

Town Warrant
Commonwealth of Massachusetts
May 1, 2017

ESSEX, ss. To the Constables of the Town of Georgetown, in the County of Essex,
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the said Town, qualified to vote in the elections and in Town affairs to meet at the Georgetown Middle/High School, 11 Winter Street on the 1st day of May, 2017 (Monday) at 7 o'clock P.M. then and there to act on the articles of this warrant, and further, to meet at the Penn Brook School Gymnasium, 68 Elm Street in said Town, on the 8th day of May, 2017 (Monday), where the polls will be open from 8 o'clock A.M. until 8 o'clock P.M., to vote by ballot for the following officers: one Assessor for two years; two Selectmen, one Assessor, two School Committee Members, one Light Commissioner, one Water Commissioner, and two Peabody Library Trustees, for three years; and one Planning Board Member, for five years.

Article 1: Town Officers and Committee Reports (ATM17-01)

To hear and act on the reports of the Town Officers and Committees.

Article 2: General Operating Budget/Reserve Fund (ATM17-02)

To see if the Town will raise and appropriate, or appropriate by transfer from available funds, a sum of money to defray charges and expenses of the Town, including debt and interest and including support of the schools, to fix salaries of the several elected offices of the Town, as provided by Section 108, Chapter 41, General Laws, as amended, and to provide for a reserve fund for the ensuing year, as set forth in the Finance and Advisory Board Proposed Budget and Town Meeting Warrant for the Fiscal Year beginning July 1, 2017, or take any other action in relation thereto.

Article 3: Water Department Operating Budget (ATM17-03)

To see if the Town will appropriate the receipts and available funds, including retained earnings, of the Water Department Enterprise Fund for the operation of the Water Department under the direction of the Water Commissioners for the Fiscal Year beginning July 1, 2017, or take any other action in relation thereto.

Article 4: Fire Department Ambulance Operating Budget (ATM17-04)

To see if the Town will appropriate the receipts and available funds of the Fire Department Ambulance Enterprise Fund for the operation of the Town's ambulance service under the direction of the Selectmen and Fire Chief for the Fiscal Year beginning July 1, 2017, or take any other action in relation thereto.

Article 5: Local Access Programming (ATM17-11)

To see if the Town will vote as authorized by General Laws Chapter 44, Section 53F¾, to transfer from the PEG Access and Cable Related Fund, into which cable franchise fees and other cable-related revenues are reserved for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the sum of \$60,000 for salaries and \$40,000 for expenses for the fiscal year beginning July 1, 2017, or take any other action in relation thereto.

{BEGIN CONSENT CALENDAR}

Article 6: Municipal Light Department Continuation of Operation (ATM17-05)

To see if the Town will appropriate receipts of the Municipal Light Department for the operation of said Department under the direction and control of the Municipal Light Board, as defined in Section 34, Chapter 164, General Laws, for the Fiscal Year beginning July 1, 2017, or take any other action in relation thereto.

Article 7: Chapter 90 Reimbursement, Transportation Bond (ATM17-08)

To see if the Town will appropriate the sum of \$303,800 (Three hundred three thousand eight hundred dollars) or any other sum to be reimbursed by the Commonwealth of Massachusetts under the Transportation Bond issue, to be spent by the Highway Surveyor, with approval of the Board of Selectmen, under the provisions of Chapter 90 of the General Laws, or take any other action in relation thereto.

{END CONSENT CALENDAR}

Article 8: Revolving Funds (ATM17-14)

To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to (1) establish the following revolving funds and spending limits as set forth below, and (2) further to amend the General Bylaws by inserting a new bylaw, Article ____, Revolving Funds, establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

ARTICLE __ REVOLVING FUNDS

§__ - 1: There are hereby established in the Town of Georgetown pursuant to the provisions of G.L. c.44, §53E½, the following Revolving Funds:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND
Zoning Board of Appeals	Applicants' fees	Zoning Board of Appeals	Application review, including but not

			limited to review services, clerical, legal expenses, equipment and office supplies
Conservation Commission – Camp Denison	Program fees, facilities use charges and outside vendor charges	Conservation Commission	Maintaining support of the land and facilities, including, but not limited to utilities, seasonal staff, legal expenses, equipment and office supplies
Fire Alarm	Annual fees charged for connection for municipal fire alarm system	Fire Department	Maintaining municipal fire alarm system
Inspections Department	Fees associated with electronic permit tracking software	Inspections Department	Funding permit tracking software fees, training, computer upgrades, data storage and electronic data conversion of existing paper files, and contract work associated with the electronic permitting system

§__ - 2: Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, §53E½.

