

DECEMBER 14, 2021 AT 7:00 PM

SPECIAL TOWN MEETING MINUTES

The Special Town Meeting began at 7:04 pm. Quorum was met with 84 voters present and there was 1 visitor present. Moderator, John Barrett, introduced the Town Clerk, Kathleen Spofford, Town Administrator, Ross Perry, Board of Selectmen, Veronica Kell, Joseph Shank and Chaz Sexton-Diranian and Town Counsel, Adam Costa. The Moderator then introduced the Finance Committee, Jerrilyn Bozicas, Andrea Wood and Donald Hayes. The Moderator instructed those present on the processes of Town Meeting according to Town Meeting Time and our own traditions. Townsend Emergency Management Director, Shirley Coit, spoke on being prepared in times of an emergency. The Town Clerk then read the return of the Town Warrant for the Town Meeting. Social distancing was maintained with three rooms being open; the great hall, the Selectmen's Chambers and meeting room 2 for those who wish to remain without masks during the meeting. Deputy Gene Rauhala was present and David Chenelle was sworn in as deputy moderator for this meeting and moderated meeting room 2.

ARTICLE 1

To see if the Town will vote to raise and appropriate, or transfer from available funds in the treasury, the sum of **\$5165.20**, or any other sum, for the purpose of paying prior fiscal year bills; or take any other action in relation thereto.

SUBMITTED: Board of Selectmen

MOTION: I move that the Town vote to transfer from free cash the sum of **\$5165.20** for the purpose of paying prior fiscal year bills.

READ BY: Chaz Sexton-Diranian

VOTED: Passed unanimously

ARTICLE 2

To see if the Town will vote to raise and appropriate, or transfer from available funds in the treasury, the sum of **\$159,857.46**, or any other sum, for the purpose of offsetting changes to the FY'22 budget voted under Article 5 of the May 8, 2021 Annual Town Meeting warrant; or take any other action in relation thereto. (See FY'22 Omnibus Budget adjustment at the end of the warrant).

SUBMITTED BY: Board of Selectmen

MOTION: I move that the Town vote to transfer from free cash the sum of **\$159,857.46**, for the purpose of offsetting changes to the FY 22 budget voted under Article 5 of the May 8, 2021 Annual Town Meeting warrant.

READ BY: Veronica Kell

VOTED: Passed Unanimously

ARTICLE 3

To see if the Town will vote to transfer for Water Enterprise Free Cash the sum of **\$14,917.22** to the Town's stabilization fund; or take any other action in relation thereto.

SUBMITTED BY: Water Superintendent, David Vigeant

MOTION: I move that the Town vote to transfer from Water Enterprise Free Cash the sum of **\$14,917.22** to the Town's Stabilization fund.

READ BY: David Vigeant

VOTED: Passed Unanimously

ARTICLE 4

To see if the Town will vote to reallocate **\$70,000.00**, the amount voted under Article 11 of the May 8, 2021 Annual Town Meeting warrant, from:

From:

DEPT.	ITEM	FY22	FUNDING SOURCE
WATER	Main St. at South St. Upgrade	\$70,000.00	Water Enterprise and Deficiency

To:

DEPT.	ITEM	FY22	FUNDING SOURCE
WATER	Greeley Road Upgrade	\$70,000.00	Water Enterprise and Deficiency

SUBMITTED BY: Water Superintendent, David Vigeant

MOTION: I move that the Town vote to reallocate **\$70,000.00**, the amount voted under Article 11 of the May 8, 2021 Annual Town Meeting warrant,

READ BY: Water Superintendent, David Vigeant

VOTED: Unanimously passed.

ARTICLE 5

To see if the Town will vote to transfer from Water Enterprise Free Cash the sum of **\$130,000.00** for the purpose of funding the completion of the Main St. Well Project; or take any other action in relation thereto.

SUBMITTED BY: Water Superintendent, David Vigeant

MOTION: I move that the Town vote to transfer from Water Enterprise Free Cash the sum of **\$130,000.00** for the purpose of funding the completion of the Main St Well Project.

READ BY: Water Superintendent, David Vigeant

VOTED: Passed Unanimously

ARTICLE 6

To see if the Town will vote to transfer from Water Enterprise Free Cash the sum of **\$20,000.00** for the purpose of well cleaning at Witches Brook Well 2; or take any other action in relation thereto.

SUBMITTED BY: Water Superintendent, David Vigeant

MOTION: I move that the Town vote to transfer from Water Enterprise Free Cash the sum of **\$20,000.00** for the purpose of well cleaning at Witches Brook Well 2.

READ BY: Water Superintendent, David Vigeant

VOTED: Passed Unanimously

ARTICLE 7

To see if the Town will vote to appropriate from Water Enterprise Free Cash the sum of **\$75,000.00** for the purpose of funding the planning of the Harbor Trace PFAS Water Treatment Facility; or take any other action in relation thereto.

SUBMITTED BY: Water Superintendent, David Vigeant

MOTION: I move that the Town vote to appropriate from Water Enterprise Free Cash the sum of **\$75,000.00** for the purpose of funding the planning of the Harbor Trace PFAS Water Treatment Facility.

READ BY: Water Superintendent, David Vigeant

VOTED: Passed Unanimously

ARTICLE 8

To see if the Town will vote to accept Massachusetts General Law Chapter 41 Section 19K, to allow the town clerk who has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks' Association as a Certified Massachusetts Municipal Clerk, to receive as compensation from such town, in addition to the regular annual compensation paid by such town for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year.

