

## Index of Articles – Annual Town Meeting April 30, 2018

1. Annual Town Report	Adopted
2. Report of Committees	No Action Taken
3. FY19 Operating Budget	Adopted
4. Unpaid Bills of Prior Years	Adopted
5. FY18 Supplemental Appropriations	Adopted
6. Stabilization and Other Special Funds	Adopted
7. Town Hall Renovation	Adopted
8. Capital Improvements Budget	Adopted
9. Departmental Revolving Funds	Adopted
10. Funds for Road Repair and Maintenance	Adopted
11. Allocation of Funds for One Time Cost	Adopted
12. MGL Chapter 91 Liability	Adopted
13. Additional Real Estate Exemptions	Adopted
14. POW Excise Exemption	Adopted
15. Community Preservation Committee	Adopted
16. South Shore Vo-tech Agreement Amendments	Adopted
17. Acceptance of Chapter 90 s. 17 of the General Laws	Adopted
18. Recodification of the Cohasset General Bylaws	Adopted
19. Recodification of the Cohasset Zoning Bylaw	Adopted
20. Zoning Bylaw Amendment-Large Home Review	Adopted
21. General Bylaw Amendment Article for Prohibition of Marijuana Establishments	Adopted
22. Zoning Bylaw Amendment Article for Prohibition of Marijuana Establishments	Adopted
23. Zoning Bylaw Amendment Article to Extend Temporary Moratorium	Adopted
24. Citizen's Petition-Harbor Committee	Adopted
25. Citizen's Petition-Plastic Bags	Adopted

## **TOWN OF COHASSET**

### **Annual Town Meeting – April 30, 2018**

At the Annual Town Meeting held on Monday April 30, 2018 at the Cohasset High School Sullivan Gymnasium the following articles were contained in the warrant and acted upon as follows.

Checkers sworn in by the Town Clerk, Carol L. St. Pierre at 6:30 p.m. were Elizabeth Anderson, Kelly Grech, Rebekah Matthey, Pearl Smith, Kenneth Warner and Lauren Walsh. Bernadette Faulkner, Ansley Pearce, Peter Pearce and William Tierney were appointed and sworn in by the Moderator Daniel Evans.

The Moderator called the meeting to order at 7:27 p.m. and a quorum of 100 was present at that time. The registered voters checked in on the voting list totaled 411. Precinct 1 - 236 voters and precinct 2 - 175.

Citizens recited the pledge of allegiance. A moment of silence was observed for citizens listed in the memoriam of the town report.

#### **Article 1: Annual Town Report**

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2017, or to take any other action related thereto.

MOVED, that the reports of the various Town Officers as printed in the Annual Town Report for 2017, be accepted and placed in the permanent records of the town.

**Motion adopted unanimously.**

#### **Article 2: Reports of Committees**

To hear the reports of any Committee heretofore chosen and act thereon, or to take any other action related thereto.

### **BOARD OF SELECTMEN**

A report of the 250<sup>th</sup> Anniversary Committee was given by Joy Schiffmann.

A report of the Master Plan Committee was given by Clark Brewer

A report of the OPEB and Harbor Committees was given by Tim Davis

A report of the Capital Budget Committee was given by Nathan Redmann

No further action to be taken.

At this time Congressmen Stephen Lynch and State Representative Joan Meschino were recognized.

**Article 3: Operating Budget**

To see if the Town will vote to fix salaries and compensation of Elected Officers, and to see what sums the Town will vote to raise and appropriate from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment and outlays, capital and otherwise, of the several Town Departments, including the enterprise funds for the Water Department and Sewer Department, for the ensuing fiscal year, or to take any other action related thereto.

**BOARD OF SELECTMEN**

<b>DEPARTMENT</b>	<b>FISCAL 2016 BUDGET</b>	<b>FISCAL 2017 BUDGET</b>	<b>FISCAL 2018 BUDGET</b>	<b>FISCAL 2019 REQUESTE D</b>	<b>FISCAL 2019 RECOMMENDE D</b>
<b>ADMINISTRATIVE SERVICES</b>					
TOWN MODERATOR	500	500	500	500	500
BOARD OF SELECTMEN	230,300	178,130	178,740	158,600	158,600
TOWN MANAGER	306,020	364,928	424,873	515,100	515,100
HUMAN RESOURCE MANAGEMENT	70,000	75,000	150,000	153,750	153,750
ADVISORY COMMITTEE	360	360	360	360	360
RESERVE FUND	200,000	200,000	225,000	229,500	229,500
DIRECTOR OF FINANCE	270,304	241,283	254,736	240,661	240,661
BOARD OF ASSESSORS	216,608	220,686	229,209	211,761	211,761
TREASURER/COLLECTOR	311,269	305,814	316,923	335,821	335,821
LEGAL SERVICES	175,000	150,000	150,000	150,000	150,000
CHIEF TECHNOLOGY OFFICE	315,000	360,000	369,000	436,399	436,399
TOWN TECHNOLOGY	-	99,000	107,124	127,500	127,500
TOWN CLERK	151,452	160,215	159,115	171,100	171,100
PERMITS & INSPECTIONS	153,296	164,739	230,402	257,402	257,402
UNCLASSIFIED	367,210	408,660	416,240	416,240	416,240

<b>ADMINISTRATIVE TOTAL</b>	<b>2,767,319</b>	<b>2,929,315</b>	<b>3,212,222</b>	<b>3,404,694</b>	<b>3,404,694</b>
<b>PUBLIC SAFETY</b>					
POLICE	2,265,054	2,337,670	2,409,956	2,540,019	2,540,019
FIRE	2,258,766	2,365,986	2,427,200	2,462,851	2,462,851
BUILDING COMMISSIONER	141,449	150,140	151,665	150,165	150,165
EMERGENCY MANAGEMENT	38,000	38,000	38,000	38,000	38,000
HARBORMASTER	112,693	115,248	116,514	118,114	118,114
SHELLFISH CONSTABLE	475	475	475	475	475
<b>PUBLIC SAFETY TOTAL</b>	<b>4,816,437</b>	<b>5,007,519</b>	<b>5,143,810</b>	<b>5,309,624</b>	<b>5,309,624</b>
<b>EDUCATION SERVICES</b>					
COHASSET SCHOOLS	17,505,000	18,320,276	18,895,656	19,550,594	19,550,594
SCHOOL SUPPORT OFFICER	55,000	75,000	100,000	75,380	75,380
SOUTH SHORE VOCATIONAL	73,471	84,057	69,116	58,000	58,000
<b>EDUCATION SERVICES TOTAL</b>	<b>17,633,471</b>	<b>18,479,333</b>	<b>19,064,772</b>	<b>19,683,974</b>	<b>19,683,974</b>
<b>PUBLIC WORKS/FACILITIES</b>					
DEPT OF PUBLIC WORKS	1,182,168	1,201,730	1,237,548	1,326,277	1,326,277
SNOW & ICE REMOVAL	125,000	125,000	125,000	125,000	125,000
STREET LIGHTING	45,000	45,000	45,000	45,000	45,000
TRANSFER STATION	469,877	497,416	474,398	475,074	475,074
FACILITIES MANAGEMENT	804,322	946,943	939,026	961,761	961,761
<b>PUBLIC WORKS/FACILITIES TOTAL</b>	<b>2,626,367</b>	<b>2,816,089</b>	<b>2,820,972</b>	<b>2,933,112</b>	<b>2,933,112</b>
<b>HEALTH &amp; WELFARE</b>					
BOARD OF HEALTH	151,420	156,446	161,405	163,005	163,005
ELDER AFFAIRS	270,990	284,592	281,828	300,795	300,795

VETERANS SERVICES	138,850	138,850	141,592	144,364	144,364
<b>HEALTH &amp; WELFARE TOTAL</b>	<b>561,260</b>	<b>579,888</b>	<b>584,825</b>	<b>608,164</b>	<b>608,164</b>
<b>CULTURE &amp; RECREATION</b>					
LIBRARY	589,768	614,767	642,587	643,202	643,202
RECREATION	123,417	125,989	130,760	130,760	130,760
COMMON HISTORICAL COMMISSION	500	500	500	500	500
HISTORICAL PRESERVATION	600	600	600	600	600
<b>CULTURE &amp; RECREATION TOTAL</b>	<b>714,285</b>	<b>741,856</b>	<b>774,447</b>	<b>775,062</b>	<b>775,062</b>
<b>DEBT SERVICE</b>					
DEBT SERVICE	3,167,326	3,166,674	3,083,855	2,635,508	2,635,508
<b>DEBT SERVICE TOTAL</b>	<b>3,167,326</b>	<b>3,166,674</b>	<b>3,083,855</b>	<b>2,635,508</b>	<b>2,635,508</b>
<b>BENEFITS &amp; INSURANCE</b>					
PENSION ASSESSMENT	1,706,914	1,880,030	2,296,320	2,512,622	2,512,622
WORKERS COMPENSATION	132,619	139,250	198,000	278,242	278,242
UNEMPLOYMENT	7,500	5,000	5,000	5,000	5,000
HEALTH INSURANCE	4,556,164	4,863,705	5,155,527	5,433,859	5,433,859
LIFE INSURANCE	9,547	9,738	9,933	10,132	10,132
MEDICARE TAX	302,043	309,594	345,868	354,515	354,515
PROPERTY & LIABILITY INSURANCE	296,080	310,884	326,428	333,749	333,749
<b>BENEFITS &amp; INSURANCE TOTAL</b>	<b>7,010,867</b>	<b>7,518,201</b>	<b>8,337,076</b>	<b>8,928,119</b>	<b>8,928,119</b>
<b>GENERAL FUND GRAND TOTAL</b>	<b>39,297,332</b>	<b>41,238,875</b>	<b>43,021,979</b>	<b>44,278,257</b>	<b>44,278,257</b>
<b>SEWER ENTERPRISE FUND</b> (indirect costs included in General Fund Budget)					
	<b>2,555,842</b>	<b>2,480,061</b>	<b>2,259,706</b>	<b>2,560,643</b>	<b>2,560,643</b>

