

SPECIAL TOWN MEETING

TO BE HELD

OCTOBER 21, 2019

Commonwealth of Massachusetts

Plymouth, SS

To either of the Constables of Mattapoissett, 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 Mattapoissett qualified to vote in Elections and Town Affairs to meet at the Old Rochester Regional High School Auditorium located at 135 Marion Road in said Mattapoissett on Monday October 21st, 2019 at six thirty in the evening, then and there to act on the following articles:

Article: 1 Acceptance of Provisions of the Massachusetts Veteran's Brave Act

To see if the Town will vote to accept the provisions of the Massachusetts General Laws Chapter 59 Section 5, Clauses 22H and 22G, relating to property tax exemptions for veterans, or take any other action relative thereto.

Sponsor: Board of Selectmen

Article: 2 Acceptance of State Statute Chapter 39 Section 23D

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D, relative to meeting participation by board members absent for a meeting or take any action relative thereto.

Sponsor: Planning Board

Article: 3 Home Rule Petition

To see if the Town will vote to authorize the Board of Selectmen to file a Home Rule Petition with the Massachusetts Legislature entitled **Cost Sharing for Police Officer/School Resource Officer Services in a Regional School System** provided at the Old Rochester Regional School System at 135 Marion Road in Mattapoissett. Said petition would be that the full cost including any employment benefits and post retirement costs would be shared by any member towns in the Regional School District. Further that each year when member towns receive their annual education assessment, that each town would be assessed their apportioned costs for the School Resource Officer based on their share of the total number of their town's students at the Regional School System. Said assessment to be payable at the same time as the regular school education assessment is paid. Any past years that the ORR Regional School System has had a full time School Resource Officer including Fiscal 2019 and Fiscal 2020 each town shall pay their allotted share, or take any other action relative thereto.

Sponsor: Board of Selectmen

Article: 4 Home Rule Petition

To see if the Town will vote to authorize the Board of Selectmen to file the following Home Rule Petition:

Section 1. Notwithstanding the provisions of Section 5, Clause Forty-Four of Chapter 59 of the General Laws, as appearing in the General Official Edition, and notwithstanding the provisions of any general or special law to the contrary, the Town of Mattapoissett is hereby authorized pursuant to Section 4 of Chapter 59 of the General Laws, as appearing in the 2019 General Official Edition, to assess, as personal property, a solar or wind system that is capable of producing more than twenty-five kilowatts AC (25kw AC) and which power produced by said solar or wind powered system is more than 125 per cent of the annual electricity needs of the real property upon which it is located and contiguous or non-contiguous real property within the same municipality that is owned or leased by the owner of the real property on which the solar or wind powered system is located.

Section 2. In lieu of the payment of the tax authorized in Section 1 hereof, the owner of any such solar or wind powered system which is taxable as personal property in the Town of Mattapoissett may execute an agreement for payment in lieu taxes with the Town of Mattapoissett.

Section 3. Notwithstanding any provision of any general or special law to the contrary, the Town of Mattapoissett acting through its Board of Selectmen, its Board of Assessors and pursuant to authority granted by its Town Meeting, may execute an agreement for the payment in lieu of taxes with the owner of a solar or wind power system in the Town of Mattapoissett; provided, however, that, unless otherwise provided by the agreement, a notice of the payment in lieu of taxes owed for each fiscal year shall be mailed to the owner and due on the dates by which a tax assessed under the General Laws, as appearing in the 2019 General Official Edition would be payable without interest.

The term of said payment in lieu of tax agreement shall not be for a period greater than 20 years from the date of installation of the system unless said payment in lieu of tax agreement contains express provisions setting forth the reasons that justify a term longer than 20 years; provided further, that an exemption shall not be allowed for any year within that period where the solar or wind powered system is not capable of producing energy as required herein.

Section 4. Annually and not later than March 1, each owner shall execute and deliver an affidavit under oath to the Board of Assessors of the Town of Mattapoissett stating the (i) type of system(ii) capacity of the system(iii) percentage of the annual electricity needs of the real property that were met by the system; and (iv) power generated for the previous year.

Section 5. Notwithstanding the provisions hereof, or any general or special law to the contrary, the owner of a solar or wind powered system and the Town of Mattapoissett shall not be required to amend, modify, or renegotiate an existing payment in lieu of tax agreement that was entered into or executed before the effective date of this act.

Section 6. This act shall become effective on July 1, 2020, or take any action relative thereto.

