

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 1. Siting of New Water Treatment Plant

To see if the Town will vote in accordance with Article 5 of the April 11, 2022 Special Town Meeting to authorize the Select Board, Department of Public Works, Water Division and their respective agents to site the new water treatment plant at 443-461 Chief Justice Cushing Highway and identified by the Town of Scituate Assessors' Office as Parcels 47-2-26A through 47-2-26J, also known as Stearns Meadow; or at some other site; or take any other action relative thereto.

Sponsored by: Select Board

MOTION

ARTICLE 1. Siting of New Water Treatment Plant

Select Board-Mr. Goodrich

I move that the Town, in accordance with Article 5 of the April 11, 2022 Special Town Meeting, authorize the Select Board, Department of Public Works, Water Division and their respective agents to site the new water treatment plant at 443-461 Chief Justice Cushing Highway and identified by the Town of Scituate Assessors' Office as Parcels 47-2-26A through 47-2-26J, also known as Stearns Meadow.

Quantum of vote: Majority

Advisory Committee- Mr. Kelly

Discussion.

Motion made by Mark McCormack to move the question. Motion was seconded.

Voted- Declared 2/3s in favor to move the question.

VOTE-Declared in favor by Majority

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 2. Unpaid Prior Year Bills

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$18,000.00** for the purpose of paying prior year unpaid bills; or take any other action relative thereto.

Sponsored by: Select Board

MOTION

ARTICLE 2. Unpaid Prior Year Bills - Consent Agenda *Select Board-Mr. Vegnani*

I move that the Town transfer **\$16,356.00** from Free Cash, transfer **\$1,190.15** from Transfer Station Enterprise Retained Earnings, transfer **\$50.00** from Sewer Enterprise Retained Earnings and **\$403.85** from Water Enterprise Retained Earnings in the sum of **\$18,000.00** for the purpose of paying prior year unpaid bills.

Quantum of vote: 9/10

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 3. Fiscal Year 2023 Budget Reconciliations

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$666,248.20** for the purpose of balancing the Fiscal Year 2023 Operating Budget pursuant to Articles 4, 7 and 9 of the April 11, 2022 Annual Town Meeting warrant; or take any other action relative thereto:

| <u>TO</u> | <u>AMOUNT</u> | <u>REASON</u> |
|---|---------------|---|
| DPW Highway Roadway Maintenance 1422540.543300 | \$552.20 | Town's share of ride share fees from Commonwealth. |
| Facilities Fuels & Lubricants 1410540.548100 | \$78,054.00 | Escalating costs due to global factors |
| Facilities Electricity 1410540.5211 | \$25,000.00 | Escalating costs due to global factors |
| Historical Buildings Repair & Maintenance 1691520.524200 | \$10,000.00 | For securing of Mordecai Lincoln property recently acquired |
| School Department | \$216,142.00 | Escalating electricity, fuel, bus lease and heating costs. |
| Sewer Enterprise Chemicals 64440540.550100 | \$175,000.00 | Average chemical increase for FY23 is 77.4% |
| Sewer Enterprise Fuel & Lubricants 64440540.548100 | \$10,000.00 | Escalating costs due to global factors |
| Sewer Enterprise Electricity 64440520.521100 | \$38,000.00 | Escalating costs due to global factors |
| Sewer Technical Services 65450520.530900 | \$9,500.00 | Regional alternative sewer plan with Cohasset analysis |
| Sewer Enterprise Natural Gas 64440520.521300 | \$5,000.00 | Escalating costs due to global factors |
| Sewer Enterprise Sludge Cake Disposal 64440520.527100 | \$49,000.00 | Escalating costs affecting new contract |
| Water Enterprise Debt Service 65450590.59200 | \$50,000.00 | Closing costs for Clean Water Trust loan for green sand filter facility at Well 17A |

Sponsored by: Select Board

Town of Scituate
Special Town Meeting
September 19, 2022

MOTION

ARTICLE 3. Fiscal Year 2023 Budget Reconciliations- *Consent Agenda*

Select Board-Mr. Vegnani

I move that the Town appropriate the sum of **\$666,248.20** for the purpose of balancing the Fiscal Year 2023 Operating Budget pursuant to Articles 4, 7 and 9 of the April 11, 2022 Annual Town Meeting warrant as printed in the warrant and to fund such appropriation raise and appropriate **\$329,196.00** from the Fiscal Year 2023 tax levy, raise and appropriate **\$50,000.00** from Water Enterprise receipts, raise and appropriate **\$286,500.00** from Sewer Enterprise receipts and transfer **\$552.20** from Ride Share Funds Reserved for Appropriation.

