

Town of Scituate  
Special Town Meeting  
November 2, 2015

**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Vegnani

I move that the Town hear or act upon any reports from town officers or committees

**VOTED** that the Town hear or act upon any reports from town officers or committees.

**VOTE-DECLARED UNANIMOUS**

Town of Scituate  
Special Town Meeting  
November 2, 2015

**WARRANT**

**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 &<br>Electricity increase          |
| Sewer Department Expense | Retained Earnings        | \$315,000     | Electricity increase &<br>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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Vegnani

I move that the Town transfer the sum of \$740,000.00, 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 as follows:

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

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**VOTED** that the Town transfer the sum of \$740,000.00, 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 as follows:

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

**VOTE-DECLARED UNANIMOUS**

Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: 2/3**

**MOTION**

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

Mr. Moderator,

Ms. Curran

I move that Town transfer from Free Cash, the sum of \$1,150,000.00, into the Stabilization Fund to replace amounts transferred to pay Fiscal Year 2015 bills associated with record breaking winter storms.

**VOTED** that Town transfer from Free Cash, the sum of \$1,150,000.00, into the Stabilization Fund to replace amounts transferred to pay Fiscal Year 2015 bills associated with record breaking winter storms.

**VOTE-DECLARED UNANIMOUS**

Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Ms. Curran

I move that the Town reduce the amount authorized pursuant to Article 4 of the April 13, 2015 annual town meeting warrant relative to General Fund Debt by reducing the appropriation by \$1,556,591.00, to reflect the actual cost of Debt Service for General Fund Projects for Fiscal Year 2016.

**VOTED** that the Town reduce the amount authorized pursuant to Article 4 of the April 13, 2015 annual town meeting warrant relative to General Fund Debt by reducing the appropriation by \$1,556,591.00, to reflect the actual cost of Debt Service for General Fund Projects for Fiscal Year 2016.

**VOTE-DECLARED UNANIMOUS**

Town of Scituate  
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**WARRANT**

**ARTICLE 5. Wampatuck 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 Wampatuck 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 Wampatuck Elementary School Remodeling project funds applied to pay costs of that project; or take any other action relative thereto.

*Sponsored by: Board of Selectmen*

**Quantum of vote: Majority**

**MOTION**

**ARTICLE 5. Wampatuck School Renovation Surplus Funding for Middle School Project**

Mr. Moderator,

Ms. Curran

I move that in accordance with Chapter 44, Section 20 of the General Laws, the Town appropriates \$84,538.98 in unexpended funds initially borrowed to finance costs of the Wampatuck 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; provided, however, that the amount authorized to be borrowed for the Middle School Project, but not yet borrowed, shall be reduced to the extent of the funds allocated by this vote from the Wampatuck Elementary School Project to the Middle School Project

**VOTED** that in accordance with Chapter 44, Section 20 of the General Laws, the Town appropriates \$84,538.98 in unexpended funds initially borrowed to finance costs of the Wampatuck 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; provided, however, that the amount authorized to be borrowed for the Middle School Project, but not yet borrowed, shall be reduced to the extent of the funds allocated by this vote from the Wampatuck Elementary School Project to the Middle School Project.

**VOTE-DECLARED UNANIMOUS**

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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Ms. Curran

I move that the Town appropriate \$5,085,000.00 from the net premium paid to the Town upon the sale of bonds issued 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. The amount of net premium allocable to each of the projects described above shall be \$3,575,000.00, \$1,155,000.00 and \$355,000.00, respectively, and shall reduce the amount authorized to be borrowed for each such project, by the same amount.

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**VOTED** that the Town appropriate \$5,085,000.00 from the net premium paid to the Town upon the sale of bonds issued 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. The amount of net premium allocable to each of the projects described above shall be \$3,575,000.00, \$1,155,000.00 and \$355,000.00, respectively, and shall reduce the amount authorized to be borrowed for each such project, by the same amount.

**VOTE-DECLARED UNANIMOUS**



Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: 2/3**

**MOTION**

**ARTICLE 7. Public Safety Complex Funding**

Mr. Moderator,

Mr. Vegnani

I move that the Town transfer the sum of \$780,000 from the Capital Stabilization Fund, transfer the sum of \$158,315.85 from unspent capital project articles listed below, totaling \$938,315.85, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$562,000.00, for the purpose of 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 as printed in the warrant provided to all voters at this meeting.

