

**TOWN OF MATTAPOISETT**

**TOWN MEETING WARRANT**

**SPECIAL TOWN MEETING**

*November 6, 2023*

*6:30 P.M.*

**OLD ROCHESTER REGIONAL  
HIGH SCHOOL PROPERTY**

**SPECIAL TOWN MEETING WARRANT  
TOWN OF MATTAPOISETT**

*November 6, 2023*

Commonwealth of Massachusetts

Plymouth, ss

To either of the Constables of Mattapoisett, in said County of Plymouth:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Mattapoisett qualified to vote in Elections and Town Affairs to meet at the Old Rochester Regional High School Property, located at 135 Marion Road, in said Mattapoisett on Monday November sixth in the Year 2023 at six-thirty in the evening, then and there to act on the following Articles:

**ARTICLE 1: TRANSFER TO DEBT STABILIZATION FUND**

**MAJORITY VOTE**

***Motion: Move that the Town transfer the sum of \$575,000 from Certified Free Cash to the Town of Mattapoisett Debt Stabilization Fund with said funds to be used for the purpose of future costs.***

To see if the Town will vote to transfer the sum of \$575,000 from Certified Free Cash to the Debt Stabilization Fund; or take any action relative thereto.

**Select Board Recommends (2 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 2: TRANSFER TO CAPITAL STABILIZATION FUND**

**MAJORITY VOTE**

***Motion: Move that the Town transfer the sum of \$335,000 from Certified Free Cash for the purpose of contributing to the Town of Mattapoisett Capital Stabilization Fund with said funds to be used for the purpose of future costs.***

To see if the Town will vote to transfer the sum of \$335,000 from Certified Free Cash to the Capital Stabilization Fund; or take any action relative thereto.

**Select Board Recommends (2 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 3: APPROPRIATION FOR PUBLIC WORKS PROJECTS      MAJORITY VOTE**

***Motion: Move that the Town vote to appropriate the sum of \$330,000 from Certified Free Cash for the purpose of funding the engineering, permitting, construction, repairs and improvements of town sidewalks, roads and streets including all costs incidental and related thereto.***

To see if the Town will vote to appropriate the sum of \$330,000 from Certified Free Cash for the purpose of funding the engineering, permitting, construction, repairs and improvements of town roads and streets including all costs incidental and related thereto; or take any action relative thereto.

**Select Board Recommends (2 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 4: APPROPRIATION FOR TOWN SEWER CONNECTION      MAJORITY VOTE**

***Motion: Move that the Town vote to appropriate the sum of \$37,000 from Certified Free Cash for the purpose of funding a sewer connection for the town lot (Map 26.0 Lot 18.0) on Industrial Drive including all costs incidental and related thereto.***

To see if the Town will vote to appropriate the sum of \$37,000 from Certified Free Cash for the purpose of funding a sewer connection for the town lot (Map 26.0 Lot 18.0) on Industrial Drive, including all costs incidental and related thereto; or take any action relative thereto.

**Select Board Recommends (2 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 5: APPROPRIATION FOR HIGHWAY BUILDING RENO      MAJORITY VOTE**

***Motion: Move that the Town vote to appropriate the sum of \$350,000 from Certified Free Cash for the purpose of funding the construction, repairs and improvements to the Town's Highway Department Building including all costs incidental and related thereto.***

To see if the Town will vote to appropriate the sum of \$350,000 from Certified Free Cash for the purpose of funding the construction, repairs and improvements to the Town's Highway Department Building, including all costs incidental and related thereto; or take any action relative thereto.

**Select Board Recommends (2 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 6: AMENDMENT TO FY24 ANNUAL BUDGET**

**MAJORITY VOTE**

***Motion:* Move that the Town amend the line items in the FY24 Annual Budget, approved under Article 2 of the May 2023 Annual Town Meeting, as shown in Article 6, and further, to meet these appropriations, raise and appropriate the sum of thirty thousand dollars (\$30,000), and transfer the sum of \$24,394 from Line Item 241 – Building Inspector (PT Personnel) Item and \$80,000 from Line Item 914 – Health Insurance.**

To see if the Town will vote to amend the following line items in the FY24 Annual Budget, approved under Article 2 of the May 2023 Annual Town Meeting, by increasing/decreasing the appropriations for the following line items, and determine whether such funds should be raised and appropriated or transferred from available funds; or take any other action relative thereto.

<u>FY2024 Budget Line-Item</u>	<u>Amount</u>
145 – Treasurer/Collector (PT Personnel)	\$ 24,394
241 – Building Inspector (PT Personnel)	\$ ( 24,394)
306 – Local Schools	\$ 100,000
914 – Health Insurance	\$ ( 80,000)
437 – Transfer Station (Fund 55)	\$ 10,000

**Select Board Recommends (3 – 0)**

**BY VARIOUS DEPARTMENTS**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 7: ACCEPTANCE OF CERTAIN EASEMENTS AND  
AUTHORIZE CONFIRMATORY TAKINGS RELATIVE  
TO THE CONSTRUCTION OF AN EMERGENCY ACCESS  
ROUTE & ACCEPTANCE OF LAYOUT OF OLD SLOUGH**

**2/3 VOTE**

***Motion:* Move that the Town authorize the Select Board to take all necessary actions to acquire public way easements, through all legal means including by eminent domain pursuant to General Laws Chapters 79 and 82, by purchase, or by donation, for the construction, maintenance, and operation of an Emergency Access Route, and for all municipal and other purposes reasonably related thereto, within, over, and through certain land in the Town of Mattapoisett, Massachusetts between Angelica Avenue and Bowman Road, said parcels being more specifically shown on a certain plan of land entitled “Town of Mattapoisett, Select Board, Emergency Access Route/Old Slough Road Right of Way & Road Acceptance Plan, Mattapoisett, Massachusetts” by Field Engineering, Co, Inc., dated March 6, 2003 as amended, a copy of which is on file with the Town Clerk; and**