Sponsor: Boards of Assessors and Selectmen

Article: 5 Local School/Town Hall Study Committee

To see if the Town will vote to establish a committee of seven members to be appointed as follows; three by the Board of Selectmen, one by the Moderator and three by the Mattapoisett School Committee, for the purpose of looking at the future of continuing to have two elementary schools, including the cost feasibility of such, to further determine how the Town should proceed with a future town hall facility, and report their findings back to the Fall 2020 Special Town Meeting, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 6 Acceptance of a Gift of Land from Robert Gingras

To see if the Town will vote to authorize the Board of Selectmen on behalf of the Town to accept for general municipal purposes the following gifts of land from Robert Gingras, all as described on two ANR Plans, one for Fairhaven Road as recorded at the Plymouth County Registry of Deeds Plan Book 63, Page 570 or Plan Book 19-215 said parcel located off Fairhaven Road, the second parcel as shown on an ANR Plan for Randall Road and recorded in the Plymouth County Registry of Deeds as Plan Book 63, Page 834 or Plan 19-399 located off of Randall Road, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 7 Appropriations to Town Stabilization Funds

To see if the Town will vote to appropriate the sum of \$500,000, \$400,000 from Surplus Revenue/Certified Free Cash and \$100,000 from School Choice Fund Balance to be placed within the Town's various Stabilization Funds all as listed below, or take any other action relative thereto.

Special Education Reserve Stabilization	\$100,000	School Choice Fund Balance
Debt Service Stabilization	\$300,000	Free Cash
Capital Improvements Stabilization	\$100,000	Free Cash

Sponsor: Board of Selectmen

Article: 8 Funding a Town Master Plan Update

To see if the Town will vote to appropriate \$51,000 from Surplus Revenue/Certified Free Cash for the purpose of funding a review and update of the Town of Mattapoisett Master Plan or take any action relative thereto.

Sponsor: Planning Board

Article: 9 Amendment to FY20 Annual Budget

To see if the Town will vote to amend the following line items funded in the FY20 Annual Budget under Article 2 of the May 2019 Annual Town Meeting in the following categories, or take any other action relative thereto.

Increase Health Department Salaries \$7,500

Increase Fire Department Salaries \$10,000

Increase Town Building Salaries \$10,000

Sponsor: Various Departments

Article: 10 Supplemental Funding FY20 Budget

To see if the Town will vote to appropriate the sum of \$167,000 from Surplus Revenue/Certified Free Cash to supplement the following FY20 Annual Budget Line Items as approved under the 2019 Annual Town Meeting, or take any other action relative thereto.

<u>FY2020 Budget Line</u>	<u>Amount</u>
Reserve Fund	\$40,000
Town Shade Trees and Beautification	\$5,000
Vehicle Leases	\$20,000
Town Insurance Deductible Reserve	\$20,000
Parks Facility Improvement	\$5,000
Workplace Safety Training and Compliance	\$10,000
Land Appraisals Phase 2A Shared Use Path	\$10,000
ADA Evaluation and Priority Planning	\$12,000
Accrued Liability Funding	\$40,000
Elections Town Meetings	\$5,000

Sponsor: Various Departments

Article: 11 Capital Improvement Project Funding

To see if the Town will vote to appropriate the sum of \$62,000 from available Surplus Revenue/Certified Free Cash for the purpose of funding the following capital equipment and improvements all as listed below, or take any other action relative thereto.

Town Building Repairs	\$15,000
Town and School Infrastructure Appraisals	\$25,000
Replacement of Lawn and Snow Removal Equipment	
Highway Division	\$22,000

Sponsor: Board of Selectmen

Article: 12 Funding Waterfront Improvements

To see if the Town will vote to appropriate a sum of money from Waterfront Enterprise Fund Certified Retained Earnings and the General Fund Surplus Revenue/Certified Free Cash, for the purpose of funding repairs, improvements, renovations, purchase of equipment and restoration work within the Town wharf and dock facilities and properties of the Mattapoisett waterfront, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 13 Funding Design, Engineering and Bidding Work

To see if the Town will vote to appropriate the sum of \$50,000 from available Surplus Revenue/Certified Free Cash for the purpose of funding services to develop the proper plans and engineering and bidding documents for projects needing to be addressed within the Town, including but not limited to, solar systems on the Town Landfill, engineering review of submittals, harbor improvements and dredging, repairs to Long Wharf, compliance to the EPA MS4 Regulations, and OSHA Workplace Safety Compliance, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 14 Library and Clerical Non Union Schedules

To see if the Town will vote to amend the Mattapoisett Personnel Bylaws to include the following schedule for part-time Library and Town personnel all as shown on Attachment A or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 15 American Legion Facility Agreement

To see if the Town will vote to authorize the Board of Selectmen to enter into negotiations with the American Legion regarding their meeting hall on Depot Street for use by the Town for municipal meeting and congregating purposes, and further that the American Legion can continue to use the facility for their meeting needs, and that to continue the usability of the building, appropriate a sum of money to repair the roof over the east wing of said building, or take any action relative thereto.