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| Town Meeting Authorization | Description                       | Balance             |
|----------------------------|-----------------------------------|---------------------|
| STM 11/2014 Art 5          | HYBRID VEHICLES                   | \$8,229.82          |
| ATM 04/2014 Art 5G         | GIS & Permitting Phase II         | \$1,787.50          |
| STM 11/2013 Art 1          | SPECIAL ELECTION US SENATOR       | \$14,711.51         |
| ATM 04/2014 Art 5H         | Defibrillator                     | \$4,762.65          |
| ATM 04/2014 Art 5Q         | Fire Command Vehicle              | \$585.53            |
| ATM 04/2011 Art 3H         | School Bus                        | \$5,112.00          |
| ATM 04/2011 Art 3J         | School-two emergency generators   | \$1,936.00          |
| STM 11/2012 Art 3          | Gates Feasibility                 | \$5,210.32          |
| ATM 04/2014 Art 5D         | Handicapped Accessible Van        | \$9,000.00          |
| ATM 04/2012 Art 4L         | DPW vehicles                      | \$1,897.15          |
| ATM 04/2012 Art 4G         | 1-ton dump truck - highway        | \$1,146.00          |
| ATM 04/2012 Art 4K         | Asphalt reclamation system        | \$400.00            |
| ATM 04/2014 Art 5N         | Highway 2 Ton Roller              | \$500.00            |
| ATM 04/2014 Art 5L         | Public Grounds Loader             | \$11,617.28         |
| ATM 04/2013 Art 3B         | School Security Installations     | \$119.00            |
| ATM 04/2013 Art 3F         | Replace GIS & Permitting Programs | \$11,118.00         |
| STM 11/2013 Art 8          | FIRE TRUCK                        | \$45,465.05         |
| ATM 04/2011 Art 3F         | DPW Bobcat                        | \$2,308.00          |
| ATM 04/2014 Art 5J         | Highway Dump Truck                | \$5,092.00          |
| ATM 04/2011 Art 3G         | Library Metal Ductwork            | \$27,318.04         |
|                            | <b>Total</b>                      | <b>\$158,315.85</b> |

**NEW MOTION**

Nancy Toppan

I move the question.

**DECLARED 2/3 VOTE IN FAVOR TO MOVE THE QUESTION.**

**VOTED** that the Town transfer the sum of \$780,000 from the Capital Stabilization Fund, transfer the sum of \$158,315.85 from unspent capital project articles listed below, totaling \$938,315.85, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$562,000.00, for the purpose of 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 as printed in the warrant provided to all voters at this meeting.

Town of Scituate  
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| Town Meeting Authorization | Description                       | Balance             |
|----------------------------|-----------------------------------|---------------------|
| STM 11/2014 Art 5          | HYBRID VEHICLES                   | \$8,229.82          |
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| STM 11/2013 Art 1          | SPECIAL ELECTION US SENATOR       | \$14,711.51         |
| ATM 04/2014 Art 5H         | Defibrillator                     | \$4,762.65          |
| ATM 04/2014 Art 5Q         | Fire Command Vehicle              | \$585.53            |
| ATM 04/2011 Art 3H         | School Bus                        | \$5,112.00          |
| ATM 04/2011 Art 3J         | School-two emergency generators   | \$1,936.00          |
| STM 11/2012 Art 3          | Gates Feasibility                 | \$5,210.32          |
| ATM 04/2014 Art 5D         | Handicapped Accessible Van        | \$9,000.00          |
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| ATM 04/2012 Art 4G         | 1-ton dump truck - highway        | \$1,146.00          |
| ATM 04/2012 Art 4K         | Asphalt reclamation system        | \$400.00            |
| ATM 04/2014 Art 5N         | Highway 2 Ton Roller              | \$500.00            |
| ATM 04/2014 Art 5L         | Public Grounds Loader             | \$11,617.28         |
| ATM 04/2013 Art 3B         | School Security Installations     | \$119.00            |
| ATM 04/2013 Art 3F         | Replace GIS & Permitting Programs | \$11,118.00         |
| STM 11/2013 Art 8          | FIRE TRUCK                        | \$45,465.05         |
| ATM 04/2011 Art 3F         | DPW Bobcat                        | \$2,308.00          |
| ATM 04/2014 Art 5J         | Highway Dump Truck                | \$5,092.00          |
| ATM 04/2011 Art 3G         | Library Metal Ductwork            | \$27,318.04         |
|                            | <b>Total</b>                      | <b>\$158,315.85</b> |

**VOTED-DECLARED 2/3 VOTE**

**THIS WAS CHALLENGED BY 7 VOTERS.**

**ARTICLE 7  
 CARD COUNT VOTE-  
 YES-287  
 NO-107**

**MOTION PASSES BY A 2/3 VOTE (73%) IN FAVOR**

Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: 2/3**

**MOTION**

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

Mr. Moderator,

Mr. Vegnani

I move that the Town appropriate the sum of \$751,000, for the purpose of fully funding Add Alternates 1) Sally port (\$ 354,000.00) and 2) third bay, (\$397,000.00) 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 fund such appropriation authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$751,000.00, and that such amounts required to pay the principal of, and interest on, the borrowing authorized by this vote be exempt from the limitation of total taxes imposed by Massachusetts general Laws, Chapter 59, Section 21C (Proposition 2 ½ so-called).

**NEW MOTION**

Mr. Moderator,

I move the question.

Mark Matthews

**VOTE-DECLARED 2/3 VOTE IN FAVOR OF MOVING THE QUESTION**

**VOTED** that the Town appropriate the sum of \$751,000, for the purpose of fully funding Add Alternates 1) Sally port (\$ 354,000.00) and 2) third bay, (\$397,000.00) 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 fund such appropriation authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$751,000.00, and that such amounts required to pay the principal of, and interest on, the borrowing authorized by this vote be exempt from the limitation of total taxes imposed by Massachusetts general Laws, Chapter 59, Section 21C (Proposition 2 ½ so-called).