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 4. Transfers to Reserves

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$20,000.00** for the following purposes; or take any other action relative thereto:

| <u>TO</u> | <u>AMOUNT</u> | <u>REASON</u> |
|-------------------|---------------|--|
| SPED Reserve Fund | \$20,000.00 | Set-aside funds for unbudgeted SPED expenses |

Sponsored by: Select Board

MOTION

ARTICLE 4. Transfers to Reserves - *Consent Agenda* *Select Board-Mr. Vegnani*

I move that the Town raise and appropriate the sum of **\$20,000.00** from the Fiscal Year 2023 tax levy and transfer the sum of **\$20,000.00** to the SPED Reserve Fund.

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 5. Capital Improvement Plan

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, the following sums of money totaling **\$3,341,519.00** or any greater or lesser sums as may be necessary, for the purpose of funding the following capital project costs; or take any other action relative thereto:

- | | |
|--|-------------|
| 1. Additional Funds for Cole Parkway Marina Dock Replacement | \$1,275,000 |
| 2. Jenkins School Roof | \$1,235,000 |
| 3. Town Share of Grant for SAFE Boat (Police) | \$145,800 |
| 4. Ambulance | \$435,719 |
| 5. Emergency Water Treatment Plant Repairs | \$250,000 |

Sponsored by: Select Board

MOTION

ARTICLE 5. Capital Improvement Plan

Select Board-Ms. Canfield

I move that the Town appropriate the sum of **\$3,341,519.00** for the purposes of funding the capital projects as listed in the warrant and that to meet such appropriation:

\$581,519.00 shall be transferred from Free Cash, to pay costs of Ambulance and Town share of grant for Police SAFE boat;

\$250,000.00 shall be transferred from Water Enterprise Retained Earnings to pay costs of emergency water treatment plant repairs, and

The Treasurer, with the approval of the Select Board, is authorized to borrow **\$2,510,000.00** in accordance with M.G.L. c. 44 §§ 7 & 8 or any other enabling authority to pay costs of [indicate which project or projects these funds will be applied to], including the payment of all costs incidental and related thereto; that the Select Board is authorized to apply for grants, and accept gifts, or donations for the purposes of this vote from federal, state, or private sources, on behalf of the Town and that the amount of the authorized borrowing shall be reduced by the amount of grants, gifts and donations received prior to any such borrowing.

Quantum of vote: 2/3rds

Advisory Committee-Mr. Gilmore

VOTE-Declared 2/3s in favor

WARRANT

ARTICLE 6. Community Preservation

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (the "CPC") on the Fiscal Year 2023 Community Preservation budget and pursuant to M.G.L. c. 44B (the "Act") to appropriate and/or reserve the sums of money as indicated below (i) to meet the administrative expenses and all other necessary and proper expenses of the CPC for Fiscal Year 2023; (ii) for the acquisition, creation, and preservation of open space; (iii) for the acquisition, creation, preservation, rehabilitation, and restoration of land for recreational use; (iv) for the acquisition, preservation, rehabilitation, and restoration of historic resources; and (v) for the creation, acquisition, preservation and support of community housing. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2023 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds unless otherwise specified below. All such sums appropriated are further to be expended subject to all of the terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items; or take any other action relative thereto.

1. 90 Foot Baseball Field Construction Phase - Recreation - \$993,520
2. Cushing Trail Restoration – Recreation - \$150,000
3. Beach Commission – Mobi-Mats – Recreation - \$13,052
4. Historic Preservation Study – Historic - \$60,000
5. Damon Access & Picnic Area – Open Space - \$105,700
6. Crosby & Bates Picnic Area – Open Space - \$107,500
7. Bailey Ellis House Windows, Tower & Door Restoration – Historic - \$89,526

Sponsored By: Community Preservation Committee

MOTION

ARTICLE 6. Community Preservation

Select Board-Ms. Connolly

I move that the Town act on recommendations from the Community Preservation Committee (the "CPC") pursuant to M.G.L. c. 44B (the "Act") to appropriate the sums of money as indicated in the printed warrant. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2023 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds unless otherwise specified below. All such sums appropriated are further to be expended subject to all of the terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items.

