

**TOWN OF SCITUATE
SPECIAL TOWN MEETING
OCTOBER 26, 2021
WARRANT**

COMMONWEALTH OF MASSACHUSETTS, PLYMOUTH SS

To either of the constables of the Town of Scituate, in said County

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs therein, to meet at the Scituate High School Gymnasium, 606 Chief Justice Cushing Highway on

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER 2021 NEXT

At seven o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. Unpaid Bills

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$6,519.41** for the purpose of paying prior year unpaid bills; or take any other action relative thereto.

Sponsored by: Select Board

ARTICLE 2. Fiscal Year 2022 Budget Reconciliations

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury the sum of **\$221,291.10** for the purpose of balancing the Fiscal Year 2022 Operating Budget pursuant to Articles 4, 6 and 8 of the April 12, 2021 Annual Town Meeting warrant; or take any other action relative thereto:

<u>TO</u>	<u>AMOUNT</u>	<u>REASON</u>
DPW Highway 1422540.543300 Roadway Maintenance	\$584.10	Town's share of ride share fees from Commonwealth.
Widows Walk Enterprise 61661520.530900 Technical Services	\$12,240.00	FY22 budget is less than final actual costs for FY21
Widows Walk Enterprise 61661520.524200 Repair & Maintenance	\$25,000.00	Electrical improvements to maintenance building
Transfer Station Enterprise 63433520.527100 Hauling Contracts	\$90,000.00	FY22 budget is less than final actual costs for FY21
Town Accountant 1135520.530900 Technical Services	\$27,300.00	Software solutions to provide better transparency of financial data.
Fire Department 1210580.585100 Equipment	\$16,167.00	Town share grant match for portable radios of \$4,262; FEMA share is \$85,238; awarded July 2021 and Town share grant match for a new forest fire truck of \$11,905; FEMA share is \$238,095; awarded August 2021.
Property & General Liability Insurance 1192570.574000	\$50,000.00	The insurance renewal was significantly higher than estimated resulting in an insufficient balance left for

the remainder of the fiscal year. The Contributory Group Insurance line, 1914515.519900, has savings due to a premium holiday and funds will be transferred from this line.

Sponsored by: Select Board

ARTICLE 3. Transfers to Reserves

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$478,341.00** for the following purposes; or take any other action relative thereto:

TO	AMOUNT	REASON
Widows Walk Capital Stabilization Fund	\$100,000.00	For future capital costs
Other Post Employment Benefit Liability	\$278,341.00	To address Town's unfunded liability
SPED Reserve Fund	\$100,000.00	To set-aside funds for unbudgeted SPED costs

Sponsored by: Select Board

ARTICLE 4. Feasibility Study & Schematic Design for Hatherly Elementary School

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Scituate Hatherly Elementary School Building Committee for the feasibility study and schematic design for the Hatherly Elementary School, located at 72 Ann Vinal Road, Scituate, MA for which the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; or take any other action relative thereto.

Sponsored by: School Committee

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, in accordance with M.G.L. c. 44, §§ 7 and 8 and any other enabling authority, the following sums of money totaling **\$3,782,250.00** 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. Widows Walk Maintenance Equipment	\$240,000
2. Widows Walk Pump Station/Irrigation	\$175,000
3. Loader (Sewer)	\$135,000
4. Old Landfill Site Assessment	\$92,250
5. Transfer Station Backhoe	\$140,000
6. Water Mains	\$3,000,000

Sponsored by: Select Board

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 2022 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 2022; (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 2022 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.

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|--|-------------|
| 1. Bailey Ellis House Restoration | \$8,000 |
| 2. Appleton Field Community Garden | \$46,754 |
| 3. Teak Sherman Community Garden | \$52,649 |
| 4. Town Archives Document Preservation | \$10,000 |
| 5. Historic Preservation of Gaelic-English Journal | \$2,100 |
| 6. 90 Foot Baseball Field Design | \$75,000 |
| 7. Land Acquisition (East Field) 0 Border Street, parcel 6-1-3 | \$2,015,000 |
- (\$2,000,000 toward purchase price of \$2,350,000 and \$15,000 toward closing and conservation restriction costs); and further, to aid in the funding of the purchase of said parcel, a sum of (\$350,000) must be donated to and received by the Town by November 2, 2021 in a gift fund established for that purpose.