**VOTE-DECLARED 2/3 VOTE**

Town of Scituate  
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November 2, 2015

**WARRANT**

**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*

**Quantum of vote: 2/3**

**MOTION**

**ARTICLE 9. Water Stabilization Fund**

Mr. Moderator,

Mr. O'Toole

I move that the Town transfer from Retained Earnings in the Water Enterprise Fund to the Water Stabilization Fund the sum of \$250,000.00, 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.

**VOTED** that the Town transfer from Retained Earnings in the Water Enterprise Fund to the Water Stabilization Fund the sum of \$250,000.00, 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.

**VOTE-DECLARED 2/3 VOTE**

Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. O'Toole

I move that the Town appropriate \$1,153,000.00 from Water Enterprise Retained Earnings to pay costs of the Water Pipe Replacement Project approved by the Town under Article 11 of the Warrant at the Town Meeting held on November 4, 2013, which funds shall reduce the amount authorized to be borrowed but not yet issued by the Town for that project by a like amount.

**VOTED** that the Town appropriate \$1,153,000.00 from Water Enterprise Retained Earnings to pay costs of the Water Pipe Replacement Project approved by the Town under Article 11 of the Warrant at the Town Meeting held on November 4, 2013, which funds shall reduce the amount authorized to be borrowed but not yet issued by the Town for that project by a like amount.

**VOTED-DECLARED UNANIMOUS**

Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: 2/3**

**MOTION**

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

Mr. Moderator,

Mr. O'Toole

I move that the Town 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, 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.

**VOTED** that the Town 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, 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.

**VOTE-DECLARED UNANIMOUS**

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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Harris

I move that the Town rescind the sum of \$314,150.00, 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.

**VOTED** that the Town rescind the sum of \$314,150.00, 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.

**VOTE-DECLARED UNANIMOUS**



Town of Scituate  
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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Harris

I move that the Town rescind the balance of the loan authorized and un-issued pursuant to the following article and town meeting approval:

| <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                |

**VOTED** that the Town rescind the balance of the loan authorized and un-issued pursuant to the following article and town meeting approval:

| <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                |

**VOTE-DECLARED UNANIMOUS**

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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Harris

I move that the Town amend the General Bylaws of the Town, Section 20440, by deleting the words “Community Preservation Committee” in line seven (7).

**NEW MOTION** Alma Morrison

Mr. Moderator,

I move to amend the motion to indefinitely postpone.

**VOTE ON NEW MOTION-UNANIMOUSLY IN FAVOR**

**NEW MOTION**

**To Indefinitely Postpone this article.**

**VOTED UNANIMOUSLY IN FAVOR TO INDEFINITELY POSTPONE THIS ARTICLE.**

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**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Danehey

I move that the Town 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.

**NEW MOTION**                      Doug Smith

Mr. Moderator,

I move to amend the motion to indefinitely postpone.

**VOTE ON NEW MOTION-DECLARED MAJORITY IN FAVOR OF NEW MOTION.**

**NEW MOTION**

**To Indefinitely Postpone this article.**

**VOTED- DECLARED MAJORITY IN FAVOR TO INDEFINITELY POSTPONE THIS ARTICLE.**

Town of Scituate  
Special Town Meeting  
November 2, 2015

**WARRANT**

**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*

**Quantum of vote: Majority**

**MOTION**

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

Mr. Moderator,

Mr. Danehey

I move that the Town 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.

**VOTED** that the Town 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.

**VOTE-DECLARED 2/3 VOTE**

**WARRANT**

**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.

**Quantum of vote: 2/3**

**MOTION**

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

Mr. Moderator,

Mr. Danehey, Mr. Elder

I move to amend the Zoning Bylaws as printed in the warrant with the following changes.

- 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 premise and wholesale to other establishments. 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 (ABCC) to produce and sell beer and/or ale. A Microbrewery sells to the public by one or 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 tap-room sales.

- 2) Add "Microbrewery" to Section 420 of Zoning Bylaws (Table of Use Regulations) 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:

1. Uses permitted as of right in R-1, R-2 and R-3 Districts.
2. Outdoor seating or dining areas accessory to a restaurant, hotel, or microbrewery on the same premises, and serving only persons seated at tables.
3. Parking lots for passenger automobiles.
4. Exterior signs, as hereinafter permitted.
5. Plants growing in the soil.

**NEW MOTION**

Richard Travers

Mr. Moderator,

I move the question.

**VOTED-DECLARED UNANIMOUS IN FAVOR OF MOVING THE QUESTION.**

Town of Scituate  
Special Town Meeting  
November 2, 2015

**VOTED** to amend the Zoning Bylaws as printed in the warrant with the following changes.

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 premise and wholesale to other establishments. 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 (ABCC) to produce and sell beer and/or ale. A Microbrewery sells to the public by one or 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 tap-room sales.

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| Microbrewery       | N          | N          | N          | N         | SP        | SP        | SP       |

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

**VOTE-DECLARED 2/3 VOTE**

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

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