**WATER ENTERPRISE FUND** (indirect costs included in General Fund Budget)

**4,809,235    4,732,880    4,920,130    4,871,904    4,871,904**

**MOVED** that Fifty One Million Seven Hundred Ten Thousand Eight Hundred Four Dollars (\$51,710,804) be appropriated for the Fiscal Year 2019 Annual Town Budget to be allotted as follows: \$98,045 for salaries of elected Town Officials consisting of the Town Clerk \$87,528; Clerk, Board of Registrars (4) at \$329 each, total of \$1,316; Moderator, \$1; Selectmen, Chairman \$1,500; Members (4) at \$1,000 each, total of \$4,000; Board of Assessors, Chairman, \$1,300; Members (2) at \$1,200 each, total \$2,400; and the remaining \$51,612,759 for Personal Services, Expenses, and Capital Outlays, interest on Maturing Debt and other charges for various departments, as is further described in the columns headed "Fiscal 2019 Recommended" in Appendix A in the Warrant, and to meet the appropriation, the following transfers are made:

- \$2,659,345    *from Sewer Enterprise Revenue,*
- \$4,984,981    *from Water Enterprise Revenue,*
- \$65,337        *from School Construction Surplus Fund,*
- \$24,117        *from Reserve for Community Preservation Debt,*
- \$476,737       *from Capital Stabilization Fund,*
- \$75,000        *from Title V Betterment Fund,*

AND \$43,425,287 is raised from taxation and other general revenues of the Town.

- Board of Selectmen: Recommend Approval by a Vote of 5-0
- Advisory Committee: Recommend Approval by a Vote of 8-0
- School Committee: Recommend Approval by a Vote of 5-0 (as to school budget)

**A 2/3 vote required. Motion adopted unanimously.**

**Article 4: Unpaid Bills from Previous Years**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, to pay for unpaid bills of the Town, the Water Commission and/or Sewer Commission from previous fiscal years, or to take any other action related thereto.

**BOARD OF SELECTMEN**

Department	Vendor	Amount	Description
NONE	AT	THIS	TIME

**MOVED**, that this Article be indefinitely postponed.

**A majority vote required. Motion adopted.**

**Article 5: Supplemental Appropriations for Fiscal 2018**

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, needed by various departmental budgets and appropriations to complete the fiscal year ending June 30, 2018 or to decrease or otherwise adjust any budget line item as appropriated by the town at the May 1, 2017 Annual Town Meeting or the December 4, 2017 Special Town Meeting, or to take any other action related thereto.

**BOARD OF SELECTMEN**

Action	Amount	From	To
Supplemental Appropriation: Workers Comp	\$7,582	Free Cash	Budget

**MOVED** that Seven Thousand Five Hundred Eighty Two Dollars (\$7,582.00) be hereby appropriated for the items set forth below amending the amounts appropriated by the Town pursuant to the 2017 Annual Town Meeting held on May 1, 2017 and/or the Special Town Meeting held on December 4, 2017, which funds are to be expended by the Town Manager, to supplement certain departmental budgets and appropriations and to fund other deficits below to complete the fiscal year ending June 30, 2018 as follows:

Action	Amount	From	To
Supplemental Appropriation	\$7,582	Free Cash	Workers Comp line in FY18 Budget

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 6: Stabilization and other Special Funds**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute a sum of money to be deposited into the Capital Stabilization Fund, the OPEB Trust Fund, the General Stabilization Fund, the Sewer Capital Stabilization Fund, or to take any other action related thereto.

**BOARD OF SELECTMEN**

Amount	Source of Funds	Fund
\$50,000	General Revenues	General Stabilization
\$100,000	General Revenues	OPEB Trust Fund
\$1,125,697	General Revenues	Capital Stabilization
\$171,470	Sewer General Revenues	Sewer Capital Stabilization

**MOVED** that the following amounts be appropriated to be deposited in the following stabilization and other special funds:

<b>Amount</b>	<b>Source of Funds</b>	<b>Fund</b>
\$50,000	General Revenues	General Stabilization
\$100,000	General Revenues	OPEB Trust Fund
\$1,125,697	General Revenues	Capital Stabilization
\$171,470	Sewer General Revenues	Sewer Capital Stabilization

AND TO meet these appropriations, One Million Two Hundred Seventy Five Thousand Six Hundred Ninety Seven Dollars (\$1,275,697) be raised and appropriated from taxation and other general revenues of the Town, and One Hundred Seventy One Thousand, Four Hundred Seventy Dollars (\$171,470) be appropriated from Sewer General Revenues.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
 Advisory Committee: Recommend Approval by a Vote of 8-0  
 Sewer Commission: Recommend Approval by a Vote of 3-0

**Motion adopted unanimously.**

**Article 7: Town Hall Renovation**

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute and/or transfer from available funds, a sum or sums of money, to be expended for the creation of detailed engineered design and construction plans, the conducting of a bidding process, and the reconstruction and addition to Town Hall, or to take any other action related thereto.

**BOARD OF SELECTMEN**

**MOVED**, that

Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) be hereby appropriated to be spent by the Town Manager with the approval of the Board of Selectmen for the creation of detailed engineering and construction plans, the conducting of a bidding process, the reconstruction and addition to Town Hall, and all related actions and expenses thereto; and further the Board of Selectmen be hereby authorized to convey such real property interests, enforceable by third parties, as may be required by the Community Preservation Act, including real property interests in the form of perpetual historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing; and to meet this appropriation:

- (a) the Treasurer of the Town, with approval by the Board of Selectmen, be hereby authorized to borrow Eight Million Five Hundred Thousand Dollars (\$8,500,000.00) pursuant to Chapter 44 section 7(i) of the General Laws or pursuant to any other enabling authority and to issue bonds and notes of the Town therefore; provided however no part of this appropriation shall be borrowed or expended unless the Town shall have voted to exclude the amounts required to pay the principal of and interest on such

borrowing from the limitations on local property taxes contained in Chapter 59, section 59C(k) of the General Laws, also known as Proposition 2 ½; and

(b) further One Million Five Hundred Thousand Dollars (\$1,500,000.00) be hereby appropriated as recommended by the Community Preservation Committee from the General Revenue Account of the Community Preservation Fund; and

(c) further the Treasurer of the Town, with the approval of the Board of Selectmen, be hereby authorized as recommended by the Community Preservation Committee, to borrow Two Million Five Hundred Thousand Dollars (\$2,500,000.00) pursuant to Chapter 44B of the General Laws (the Community Preservation Act) and to issue bonds and notes of the town therefore, with repayment of principal and interest thereon such borrowing intended to be repaid from the General Revenue Account of the Community Preservation Fund; and

(d) Any premium received upon the sale of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with Chapter 44, section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 6-2

Capital Budget Committee: Not Recommend Approval by a Vote of 5-0

Community Preservation Committee: Recommend Approval by a Vote of 6-1

Amendment offered by Ralph Dormitzer for Capital Budget

**MOVED**, that

Two Million Two Hundred Thousand Dollars (\$2,200,000.00) be hereby appropriated to be spent by the Town Manager with the approval of the Board of Selectmen and the Capital Budget Committee for the creation of detailed engineering and construction plans, the conducting of a bidding process, the reconstruction of Town Hall, and all related actions and expenses thereto; and further the Board of Selectmen be hereby authorized to convey such real property interests, enforceable by third parties, as may be required by the Community Preservation Act, including real property interests in the form of perpetual historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing; and to meet this appropriation:

(a) One Million Five Hundred Thousand Dollars (\$1,500,000.00) be hereby appropriated as recommended by the Community Preservation Committee from the General Revenue Account of the Community Preservation Fund; and

(b) further Seven Hundred Thousand Dollars (\$700,000.00) be hereby transferred from the Capital Stabilization Fund.

(c) Provided, however, that the Board of Selectmen, the Advisory Committee, the Capital Budget Committee and the Town Hall Building Committee (the Parties) agree to execute a memorandum of understanding and agree to collaborate to resolve the following critical deliverables:

1. Minimize the lifecycle cost of the building, including but not limited to maintenance and energy efficiency.
2. Address the interior design of the Administrative Building to create a more open and seamless transition from the atrium and to improve the floor plan design to encourage customer service and employee collaboration.
3. Develop a design solution that introduces natural light into the basement of the Administrative Building.
4. Prepare a detailed report documenting the alternatives evaluated, including estimated costs, and the rationale for selecting or rejecting each alternative.
5. Establish agreement on the "value engineering" and "additive alternatives" that should be included in the total project cost (see Cost and Project Scope Comparison - Feasibility Study to Schematic Design developed by THBC).
6. Develop and complete a financial dashboard and integrated operating capital and debt model for the Town, its boards and committees.
7. Establish agreement on the final project cost and the sources of funding.
8. Such additional critical deliverables that may be added to this list with the agreement of the Parties.