Sponsored By: Community Preservation Committee

ARTICLE 7. Local Option Acceptance –Deferral of Water Charges

To see if the Town will vote to accept M.G.L. c. 40, §42J to allow taxpayers eligible to defer their property taxes to also defer their water usage fees; or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 8. Local Option Acceptance –Deferral of Sewer Charges

To see if the Town will vote to accept M.G.L. c. 83, §16G to allow taxpayers eligible to defer their property taxes to also defer their sewer usage fees or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 9. Endorsement of Master Plan

To see if the Town will vote to endorse the Master Plan as recommended and approved by the Planning Board or take any other action relative thereto.

Sponsored By: Planning Board

ARTICLE 10. Petition Article – Special Legislation for Marijuana Establishments

To see if the Town will vote to petition the Legislature for special legislation in a similar form to the following, with legislative amendments allowed to achieve the central purpose thereof, or take any other action relative thereto:

"Notwithstanding the provisions of any law to the contrary, up to three marijuana establishments as defined in G.L. c.. 94G, s.1 may be located in the Town of Scituate. Such marijuana establishments shall otherwise be subject to the provisions of G.L. c. 94G and regulations promulgated thereunder.'

Sponsored by Petition

ARTICLE 11. Petition Article - Amend Zoning Bylaw – Marijuana Dispensaries/Establishments

To see if the Town will vote to amend the Town of Scituate Zoning Bylaws as follows, or take any other action relative thereto:

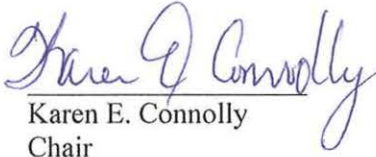
1. Insert into SECTION 200-DEFINITIONS those definitions currently located in SECTION 491.1 B "Definitions".
2. Amend SECTION 420 TABLE OF USE REGULATIONS, USE CATEGORY GG Marijuana Establishment as follows:
COMMERCIAL DISTRICT B: change "N" to "SP"
VILLAGE CENTER & NEIGHBORHOOD DISTRICTS: change "N" to "SP" in districts GVC, GWB, NDTV, NRN, DBO, VC and OV.
3. Amend by adding to the title of SECTION 440.2 the phrase "AND MARIJUANA ESTABLISHMENTS", and amend the prefatory sentence thereafter by adding the words "and Marijuana Establishments", after the word "Dispensaries".
4. Amend SECTION 440.2 A by adding the words "and recreation" after the word "health".
5. Amend SECTION 440.2: A, C: (1)(d) and (1)(h)(ii), 2, 3, 4(b) and 5-12 by replacing the phrase "Registered Marijuana Dispensary" whenever it therein appears with the phrase "Registered Marijuana Dispensary and/or Marijuana Establishment".
6. Amend SECTION 440.2 B by deleting all of the first paragraph as is appears after the phrase "except as permitted under this section and by placing a period at the end of that phrase. Delete the second paragraph. The existing third paragraph shall become the new second paragraph.
7. Amend SECTION 440.2 C (1)(c) by beginning the clause with the words: "In the case of a Registered Marijuana Dispensary...", and change the existing first word from upper case "A" to lower case "a".
8. Delete SECTION 491 – TEMPORARY MORATORIA and SECTION 492 – PROHIBITION OF MARIJUANA ESTABLISHMENTS in their entirety.

Sponsored by Petition

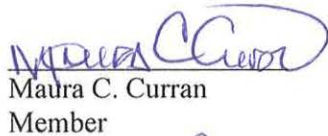
And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices in Town and one at Town Hall fourteen (14) days at least before holding said meeting.

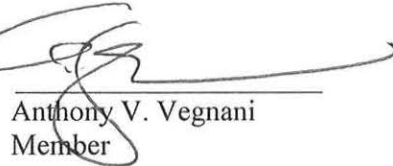
HEREOF fail not and make due return of the Warrant with your doings thereon unto the Town Clerk, on or before the time of holding said meeting

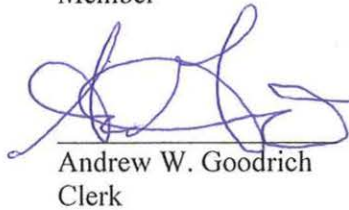
Given under our hands this 5th day of October 2021


Karen E. Connolly
Chair


Karen B. Canfield
Vice-Chair


Maura C. Curran
Member


Anthony V. Vegnani
Member


Andrew W. Goodrich
Clerk

**SELECT BOARD
TOWN OF SCITUATE**