SUBMITTED BY: Kathleen Spofford, Town Clerk

MOTION: I move that the Town vote to accept Massachusetts General Law Chapter 41 Section 19K, to allow the Town Clerk who has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks' Association as a Certified Massachusetts Municipal Clerk, to receive as compensation from such town, in addition to the regular annual compensation paid by such town for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year.

READ BY: Chaz Sexton-Diranian

VOTED: Passed Unanimously

ARTICLE 9

To see if the Town will vote: (1) to amend Chapter 1 of the Town's General Bylaws, entitled "General Provision," Article II entitled "Noncriminal Disposition of Violations," Section 1-1, entitled "Fine schedule and enforcing officers," Subsection D, entitled "Unregistered Motor Vehicles Bylaw," as follows, with additions thereto underlined and deletions therefrom ~~stricken through~~:

D. Unregistered Motor Vehicles Bylaw.^{III}

(1) Enforcing Officers:

(a) Townsend Police.

(b) Building Inspector.

- (2) Fine schedule:
(1a) First offense: written warning.
(2b) Second offense: \$100 per day.

and (ii) to delete from Chapter 112 of the General Bylaws, entitled "Streets and Sidewalks," Section 112-14, entitled "unregistered motor vehicles," in its entirety, but to relocate and renumber the same as Chapter 128 of the General Bylaws, as follows, with additions to the existing text underlined and deletions from the existing text ~~stricken through~~:

Chapter 128 Unregistered Motor Vehicles

- A. No person or entity shall keep or permit to be kept on any premises within the Town of Townsend more than one unregistered motor vehicle assembled or disassembled unless said vehicles are stored within an enclosed building. The one unregistered motor vehicle shall be no closer than 75 15 feet to a public way, and no closer ~~than 75 feet~~ to the property line of another than the minimum setback for a new primary building or dwelling, whichever setback is greater, in the applicable zoning district.
- B. For good cause shown, and upon application on a form approved for such purpose and the payment of any applicable fee, the Board of Selectmen may issue a permit to keep more than one unregistered motor vehicle on any premises not within an enclosed building. Issuance of a permit hereunder shall occur only after a duly called public hearing, to of which all abutters to the premises have received a at least five (5) days advance notice, if it finds and only upon a finding by the Board of Selectmen that such keeping:
- (1) Will not adversely affect the neighborhood;
 - (2) Will not be a nuisance; ~~or~~ and
 - (3) The keeping of such vehicles will not be in conjunction with a use that is:
 - (a) Otherwise not permissible in the zoning district; or
 - (b) Is permissible by a special permit from the Zoning Board of Appeals but no permit has been granted.
- C. All permits granted shall limit the number of unregistered motor vehicles to be kept on the premises by the permit holder, shall not run with the land, and shall be limited to a reasonable length of time to be determined by the Board of Selectmen.
- D. The provision of ~~Subsections~~ Sections A through F, inclusive, of this ~~section~~ Bylaw, shall not apply to motor vehicles designed and used for farming purposes, nor to persons or entities in the lawful exercise of licenses granted under MGL c. 140, §§ 58 and 59.
- E. The Police Chief, the Building Inspector or ~~his~~ their respective designees; shall enforce this ~~section~~ Bylaw. ~~No other Town official shall have the authority to enforce the section. No other Town official shall investigate any potential violations.~~ Upon receipt of a written complaint ~~to the Board of Selectmen~~ the Police Chief, the Building Inspector or ~~his~~ their designees; shall perform a site inspection and investigation and shall report ~~his~~ their findings to the Board of Selectmen in writing. The report shall contain the the property address ~~on~~ at

which the vehicle(s) ~~is are~~ located, as well as the make, model, year and color of the vehicle(s), if known, and their approximate location on the site. ~~If the report finds that the vehicle(s) is in a violation of this section, the Board of Selectmen shall send a certified letter to the owner of the land, on which said vehicle(s) is parked, and the property owner will have 30 days to remove said vehicle(s).~~

F. ~~Whoever violates any provisions of this section of the Townsend General Bylaws shall be liable for a penalty of \$100 per day for each day of violation. Violations will be calculated from the date of the certified mailing. No penalty will be assessed if the vehicle(s) is removed within 30 days and there are no subsequent violations on the same property. This Bylaw may be enforced by the designated enforcing officers and/or by the Board of Selectmen, through any lawful means in law or in equity, including but not limited to noncriminal disposition in accordance with the provision of MGL c. 40 § 21D and § 1-1 of the Townsend Code, Article II, including the fine schedule incorporated therein. Each violation and each day that such violation occurs or continues to occur shall constitute a separate offense.~~

Or take any other action in relation thereto.

SUBMITTED BY: Building Commissioner

MOTION: I move that the Town vote

- (1) to amend Chapter 1 of the Town's General Bylaws, entitled "General Provisions," Article II, entitled "Noncriminal Disposition of Violations," Section 1-1, entitled "Fine schedule and enforcing officers," Subsection D, entitled "Unregistered Motor Vehicles Bylaw," as printed in the warrant; and
- (2) to delete from Chapter 112 of the General Bylaws, entitled "Streets and Sidewalks," Section 112-14, entitled "Unregistered motor vehicles," it its entirety, but to relocate and renumber the same as Chapter 128 of the General Bylaws, with additions to and deletions from the existing text as also printed in the warrant.

READ BY: Veronica Kell

VOTED: Passed by majority

Motion was made to dissolve the Special Town Meeting and motion was seconded. The motion passed unanimously. Town meeting was dissolved at 7:42 pm.

Respectfully Submitted,
Kathleen M. Spofford, Town Clerk