**Amendment is rejected.**

**Main motion, a 2/3 vote required. Main motion adopted by requisite 2/3 vote.**

**More than seven voters stood to call for hand count.**

**Hand Count Taken. In favor 253; Opposed 90.**

**Main motion adopted by requisite 2/3 vote.**

**Article 8: Capital Improvements Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum of money to fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the Town, or to take any other action related thereto.

**Board of Selectmen for the CAPITAL BUDGET COMMITTEE**

**A. Enterprise Funds**

<b>Enterprise Fund</b>	<b>Purpose</b>	<b>Amount</b>	<b>CBC Recommendation</b>
Water Department	Tank Maintenance	\$400,000	For Approval 3-0
	<b>Total Water Department</b>	<b>\$400,000</b>	

**B. General Fund**

<b>Department</b>	<b>Purpose</b>	<b>Amount</b>	<b>CBC Recommendation</b>
Public Works	Salt Shed Repairs	\$15,000	For Approval 3-0
Public Works	Fuel Depot, incl. pumps, electronics, software and vehicle diagnostics	\$63,000	For Approval 4-0
Public Works	Heavy-Haul Tractor lease	\$42,000	For Approval 4-0
Public Works	Six-wheel Dump Truck w/ plow & sander	\$160,000	For Approval 3-0
Elder Affairs	Two (2) Passenger Vans	\$50,000	For Approval 3-0
Fire Department	Ladder 1 Corrosion Repairs (reimburse Reserve Fund)	\$44,000	For Approval 4-0
Fire Department	Hydraulic Rescue Tools	\$40,000	For Approval 4-0
Information Technology	Electronic Document Management (EDM) Software	\$56,000	For Approval 3-0
Information Technology	Process Migration to EDM – Phase I	\$33,000	For Approval 3-0
Police	Two (2) Police Cars	\$91,000	For Approval 4-0
Recreation	Milliken Field Shed	\$25,000	For Approval 4-0
Schools	Water Heater Replacement at CMHS	\$35,000	For Approval 4-0
Schools	Sidewalk/Stair Improvements at CMHS	\$87,000	For Approval 4-0
Schools	School Bus Lease	\$122,000	For Approval 4-0
Schools	Wall Safety Pads for JOS and DH Gyms	\$16,000	For Approval 4-0
Schools	Automated External Defibrillators (AED)	\$12,900	For Approval 4-0
Schools	Alumni Field Track Repair	\$87,000	For Approval 4-0
Schools	Document Cameras for 21st Century Classrooms	\$18,000	For Approval 3-0
	<b>Total – General Fund</b>	<b>\$996,900</b>	

**MOVED** that One Million Three Hundred Ninety Six Thousand Nine Hundred Dollars (\$1,396,900.00) be appropriated to be spent by the Town Manager with the approval of the Board of Selectmen for the purpose of purchasing certain items or services relating to capital or property, as set forth below;

**A. Enterprise Funds**

<b>Enterprise Fund</b>	<b>Purpose</b>	<b>Amount</b>	<b>CBC Recommendation</b>
Water Department	Tank Maintenance	\$400,000	For Approval 3-0
	<b>Total Water Department</b>	<b>\$400,000</b>	

## B. General Fund

Department	Purpose	Amount	CBC Recommendation
Public Works	Salt Shed Repairs	\$15,000	For Approval 3-0
Public Works	Fuel Depot, incl. pumps, electronics, software and vehicle diagnostics	\$63,000	For Approval 4-0
Public Works	Heavy-Haul Tractor lease	\$42,000	For Approval 4-0
Public Works	Six-wheel Dump Truck w/ plow & sander	\$160,000	For Approval 3-0
Elder Affairs	Two (2) Passenger Vans	\$50,000	For Approval 3-0
Fire Department	Ladder 1 Corrosion Repairs (reimburse Reserve Fund)	\$44,000	For Approval 4-0
Fire Department	Hydraulic Rescue Tools	\$40,000	For Approval 4-0
Information Technology	Electronic Document Management (EDM) Software	\$56,000	For Approval 3-0
Information Technology	Process Migration to EDM – Phase I	\$33,000	For Approval 3-0
Police	Two (2) Police Cars	\$91,000	For Approval 4-0
Recreation	Milliken Field Shed	\$25,000	For Approval 4-0
Schools	Water Heater Replacement at CMHS	\$35,000	For Approval 4-0
Schools	Sidewalk/Stair Improvements at CMHS	\$87,000	For Approval 4-0
Schools	School Bus Lease	\$122,000	For Approval 4-0
Schools	Wall Safety Pads for JOS and DH Gyms	\$16,000	For Approval 4-0
Schools	Automated External Defibrillators (AED)	\$12,900	For Approval 4-0
Schools	Alumni Field Track Repair	\$87,000	For Approval 4-0
Schools	Document Cameras for 21st Century Classrooms	\$18,000	For Approval 3-0
	<b>Total – General Fund</b>	<b>\$996,900</b>	

And to meet the appropriation for the Water Department,

Funds totaling Two Hundred Thousand Dollars (\$200,000.00) be transferred for this purpose from Water Enterprise Revenue, One Hundred Eighty Thousand Seven Hundred Forty Nine Dollars and Nine Cents (\$180,749.09) be transferred from available retained earnings of the Water Enterprise Fund, and funds totaling Nineteen Thousand Two Hundred Fifty Dollars and Ninety One Cents (\$19,250.91) available in the following accounts shall also be transferred:

\$5,000.00	Filter Media Change Order	Article 5, November 2, 2015 STM
\$7,496.36	Ellms Meadow Well Insulation	Article 5, November 2, 2015 STM
\$6,754.55	Paint & Repair Water Tank	Article 15, May 2, 2016 ATM

And to meet the appropriations for the General Fund, Nine Hundred Twenty Nine Thousand One Hundred Ten Dollars and Nineteen Cents (\$929,110.19) shall be transferred from the Capital Stabilization Fund and funds totaling Sixty Seven Thousand Seven Hundred Eighty Nine Dollars and Eighty One Cents (\$67,789.81) available in the following accounts shall be transferred:

\$5,776.55	Osgood Fire Alarm System	Article 7, April 28, 2014 ATM
\$20,566.95	Osgood HVAC Controls	Article 7, April 28, 2014 ATM
\$11,481.27	School Bus Lease	Article 8, May 1, 2017 ATM
\$495.00	Dump Truck Body May 2017	Article 8, May 1, 2017 ATM
\$120.04	Harbormaster Boat Motor	Article 11, May 1, 2017 ATM
\$29,350.00	EDM Consulting	Article 6, December 4, 2017 STM

And further that the unused and unissued authorization of borrowing for Four Hundred Twenty Thousand Dollars (\$420,000.00) for a new Front Line Pumper in Article 8 at the Annual Town Meeting of May 1, 2017 be rescinded and that to meet the appropriation Four Hundred Twenty Thousand Dollars (\$420,000.00) be transferred from the Capital Stabilization Fund,

Provided, however that the amounts listed above for particular projects in Section B and for the Front Line Pumper are not to be construed as individual appropriations but instead the sums shown are intended to be estimates of individual projects but the amount appropriated is one line item in the total sum of One Million Four Hundred Sixteen Thousand Nine Hundred Dollars (\$1,416,900.00). The Town Manager, with the approval of the Board of Selectmen, is hereby authorized to distribute such funds in such a manner as may be needed to accomplish the forgoing list of projects, provided further, however, that the excess funds are available because one or more items cost less than estimated and not because an item intended to be procured is not so procured.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
 Advisory Committee: Recommend Approval by a Vote of 8-0  
 Capital Budget Committee: Recommend Approval as noted in the Charts  
 School Committee (on School Items): Recommend Approval by a Vote of 5-0

**A 2/3 vote required. Motion adopted.**

**Proclamation offered by Jacqueline Dormitzer, Secretary of the Cohasset Historical Commission, for Rebecca Bates-McArthur**

**WHEREAS Rebecca Bates-McArthur** was appointed to the Cohasset Historical Commission in 1994 and has served with honor and distinction over the past 24 years, including 13 years as Chairman of the Commission; and

**WHEREAS Rebecca Bates-McArthur** has worked diligently to preserve the historical character of the Town of Cohasset and to preserve and protect the historical assets of the Town; and

**WHEREAS Rebecca Bates-McArthur** has generously offered advice and support on behalf of the Commission to other Town agencies in their endeavors as they relate to historical properties and values; and

**WHEREAS Rebecca Bates-McArthur** chaired the Cohasset Historical Commission’s subcommittee for the Captain John Smith Day Celebration in 2014 and is a member of the Cohasset 250<sup>th</sup> Anniversary Committee; and

**WHEREAS** such dedication and service to the Town cannot come without great sacrifice to personal matters and family life; and

**NOW THEREFORE BE IT RESOLVED** that the Citizens of Cohasset, assembled at Annual Town Meeting, hereby acknowledge and affirm their appreciation to Rebecca Bates-McArthur for her many years of dedicated service to the Town of Cohasset.

**GIVEN under our hands and the seal of the Town of Cohasset on this 30<sup>th</sup> day of April, in the year 2018.**

**Proclamation adopted unanimously.**

**Article 9: Departmental Revolving Funds**

To see what spending limits the Town will set for revolving accounts established pursuant to Section 53E1/2 of Chapter 44 of the General Laws and Section 10 of Article VI of the Town of Cohasset General Bylaws for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, or to take any action related thereto.

