

**TOWN OF COHASSET**

**Special Town Meeting – November 28, 2016**

At the Special Town Meeting held on Monday November 28, 2016 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, Debra Krupczak, Rebekah Matthey, Lauren Walsh and Kenneth Warner. Tellers appointed and sworn in by Moderator Daniel Evans at 7:00 p.m. were Philip Faulkner and Susan Putziger.

The Moderator called the meeting to order at 7:11 p.m. and a quorum of 100 was present at that time. The registered voters checked in on the voting list totaled 130. Precinct 1 – 74 voters and precinct 2 – 56.

Citizens recited the pledge of allegiance.

**Voted unanimously** to dispense with the reading of the call of the Meeting and Return of service having been examined by the Moderator and found to be in order.

**Article 1:      REPORTS OF COMMITTEES**

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

**MOVED** that the subject matter of this article be indefinitely postponed.

**Motion to indefinitely postpone adopted unanimously.**

**Article 2:      AMENDMENTS TO FISCAL 2017 OPERATING BUDGET**

To see if the Town will vote to amend, modify, increase or decrease, or otherwise, to balance the Fiscal Year 2017 Operating Budget as voted in Article 6 of the May 2, 2016 Annual Town Meeting, including proposed revised appropriations and any additional sums the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer 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, for the current fiscal year, or take any other action related thereto.

General Fund

<b>Action</b>	<b>Amount</b>	<b>From</b>	<b>To</b>
Line Item Transfer	\$11,500	School Support Officer	Human Resource Management
Supplemental Appropriation	\$20,000	General Fund Revenues	Permits & Inspections
Supplemental Appropriation	\$41,693	General Fund Revenues	Workers Compensation
Supplemental Appropriation	\$6,369	Debt Exclusion Reserve	Debt Service

**MOVED** that Sixty One Thousand Six Hundred Ninety Three Dollars (\$61,693.00) be hereby appropriated from available General Fund Revenues, and Six Thousand Three Hundred Sixty Nine Dollars (\$6,369.00) be hereby appropriated from the Debt Exclusion Reserve for the items set forth below and identified as Supplemental Appropriations, and that Eleven Thousand Five Hundred Dollars (\$11,500.00) be transferred between budget lines for the items set forth below, amending the amounts appropriated by the Town pursuant to the 2016 Annual Town Meeting held on May 2, 2016, which funds are to be expended by the Town Manager, to supplement certain departmental budgets and appropriations for the fiscal year ending June 30, 2017 as follows:

Action	Amount	From	To
Line Item Transfer	\$11,500	School Support Officer	Human Resource Management
Supplemental Appropriation	\$20,000	General Fund Revenues	Permits & Inspections
Supplemental Appropriation	\$41,693	General Fund Revenues	Workers Compensation
Supplemental Appropriation	\$6,369	Debt Exclusion Reserve	Debt Service

**Motion adopted unanimously.**

**Article 3: UNPAID BILLS FROM PREVIOUS FISCAL 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.

Department	Vendor	Amount	Description
DPW	Goodwin Graphics	\$563.70	DPW Shirts

**MOVED** that Five Hundred Sixty Three Dollars and Seventy Cents (\$563.70) be hereby appropriated to pay the following unpaid bill of the Town, from previous fiscal years, as follows:

Department	Vendor	Amount	Description
DPW	Goodwin Graphics	\$563.70	DPW Shirts

AND TO meet this appropriation, Five Hundred Sixty Three Dollars and Seventy Cents (\$563.70) be transferred from Free Cash in the Treasury of the Town;

**A 9/10's vote required. Motion adopted unanimously.**

**Article 4: STABILIZATION 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 General Stabilization Fund, the Capital Stabilization Fund, Special Education Stabilization Fund and the OPEB Trust Fund, or take any other action related thereto.

Amount	Source of Funds	Deposited into
\$500,000	Free Cash	General Stabilization Fund
\$721,000	Free Cash	Capital Stabilization Fund
\$250,000	Free Cash	Special Education Stabilization Fund
\$150,000	Free Cash	OPEB Trust Account

**MOVED** that the following amounts be appropriated for the following purposes pursuant to the chart below:

Amount	Source of Funds	Deposited into
\$500,000	Free Cash	General Stabilization Fund
\$721,000	Free Cash	Capital Stabilization Fund
\$250,000	Free Cash	Special Education Stabilization Fund
\$150,000	Free Cash	OPEB Trust Account

AND TO meet these appropriations, One Million Six Hundred Twenty One Thousand Dollars (\$1,621,000.00) be transferred from available Free Cash in the Treasury of the Town.