1. 90 Foot Baseball Field Construction Phase - Recreation - \$993,520
2. Cushing Trail Restoration – Recreation - \$150,000
3. Beach Commission – mobi-mats – Recreation - \$13,052
4. Historic Preservation Study – Historic - \$60,000

Town of Scituate
Special Town Meeting
September 19, 2022

5. Damon Access & Picnic Area – Open Space - \$105,700
6. Crosby & Bates Picnic Area – Open Space - \$107,500
7. Bailey Ellis House Windows, Tower & Door Restoration – Historic - \$89,526

Quantum of vote: Majority

*Advisory Committee-Ms. Russo
CPC-Mr. Fennelly*

VOTE- Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 7. Amend Zoning Bylaws – Section 750 Design Review for Business, Commercial, Mixed Use and Multi-Family Development – Setback, Stepback & Street Enclosure

To see if the Town will vote to amend Section 750 – Design Review for Business, Commercial, Mixed Use and Multi-Family Development by deleting the existing Figure 6 – Building Setback, Stepback, and Street Enclosure in Section 750.5 A. and replacing it with a new Figure 6 to clarify building height as shown in documents on file with the Town Clerk's Office and at www.scituatema.gov; or take any other action relative thereto.

Sponsored By: Planning Board

MOTION

Select Board-Mr. Vegnani

ARTICLE 7. Amend Zoning Bylaws – Section 750 Design Review for Business, Commercial, Mixed Use and Multi-Family Development – Setback, Stepback & Street Enclosure

I move that the Town amend Section 750 – Design Review for Business, Commercial, Mixed Use and Multi-Family Development by deleting the existing Figure 6 – Building Setback, Stepback, and Street Enclosure in Section 750.5 A. and replacing it with a new Figure 6 to clarify building height as shown in documents on file with the Town Clerk's Office and available at www.scituatema.gov.

Quantum of vote: 2/3rds

Advisory Committee-Mr. McGuiggin

VOTE- Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 8. Amend Zoning Bylaws – Section 750 Design Review for Business, Commercial, Mixed Use and Multi-Family Development – Penthouses

To see if the Town will vote to amend Section 750 – Design Review for Business, Commercial, Mixed Use and Multi-Family Development in the following manner;

- A. Delete Section 750.5 A. 2. c. Penthouse in its entirety. Renumber existing section d. Building Height Exceptions: to c.; and e. Ground Floor Elevation: to d. and
- B. Delete Section 750.6 B. Special Dwelling Unit Types in its entirety (Penthouses).

As shown in documents on file in the Town Clerk's Office and available at www.scituatema.gov; or take any other action relative thereto.

Sponsored By: Planning Board

MOTION

Select Board-Mr. Vegnani

ARTICLE 8. Amend Zoning Bylaws – Section 750 Design Review for Business, Commercial, Mixed Use and Multi-Family Development – Penthouses

I move that the Town amend Section 750 – Design Review for Business, Commercial, Mixed Use and Multi-Family Development in the following manner;

- A. Delete Section 750.5 A. 2. c. Penthouse in its entirety. Renumber existing section d. Building Height Exceptions: to c.; and e. Ground Floor Elevation: to d; and
- B. Delete Section 750.6 B. Special Dwelling Unit Types in its entirety (Penthouses).

As shown in documents on file in the Town Clerk's and available at www.scituatema.gov.
Quantum of vote: 2/3rds

Advisory Committee-Mr. McGuiggin

VOTE- Declared Unanimous in favor

WARRANT

ARTICLE 9. Charter Review Recommendations

To see if the Town will vote to approve changes to the Town Charter as recommended by the Select Board; and as shown in the documents on file with the Town Clerk's Office and available at www.scituatema.gov; or take any other action relative thereto.