**Board of Selectmen for the TOWN MANAGER**

<b>Revolving Fund</b>	<b>Spending Authority</b>
Conservation & Storm water	Town Manager, up to \$100,000
Food Permits	Director of Public Health, with Town Manager approval, up to \$50,000
Elder Affairs Programs	Director of Elder Affairs, with Town Manager approval, up to \$100,000
Recreation Programs	Director of Recreation, with Town Manager approval, up to \$950,000

**MOVED**, that the Departmental Revolving Funds set forth in Section 10 of Article VI of the Town of Cohasset General Bylaws have funding limits set for the fiscal year beginning July 1, 2018 and ending on June 30, 2019 as follows:

<b>Revolving Fund</b>	<b>Spending Limit</b>
Conservation & Storm water	\$100,000
Food Permits	\$50,000
Elder Affairs Programs	\$100,000
Recreation Programs	\$950,000

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 10: Funds for Road Repair and Maintenance**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum to be expended by the Town Manager for road repairs and maintenance projects as identified by the Department of Public Works, or to take any other action related thereto.

**Board of Selectmen for the TOWN MANAGER**

**MOVED** that Two Hundred Twelve Thousand Dollars (\$212,000) be appropriated to be spent by the Town Manager for road repairs and maintenance projects as identified by the Department of Public Works,

AND TO meet this appropriation, Two Hundred Twelve Thousand Dollars (\$212,000) be raised and appropriated from taxation and other general revenues of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

Capital Budget Committee: Recommend Approval by a Vote of 5-0

**Motion adopted unanimously.**

**Article 11: Allocation of Funds for One Time Cost**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute a sum of money for funding one-time expenditures and projects, or to take any other action related thereto.

**Board of Selectmen for the TOWN MANAGER**

<b>Amount</b>	<b>Source of Funds</b>	<b>Project</b>
\$85,000	Free Cash	Regional Sewer Study

**MOVED** that Eighty Five Thousand Dollars (\$85,000.00) be appropriated to be spent by the Town Manager for the following purpose:

<b>Amount</b>	<b>Source of Funds</b>	<b>Project</b>
\$85,000	Free Cash	Regional Sewer Study

AND TO meet this appropriation, Eighty Five Thousand Dollars (\$85,000.00) be appropriated from Free Cash in the Treasury of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 12: Massachusetts General Laws Chapter 91 Liability**

To see if the Town will vote to assume liability in the manner provided by the MGL Chapter 91, Section 29, as amended, for all damages that may be incurred by the work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development maintenance, and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores, and shores along a public beach in accordance with Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver bond on indemnity therefore to the Commonwealth, or to take any other action related thereto.

**BOARD OF SELECTMEN**

**MOVED** that liability be assumed by the Town of Cohasset in the manner provided by the MGL Chapter 91, Section 29, as amended, for all damages that may be incurred by the work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development maintenance, and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores, and shores along a public beach in accordance with Section 11 of said Chapter 91 and that the Board of Selectmen be hereby authorized to execute and deliver bond on indemnity therefore to the Commonwealth

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 13: Additional Real Estate Exemptions**

To see if the town will vote to accept Section 4 of Chapter 73 of the Acts of 1986 to grant an additional real estate tax exemption of not more than one hundred percent (100%). Such additional exemption may be granted to persons who qualify for property tax exemptions under clauses 17, 17C ½, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 and 43 of Section 5 of Chapter 59 of the Massachusetts General Laws and also, to see if the town will vote to accept the amendment of Clause 41C in accordance with Chapter 184, Section 51 of the Acts of 2002, to subsequently grant an additional real estate tax exemption of not more than one hundred percent (100%). Such additional exemption may be granted to persons who qualify for property tax exemption under clause 41C of Section 5 of Chapter 59 of the Massachusetts General Laws, or to take any other action related thereto.

**Board of Selectmen for the BOARD OF ASSESSORS**

**MOVED** that Section 4 of Chapter 73 of the Acts of 1986 be hereby accepted to grant an additional real estate tax exemption of not more than one hundred percent (100%), where such additional exemption may be granted to persons who qualify for property tax exemptions under clauses 17, 17C 12, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 and 43 of Section 5 of Chapter 59 of the Massachusetts General Laws and further, that the amendment of Clause 41 C in accordance with Chapter 184, Section 51 of the Acts of 2002, be hereby accepted to subsequently grant an additional real estate tax exemption of not more than one hundred percent (100%) where such additional exemption may be granted to persons who qualify for property tax exemption under clause 41C of Section 5 of Chapter 59 of the Massachusetts General Laws.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 14: POW Excise Exemption**

To see if the town will vote to accept Section 1 of Chapter 60A of the Massachusetts General Laws, the actual text which is set forth below, to grant a motor vehicle exemption for former Prisoners of War or their surviving spouse, or to take any other action related thereto:

*“In any city or town which accepts the provisions of this sentence, by a vote of the city council with the approval of the mayor, in a town, by a vote of the town meeting, and in a municipality having a town council form of government, by a vote of the town council. The excise tax imposed by this section shall not apply to a motor vehicle owned and registered by or leased to a former prisoner of war defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict; provided, however, that the excise tax shall not apply to a motor vehicle owned and registered by or leased to the surviving spouse of a deceased former prisoner of war, until such time as the surviving spouse remarries or fails to renew such registration.”*

**Board of Selectmen for the BOARD OF ASSESSORS**

**MOVED** that Section 1 of Chapter 60A of the Massachusetts General Laws, be hereby accepted.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 15: Community Preservation Committee**

To see if the Town will vote to hear and act on recommendations by the Community Preservation Committee for Fiscal Year 2018 pursuant to Chapter 44B of the General Laws, also known as the Community Preservation Act: to implement such recommendations by appropriating and/or reserving a sum or sums of money from the Community Preservation Fund established pursuant to such Act for (i) the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee; (ii) the acquisition, creation and preservation of open space; (iii) the acquisition, preservation, rehabilitation and restoration of historic resources; (iv) the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; (v) the acquisition and preservation of historic resources; (vi) the acquisition, creation, preservation and support of community housing; and (vii) the rehabilitation or restoration of open space and community housing acquired or created under such Act; upon the recommendation of the Community Preservation Committee, to amend any votes previously adopted by Town Meeting on prior recommendations of the Community Preservation Committee; to authorize the Board of Selectmen with the approval of the Community Preservation Committee, to acquire by purchase, gift or eminent domain such real property interests in the name of or enforceable by the Town, or to authorize the conveyance of such real property interests,

enforceable by third parties, as may be required by the Community Preservation Act, acting by and through the Board of Selectmen or such other Town board as the Board of Selectmen may designate, including real property interests in the form of permanent affordable housing restrictions, historical preservation restrictions and conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing; or to take any other action related thereto.

**Board of Selectmen for COMMUNITY PRESERVATION COMMITTEE**

<b>Source of Funds</b>	<b>Use of Funds</b>	<b>Amount</b>
CPC Revenue	1. Open Space / Recreation Sub-Account	\$54,500
CPC Revenue	2. Historical Sub-Account	\$54,500
CPC Revenue	3. Affordable Housing Sub-Account	\$54,500
CPC Revenue	4. Administrative Sub-Account	\$27,250
<b>Source of Funds</b>	<b>Projects</b>	<b>Amount</b>
Open Space/Rec Sub-Account	5. Nike Building Upgrades/Turkey Hill Reservation	\$10,000
Open Space / Rec Sub-Account	6. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$44,500
CPC FY19 Revenue	7. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$55,500
Historical Sub-Account	8. Historical Society HVAC	\$30,000
CPC FY19 Revenue	9. CYBSA Renovation of Dugouts & Bleachers	\$45,000
CPC FY19 Revenue	10. Debt Payment – Land Acquisition, Article 12 (e) 2004 ATM	\$24,117

**MOVED** that the recommendations of the Community Preservation Committee be heard and acted upon as follows:

That the following amounts be appropriated from the Fiscal Year 2019 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

<b>Source of Funds</b>	<b>Use of Funds</b>	<b>Amount</b>
CPC Revenue	1. Open Space / Recreation Sub-Account	\$54,500
CPC Revenue	2. Historical Sub-Account	\$54,500
CPC Revenue	3. Affordable Housing Sub-Account	\$54,500
CPC Revenue	4. Administrative Sub-Account	\$27,250

AND that the following amounts be appropriated from the sources indicated for the projects identified:

Source of Funds	Projects	Amount
Open Space/Rec Sub-Account	5. Nike Building Upgrades/Turkey Hill Reservation	\$10,000
Open Space / Rec Sub-Account	6. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$44,500
CPC FY19 Revenue	7. Updating Deer Hill, Osgood, Sohier & Beechwood Street Playgrounds	\$55,500
Historical Sub-Account	8. Historical Society HVAC	\$30,000
CPC FY19 Revenue	9. CYBSA Renovation of Dugouts & Bleachers	\$45,000
CPC FY19 Revenue	10. Debt Payment – Land Acquisition, Article 12 (e) 2004 ATM	\$24,117

AND, that after June 30, 2020, any residual unexpended portion of the sums noted as items 5, 6, 7, 8, and 9 shall not be further expended and shall be restored to the Community Preservation Fund from which the funds were drawn;