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

**Article 5: ALLOCATION OF FUNDS FOR ONE-TIME COSTS**

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 take any other action related thereto.

Amount	Source of Funds	Purpose
\$50,000	Free Cash	250 <sup>th</sup> Anniversary
\$100,000	Free Cash	Road & Drainage Repairs
\$95,000	Free Cash	Master Plan
\$7,500	Free Cash	Security Gates for various schools

**MOVED** that Two Hundred Fifty Two Thousand Five Hundred Dollars (\$252,500) be appropriated to be spent by the Town Manager for the following General Fund purposes:

<b>Amount</b>	<b>Source of Funds</b>	<b>Purpose</b>
\$50,000	Free Cash	250 <sup>th</sup> Anniversary
\$100,000	Free Cash	Road & Drainage Repairs
\$95,000	Free Cash	Master Plan
\$7,500	Free Cash	Security Gates for various schools

AND TO meet this appropriation, Two Hundred Fifty Two Thousand Five Hundred Dollars (\$252,500) be appropriated from Free Cash in the Treasury of the Town;

**Motion adopted unanimously.**

**Article 6: CAPITAL IMPROVEMENTS BUDGET**

To see if the Town will vote to raise and appropriate, transfer from available funds 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, as listed below, or take any other action related thereto.

<b>Amount</b>	<b>Source of Funds</b>	<b>Purpose</b>
\$275,000	Capital Stabilization	Town/School Phone System
\$14,000	Capital Stabilization	Security Upgrades at entrances to Deer Hill and Osgood
\$12,000	Capital Stabilization	Security Bollard installation at MS/HS and Osgood
\$40,000	Capital Stabilization	Osgood First Responder Entrance
\$30,000	Capital Stabilization	New main entry doors, MS/HS

**MOVED** that Three Hundred Seventy One Thousand Dollars (\$371,000.00) 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;

<b>Amount</b>	<b>Source of Funds</b>	<b>Purpose</b>
\$275,000	Capital Stabilization	Town/School Phone System
\$14,000	Capital Stabilization	Security Upgrades at entrances to Deer Hill and Osgood
\$12,000	Capital Stabilization	Security Bollard installation at MS/HS and Osgood
\$40,000	Capital Stabilization	Osgood First Responder Entrance
\$30,000	Capital Stabilization	New main entry doors, MS/HS

AND TO meet this appropriation, Three Hundred Seventy One Thousand Dollars (\$371,000.00) be transferred from the Town’s Capital Stabilization Fund, of which One Hundred Six Thousand One Hundred Forty Four Dollars (\$106,144.00) will be transferred to the Town’s Reserve Fund to replenish the Fund for amounts spent for the emergency replacement of the phone system at the Cohasset Middle/High School.

Provided, however that the amounts listed above for particular projects 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 \$264,856.00. 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.

**A 2/3's vote required. Motion adopted by the required 2/3's vote.**

**Article 7: SUPPLEMENTAL APPROPRIATIONS, FY 17 WATER DEPARTMENT BUDGET**

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 Water Commission and the Town Manager to jointly expend, to supplement the Water Department Budget for the fiscal year ending June 30, 2017, as approved by the Town at the May 2, 2016 Annual Town Meeting, or take any other action related thereto.

<b>Action</b>	<b>Amount</b>	<b>From</b>	<b>For</b>
Supplemental Appropriation	\$50,000	Water Department Retained Earnings	New truck w/ plow
Supplemental Appropriation	\$60,000	Water Department Retained Earnings	Ellms Meadow Pump Station upgrades
Supplemental Appropriation	\$100,000	Water Department Retained Earnings	Sludge Removal Expenses

**MOVED** that Two Hundred Forty Thousand Dollars (\$240,000) be hereby appropriated for the Water Commission and Town Manager jointly to expend for the following projects:

<b>Action</b>	<b>Amount</b>	<b>From</b>	<b>For</b>
Supplemental Appropriation	\$50,000	Water Department Retained Earnings	New truck w/ plow
Supplemental Appropriation	\$90,000	Water Department Retained Earnings	Ellms Meadow Pump Station upgrades
Supplemental Appropriation	\$100,000	Water Department Retained Earnings	Sludge Removal Expenses

AND TO meet this appropriation, Two Hundred Forty Thousand Dollars (\$240,000) be appropriated from the available Retained Earnings of the Water Enterprise Fund and transferred into the FY 2017 Water Enterprise Fund operating budget.

