARTICLE 14. General Bylaw Amendment – Community Preservation Committee Term**

To see if the Town will vote to amend the General Bylaws of the Town, Section 20440, by deleting the words “Community Preservation Committee” in line seven, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 15. General Bylaw Amendment – Historical Commission**

To see if the Town will vote to amend the General Bylaws of the Town, Section 20560, by changing the two appearances of the word “Society” to the word “Commission” in the second sentence, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 16. Acceptance of Public Way – Evangeline Drive**

To see if the Town will vote to accept Evangeline Drive as laid out by the Board of Selectmen as a public way; and authorize the Selectmen to accept or take by eminent domain easements for such public way and any appurtenant drainage or municipal services, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**ARTICLE 17. Zoning Amendment - Microbrewery (BY PETITION)**

1) Add definition of “Microbrewery” to section 200 of Zoning Bylaws (definitions)

**MICROBREWERY:** An entity where up to 15,000 barrels (1 barrel=31 gallons) of beer is made annually and prepared for sale, both on premises and wholesale to other establishment. Microbreweries are licensed by the United States Alcohol and Tobacco Tax and Trade Bureau (TTB) as well as the Commonwealth of Massachusetts Alcoholic Beverages Control Commission (AABCC), under the farmer-brewery statutes, to produce and sell beer and/or ale. A Microbrewery sells to the public by one of more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carry-outs and/or on-site taproom sales.

2) Add “Microbrewery” to Section 420 of Zoning Bylaws (Table of Regulated Uses) under the Commercial Uses category in the following manner:

Use Category	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM</u>	<u>GB</u>	<u>HB</u>	<u>C</u>
3. Commercial Uses							
Microbrewery	N	N	N	N	SP	SP	SP

3) Revise Section 440.5 of Zoning Bylaws (Business Districts) as follows to allow for outdoor seating at a Microbrewery:

In a GB or HB District, all uses permitted as of right or by special permit and all uses accessory thereto shall be conducted wholly within an enclosed building, except for the following:

Uses permitted as of right in R-1, R-2 and R-3 Districts  
Outdoor seating or dining areas accessory to a restaurant, hotel, or microbrewery on the same premises, and serving only person seated at tables.

- 3. Parking lots for passenger automobiles.
- Exterior signs, as hereinafter permitted.
- Plants growing in the soil,

or take any other action relative thereto.

And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices in Town and one at Town Hall fourteen (14) days at least before holding said meeting.

HEREOF fail not and make due return of the Warrant with your doings thereon unto the Town Clerk, on or before the time of holding said meeting

Given under our hands this 14<sup>th</sup> day of October 2015

\_\_\_\_\_  
Anthony V. Vegnani  
Chairman

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John F. Danehey  
Vice-Chairman

\_\_\_\_\_  
Martin J. O'Toole  
Member

\_\_\_\_\_  
Shawn Harris  
Member

\_\_\_\_\_  
Maura C. Curran  
Clerk

**BOARD OF SELECTMEN  
TOWN OF SCITUATE**