AND, that for each of the above recommendations, the Board of Selectmen, or such other Town board as the Board of Selectmen may designate, be authorized to acquire by purchase or gift and hold in the name of or enforceable by the Town and to grant to a nonprofit organization, charitable corporation or foundation, such land, real property interests and permanent affordable housing restrictions, preservation restrictions and conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0, except item 9 Recommend approval by a vote of 5-3

CPC: Recommend Approval by a Vote of 7-0

**A 2/3 vote required. Motion adopted unanimously.**

**Proclamation offered by Russell Bonetti, Chair of the Community Preservation Committee, for Margaret Charles.**

**WHEREAS, Margy Charles**, a longtime resident of Cohasset, and Real Estate broker; and  
**WHEREAS, Margy Charles** has served the Town as a member of the Senior Housing Committee; and  
**WHEREAS, Margy Charles** has served the Town as a member of the Housing Partnership Committee; and  
**WHEREAS, Margy Charles** has served the Town as a member of the Elder Affairs Committee; and  
**WHEREAS, Margy Charles** has served as a member of the Housing Trust; and  
**WHEREAS, Margy Charles** has served the Town for 17 years as an original member of the Community Preservation Committee; and  
**WHEREAS, Margy Charles** has served, and continues to serve the Town as a Registrar of Voters; and  
**WHEREAS, Margy Charles** always has a ready smile, a kind word, and a quick wit; and

**NOW THEREFORE BE IT RESOLVED** that on behalf of the Citizens of Cohasset, we acknowledge with great appreciation the contribution that Margy Charles has made, and continues to make for the Town of Cohasset, Massachusetts.

**GIVEN under our hands and the seal of the Town of Cohasset on this 30<sup>th</sup> day of April, in the year 2018.**

**Proclamation adopted unanimously.**

**Article 16: Amendments to the South Shore Vocational School District Agreement**

To see if the Town will vote to accept the amendments to the South Shore Vocational School District Agreement, and to authorize the Board of Selectmen to sign the amended agreement on behalf of the Town, or to take any action related thereto.

**BOARD OF SELECTMEN**

**MOVED** that the South Shore Vocational School District Agreement be amended as proposed, and that the Board of Selectmen be authorized to sign and enter into the amended agreement on behalf of the Town.

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 17: Acceptance of Chapter 90 s. 17 of the General Laws**

To see if the town will vote to accept chapter 90 s. 17 of the General Laws, the text of which is provided below to enable the town to establish certain speed limits in the town, or to take any other action related thereto:

*Section 17C. (a) Notwithstanding section 17 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway.*

*(b) Upon establishing a speed limit under this section, the city or town shall notify the department. The operation of a motor vehicle at a speed in excess of a speed limit established under this section shall be a violation of section 17.*

**BOARD OF SELECTMEN**

**MOVED** that Section 17 of Chapter 90 of the Massachusetts General Laws be hereby accepted:

Board of Selectmen: Recommend Approval by a Vote of 5-0

Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

## **Article 18: Recodification of the Cohasset General Bylaws**

To see if the Town will vote the following re-codification of the Cohasset Zoning Bylaw or take any other action related thereto:

### **1. Renumbering:**

To renumber and recaption the General Bylaws of the Town by (a) assigning a chapter/article number to each of the General Bylaws; (b) renumbering each section of each bylaw accordingly; (c) inserting chapter, article and section titles; and (d) updating internal references to reflect the new numbering system, all as set forth in the Final Draft of the Code of the Town of Cohasset, dated February 2018, on file with the Town Clerk, and

### **2. Technical Revisions to the Cohasset General Bylaws:**

To adopt the following general and specific revisions to the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Cohasset dated February 2018, on file with the Town Clerk (underlined text is added; text in brackets or struck out is deleted) and as described below as follows:

### **3. General Revisions:**

Article VII, § 41, Licenses and permits; collections, of the General Bylaws is repealed. *[Note: The subject matter of this section is covered by Article VI, § 9, included in the Final Draft as Chapter 12, § 12-8, Denial, suspension or revocation of license or permit for failure to pay taxes or other charges. Section 41 is being repealed to eliminate the duplication.]*

References to the Massachusetts General Laws are standardized to the following format: MGL c. \_\_, § \_\_\_\_.

### **4. Specific Revisions:**

#### Chapter 1, General Provisions.

Section 1-1 is amended as follows: "These ~~articles~~ chapters shall constitute the bylaws of the Town of Cohasset."

Section 1-5 is amended as follows: "The invalidity of any ~~article~~ chapter or section of these bylaws shall not affect the validity of any ~~article~~ chapter, section or bylaw otherwise valid, and these bylaws shall remain in effect as amended from time to time, except for those ~~articles~~ chapters or sections thereof which are determined to be invalid."

#### Chapter 12, Finance.

Section 12-7A is amended as follows: "except as may ~~be~~ otherwise be required by law."

Section 12-8F is amended to delete "bicycle permits, MGL c. 85, § 11A." *[Note: This section of the General Laws was repealed by St. 2008, c. 525.]*

Chapter 30, Officers, Boards and Committees.

Sections 30-10 and 30-18 are amended to update the reference to MGL c. 39, § 23B (repealed by St. 2009, c. 28) to MGL c. 30A, §§ 18 to 25.

Section 30-22H is amended as follows: "All moneys realized from ~~and~~ all sales shall be turned over to the Town Treasurer-Collector."

Section 30-25A is amended as follows: "Hereafter when the term of a member expires, the Town shall elect by a ballot a member of the ~~Board~~ Committee to serve for three years and until his successor is qualified."

Sections 30-27C, 30-32A and C and 30-38H are amended to update the reference to the Department of Community Affairs to the Department of Housing and Community Development.

Section 30-28F is amended to change "Board of Water Commissioners" to "Water Commission."

Section 30-38J is amended to change "all of the Town's Zoning Bylaws" to "the Town's Zoning Bylaw."

Section 30-42D is amended to update the reference to the Department of Public Works to the Department of Environmental Protection.

Section 30-44D is amended to delete the fee schedule and read as follows: "Fees for sealing weighing or measuring devices are set by the Board of Selectmen."

Section 30-51C is amended as follows: "Except as otherwise provided by these bylaws, the Public Works Superintendent shall make rules and regulations for the operation of the Department of Public Works, shall be responsible for its efficiency, and shall have control of all vehicles and equipment used by the Department."

Section 30-51D(1) is amended to change "Recycling/Transfer Station Facility" to "Recycling Transfer Facility."

Section 30-51D(4) is amended as follows: "Maintenance of off-road infrastructure for other departments ~~such as public safety, environment, health and schools;~~"

Section 30-68A(4) is amended to change "Board of Park Commissioners" to "Board of Selectmen."

Section 30-68A(6) and D are amended to change "Open Space Committee" to "Open Space and Recreation Committee."

Section 30-69 is amended as follows for consistency with MGL c. 44, § 55C:

Subsection A(1) is amended as follows: "The purpose of the Trust is to provide for the creation and preservation of affordable housing in the Town of Cohasset for low- and moderate-income

households and for the funding of community housing, as defined in and in accordance with the provisions of MGL c. 44B."

Subsection B(1) is amended as follows:

To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer, from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with the provisions of the Cohasset Zoning Bylaw or General Bylaws, or any general or special law or any other source, including money from the Community Preservation Act, MGL c. 44B; provided, however, that any such money received from MGL c. 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust, and provided further that at the end of each fiscal year the Trust shall ensure that all expenditures of funds received from said MGL c. 44B are reported to the Community Preservation Committee of the Town for inclusion in the Community Preservation Initiatives Report, Form CP-3, to the Department of Revenue;

Subsection B(6) is amended to add "grant agreements" after "releases."

Section 30-69F is amended to change "Treasurer" to "Treasurer-Collector."

Section 30-69G(1) is amended to update the reference to Sections 23A, 23B and 23C of Chapter 39 of the General Laws (all repealed by St. 2009, c. 28) to MGL c. 30A, §§ 18 to 25.

#### Chapter 69, Animals.

Section 69-7 is amended to change "Violations of this section of the bylaw" to "Violations of § 69-6."

#### Chapter 80, Building Construction.

Section 80-1 is amended to change "Board of Appeals" to "Zoning Board of Appeals" and "Zoning Bylaws" to "Zoning Bylaw."

Sections 80-1 and 80-6 are amended to change "Building Commissioner" to "Building Inspector."

#### Chapter 89, Businesses.

Section 89-4 is amended to correct the reference to MGL c. 11, § 31A, to MGL c. 111, § 31A.

#### Chapter 112, Fire Prevention.

Section 112-6 is amended to change the fine from \$15 to \$25 (parking in fire lanes).

Chapter 125, Hazardous Materials.

Sections 125-3B(3), E(1) and F(1) and 125-5B are amended to update the references to 527 CMR 9.00, Board of Fire Prevention Regulations for Tanks and Containers, to 527 CMR 1.00, Massachusetts Comprehensive Fire Safety Code.

Section 125-3G(1) is amended as follows: "Except as provided in Subsection G(2) below, no tank may be abandoned in place."

Chapter 132, Historic District.

Section 132-6A is amended as follows: "no building or structure within the district shall be constructed or altered in any way that affects exterior architectural features unless the Commission shall first have issued a certificate of appropriateness, a certificate of nonapplicability, or a certificate of hardship with respect to such construction or alteration."

Section 132-11B is amended to change the maximum fine for violations of this bylaw from \$500 to \$300 (pursuant to MGL c. 40, § 21).