**Motion adopted unanimously.**

**Article 8: BYLAW AMENDMENT – PHOTOVOLTAIC ARRAYS**

To see if the Town will vote to amend Article VII (Safety and Public Order) by adding a new Section 42, "Photovoltaic Array Installation Requirements", to read as follows: "All solar photovoltaic installations

shall comply with the National Electric Code (NEC) and National Fire Protection Association (NFPA) codes, regulations and standards and as they exist at the time of application for installation,” or to take any other action related thereto.

**MOVED** that the Town of Cohasset General Bylaws be amended as follows:

Adding a new Section 42 to Article VII (Safety and Public Order):

Section 42: “Photovoltaic Array Installation Requirements”

All solar photovoltaic installations shall comply with the National Electric Code (NEC) and National Fire Protection Association (NFPA) codes, regulations and standards and as they exist at the time of application for installation.

**Motion adopted unanimously.**

**Article 9: AMENDMENT TO COHASSET GENERAL BYLAWS**

To see if the Town will amend the General Bylaws of the Town as follows, or to take any other action related thereto:

A. By adding a new paragraph at the end of Article 1, General Provisions, Section 1(h) as follows:

“The specific penalty for non-criminal disposition of violations shall be the specific penalty set forth in each particular bylaw provision. If no specific penalty for non-criminal disposition of a violation is set forth in a particular bylaw provision, the specific penalty for non-criminal disposition shall be the same as the maximum criminal fine set forth but not more than \$300. If no specific penalty for non-criminal disposition or criminal fine is set forth, the specific penalty for non-criminal disposition shall be \$300. Each day or part thereof that a violation shall constitute a separate offense.”

B. By amending Article XIV Wetlands Protection, Section 10, Enforcement, as follows:

1. By adding in the second paragraph after the phrase “administrative orders” the phrase “enforcement orders”;
2. By adding the following at the end of the sixth paragraph, first sentence: “and Section 1(h) of the Town’s General Bylaws. The penalty for each violation shall be \$300. Each day or part thereof that a violation occurs shall constitute a separate offense.”
3. By adding a new paragraph at the end of said Section 10 as follows:  
“Any person or entity to whom an Enforcement Order under state law or this Bylaw has been issued by or on behalf of the Conservation Commission shall comply with the Enforcement Order. Any person or entity who fails to comply with the terms of an Enforcement Order issued by or on behalf of the Conservation Commission by the date specified within the Enforcement order, or immediately if no date is specified, shall be in violation of this Bylaw and shall be subject to a fine of \$300 per day for each violation. The non-criminal disposition penalty for violation of an Enforcement Order shall be \$300. Each day or part thereof of non-compliance shall constitute a

separate violation. Fines and penalties imposed may be assessed in accordance with the non-criminal violations section of the Town's Bylaw or by complaint to the appropriate court.

**MOVED** that the Town of Cohasset General Bylaws be amended as follows:

By amending Article XIV Wetlands Protection, Section 10, Enforcement, as follows:

4. By adding in the second paragraph after the phrase "administrative orders" the phrase "enforcement orders";
5. By adding the following at the end of the sixth paragraph, first sentence: "and Section 1(h) of the Town's General Bylaws. The penalty for each violation shall be \$300. Each day or part thereof that a violation occurs shall constitute a separate offense."
6. By adding a new paragraph at the end of said Section 10 as follows:  
"Any person or entity to whom an Enforcement Order under state law or this Bylaw has been issued by or on behalf of the Conservation Commission shall comply with the Enforcement Order. Any person or entity who fails to comply with the terms of an Enforcement Order issued by or on behalf of the Conservation Commission by the date specified within the Enforcement order, or immediately if no date is specified, shall be in violation of this Bylaw and shall be subject to a fine of \$300 per day for each violation. The non-criminal disposition penalty for violation of an Enforcement Order shall be \$300. Each day or part thereof of non-compliance shall constitute a separate violation. Fines and penalties imposed may be assessed in accordance with the non-criminal violations section of the Town's Bylaw or by complaint to the appropriate court."

**Motion adopted unanimously.**

It was moved and seconded that this Special Town Meeting be dissolved at 7:43 p.m.

A True Record, ATTEST:

Carol L. St. Pierre  
Town Clerk