And, further, to set the fiscal year spending limits for such revolving funds as follows:

Program or Purpose	Fiscal Year Spending Limit
Zoning Board of Appeals	\$20,000.00
Conservation Commission – Camp Denison	\$60,000.00

Fire Alarm	\$14,000.00
Inspections Department	\$16,000.00

, or take any other action in relation thereto.

Article 9: Fire Department-Heart Safe Community Initiative (ATM17-13) (Submitted by the Fire Chief)

To see if the Town will vote to raise and appropriate, transfer from available funds a sum of money to purchase Automatic External Defibrillators (AED's), or take any other action in relation thereto.

Article 10: Community Preservation Committee (ATM17-12) (Submitted by CPC)

A: Community Preservation General Budget

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2018 Community Preservation budget and to appropriate, pursuant to G.L. Ch. 44B §6, from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2018; and further, pursuant to G.L. Ch. 44B §6, to reserve for future appropriation from Community Preservation Fund estimated annual revenues the following amounts as recommended by the Community Preservation Committee: a sum of money for open space, including land for recreational use; a sum of money for historic resources; and a sum of money for community housing; as well as sum of money to be placed in the 2018 Budgeted Reserve for general Community Preservation Act projects or purposes recommended by the Community Preservation Committee, as follows:

Reservations:

\$52,000 (>10% of the estimated FY revenues) for open space, including land for recreational use; and

\$52,000 (>10% of the estimated FY revenues) for historic resources; and

\$52,000 (>10% of the estimated FY revenues) for community housing.

Appropriations:

\$21,000 (less than 5% of the estimated FY revenues) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year;

\$132,000.00 (One Hundred Thirty Two Thousand Dollars) from the Open Space / Recreational Land Reserve and \$268,000.00 (Two Hundred Sixty Eight Thousand Dollars) from the Undesignated Account for a total of \$400,000.00 (Four Hundred Thousand Dollars) for the Debt Service, principal and interest payments and any and all costs associated with Bond notes and instruments incurred by the Community Preservation Fund related to the Articles previously

appropriated at the Annual Town Meeting in 2013 (Articles 27(H) ATM 5-6-13 and 27(I) ATM 5-6-13); or take any other action in relation thereto.

B: Community Preservation Community Housing Category, “Affordable Housing Trust Grant”

To see if the Town will vote, pursuant to G.L. c. 44B, to appropriate \$60,000.00 (Sixty Thousand Dollars) from Community Preservation Fund Community Housing Reserve Account as a grant to the Georgetown Affordable Housing Trust for the purposes of Affordable Housing initiatives consistent with the Trust’s Articles of Incorporation and the accepted Town of Georgetown Affordable Housing Production Plan and to authorize the Board of Selectmen to enter into a Grant Agreement with the Georgetown Affordable Housing Trust setting the terms for such grant, including a requirement that the owners of any dwellings subsequently receiving any of these appropriated monies from the Trust grant to the Town an Affordable Housing Restriction in said dwellings, and further, to authorize the Board of Selectmen to accept such restrictions; or take any other action in relation thereto.

C: Community Preservation Community Housing Category, “Housing Authority Swing Gate”

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund Community Housing Reserve Account, the amount of \$8,000.00 (Eight Thousand Dollars) to the Housing Authority for the costs related to the installation of a swing gate to provide emergency access to the Trestle Way Housing Authority Complex; and to authorize the Board of Selectmen and the Housing Authority to enter into all agreements and execute any and all instruments for any grants to defer the costs associated with this initiative. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect; or take any other action in relation thereto.

Article D: Community Preservation Historic Resources Category, “Historic Gravestones Preservation at Union Cemetery”

To see if the Town will vote, pursuant to G.L. c. 44B, to appropriate from Community Preservation Fund Historic Reserve Account, the amount of \$20,000.00 (Twenty Thousand dollars) for the restoration and conservation of gravestones and monuments at Union Cemetery requiring the most necessary conservation, as determined by the Georgetown Historical Commission. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect, or take any other action related thereto.

