

**TOWN OF SCITUATE
SPECIAL TOWN MEETING
APRIL 10, 2023
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

MONDAY, THE TENTH DAY OF APRIL 2023 NEXT

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

ARTICLE 1. Unpaid Prior Year Bills

To see if the Town will vote to transfer the sum of **\$25,541.12**, or a greater or lesser sum, for the purpose of paying prior fiscal year unpaid bills, or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 2. FY 23 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$121,000.00** or a greater or lesser sum, for the purpose of fully funding the following accounts established under Articles 4 and 6 of the April 11, 2022 Annual Town Meeting as follows:

Department	Line Item	To Amount	From Amount	Comment
Water Department	Repair & Maintenance 65450520.524100	\$ 45,000.00		Additional funds for any emergency or unexpected repairs.
Water Enterprise Retained Earnings			\$ 45,000.00	Unused funds will close back to retained earnings as of June 30th
Historical Buildings	Repair & Maintenance 1691520.524200	\$ 30,000.00		Tree removal, fuel bills and other repair costs at Mordecai Lincoln property
Fire Department	Capital Outlay 1220580.585100	\$ 5,000.00		Town share of portable radios; FEMA grant
Information Technology	Capital Outlay 1155580.585100	\$ 41,000.00		Additional security upgrades at Public Safety Complex for \$6,000 and cyber security audit for \$35,000
Legal Services	Litigation 1123530.532900		\$ 30,000.00	Case management
Snow & Ice	Equipment Rentals 1423520.527100		\$ 46,000.00	Mild winter
	Total	\$ 121,000.00	\$ 121,000.00	

or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 3. Retirement of Debt

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$475,000.00** for the purpose of retiring the debt for the following purposes

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>
Widows Walk Clubhouse & Parking	ATM 04/2021, Art 3CC	\$475,000.00

Sponsored By: Select Board

ARTICLE 4. Rescission of Borrowing Authorizations

To see if the Town will vote to rescind the following borrowing authorizations for the following purposes.

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>	<u>Reason</u>
Upgrade Well 17A	ATM 11/18, Art 3RR	\$810,510	Project complete
Well 17A Green Sand Filter Const	ATM 04/19, Art 3U	\$1,230,607	Project complete
Cedar Point Sewer-Betterment	STM 06/20, Art 4	\$3,227,205	Project complete

Or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 5. Community Preservation Act

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (CPC) to appropriate the sums of money as indicated below. Appropriations for the items below are to be expended from Community Preservation Undesignated Funds unless otherwise indicated. All such sums appropriated are further to be expended subject to all 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. \$28,954 From Community Preservation fund balance, to be reserved for the creation and support of Community Housing consistent with the Act; FY23 previously voted set-asides were insufficient to meet the 10% requirement due to additional state match being received;
2. \$25,000 Historic – Mordecai Lincoln Driveway & Parking; Engineering

Or take any other action relative thereto.

Sponsored by: Community Preservation Committee

ARTICLE 6. Musquashicut Avenue - Grant of Easement

To see if the Town will vote to authorize the Select Board to grant an easement to Eversource Gas Company of Massachusetts, D/B/A Eversource Energy relating to the installation, operation and maintenance of gas Telemeter Facilities, as shown on a Sketch prepared by Merrill Engineers and Land Surveyors for Eversource Energy, dated March 11, 2022, and revisions thereto, on, over, under and across a portion of Town land located at 4 Musquashicut Avenue in Scituate, Massachusetts, more particularly described as Town of Scituate Assessor's Tax Parcel ID No. 15-3-30-0 and more fully shown and described as Lot 30 of Block 3 on the Town of Scituate Assessor's Map #15, a copy of the easement Sketch 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

ARTICLE 7. General Bylaw Amendment – Section 30900 Waterways Bylaw

To see if the Town will vote to amend Section 30900, Waterways, of the by-laws of the Town of Scituate as follows:

1. By adding a new Section 30911 as follows:

Section 30911 Purpose

To develop, implement and maintain laws and regulations that will enhance and preserve the ecological health, pristine waters and the natural beauty of waters within the limits of the town of

Scituate for future generations, to preserve the public peace, good order and welfare, to protect the coastal waters within the limits of the town of Scituate and all beaches, flats, tidelands and submerged lands lying seaward of the line of the mean high water, to prevent encroachments therein, to promote, preserve and protect the exercise and enjoyment of the public rights of fishing, fowling and navigation; to promote, preserve and protect the exercise of marine and aquacultural uses and pursuits while sustaining harmony among all users of waters within the limits of the town of Scituate.

2. By adding a new Section 30912 as follows:

Section 30912 Fair Access to Fish, Fowl and Navigate

Notwithstanding any provisions of these by-laws to the contrary, fair access to waters within the limits to fish, fowl and navigate is hereby recognized to exist within the waters of the town of Scituate. The above-described activities may, subject to certain rules and regulations occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental impacts associated with normally accepted fishing, fowling and navigation practices. It is hereby determined that whatever impact may be caused to others through the normal practice of accepted fishing, fowling and navigation practices is more than offset by the benefits of each of these activities to the community and society in general and fair and equitable access to the waters within the town of Scituate for such activities. The benefits and protections of this by-law are intended to apply exclusively to those recreational and commercial accepted fishing, fowling and navigation operations and activities conducted in accordance with generally accepted fishing, fowling and navigation practices. Moreover, nothing in this by-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

3. By adding a new Section 30992 as follows:

Section 30992 Rules and Regulations

The Select Board shall prepare, and may amend from time to time, after reasonable public notice and hearing and approval of the Select Board, regulations governing the uses set forth in this Section 30900.

or take any other action relative thereto.

Sponsored By: Select Board

ARTICLE 8 – General Bylaw Amendment – New Section 30125 – Overnight Recreational Vehicular Parking on Public Property

To see if the Town will vote to amend the Town of Scituate General By-Laws, Section 30100 Miscellaneous, by adding the following new section:

Section 30125 - Overnight Recreational Vehicular Parking on Public Property

No person shall park a recreational vehicle on Town-owned property between the hours of 8:00 P.M. and 8:00 A.M. without the written approval of the Select Board. A recreational vehicle is a motor vehicle or trailer that includes living quarters designed for accommodation. Any person that violates this bylaw shall be punished with a fine of \$200 per occurrence. This section of the bylaw shall not prohibit unhoused individuals from sleeping outdoors, on public property, when no alternative shelter is available to them.

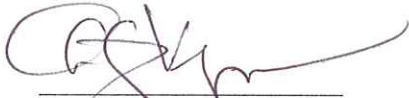
or take any other action relative thereto.

Sponsored By: Select Board

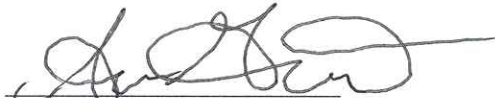
And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices in Town and one at Town Hall fourteen (14) days at least before holding said meeting.

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

Given under our hands this 27th day of February 2023.



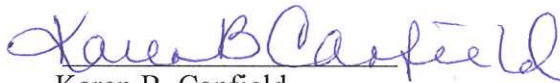
Anthony V. Vegnani
Chair



Andrew W. Goodrich
Vice-Chair



Maura C. Curran
Clerk



Karen B. Canfield
Member



Karen E. Connolly
Member

**SELECT BOARD
TOWN OF SCITUATE**