MOTION

ARTICLE 9. Charter Review Recommendations

Select Board-Ms. Canfield

I move that the Town vote to approve the changes to the Town Charter set forth in the Advisory Committee report as further revised in the hand-out provided to voters this evening and authorize the Select Board to petition the General Court of the Commonwealth to enact special legislation authorizing such changes.

Quantum of vote: 2/3rds

Advisory Committee-Mr. Heineman

Michael Gibson, Chair of the Charter Review Committee gave a slide show of the proposed Charter changes.

New Motion made by Kevin Carleton, Chair of the Library Trustees to amend Article 9 in Sections 3-6, 4-2, 5, 6-7 and section 7-10.

Motion seconded. Discussion.

Vote-Motion to Amend-Failed

John Whittaker made a motion to Indefinitely Postpone this article. Seconded by Scott Greenbaum.

Discussion

Richard Murray made a motion to move the question to Indefinitely Postpone. Seconded.

Vote -Declared 2/3s in favor to move the question to Indefinitely Postpone.

Vote-Motion failed to Indefinitely Postpone.

Richard Taft made a motion to amend article 9, Section 7-9, "Petition of Recall" from 15% to 5% of registered voter petition signatures.

Discussion.

Vote-Motion to Amend-Failed

Ann Burbine made a motion to move the question. Seconded.

Vote-Declared unanimous to move the question.

VOTE-Declared unanimous in favor of main motion.

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 10. Amend General Bylaws Section 10260 – Revolving Funds

To see if the Town will vote to amend the Senior Food Service Fund to allow for non-senior catered events; or take any other action relative thereto.

Sponsored By: Select Board

MOTION

ARTICLE 10. Amend General Bylaws Section 10260 – Revolving Funds - *Consent Agenda*

Select Board-Mr. Vegnani

I move that the Town amend the General Bylaws Section 10260 – Revolving Funds; Senior Food Service Fund; to allow for non-senior catered events.

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 11. Local Option Acceptance –MGL c. 32B, §20 OPEB Trust Fund

To see if the Town will vote to re-accept M.G.L. c. 32B, §20 relevant to Other Post Employment Benefits (OPEB) Trust Fund; or take any other action relative thereto.

Sponsored By: Select Board

MOTION

ARTICLE 11. Local Option Acceptance –MGL c. 32B, §20 OPEB Trust Fund - *Consent Agenda*
Select Board-Mr. Vegnani

I move that the Town re-accept M.G.L. c. 32B, §20 relevant to Other Post Employment Benefits (OPEB) Trust Fund.

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 12. Acceptance of Easement – 27 Brook Street

To see if the Town will vote to authorize the Select Board to accept a general access easement from 27 Brook LLC, the owner of the land at 27 Brook Street, Scituate, Massachusetts, over the access road shown on a plan entitled “Plan of Land at Off Brook Street,” dated May 30, 2008, prepared by Mr Surveying, Inc. to provide access from First Parish Road to the property known as 0 Rear First Parish Road, Scituate, Massachusetts, shown as “Parcel Number 50-6-15R” on the Town of Scituate Assessor’s Maps, a copy of the easement Plan is available for inspection in the Town Clerk’s office and www.scituatema.gov; or take any other action related thereto.

Sponsored By: Select Board

MOTION

ARTICLE 12. Acceptance of Easement – 27 Brook Street - *Consent Agenda*

Select Board-Mr. Vegnani

I move that the Town authorize the Select Board to accept a general access easement from 27 Brook LLC, the owner of the land at 27 Brook Street, Scituate, Massachusetts, over the access road shown on a plan entitled “Plan of Land at Off Brook Street,” dated May 30, 2008, prepared by Mr Surveying, Inc. to provide access from First Parish Road to the property known as 0 Rear First Parish Road, Scituate, Massachusetts, shown as “Parcel Number 50-6-15R” on the Town of Scituate Assessor’s Maps, a copy of the easement Plan is available for inspection in the Town Clerk’s office and www.scituatema.gov. .

