

May 24, 2022

TOWN OF SOUTHAMPTON

ANNUAL TOWN MEETING WARRANT

**Tuesday, June 7, 2022
7:00 P.M.**



**NORRIS ELEMENTARY SCHOOL
34 POMEROY MEADOW ROAD
SOUTHAMPTON, MASSACHUSETTS**

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GENERAL BY-LAW AMENDMENTS

ARTICLE 1 AMENDMENT TO ARTICLE VII, SEC. 2. GENERAL GOVERNMENT GENERAL BYLAWS

To see if the Town will vote to change the Town Bylaws, Article 7, Sec. 2. General Government, by amending the existing language as noted below, deleting existing language with a strikethrough and adding new language shown in **boldface** text which reads as follows:

ARTICLE VII

GENERAL GOVERNMENT

~~Sec. 2. No officer or board of the town shall make any contract on behalf of the Town, the execution of which shall necessarily extend beyond one (1) year from the date thereof, unless specific authority to do so has been given by a vote of the town or otherwise permitted by law.~~

Proposed Change:

Sec. 2. Unless otherwise provided by a vote of Town Meeting the Select Board, or its designee, is authorized to enter into any contract for the exercise of the Town's corporate powers, on such terms and conditions as are deemed appropriate.

ARTICLE 2 AMENDMENT TO ARTICLE XXIV FEES TO THE TOWN TREASURY GENERAL BYLAWS

To see if the Town will vote to change the Town Bylaw, Article 24 Fees to the Town Treasury, by amending the existing language as noted below, deleting existing language with a strikethrough, and replacing it with new language shown in **boldface** text which reads as follows:

~~The Treasurer/Collector no longer is allowed to retain fees, returning all fees to the Town Treasury, effective May 1, 1987.~~

Proposed change:

All Town officers will be required to pay all fees received by them, by virtue of their office, into the Town Treasury within the fiscal year in which the funds are received.

ARTICLE 3 DELETE ARTICLE XXVII SOLID WASTE/LANDFILL GENERAL BYLAWS

To see if the Town will vote to delete the entire Town Bylaw, Article 27 Solid Waste/Landfill, by deleting existing language with a strikethrough.

~~The Town requires a majority Town meeting vote to ratify a Board of Health vote to accept solid waste at the town's landfill from sources outside the town limits for any period of time exceeding three (3) months.~~

ARTICLE 4 DELETE ARTICLE XXVIII COMMERCIAL I.D. STICKERS/LANDFILL GENERAL BYLAWS

To see if the Town will vote to delete the entire Town Bylaw, Article 28 Commercial I/D. Stickers/Landfill, by deleting existing language with a strikethrough.

~~The Town requires commercial users to bear a valid identification sticker and to disclose to the authorized Board of Health personnel the source of all solid waste contained within each load, and further to establish a penalty of future prohibition from the Town's landfill for commercial user who are found in violation of disposing solid waste from sources outside the town limits and not duly authorized for disposal at the Town's landfill.~~

ARTICLE 5 AMENDMENT TO ARTICLE XV SOLICITING PROHIBITED GENERAL BYLAWS

To see if the Town will vote to change the Town Bylaws, Article 15 Soliciting Prohibited, by amending the existing language as noted below, deleting existing language with a strikethrough and with adding new language shown in **boldface** text which reads as follows:

ARTICLE XV SOLICITING PROHIBITED

~~No person shall go from place to place in the Town or upon the highways of the Town soliciting or selling except:~~

~~a. Representatives of those organizations whose income is exempt from taxation under the laws of the Commonwealth or the United States of America, and
Such persons as may be licensed to do so under applicable provisions of the General Laws.~~

~~Any person violating this by law shall be subject to a fine of twenty (\$20.00) dollars for each violation thereof.~~

PROPOSED CHANGE:

SOLICITING AND CANVASSING

Sec. 1. Purpose

This article, adopted pursuant to GL c. 43B, § 13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration and specific operation requirements for persons intending to engage in soliciting or canvassing door-to-door in the Town of Southamptton in order to protect its citizens from disruption of the peaceful enjoyment of their residences, from the perpetration of fraud or other crimes; and to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.

Anyone operating under a Hawker or Peddler's license must abide by the requirements of this bylaw.

Sec. 2. Permit Required

No person shall engage in soliciting or canvassing, as those terms are described in more detail in Sec. 3 below, without registering and obtaining a permit from the Chief of Police or Designee not less than 10 business days before commencing such solicitation or canvassing in accordance with this bylaw. The permitting requirements of this bylaw are in addition to, and separate from, the registration requirements of G.L. c. 101, § 34 regarding the employment of minors in door-to-door solicitation activities.

