

Town of Scituate  
 Special Town Meeting  
 October 19, 2016

**WARRANT**

**ARTICLE 1.** Fiscal Year 2017 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$1,033,600.00, or a greater or lesser sum, for the purpose of balancing the Fiscal Year 2017 Operating Budget pursuant to Articles 5,8 and 10 of the April 14, 2016 Annual Town Meeting warrant, or take any other action relative thereto:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>REASON</u>
General Liability	Free Cash	\$ 14,000	Flood Insurance
Sewer Enterprise Expense	Sewer Retained Earnings	\$ 8,600	Flood Insurance
Water Enterprise Expense	Water Retained Earnings	\$239,000	Well#22 Refurbishment Cash Match Reservoir Design Cohasset Water Connection
Capital Stabilization	Free Cash	\$487,000	Future reserves
Stabilization	Free Cash	\$285,000	FEMA reimbursements

*Sponsored by: Board of Selectmen*

**Quantum of vote required-2/3**

**MOTION**

**ARTICLE 1.**

BOS-Mr. O'Toole  
 Advisory Committee-Jamie Gilmore

Mr. Moderator,

I move that the Town transfer from available funds in the Treasury the sum of \$1,033,600.00, for the purpose of balancing the Fiscal Year 2017 Operating Budget pursuant to Articles 5,8 and 10 of the April 14, 2016 Annual Town Meeting warrant as follows:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>REASON</u>
General Liability	Free Cash	\$ 14,000	Flood Insurance
Sewer Enterprise Expense	Sewer Retained Earnings	\$ 8,600	Flood Insurance
Water Enterprise Expense	Water Retained Earnings	\$239,000	Well#22 Refurbishment Cash Match Reservoir Design Cohasset Water Connection
Capital Stabilization	Free Cash	\$487,000	Future reserves
Stabilization	Free Cash	\$285,000	FEMA reimbursements

**VOTED** that the Town transfer from available funds in the Treasury the sum of \$1,033,600.00, for the purpose of balancing the Fiscal Year 2017 Operating Budget pursuant to Articles 5,8 and 10 of the April 14, 2016 Annual Town Meeting warrant as follows:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>REASON</u>
General Liability	Free Cash	\$ 14,000	Flood Insurance
Sewer Enterprise Expense	Sewer Retained Earnings	\$ 8,600	Flood Insurance
Water Enterprise Expense	Water Retained Earnings	\$239,000	Well#22 Refurbishment Cash Match Reservoir Design Cohasset Water Connection

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Capital Stabilization	Free Cash	\$487,000	Future reserves
Stabilization	Free Cash	\$285,000	FEMA reimbursements

**VOTE-Declared Unanimous**

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**WARRANT**

**ARTICLE 2.** FEMA Flood Maps Adoption

To see if the Town will vote to ratify and support the Town of Scituate Wetlands Regulations that incorporated additional requirements of Paragraph 60.3(d) and (e) of the National Flood Insurance Protection (NFIP) regulations into the existing Wetlands Regulations, said regulations having been adopted by the Conservation Commission at a duly posted public hearing on September 7, 2016, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-Majority**

**MOTION**

**ARTICLE 2.**

BOS-Mr. O'Toole  
Advisory Committee-David Capelle

Mr. Moderator,

I move that the Town ratify and support the Town of Scituate Wetlands Regulations that incorporated additional requirements of Paragraph 60.3(d) and (e) of the National Flood Insurance Protection (NFIP) regulations into the existing Wetlands Regulations, said regulations having been adopted by the Conservation Commission at a duly posted public hearing on September 7, 2016.

**VOTED** that the Town ratify and support the Town of Scituate Wetlands Regulations that incorporated additional requirements of Paragraph 60.3(d) and (e) of the National Flood Insurance Protection (NFIP) regulations into the existing Wetlands Regulations, said regulations having been adopted by the Conservation Commission at a duly posted public hearing on September 7, 2016.

**VOTE-Declared Unanimous**

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**WARRANT**

**ARTICLE 3.** High School Foyer Repair

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$150,000.00, or a greater or lesser sum, for the purpose of repairing the foyer at Scituate High School or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-Majority**

**MOTION**

**ARTICLE 3.**

BOS-Mr. Vegnani  
Advisory Committee-Geoffrey Burns  
School Committee-Richard Hebert

Mr. Moderator,

I move that the Town transfer \$150,000.00 from available surplus funds from Article 4F of the April 14, 2016 annual town meeting warrant for the purpose of repairing the foyer at Scituate High School.

**VOTED** that the Town transfer \$150,000.00 from available surplus funds from Article 4F of the April 14, 2016 annual town meeting warrant for the purpose of repairing the foyer at Scituate High School.