Quantum of vote: 2/3rds

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

Town of Scituate
Special Town Meeting
September 19, 2022

WARRANT

ARTICLE 13. Acceptance of Easement – Border Street

To see if the Town will vote to authorize the Select Board to accept a general access easement from Michael J. Gavin Jr. and Jessica E. Gavin of 54 Border Street, Scituate, MA and Gregory D. Johnson and Lauren D. Johnson of 50 Border Street, Scituate, MA, as shown as “10’ Wide Access Easement” on a plan entitled “Easement Sketch Plan Border Street – Scituate, Massachusetts, Scale 1”= 60”” dated, prepared by Merrill Engineers and Land Surveyors, to provide access to existing Town Conservation Land, a copy of said easement Plan is available for inspection in the Town Clerk’s office and on the Town’s website; or take any other action related thereto.

Sponsored By: Select Board

MOTION

ARTICLE 13. Acceptance of Easement – Border Street *Select Board-Ms. Curran*

I move to Indefinitely Postpone this article.
Seconded.

Quantum of vote: 2/3rds

VOTE-Declared unanimous in favor to Indefinitely Postpone

WARRANT

ARTICLE 14. Special Legislation for Home Rule Legislation for Appointment of Retired Police Officers

To see if the Town will vote to petition the General Court to adopt the following Legislation which the Legislature may vary in form and substance within the scope of the general public objectives of this petition, as set forth below, to allow retired police officers to work police details; or take any action related thereto.

**AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE
OFFICERS IN THE TOWN OF SCITUATE**

SECTION 1. The Town Administrator of the Town of Scituate may appoint, as he/she deems necessary, retired Scituate Police Officers as Special Police Officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The Special Police Officers appointed pursuant to this act shall not be subject to the maximum age restriction applied to regular police officers pursuant to chapter 32 of the General Laws or section 2 of chapter 415 of the acts of 1987, but shall be subject to a maximum age restriction of 70 years of age. A Special Police Officer must pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he/she is capable of performing the essential duties of a Special Police Officer, the cost of which shall be borne by the Special Police Officer, prior to performing police details.

SECTION 2. Special Police Officers appointed under this act shall not be subject to chapter 31 of the General Laws or to section 99A of chapter 41 of the General Laws.

SECTION 3. Special Police Officers shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the Town of Scituate.

SECTION 4. Special Police Officers shall be appointed for an indefinite term, subject to removal by the Town Administrator at any time with 14 days written notice. Upon request, the Town Administrator shall provide the reasons for removal in writing.

SECTION 5. Special Police Officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Town Administrator and the Chief of Police of the Town of Scituate, including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. Special Police Officers shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 6. Special Police Officers shall be sworn before the Town Clerk of the Town of Scituate who shall keep a record of all such appointments.

Town of Scituate
Special Town Meeting
September 19, 2022

SECTION 7. Special Police Officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a Special Police Officer working police details, or averaged over such lesser period of time for any officer designated as Special Police Officers less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a Special Police Officer reaches the age of 65. Special Police Officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a Special Police Officer shall entitle any individual appointed as such to assignment to any detail.

SECTION 9. Retired Scituate police officers, serving as Special Police Officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

Sponsored by Select Board

Town of Scituate
Special Town Meeting
September 19, 2022

MOTION

ARTICLE 14. Special Legislation for Home Rule Legislation for Appointment of Retired Police Officers

I move that the Town petition the General Court to adopt the following Legislation which the Legislature may vary inform and substance within the scope of the general public objectives of this petition, as set forth below, to allow retired police officers to work police details.

AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE OFFICERS IN THE TOWN OF SCITUATE.

SECTION 1. The Town Administrator of the Town of Scituate may appoint, as he/she deems necessary, retired Scituate Police Officers as Special Police Officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The Special Police Officers appointed pursuant to this act shall not be subject to the maximum age restriction applied to regular police officers pursuant to chapter 32 of the General Laws or section 2 of chapter 415 of the acts of 1987, but shall be subject to a maximum age restriction of 70 years of age. A Special Police Officer must pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he/she is capable of performing the essential duties of a Special Police Officer, the cost of which shall be borne by the Special Police Officer, prior to performing police details.

SECTION 2. Special Police Officers appointed under this act shall not be subject to chapter 31 of the General Laws or to section 99A of chapter 41 of the General Laws.

SECTION 3. Special Police Officers shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the Town of Scituate.

SECTION 4. Special Police Officers shall be appointed for an indefinite term, subject to removal by the Town Administrator at any time with 14 days written notice. Upon request, the Town Administrator shall provide the reasons for removal in writing.