Chapter 144, Junk and Secondhand Dealers.

Section 144-3 is added to read as follows (pursuant to MGL c. 140, § 55):

Whoever acts as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any rule, regulation or restriction adopted by the Board of Selectmen pursuant to MGL c. 140, § 54, shall forfeit \$20.

Chapter 180, Peace and Good Order.

Section 180-1 is amended to change "Town Disposal Area" to "Recycling Transfer Facility."

Chapter 184, Peddling and Soliciting.

Section 184-8 is amended to update the license renewal fee from \$25 to \$75 (to be consistent with § 184-3B).

Chapter 198, Sewers.

Section 198-4 is amended as follows: "The ~~Board of Sewer Commissioners~~ Sewer Commission may, by vote at a regular meeting of such ~~Board Commission~~, prescribe, fix, impose and collect charges, fees, assessments and the like pursuant to the Act."

Chapter 205, Signs and Billboards.

Section 205-1 is amended as follows: "No person, firm, association, or corporation shall erect, display, or maintain within the limits of the Town a billboard, sign, or other outdoor advertising device, except those ~~accepted~~ authorized by MGL c. 93, §§ 30 and 32, or by additions to or amendments of said sections."

Section 205-3 is added to read as follows: "Signs are also subject to Article 6, Sign Regulations, of Chapter 300, Zoning."

Section 205-4 is amended to change "a fine of not more than \$500" to "a fine of not more than \$300" (pursuant to MGL c. 40, § 21).

#### Chapter 211, Smoking.

Section 211-2 is amended as follows:

In the opening sentence: "For the purpose of this chapter, the following terms, phrases, words and their ~~definitions~~ derivations shall have the meaning given herein:"

In the definition of "employee": "Any individual[,] who performs services for an ~~employee~~ employer in return for wages or profit."

#### Chapter 217, Solid Waste.

Section 217-1 is amended to change "recycling and transfer station" to "Recycling Transfer Facility."

Section 217-4C is amended as follows: "Upon failure of said owner or operator to comply with this article or regulations adopted pursuant thereto."

Section 217-10 is amended to change "regulations promulgated thereto" to "regulations promulgated thereunder."

#### Chapter 228, Streets and Sidewalks.

Sections 228-7 and 228-11 are amended to add "Violation of this section shall be subject to a fine of \$20" (pursuant to MGL c. 85, § 10).

The definition of "abutter" in § 228-13 is amended as follows: "All definitions ~~including~~ include abutting owners of another town, if applicable."

Section 228-14E is amended to update the reference to the Massachusetts Highway Department to the Massachusetts Department of Transportation.

Section 228-16G is amended as follows: "The Planning Board shall make a decision to issue or deny a scenic road work permit within 21 days after closing the public hearing, and the decision shall be filed with the Town Clerk within that time."

Chapter 244, Vehicles and Traffic.

Section 244-10 is amended as follows, pursuant to MGL c. 40, § 21(24):

No person or body shall leave an unauthorized vehicle within a parking space designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons as authorized in § 244-9 of this article or in such manner as to obstruct a curb ramp designated for use by disabled veterans or handicapped persons as means of ingress or egress to a street or public way. ~~The penalty for violation shall be as follows: \$15; for the second offense \$25; and for each subsequent offense the vehicle may be removed in accordance with the provisions of MGL c. 266, § 120D. The penalty for violation shall be \$100 and the vehicle shall be subject to removal in accordance with MGL c. 40, § 22D.~~

Chapter 260, Wetlands Protection.

Section 260-3A (2) is amended as follows: "Written notice has been given to the Conservation Commission prior to commencement of work;"

**BOARD OF SELECTMAN**

**MOVED** that the General Bylaws of the Town of Cohasset are hereby amended and recodified as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0

**Motion adopted unanimously.**

**Article 19: Recodification of the Cohasset Zoning Bylaw**

To see if the Town will vote the following re-codification of the Cohasset Zoning Bylaw, or take any other action related thereto:

**1. Renumbering:**

To renumber and re-caption the Zoning Bylaw of the Town by (a) designating the Zoning Bylaw as Chapter 300 of the Code of the Town of Cohasset; (b) renumbering each section and subsection of the bylaw accordingly; (c) inserting article and section titles; and (d) updating internal references to reflect the new numbering system, all as set forth in the Final Draft of the Code of the Town of Cohasset dated February 2018, on file with the Town Clerk,. And

**2. Technical Revisions to the Cohasset Zoning Bylaw:**

To adopt the following general and specific revisions to the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Cohasset dated February 2018, on file with the Town Clerk (underlined text is added; text in brackets or struck out is deleted and as described below as follows::

### 3. General Revisions:

References to the Massachusetts General Laws are standardized to the following format: MGL c. \_\_, § \_\_\_\_.

References to the "Board of Appeals" are amended to "Zoning Board of Appeals."

### 4. Specific Revisions:

The definition of "dwelling, multifamily" in § 300-2.1 is amended to change "Cohasset Zoning Bylaws" to "Cohasset Zoning Bylaw."

The definition of "residential gross floor area" in § 300-2.1 is amended to change "these bylaws" to "this bylaw."

Section 300-3.1A is amended to change "Residential A, B, and C" to "Residence A, B, and C."

Section 300-3.1B is amended to change "Floodplain and Watershed District" to "Floodplain and Watershed Protection District" and to add "Ground-Mounted Solar Photovoltaic Installations Overlay District."

Section 300-4.3D(1) is amended to change "trailer coach park" to "mobile home park."

Section 300-4.3D(2) is amended to change "No zoning ordinance or bylaw shall" to "This bylaw shall not."

Section 300-4.3N(2) is amended to change "For the purposes of this bylaw/ordinance" to "For the purposes of this bylaw."

Section 300-4.3N(3) is amended to change "Inspector of Buildings" to "Building Inspector."

Section 300-6.1E is amended as follows: "Whoever violates any provision of this article or any lawful order of the Building Inspector shall be ~~punished by a fine of \$100 per day, each day being a separate offense~~ subject to a penalty as provided in § 300-12.2K of this bylaw."

Section 300-6.2A is amended as follows: "Sheet banners or temporary signs advertising a public entertainment[,], or charitable, religious, or educational event, ~~and~~ on issuance of a permit by the Building Inspector, may be displayed in locations approved by the Building Inspector 14 days prior to and seven days after the event."

Section 300-7.2G is amended to change "occupancy permits" to "certificates of occupancy."

Section 300-9.2 is amended to change "Floodplain District" to "Floodplain and Watershed Protection District."

Section 300-9.3 is amended as follows: "any building, structure, use, or land included within the Floodplain and Watershed Protection District shall also be deemed to be within the particular district or districts in which it is located."

Section 300-9.12B is amended to change "Floodplain District" to "Floodplain and Watershed Protection District."

Section 300-9.12D is amended to change "Floodplain District" to "Floodplain and Watershed Protection District."

The definition of "homes association" in § 300-10.1 is amended to "homeowners' association."

Section 300-10.6A is amended as follows: "The number of building lots and/or the number of buildings to be constructed within the parcel may not exceed the number of building lots of said parcel under this bylaw."

Section 300-10.11A(1)(a) and (b) are amended to change "homes association" to "homeowners' association."

Section 300-12.1 is amended as follows: "The Building Inspector appointed by the ~~Selectmen~~Town Manager shall enforce the provision of this ~~bylaws~~bylaw as hereinafter provided.

Section 300-12.5 is amended to change "the provisions of the ordinance or bylaw" to "the provisions of this bylaw."

Section 300-14.6E(2)(a) is amended as follows: "Provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and cleanup procedures; ~~materials and wastes with impervious floor surfaces~~;

Section 300-14.7 is amended to change "these bylaws" to "this bylaw."

Section 300-15.2D is amended to change "occupancy permits" to "certificates of occupancy."

Section 300-15.2O is amended to change "Building Commissioner" to "Building Inspector."

Section 300-16.1B is amended to change "Cohasset Zoning Bylaws" to "Cohasset Zoning Bylaw."

Section 300-17.8A(4) is amended to change "back yard" to "rear yard."

Section 300-17.9A(1) is amended as follows: "No ~~less than 10~~ less than 10% of the total number of dwelling units shall be eligible for qualification."

Section 300-18.1A(1)(b) and (c) are amended to change "low or moderate income apartments" to "low- or moderate-income dwelling units."

Section 300-18.1C is amended to change "of these zoning bylaws" to "of this Zoning Bylaw."

The definition of "special permit granting authority" in § 300-19.2 is amended to change "Board designated by zoning ordinance or bylaw with the authority to issue permits" to "The Planning Board is the special permit granting authority for wind energy conversion facilities."

Section 300-20.1D is amended to change "this article of the bylaws" to "this article of the bylaw."

Section 300-20.1E is amended to change "these bylaws" to "this bylaw."

Section 300-20.4B is amended as follows: "Prior to obtaining a building permit[,] for construction, installation or modification, GMSP installations shall undergo solar photovoltaic installation site plan review by the SPRA as provided below."

Section 300-20.5B is amended to change "these Zoning Bylaws" to "this Zoning Bylaw."

Section 300-21.4 is amended to change "the Zoning Bylaws" to "the Zoning Bylaw."