**VOTE-Declared Majority**

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**WARRANT**

**ARTICLE 4. Well for Cushing and High School Fields Irrigation**

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$100,000.00, or a greater or lesser sum, for the purpose of drilling a well with control panel and pipes and valves to connect Scituate High School and Cushing field irrigation systems, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-Majority**

**MOTION**

**ARTICLE 4.**

BOS-Mr. Vegnani  
Advisory Committee-Gerry Kelly  
Capital Planning-Chris Carchia  
School Committee-Richard Hebert

Mr. Moderator,

I move that the Town transfer \$51,299.00 from available surplus funds from Article 4F of the April 14, 2016 annual town meeting warrant and transfer \$48,701.00 from Article 3D of the April 13, 2015 annual town meeting warrant, totaling \$100,000.00, for the purpose of drilling a well with control panel and pipes and valves to connect Scituate High School and Cushing field irrigation systems.

**VOTED** that the Town transfer \$51,299.00 from available surplus funds from Article 4F of the April 14, 2016 annual town meeting warrant and transfer \$48,701.00 from Article 3D of the April 13, 2015 annual town meeting warrant, totaling \$100,000.00, for the purpose of drilling a well with control panel and pipes and valves to connect Scituate High School and Cushing field irrigation systems.

**VOTE-Motion passes by a Majority Card Count Vote**

**Yes-226      No-93**

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**WARRANT**

**ARTICLE 5. Grant Cash Match Repair and Replacement of Pilings Scituate Harbor**

To see if the Town will vote to transfer from available funds in the Waterways Enterprise Fund the sum of \$90,500.00, or a greater or less sum, as part of its cash match for funds to be received from the Seaport Economic Development Council for the repair and replacement of pilings in Scituate Harbor, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-Majority**

**MOTION**

**ARTICLE 5.**

BOS-Mr. Harris  
Advisory Committee-Mark Sandham  
Harbormaster-Steve Mone

Mr. Moderator,

I move that the Town transfer \$90,500.00 from Waterways Enterprise Fund Retained Earnings as part of its cash match for funds to be received from the Seaport Economic Development Council for the repair and replacement of pilings in Scituate Harbor.

**VOTED** that the Town transfer \$90,500.00 from Waterways Enterprise Fund Retained Earnings as part of its cash match for funds to be received from the Seaport Economic Development Council for the repair and replacement of pilings in Scituate Harbor.

**VOTE-Declared Unanimous**

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**WARRANT**

**ARTICLE 6. Purchase of Property – 0 Edward Foster Road**

To see if the Town will vote to authorize the Board of Selectmen to purchase the property at 0 Edward Foster Road, and identified by the Town of Scituate Assessor's Office as Map 51, Block 2, Lot 7 and by Deed recorded at the Plymouth Registry of Deeds in Book 47238, page 187, for the sum of \$7,500.00, or a greater or lesser sum and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-2/3**

**MOTION**

**ARTICLE 6.**

BOS-Ms. Curran  
Advisory Committee-Anthony Antonello

Mr. Moderator,

I move that the Town authorize the Board of Selectmen to purchase the property at 0 Edward Foster Road, identified by the Town of Scituate Assessor's Office as Map 51, Block 2, Lot 7 and by Deed recorded at the Plymouth Registry of Deeds in Book 47238, page 187, for the sum of \$7,500.00 and to fund such appropriation transfer \$7,500.00 from Free Cash, and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article.

**VOTED** that the Town authorize the Board of Selectmen to purchase the property at 0 Edward Foster Road, identified by the Town of Scituate Assessor's Office as Map 51, Block 2, Lot 7 and by Deed recorded at the Plymouth Registry of Deeds in Book 47238, page 187, for the sum of \$7,500.00 and to fund such appropriation transfer \$7,500.00 from Free Cash, and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article.

**VOTE-Declared 2/3**

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**WARRANT**

**ARTICLE 7. Sale of Land – Greenbush MBTA Parking Lot**

To see if the Town will vote: (1) pursuant to Massachusetts General Laws Chapter 40, Section 15A, to transfer the care, custody, management and control of the property located on 280 New Driftway more formerly described on the Town of Scituate Assessor's Map 53, Block 2, Lot 11-F, containing approximately 29,000 square feet more or less, from the Board of Selectmen for the purposes for which such land is currently held to the Board of Selectmen for the purpose of conveyance; and (2) pursuant to Massachusetts General Laws Chapter 30B and Massachusetts General Laws Chapter 40, Sections 3, 4 and 15, to authorize the Board of Selectmen to convey said property for the amount of \$225,000.00, or a greater or lesser sum, and on such terms and conditions, and for such consideration, as the Board of Selectmen deems to be in the best interests of the Town, and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article, or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote required-2/3**

**MOTION**

**ARTICLE 7.**

BOS- Ms. Curran  
Advisory Committee-Lincoln Heineman  
MBTA-Mike Travaline

Mr. Moderator,

I move that the Town, pursuant to Massachusetts General Laws Chapter 40, Section 15A, transfer the care, custody, management and control of the property located on 280 New Driftway more formally described on the Town of Scituate Assessor's Map 53, Block 2, Lot 11-F, containing approximately 29,000 square feet more or less, from the Board of Selectmen for the purposes for which such land is currently held to the Board of Selectmen for the purpose of conveyance; and further move pursuant to Massachusetts General Laws Chapter 30B and Massachusetts General Laws Chapter 40, Sections 3, 4 and 15, to authorize the Board of Selectmen to convey said property for the amount of \$225,000.00, and on such terms and conditions, and for such additional consideration, as the Board of Selectmen deems to be in the best interests of the Town, and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article.