Article E: Community Preservation Historic Resources Category, “Historic Schoolhouse No. 2”

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund Historic Reserve Account, the amount of \$20,000.00 (Twenty Thousand dollars) for the replacement of the roof and the interior and exterior restoration of the only remaining schoolhouse in Georgetown, including all incidental and related costs. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect, or take any other action related thereto.

Article F: Community Preservation Historic Resources Category, “Historic Brocklebank Museum Preservation”

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund \$12,000.00 (Twelve Thousand dollars) from the Community Preservation Fund Historic Reserve Account, to make exterior repairs, scrape, prime and paint the Historic Samuel Brocklebank Museum located at 108 East Main Street and to authorize the Board of Selectmen to enter into a Grant Agreement with the Georgetown Historical Society setting the terms for such grant, including a requirement that Georgetown Historical Society grant to the Town an historic preservation restriction, and further, to authorize the Board of Selectmen to accept such restriction, and further, any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect, or take any other action in relation thereto.

Article G: Community Preservation Open Space Category, “West Street Fields Preservation and Restoration”.

To see if the Town will vote, pursuant to G.L. c.44B, to transfer the remaining balances from two previously appropriated Community Preservation Act Open Space Category accounts:

Article 31(F) of the Annual Town Meeting of 5-5-14 (CP_app_106)

Article 24 (G) of the Annual Town Meeting of 5-4-15 (CP_app_113)

for a total of \$11,226.09 (Eleven Thousand two hundred twenty six dollars and nine cents) and to utilize the funding for the restoration of the fields at the West Street Fields. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect; or take any other action in relation thereto.

Article H: Community Preservation Open Space Land Category, “Camp Denison Bathroom”.

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund Undesignated Account \$5,000.00 (Five Thousand dollars) to complete the rehabilitation of an existing bathroom at Camp Denison. Any funds from this appropriation remaining unspent after

a period of three years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect; or take any other action in relation thereto.

Article 11: Parks and Recreation Bylaw Amendment (ATM17-15)

To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Public Parks, Recreation Facilities and Beach, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

§____ - 1 Parks and Recreation Commission

The Parks and Recreation Commission is hereby authorized, following a public hearing for which at least two weeks notice is posted on the Town bulletin board and official website, to promulgate regulations regarding the use of all Town parks, beaches, ponds, rail trails, parks, playgrounds, recreation facilities and any other property under the care, custody or control, or management or joint management of the Parks and Recreation Commission. Regulations promulgated by the Parks and Recreation Commission under authority of this section shall be posted on the Town's website, in the office of the Park and Recreation Commission, and be placed on file in the office of the Town Clerk.

§____ - 2 Enforcement

This bylaw may be enforced by any means available in law or in equity including non-criminal disposition in accordance with Article II, Section 1-4 and 1-5 of the Town's General Bylaws and M.G.L. c. 40, §21D. The enforcing authority for this bylaw and any regulations promulgated hereunder shall be any police officer of the Town of Georgetown.

§____ - 3 Specific Penalties

When enforced through non-criminal disposition, any person who violates any provision of this bylaw or the regulations adopted by the Parks and Recreation Commission shall be subject to a fine of \$100.00 for the first violation, \$200.00 for the second violation and \$300.00 for the third and any subsequent violations. Each day a violation exists shall constitute a separate violation.

And further, to amend Section 1-8 by deleting the strikethrough text and inserting the bold text as follows:

Violations of the following bylaws, sections of bylaws, regulations and rules and sections of regulations and rules, hereinafter called "provisions," may be enforced in the manner provided in MGL c. 40, § 21D, by any police officer, including any special police officer. The penalty shall be \$50 as to any provision, **except as otherwise specified**. For the purposes of MGL c. 40, § 21D, the municipal officers, employees or agents whose titles are listed below under each provision shall also be deemed "enforcing persons" for such provision...

K. Recreation Commission Regulations (Chapter **550**):

- (1) Penalty: ~~\$50.~~ **\$100 for the first violation**
\$200 for the second violation
\$300 for the third and subsequent violations
- (2) Enforcing persons: Georgetown Police Department

or take any other action thereto.