In the Table of Area Regulations Note 4 is amended as follows:

The requirement that each lot must contain at least 60,000 square feet is varied to the extent that ~~so long as~~ no lot or subdivided lot may contain less than 20,000 square feet if the average size of the areas of all the lots contained in a subdivision plan of said lot or of said adjacent lots shall amount to at least 60,000 square feet (exclusive of ways and roads).

#### **Board of Selectmen for the PLANNING BOARD**

**MOVED** that the Zoning Bylaws of the Town of Cohasset are hereby amended and recodified as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0  
Planning Board: Recommend Approval by a Vote of 3-0

**A 2/3 vote required. Motion adopted unanimously.**

#### **Article 20: Zoning Bylaw Amendment - Large Home Review Process**

To see if the Town will vote to AMEND the Zoning Bylaws Section 300-5.5 LARGE HOUSE PLAN REVIEW as follows, or take any other action related thereto:

**MOVED** that the Zoning Bylaws Section 300-5.5 LARGE HOUSE PLAN REVIEW be amended as printed in the Warrant.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0  
Planning Board: Recommend Approval by a Vote of 3-0

## 5.5 LARGE HOUSE PLAN REVIEW

1. Where applicable, no permit to build, construct, reconstruct or expand any residential building or structure shall be issued by the building inspector until a written statement from the Planning Board of final approval has been received, in accordance with the provisions of this Section 5.5.
  
- ~~±~~ 2. Notwithstanding the area requirements set forth in preceding subsections of this Section 5, and any variances obtained from same, the RGFA for any residential building or structure, in any residential district, to be constructed pursuant to a building permit issued on or after 2/18/04 either as new construction or as an exterior alteration, expansion/ extension/ enlargement, reconstruction or replacement of an existing residential building or structure, may not exceed the greater of 3,500–square feet or 10% of the area of the lot up to a maximum of 6,000 square feet, absent review as follows. This threshold does not diminish or nullify the applicability of any of the other area regulations set forth in Section 5 that may or may not have an impact upon the calculation of RGFA, except where the changed size does not exceed 10% of RGFA.
  
- ~~±~~ 3.—Where the RGFA of the applicant, exceeds these limits, the proposed work shall be submitted for a Large House Plan Review by the Planning Board. The Planning Board shall review and discuss the Large House Plan with the applicant and abutters, toward the objective of making the proposed plan harmonious with, and not harmful, injurious or objectionable to existing uses in the area. The Planning Board will consider the following factors in their review of the project:
  - A. Scale of Buildings. Proposed construction, will be reviewed in relation to the scale of other structures in its vicinity, through the use of appropriate massing, screening, lighting, building and siding materials and other architectural techniques such as variation in detail, form and siting. Consideration shall be given to the need for vegetated buffers or screening. Structures shall be arranged to minimize casting shadows onto abutting property.
  - B. Preservation of Landscape. Minimizing changes to wetlands, flood plains, hilltops, grade changes, vegetation and soil removal, of the existing landscape is encouraged. This includes, unique natural areas, topographic features such as ledge outcrops, significant trees and landscaping, and historic features.
  - C. Lighting. Exterior lighting shall be only as needed to accomplish safety and design objectives and shall be arranged so as to minimize the impact on neighboring properties.
  - D. Circulation. Walkways, drives and parking shall be safe and convenient and, insofar as practicable, not detract from the use and enjoyment of adjacent properties and Town streets.

The above criteria may be superseded and/or supplemented by the Planning Board based on previous reviews, decisions and recommendations from large house plan reviews or

by the requirements of other permits needed for the proposed building or structure to be constructed.

3-4. A person applying for a Large House Plan Review shall file an application with the Planning Board, including a ~~copies of a site plan, and~~ filing fee and RGFA calculation certified by a registered Architect or Engineer and the following documentation as required by the Planning Board: a site plan showing the location of the subject house, and the existing and proposed site conditions, topography, building elevations, setbacks, lot coverages, floor area ratios, grading and landscape design; for an existing house, photographs of all sides, and for both existing and proposed houses, a drawn or computer-generated depiction of how the house is proposed to appear post-construction, including exterior materials; a context map with a narrative description of the surrounding neighborhood with data regarding house styles, sizes, dimensions, building siding materials, and context photographs of all houses within a 300-ft. radius of the proposed house location.

The application and site plan shall include the elements to be reviewed by the Planning Board and shall also include such further information as the Planning Board shall reasonably require by rule or regulation. Not less than two permanent survey monuments shall be located on the property in question and shown on the plan, unless waived by the Planning Board. In subsequent applications concerning the same subject matter, the Planning Board may waive the filing of plans and documents to the extent they duplicate those previously filed. Copies of the rules and regulations concerning the Large House Plan Review shall be filed with the Town Clerk.

4-5.a. The Planning Board shall hold a hearing within 35 days of the filing of an application with the Town Clerk for a Large House Plan Review with respect to a residential building or structure having an RGFA exceeding the threshold established by section 5.5 ~~1~~ 2.

- b. The Planning Board shall, within one week of receipt of site plan application, transmit to appropriate town boards and departments, for review, one copy of the application and site plan.
- c. Notice of such hearing shall be given to the applicant and all abutters in the manner called for in the Planning Board rules and regulations.
- d. Within 14 days after the conclusion of the public hearing, the Planning Board shall approve the application or approve the application with conditions, and shall issue a written statement of this final decision on the application. A copy of the decision shall be filed with the Town Clerk
- e. Any building, reconstruction or expansion shall conform with any conditions in the statement of approval, and in all other respects with the application, plan, supporting documents and other representations of the applicant.

- f. Any substantial changes or design deviations from the reviewed project must be approved by the Building Inspector as “minor” in nature or the project must be resubmitted to the Planning Board for a subsequent, additional review.

**Board of Selectmen for the PLANNING BOARD**

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 8-0  
Planning Board: Recommend Approval by a Vote of 3-0

**A 2/3 vote required. Motion adopted by requisite 2/3 vote.**

**Article 21: General Bylaw Amendment Article for Prohibition of Marijuana Establishments**

To see if the Town will vote to amend the Town of Cohasset General Bylaws by adding a new Section 43 to Article VII of such Bylaws entitled Prohibition of Marijuana Establishments; or to take any other action related thereto.

Section 43. Prohibition of Marijuana Establishments

Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Cohasset. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

**BOARD OF SELECTMEN**

**MOVED**, that the Cohasset General Bylaws be amended by adding a new section as follows:

Section 43. Prohibition of Marijuana Establishments

Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Cohasset. This prohibition shall not be construed to affect the medical use of

marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 5-4

**Majority vote required. Motion adopted.**

**Article 22: Zoning Bylaw Amendment Article for Prohibition of Marijuana Establishments**

To see if the Town will vote to amend the Town of Cohasset Zoning Bylaw to prohibit marijuana establishments in all zoning districts by amending the Table of Use Regulations in Section 300-4.2 of the Zoning Bylaw to insert at the end of the Table of Use Regulations a new provision and a new subsection 15 to Section 300-4.3 as follows; or to take any other action related thereto.

Marijuana Establishments (Non Medical) No No No No No No No No No No

15. Marijuana Establishments Prohibited. Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within all zoning districts and the Town of Cohasset. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

**Board of Selectmen for the PLANNING BOARD**

**MOVED** that the Cohasset Zoning Bylaws be amended by inserting at the end of the Table of Use Regulations in Section 300-4.2 the following provision:

Marijuana Establishments (Non Medical) No No No No No No No No No No

And be it further **MOVED** that a new subsection 15 be added to Section 300-4.3 as follows:

15. Marijuana Establishments Prohibited. Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within all zoning districts and the Town of Cohasset. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 5-4  
Planning Board: Recommend Approval by a Vote of 3-0

**A 2/3 vote required. Motion adopted by requisite 2/3 vote.**

**Article 23: Zoning Bylaw Amendment Article to Extend Temporary Moratorium**

To see if the Town will vote to amend the Town of Cohasset Zoning Bylaw to extend the temporary moratorium on marijuana establishments by six months through December 31, 2018 to allow the Town time to study, reflect and decide on how to govern the time, place and manner of marijuana establishment operations and the number of marijuana establishments consistent with Chapter 94G of the General Laws and the regulations of the Cannabis Control Commission by replacing June 30, 2018 with December 31, 2018 so that Subsection 21.4 of Section 21 shall be amended to read as follows:

21.4 Expiration. Section 21 of the Zoning Bylaw and the temporary moratorium shall be in effect through the end of December 31, 2018.

Or to take any action related thereto.

**Board of Selectmen for the PLANNING BOARD**

**MOVED** that, to allow the Town time to study, reflect and decide on how to govern the time, place and manner of marijuana establishment operations and the number of marijuana establishments consistent with Chapter 94G of the General Laws and the regulations of the Cannabis Control Commission, the Cohasset Zoning Bylaw be amended to extend the temporary moratorium on marijuana establishments by six month by replacing Section 300-21.4 as follows:

21.4 Expiration. Section 21 of the Zoning Bylaw and the temporary moratorium shall be in effect through the end of December 31, 2018.

Board of Selectmen: Recommend Approval by a Vote of 5-0  
Advisory Committee: Recommend Approval by a Vote of 9-0  
Planning Board: Recommend Approval by a Vote of 3-0

**A 2/3 vote required. Motion adopted by requisite 2/3 vote.**

**Article 24: CITIZEN'S PETITION: Harbor Committee Membership**

To add the Cohasset Center for Student Coastal Research (CSCR) and the Cohasset Maritime Institute (CMI) as Full Members of the Cohasset Harbor Committee.