SECTION 5. Special Police Officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Town Administrator and the Chief of Police of the Town of Scituate, including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. Special Police Officers shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 6. Special Police Officers shall be sworn before the Town Clerk of the Town of Scituate who shall keep a record of all such appointments.

Town of Scituate
Special Town Meeting
September 19, 2022

SECTION 7. Special Police Officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a Special Police Officer working police details, or averaged over such lesser period of time for any officer designated as Special Police Officers less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a Special Police Officer reaches the age of 65. Special Police Officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a Special Police Officer shall entitle any individual appointed as such to assignment to any detail.

SECTION 9. Retired Scituate police officers, serving as Special Police Officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

Quantum of vote: Majority

VOTE-Declared Unanimous in favor

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



Kathleen A. Gardner
Town Clerk



CONSENT AGENDA-SPECIAL TOWN MEETING

Warrant Articles on a Consent Agenda (permitted by Robert's Rules) are exceptions to the general process of Town Meeting. The Town Administrator, Select Board, and Moderator identify, for Town Meeting consideration, those articles they believe should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate. A 2/3rds vote of Town Meeting Members is required by Scituate Town by-law (Section 20120 (B)) to permit a Consent Agenda to be used since Articles will, as a result of the process, be taken out of order.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say "Hold" in a loud voice when the number is called. The article will then be removed automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

THE CONSENT AGENDA WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF THE SPECIAL TOWN MEETING ON MONDAY, SEPTEMBER 19, 2022.

CONSENT AGENDA MOTION-*Select Board Mr. Vegnani*

MOTION: I move that the Town vote to take Articles

2 – Unpaid Bills,

3 – Fiscal Year 2023 Budget Reconciliations,

4 – Transfers to Reserves,

10 – Amend General Bylaws Section 10260 Revolving Funds – Senior Center Food Service Fund,

11 – Local Option Re-Acceptance M.G.L. c. 32B §20 – OPEB Trust Fund,

12 – Acceptance of Easement at 27 Brook Street and

out of order and that they be "Passed by Consent" in accordance with the Motions shown on the Consent Agenda distributed this evening.

2/3 VOTE REQUIRED; SINGLE EXCEPTION WILL REMOVE ARTICLE FROM CONSENT AGENDA

Please review the list of articles and motions proposed for each Consent Item which follows.

ARTICLE 2. Unpaid Prior Year Bills

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$18,000.00** for the purpose of paying prior year unpaid bills; or take any other action relative thereto.

Sponsored by: Select Board

MOTION ARTICLE 2. Unpaid Prior Year Bills

I move that the Town transfer **\$16,356.00** from Free Cash, transfer **\$1,190.15** from Transfer Station Enterprise Retained Earnings, transfer **\$50.00** from Sewer Enterprise Retained Earnings and **\$403.85** from Water Enterprise Retained Earnings in the **sum of \$18,000.00** for the purpose of paying prior year unpaid bills.

ARTICLE 3. Fiscal Year 2023 Budget Reconciliations

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$666,248.20** for the purpose of balancing the Fiscal Year 2023 Operating Budget pursuant to Articles 4, 7 and 9 of the April 11, 2022 Annual Town Meeting warrant; or take any other action relative thereto:

| TO | AMOUNT | REASON |
|---|--------------|---|
| DPW Highway Roadway Maintenance 1422540.543300 | \$552.20 | Town's share of ride share fees from Commonwealth. |
| Facilities Fuels & Lubricants 1410540.548100 | \$78,054.00 | Escalating costs due to global factors |
| Facilities Electricity 1410540.5211 | \$25,000.00 | Escalating costs due to global factors |
| Historical Buildings Repair & Maintenance 1691520.524200 | \$10,000.00 | For securing of Mordecai Lincoln property recently acquired |
| School Department | \$216,142.00 | Escalating electricity, fuel, bus lease and heating costs. |
| Sewer Enterprise Chemicals 64440540.550100 | \$175,000.00 | Average chemical increase for FY23 is 77.4% |
| Sewer Enterprise Fuel & Lubricants 64440540.548100 | \$10,000.00 | Escalating costs due to global factors |
| Sewer Enterprise Electricity 64440520.521100 | \$38,000.00 | Escalating costs due to global factors |
| Sewer Technical Services 65450520.530900 | \$9,500.00 | Regional alternative sewer plan with Cohasset analysis |
| Sewer Enterprise Natural Gas 64440520.521300 | \$5,000.00 | Escalating costs due to global factors |
| Sewer Enterprise Sludge Cake Disposal 64440520.527100 | \$49,000.00 | Escalating costs affecting new contract |
| Water Enterprise Debt Service 65450590.59200 | \$50,000.00 | Closing costs for Clean Water Trust loan for green sand filter facility at Well 17A |