Sponsor: Board of Selectmen and Mattapoisett American Legion

Article: 16 Easements Necessary for Stormwater Street Drainage Improvements

To see if the Town will vote to authorize the Board of Selectmen to approve drainage easements off Knollwood Drive, Wildwood Terrace, and Holly Lane for the purpose of relieving a stormwater drainage problem in these areas, and to take said easement as a gift to the Town, or take any action relative thereto.

Sponsor: Highway Department

Article: 17 Powerline/Utility Easement

To see if the Town will vote to authorize the Board of Selectmen to enter into negotiations with the owners of Lot 9 of Map 28, as shown on the Mattapoisett Assessors Maps, for the purpose of considering the granting of an easement over land owned by the Town for the purpose of providing service and utility easements for a project to create a photovoltaic array, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 18 Access Easements for Tinkham Forest

To see if the Town will vote to authorize the Board of Selectmen to approve and accept certain trails as denoted on a plan entitled Plan of Trails Accessing Tinkham Forest dated October 2, 2019, showing how the public can enter and visit Tinkham Forest, on file at the Town Clerk's Office. Further to authorize the Board of Selectmen to acquire by conveyance of easement or taking an easement or other real property interest over the land depicted on the above described plan and to take such action as may be necessary to establish said system of trails as the public points of access to said Tinkham Forest, including the recording of said interest in land at the Plymouth County Registry of Deeds, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 19 Authorization for Lease/License Agreement Negotiations

To see if the Town will vote to authorize the Board of Selectmen to issue a Request for Proposal and enter into a Lease/License Agreement for the purpose of using the property previously used as a town landfill off of Tinkham Hill Road as shown on the Mattapoisett Assessors Map 29, Lot 1 and Map 28, Lot 4 for the purpose of installing photo voltaic panels and producing electricity that the town would have an option of using for the municipal needs of the Town, or take any action relative thereto.

Sponsor: Board of Selectmen

Article: 20 Mattapoisett Public Works Improvement Bond Issue

To see if the Town will vote to appropriate the sum of \$2,535,000 by borrowing for the purpose of undertaking the following Public Works Projects within the Town:

- The Town's share of the replacement cost of the bridge north of the bogs on Acushnet Road for \$375,000.
- Road and drainage improvements to Industrial Drive, improvements to the intersection of North Street and Industrial Drive, create a pedestrian crossing signal at the Park and Ride on North Street to the east side of the street, and build a Shared Use Path from North Street to the Mattapoisett/ Marion Town Line, including all engineering, design, bidding, permitting, and construction costs; Town share totaling \$1,665,000. This work shall only proceed if the Town is in receipt of a Mass Works Grant and a US Economic Development Grant both totaling \$1,470,000.

- Construction of an east entrance to the Mattapoisett Fire Station, and repaving of the Police Station parking lot upon completion of the new Fire Station construction, stormwater control for the Skateboard Park, fencing of drainage structures, and the Town's share for a potential fire apparatus entrance signal system totaling \$275,000.
- Engineering and bidding on upper Pearl Street and Tobey Lane for drainage, roadway and sidewalk improvements projected to be done in the Spring of 2020 totaling \$70,000.
- Design, and engineering and bidding of street and stormwater drainage improvement areas including Holly Lane, Wildwood Terrace, Knollwood Drive, North Street and the subdivision streets off North Street totaling \$150,000.

Further that the Treasurer with the approval of the Board of Selectmen is authorized to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7 and any other enabling authority and to issues bonds and notes payable therefor or take any action relative thereto.

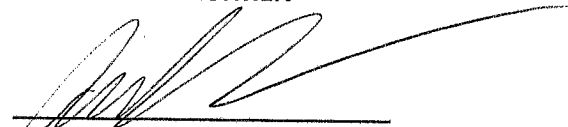
Sponsor: Board of Selectmen

You are hereby notified to serve this warrant by posting of attested copies thereof at the several places designated in the Town Bylaws, namely the Mattapoisett Post Office, Mattapoisett Town Hall, and the Mattapoisett Public Library fourteen days at least before the day appointed for said meeting.

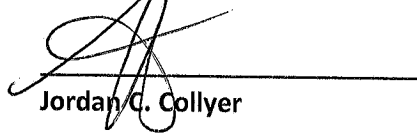
Here of fail not and make due return of this Warrant with the doing thereon to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this the 6th Day of October in the year Two Thousand and Nineteen.

BOARD OF SELECTMEN



Paul A. Silva



Jordan C. Collyer