**AMENDED MOTION**

**Article 7**

Steve Bjorkland  
Motion Seconded

Mr Moderator,

I move that the Town, pursuant to Massachusetts General Laws Chapter 40, Section 15A, transfer the care, custody, management and control of the property located on 280 New Driftway more formally described on the Town of Scituate Assessor's Map 53, Block 2, Lot 11-F, containing approximately 29,000 square feet more or less, from the Board of Selectmen for the

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purposes for which such land is currently held to the Board of Selectmen for the purpose of conveyance; and further move pursuant to Massachusetts General Laws Chapter 30B and Massachusetts General Laws Chapter 40, Sections 3, 4 and 15, to authorize the Board of Selectmen to convey said property for at least \$225,000.00 or 13.34% of gross sale price, whichever is greater, and on such terms and conditions, and for such additional consideration, as the Board of Selectmen deems to be in the best interests of the Town, and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article.

**Discussion**

**Motion made to move the question.**

**Seconded and voted to move the question.**

**VOTED –Amended Motion Fails by Majority**

**MOTION TO RECONSIDER**

Selectman, Tony Vegnani  
Motion seconded

**Discussion**

**Motion made to move the question.**

**Seconded and voted to move the question.**

**VOTE-Motion to reconsider fails by a card count.**

**Yes 131 No-147**

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## **WARRANT**

### **ARTICLE 8. Transfer of Ellis Land to Conservation            BY PETITION**

To see if the Town will vote to transfer to the care, custody, management and control of the Scituate conservation commission from the School Committee for conservation purpose exclusively, with appropriate conservation restrictions complying with article 97 of the Amendments to the Massachusetts Constitution, in perpetuity, a parcel of land consisting of 14.2 acres more or less, being a portion of Lot 1A on Assessor's Map 19 shown on a plan entitled "Division of Ellis Property 1969" on file in the Town Hall at the Engineering Office, being a portion of the premise conveyed to the Town of Scituate by Henry W. Keyes, Trustee under the will of J. Bailey Ellis, by deed dates June 12, 1969 and recorded at the Plymouth Registry of Deeds, Book 3528, Page 768, excepting for the 16 acre parcel transferred to the Scituate conservation Commission as described in Article 124 of the March 1994 Annual Town Meeting and further excepting the 3.8 acre parcel transferred to the Scituate Arts association as described in Article 16 of the March 1994 Annual Town Meeting and further excepting the 6 acre parcel shown (a/k/a "Public Safety Center) transferred to the Board of Selectmen as described in Article 1 of the December 3, 2014 Special Town Meeting or taken any other action relative thereto.

### **Quantum of vote required-2/3**

## **MOTION**

### **ARTICLE 8.- BY PETITION**

Petitioner-Andrea Hunt  
BOS-John Danehey  
Advisory Committee-Michael Westort  
School Committee-Janet Taylor, Chair

I move that the Town transfer the care, custody, management and control of the 14.2 acres more or less, that sit adjacent to the new Public Safety Complex, further described as being all the remaining land purportedly under the care, custody and control of the School Committee contained on a portion of lot 1A on Assessor's Map 19 shown on a plan entitled "Division of Ellis Property 1969" on file in the Town Hall at the Engineering Office, being a portion of the premises conveyed to the Town of Scituate by Henry W Keyes, Trustee under the Will of J. Bailey Ellis, by deed dated June 12, 1969 and recorded at the Plymouth Registry of Deeds, Book 3528, Page 768 from the School Committee to the Conservation Commission for the purposes of conservation, passive recreation and protection of the watershed resources of Scituate, that in any

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event, the land be dedicated for such aforementioned purposes, all under the protection of Article 97 of the Articles of Amendment to the Massachusetts Constitution.

**Motion seconded.**

**Discussion**

**Motion made to move the question.**

**Seconded and voted to move the question.**

**VOTED** that the Town transfer the care, custody, management and control of the 14.2 acres more or less, that sit adjacent to the new Public Safety Complex, further described as being all the remaining land purportedly under the care, custody and control of the School Committee contained on a portion of lot 1A on Assessor's Map 19 shown on a plan entitled "Division of Ellis Property 1969" on file in the Town Hall at the Engineering Office, being a portion of the premises conveyed to the Town of Scituate by Henry W Keyes, Trustee under the Will of J. Bailey Ellis, by deed dated June 12, 1969 and recorded at the Plymouth Registry of Deeds, Book 3528, Page 768 from the School Committee to the Conservation Commission for the purposes of conservation, passive recreation and protection of the watershed resources of Scituate, that in any event, the land be dedicated for such aforementioned purposes, all under the protection of Article 97 of the Articles of Amendment to the Massachusetts Constitution.

**VOTE- Declared 2/3.**

*I hereby certify the foregoing to be a True Copy Attest.*

***Kathleen A. Curran***  
***Town Clerk***