Sponsored by: Select Board

MOTION ARTICLE 3. Fiscal Year 2023 Budget Reconciliations

I move that the Town appropriate the sum of **\$666,248.20** for the purpose of balancing the Fiscal Year 2023 Operating Budget pursuant to Articles 4, 7 and 9 of the April 11, 2022 Annual Town Meeting warrant as printed in the warrant and to fund such appropriation raise and appropriate **\$329,196.00** from the Fiscal Year 2023 tax levy, raise and appropriate **\$50,000.00** from Water Enterprise receipts, raise and appropriate **\$286,500.00** from Sewer Enterprise receipts and transfer **\$552.20** from Ride Share Funds Reserved for Appropriation.

ARTICLE 4. Transfers to Reserves

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$20,000.00** for the following purposes; or take any other action relative thereto:

| <u>TO</u> | <u>AMOUNT</u> | <u>REASON</u> |
|-------------------|---------------|--|
| SPED Reserve Fund | \$20,000.00 | Set-aside funds for unbudgeted SPED expenses |

Sponsored by: Select Board

MOTION ARTICLE 4. Transfers to Reserves

I move that the Town raise and appropriate the sum of **\$20,000.00** from the Fiscal Year 2023 tax levy and transfer the sum of **\$20,000.00** to the SPED Reserve Fund.

ARTICLE 10. Amend General Bylaws Section 10260 – Revolving Funds

To see if the Town will vote to amend the Senior Food Service Fund to allow for non-senior catered events; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 10. Amend General Bylaws Section 10260 – Revolving Funds

I move that the Town amend the General Bylaws Section 10260 – Revolving Funds; Senior Food Service Fund; to allow for non-senior catered events.

ARTICLE 11. Local Option Acceptance –MGL c. 32B, §20 OPEB Trust Fund

To see if the Town will vote to re-accept M.G.L. c. 32B, §20 relevant to Other Post Employment Benefits (OPEB) Trust Fund; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 11. Local Option Acceptance –MGL c. 32B, §20 OPEB Trust Fund

I move that the Town re-accept M.G.L. c. 32B, §20 relevant to Other Post Employment Benefits (OPEB) Trust Fund.

ARTICLE 12. Acceptance of Easement – 27 Brook Street

To see if the Town will vote to authorize the Select Board to accept a general access easement from 27 Brook LLC, the owner of the land at 27 Brook Street, Scituate, Massachusetts, over the access road shown on a plan entitled "Plan of Land at Off Brook Street," dated May 30, 2008, prepared by Mr Surveying, Inc. to provide access from First Parish Road to the property known as 0 Rear First Parish Road, Scituate, Massachusetts, shown as "Parcel Number 50-6-15R" on the Town of Scituate Assessor's Maps, a copy of the easement Plan is available for inspection in the Town Clerk's office and www.scituatema.gov; or take any other action related thereto.

Sponsored By: Select Board

MOTION ARTICLE 12. Acceptance of Easement – 27 Brook Street

I move that the Town authorize the Select Board to accept a general access easement from 27 Brook LLC, the owner of the land at 27 Brook Street, Scituate, Massachusetts, over the access road shown on a plan entitled "Plan of Land at Off Brook Street," dated May 30, 2008, prepared by Mr Surveying, Inc. to provide access from First Parish Road to the property known as 0 Rear First Parish Road, Scituate, Massachusetts, shown as "Parcel Number 50-6-15R" on the Town of Scituate Assessor's Maps, a copy of the easement Plan is available for inspection in the Town Clerk's office and www.scituatema.gov. .

VOTE-Declared Unanimous in favor

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


Kathleen A. Gardner
Town Clerk