***Further, that the Town raise and appropriate the amount of \$ 35,000 from Certified Free Cash to pay any associated initial right of way expenses, including but not limited to the damage awards associated with this project.***

That the Town authorize the Select Board to take all necessary actions to acquire public way easements, through all legal means including by eminent domain pursuant to General Laws Chapters 79 and 82, by purchase, or by donation, for the construction, maintenance, and operation of an Emergency Access Route, and for all municipal and other purposes reasonably related thereto, within, over, and through certain land in the Town of Mattapoisett, Massachusetts between Angelica Avenue and Bowman Road, said parcels being more specifically shown on a certain plan of land entitled "Town of Mattapoisett, Select Board, Emergency Access Route/Old Slough Road Right of Way & Road Acceptance Plan, Mattapoisett, Massachusetts" by Field Engineering, Co, Inc., dated March 6, 2003 as amended, a copy of which is on file with the Town Clerk; and

Further, that the Town appropriate the sum of \$ 35,000 from Certified Free Cash to pay any associated initial right of way expenses, including but not limited to the damage awards associated with this project; or take any other action relative thereto.

**Select Board Recommends (3 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (4 – 0 – 1)**

**ARTICLE 8: CONFIRMATORY TAKINGS TINKHAM FOREST**

**2/3 VOTE**

***Motion: Move that the Town authorize the Select Board to take all necessary actions to take by Confirmatory Eminent Domain Takings pursuant to General Laws Chapters 79 and 82 easements to pass and repass by foot, non-motorized bicycles, and wheelchairs over the easements previously accepted by the Town in Article 8 of the November 19, 2012 Special Town Meeting and Article 18 of the October 21, 2019 Special Town Meeting; and***

***Further, that the Town raise and appropriate the amount of \$ 1,000 from Certified Free Cash to pay any associated initial right of way expenses, including but not limited to the damage awards associated with this project.***

That the Town authorize the Select Board to take all necessary actions to take by Confirmatory Eminent Domain Takings pursuant to General Laws Chapters 79 and 82 easements to pass and repass by foot, non-motorized bicycles, and wheelchairs over the easements previously accepted by the Town in Article 8 of the November 19, 2012 Special Town Meeting and Article 18 of the October 21, 2019 Special Town Meeting; and

Further, that the Town appropriate the sum of \$ 1,000 from Certified Free Cash to pay any associated initial right of way expenses, including but not limited to the damage awards associated with this project; or take any other action relative thereto.

**Select Board Recommends (3 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 9: ESTABLISH SPECIAL PURPOSE STABILIZATION  
FUND AND APPROPRIATE OPIOID SETTLEMENT FUNDS**

**2/3 VOTE**

***Motion: Move that the Town establish a special stabilization fund for opioid funds pursuant to applicable statutes and regulation, appropriate funds received to this new fund, and expend appropriated funds from the sum in accordance with the applicable statutes (2/3's vote required).***

To see if the Town will vote, pursuant to the provisions of MGL c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents, a document prepared by the Substance Addiction Bureau of the Commonwealth's Office of Health and Human Services entitled "Abatement Strategies," and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from free cash or available funds a sum equal to that received or to be received by the Town from the opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund; or take any other action relative thereto.

**Select Board Recommends (3 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 10: TRANSFER FUNDING FROM CHURCH STREET SALE**

**MAJORITY VOTE**

***Motion: Move that the Town transfer the sum of \$353,590 from Certified Free Cash to the Water Department Reserve Fund.***

To see if the Town will vote to transfer from Free Cash \$353,590 to the Water Department Reserve Fund for the revenue received for the sale of the property at 33 Church Street; or take any other action relative thereto.

**Select Board Recommends (3 – 0)**

**BY SELECT BOARD**

**Finance Committee Recommends (5 – 0)**

**ARTICLE 11: FAIRHAVEN SEWER TREATMENT PLANT UPGRADES**

**2/3 VOTE**

***Motion: Move that the Town vote to appropriate the sum of \$8,000,000 for the purpose of paying the Town of Mattapoisett's share of the costs of the design, planning, engineering, construction, reconstruction, rehabilitation, and installation associated with the Fairhaven Sewer Treatment Plant upgrade project, including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Select Board be authorized to enter into any and all agreements as may be necessary or convenient to effectuate this purpose of said project.***

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$8,000,000 to pay the costs of the design, planning, engineering, construction, reconstruction, rehabilitation, and installation associated with the Fairhaven Sewer Treatment Plant upgrade project, including all incidental and related expenses; and, to authorize the Treasurer, with approval of the Select Board, to borrow said sum pursuant to G.L.c.44, §§7 or 8 or any other enabling authority, and to issue bonds and notes therefore, and, further, that the Select Board be authorized to enter into such contracts and agreements as shall in its judgement be necessary to effectuate the intent of this article, or take any other action relative thereto.

**Select Board Recommends (3 – 0)**

**Finance Committee Recommends (5 – 0)**

**BY BOARD OF WATER AND  
SEWER COMMISSIONERS**

You are hereby notified to serve this Warrant by posting up attested copies thereof at the several places designated in the Town By-Laws, namely the Mattapoisett Post Office and the Mattapoisett Town Hall, and the Mattapoisett Library fourteen (14) days at least before the day appointed for said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of the meeting aforesaid.

Given unto our hands this twentieth day of October in the year Two-Thousand and Twenty-Three.

**SELECT BOARD MEMBERS**

**Jodi Lynn Bauer, Chairman**



**Jordan C. Collyer, Vice Chairman**



**R. Tyler Macallister, Clerk**