CSCR and CMI came into being after the Town created the Harbor Committee. CSCR and CMI have become an integral part of the public access to and stewardship for Cohasset Harbor. There are no financial implications with this change.

To see if the Town will vote to amend the number of members on the Harbor Committee by deleting the number (9) in section 9 of the General Bylaws and insert in its place the number (11) and to further amend the section by inserting after the phrase, “One (1) Representative of the Yacht Club;”, the Phrase, “One (1) Representative of the Cohasset Center for Student Coastal Research; One (1) Representative of the Cohasset Maritime Institute;”

<u>Name:</u>	<u>Address:</u>	<u>Name:</u>	<u>Address:</u>
Lisa Hewitt Dick	27 Parker Ave.	George F. Baumgarten	260 Forest Ave.
John C. Buckley	272 North Main St.	Barbara J. Baumgarten	260 Forest Ave.
Deborah S. Cook	281 King Street	John Bryant	251 Forest Ave.
Gail Collins	404 South Main St.	Susan Bryant	251 Forest Ave.
Susan Hoadley	174 Hull St.	Susan Wilcox	26 Parker Ave.

**MOVED**, that the Cohasset General Bylaws be amended by deleting the number (9) in Section 9 of Article V and inserting in its place the number (11), and to further amend this section by inserting after the phrase, “One (1) Representative of the Yacht Club;”, the Phrase, “One (1) Representative of the Cohasset Center for Student Coastal Research; One (1) Representative of the Cohasset Maritime Institute;”

Board of Selectmen: Recommend Approval by a Vote of 4-1  
Advisory Committee: Recommend Approval by a Vote of 7-0-1

**Motion adopted unanimously.**

**Article 25: CITIZEN’S PETITION – Plastic Bag Reduction Bylaw**

To see if the Town will vote to create amend the Town of Cohasset General Bylaws by adding a new Section to Article VII entitled “Plastic Bag Reduction Bylaw” as follows, or take any action related hereto.

**Plastic Bag Reduction Bylaw**

**1. Purpose and Intent**

The production and use of thin-film, single-use plastic checkout bags have significant impacts on the environment, including but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities (Cohasset does not recycle plastic bags); clogging storm drainage systems; requiring the use of millions of barrels of crude oil nationally for their manufacture; and plastic bags are not biodegradable so they gradually disintegrate into minute particles which absorb toxins contaminating the food chain including the food humans eat.

The goal of this bylaw is to reduce the common use of plastic checkout bags and to encourage the use of reusable bags by consumers, thereby reducing local land and marine pollution, advancing solid waste

reduction, protecting the Town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of the Town.

## **2. Definitions**

**“Checkout Bag”** means a bag with or without handles provided by a Store to a customer at the point of sale that is intended for the purpose of transporting food or merchandise out of the Store.

**“Single-use Plastic Checkout Bag”** means a plastic Checkout Bag that is less than 4 mils thick.

**“Recyclable Paper Bag”** means a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

**“Compostable Plastic Bag”** means a plastic bag that 1) conforms to the current ASTM D6400 for composability as well as ASTM D7081 for biodegradability in the marine environment 2) is certified as meeting the ASTM D6400 and ASTM D7081 standard specification by a recognized verification entity and 3) conforms to any other standards deemed acceptable by this section.

**“Reusable Bag”** means as bag that is either a) made of cloth or other machine washable fabric: or b) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food grade material that is more than 4 mils. in thickness.

**“Product Bag”** means 1) a bag in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are placed by the consumer to deliver such items to the point of sale or check out area of the store, or 2) a bag that contains or wraps food to retain moisture or to segregate foods (like meat or ice cream) or other items to prevent contamination or damage when the items are placed together in a Recyclable Bag or Reusable Bag, or 3) a bag without handles used to cover clothing such as dry cleaning bag.

**“Store”** means any commercial enterprise selling goods, food or services directly to the public, whether for or not for profit, including, but not limited to, convenience and grocery stores, markets, restaurants, pharmacies, liquor stores, take-out food purveyors, and merchandise retailers.

**“ASTM D6400”** means the American Society for Testing and Materials (ASTM) international “Standard Specification for Compostable Plastics.”

**“ASTM D7081”** means ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment.”

### 3. Use Regulations

3.1 No Store in the Town shall provide to any customer a Plastic Checkout Bag. Existing stock should be phased out within six months of November 1, 2018 and any remaining stock should be disposed of properly.

3.2 If a Store provides Checkout Bags, they may only provide Reusable, Recyclable or Compostable Bags.

3.3 If a store provides product bags to customers, the bag shall comply with the requirements of being either a Reusable, Recyclable or Compostable bag.

### 4. Administration and Enforcement

4.1 The enforcement of this law is the responsibility of the Town Manager, and may be enforced by any Town Police Officer or agent of the Board of Health and other individuals appointed by the Town Manager.

4.2 A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town's non-criminal disposition bylaw. The following penalties apply:

- first violation: a written warning
- second violation: \$100 fine
- third violation \$200 fine
- fourth and subsequent violations \$300 fine
- Each day the violation continues constitutes a separate violation.

### 5. Effective Date

This bylaw takes effect on November 1, 2018.

<b><u>Name:</u></b>	<b><u>Address:</u></b>	<b><u>Name:</u></b>	<b><u>Address:</u></b>
Paulette Marino	35 Smith Place	John Geyer	662 Jerusalem Rd.
Ruth H. Brown	534 Beechwood St.	Erika McHugh	18 Pleasant St.
Anthony P. Emanuello	75 Hull St.	David Hackbarth	35 Cedar St.
Cynthia Dedes	207 South Main St.	Grace Evans	76 Howard Gleason Rd.
Laurie Wimberly	119 Border St.	Heather J. Comerford	285 North Main St.

(Motion presented by the Petitioners)

**MOVED**, that the Cohasset General Bylaws be amended by adding a new Section to Article VII entitled "Plastic Bag Reduction Bylaw" as follows:

## **Plastic Bag Reduction Bylaw**

### **1. Purpose and Intent**

The production and use of thin-film, single-use plastic checkout bags have significant impacts on the environment, including but not limited to: contributing to the potential death of marine animals through ingestion and entanglement, contributing to pollution of the land environment, creating a burden to solid waste collection and recycling facilities (Cohasset does not recycle plastic bags), clogging storm drainage systems, requiring the use of millions of barrels of crude oil nationally for their manufacture, and plastic bags are not biodegradable so they gradually disintegrate into minute particles which absorb toxins contaminating the food chain including the food humans eat.

The goal of this bylaw is to reduce the common use of plastic checkout bags and to encourage the use of reusable bags by consumers, thereby reducing local land and marine pollution, advancing solid waste reduction, protecting the Town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of the Town.

### **2. Definitions**

“Checkout Bag” means a bag with or without handles provided by a Store to a customer at the point of sale that is intended for the purpose of transporting food or merchandise out of the Store.

“Single-use Plastic Checkout Bag” means a plastic Checkout Bag that is less than 4 mils thick and is not a Compostable Plastic Bag.

“Recyclable Paper Bag” means a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

“Compostable Plastic Bag” means a plastic bag that conforms to the current ASTM D6400 standard specifications by a recognized verification entity.

“Reusable Bag” means a bag that is either a) made of cloth or other machine washable fabric; or b) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food grade material, and is more than 4 mils. in thickness.

“Product Bag” means 1) a bag in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are placed by the consumer to deliver such items to the point of sale or check out area of the store, or 2) a bag that contains or wraps foods to retain moisture or to segregate foods (like meat or ice cream) or other items to prevent contamination or damage when the items are placed together in a Recyclable Bag or Reusable Bag. Bags without handles used to cover clothing such as a dry cleaning bag are not included in this definition.

“Store” means any commercial enterprise selling goods, food or services directly to the public, whether for or not for profit, including, but not limited to, convenience and grocery stores, markets, restaurants, pharmacies, liquor stores, take-out food purveyors, and merchandise retailers.

“ASTM D6400” means the American Society for Testing and Materials (ASTM) international “Standard Specification for Compostable Plastics.”

### **3. Use Regulations**

3.1 No Store in the Town shall provide to any customer a Single-Use Plastic Checkout Bag. Existing stock should be phased out within six months of November 1, 2018 and any remaining stock should be disposed of properly.

3.2 If a Store provides Checkout Bags to customers, they may only provide Reusable Bags, Recyclable Paper Bags or Compostable Plastic Bags.

3.3 If a Store provides Product Bags to customers, the bag shall comply with the requirements of being either a Reusable Bag, Recyclable Paper Bag or Compostable bag.

### **4. Administration and Enforcement**

4.1. This Bylaw may be enforced by any Town Police Officer or agent of the Board of Health or other individuals appointed by the Town Manager.

4.2 A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town's non-criminal disposition bylaw. The following penalties apply:

first violation: a written warning

second violation: \$100 fine

third violation: \$200 fine

fourth and subsequent violations: \$300 fine

Each day the violation continues constitutes a separate violation.

### **5. Effective Date**

This bylaw takes effect on November 1, 2018.

Board of Selectmen: Recommend Approval by a Vote of 4-0-1

Advisory Committee: Recommend Approval by a Vote of 9-0

**A majority vote required. Motion adopted.**

It was moved and seconded that this Annual Town Meeting be dissolved at 11:36 P.M.

A True Copy ATTEST:

Carol L. St. Pierre

Town Clerk