Sec. 3. Definitions

For the purpose of this bylaw, the following definitions shall apply:

A. SOLICITING shall mean and include any one or more of the following activities conducted door-to-door:

- 1. Selling or seeking to obtain orders for the purchase of goods or services, including advertising in any type of publication, for any kind of consideration**

whatsoever;

2. **Selling, or seeking to obtain prospective customers for application for purchase of insurance of any kind or other similar product or service;**
 3. **Selling, or seeking to sell, subscriptions to print or online books, magazines, periodicals, newspapers or any other type of publication;**
 4. **Seeking to obtain gifts or contributions of money, or other valuables for the support or benefit of any association, organization corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer (solicitor) for a charitable or other non-commercial organization; or**
 5. **Seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes.**
- B. CANVASSING shall mean and include any one or more of the following activities door-to-door or on a public way:**
1. **A person-to-person distribution of literature, periodicals, or other printed materials for commercial purposes, but shall not include placing or dropping off printed materials on the premises.**
 2. **Seeking to enlist membership in any organization for commercial purposes.**
 3. **Seeking to present, in person, organizational information for commercial purposes.**
- C. RESIDENCE shall mean and include every individual dwelling unit occupied for residential purposes by one or more persons.**
- D. REGISTERED SOLICITOR/CANVASSER shall mean any person who has registered and obtained a permit for same from the Chief of Police or Designee in accordance with the requirements of Sec. 5.**
- E. CHARITABLE ORGANIZATION, PROFESSIONAL SOLICITOR, and COMMERCIAL CO-VENTURE shall be defined as set forth in G.L. c. 68, §18.**

Sec. 4. Exceptions

- A. **This article shall not apply to any individual who is acting as part of, at the direction of, or in support of any religious, charitable or political entity, group, organization or cause.**

- B. This article shall not apply to any officers, officials, agents or employees of the Town, of the Commonwealth of Massachusetts or any political subdivision thereof.**
- C. This article shall not apply to any youth organization or group.**
- D. The Select Board may grant temporary permits to any incorporated organization of veterans who served in the military or naval service of the United States for the sale of flags, badges, medals, buttons, flowers, souvenirs and similar small articles in accordance with the provisions of G.L. c. 101, §33. Fees for this license shall be consistent with the fees required pursuant to Section 5(C).**

Sec. 5. Application for Permit

- A. The application for a permit to solicit or canvass shall be in a form as determined by the Chief of Police or Designee. Applications for soliciting and canvassing shall be made available at the Southamptton Police Station and on the Town website. Further, each such application shall be accompanied by a fee in an amount as determined by the Schedule of Fees established, and periodically updated, by Town Meeting. All applications must be submitted to the attention of the Chief of Police at the Southamptton Police Department.**

Each company must obtain a permit issued in the name of the company. In addition to company registration, each individual of said organization or business entity that intends to solicit or canvass on behalf of that company must also obtain a separate permit in their name. Each such application shall specify whether a permit is sought for soliciting, canvassing or both; further, each such application for a soliciting permit shall specify the particular goods, merchandise or services that will be marketed; further, each such application for a canvassing permit shall specify the type(s) of printed materials that will be distributed, and the specific manner(s) in which such printed materials will be left at various locations.

- B. Each person engaged in solicitation or canvassing shall prominently display in a lanyard and attached card holder worn around their neck, the permit issued by the Chief of Police or Designee while actively engaged in this activity. Violation of any of the stipulations will result in the immediate suspension of soliciting/canvassing privileges.**
- C. A fee, to be periodically assessed based on recommendations from the Chief of Police or Designee, shall be set at a rate to cover the expenses of the permitting including photos, lanyards and other verification activities associated with the issuance of each permit. The fee must be paid at the time of application. Further, each such application shall be accompanied by a fee in an amount as determined by the Schedule of Fees established, and periodically updated, by Town Meeting. All applications must be submitted to the attention of the Chief of Police at the Southamptton Police Department.**

Sec. 6. Limitations on Permit Issuance

- A. The Chief of Police or Designee shall either issue a permit in the name of the individual or provide a written denial of the application within 10 days of the submission of the application.**
- B. The Chief of Police or Designee shall issue a permit to solicit or canvass solely if they determine that the applicant will not present a threat or risk to public safety. The Chief of Police or Designee shall not issue any such permit to an individual who has been convicted of a felony, is a registered sex offender, has submitted fraudulent information in the permit application, or has had a permit issued pursuant to this chapter revoked in the five years prior to the submission of the application in question. The activities that are allowed pursuant to a permit shall not be broader in scope than was requested in the application; provided, that the Chief of Police or Designee may issue a permit for activities that are narrower in scope than was requested in the application if they determine it to be in the interest of public safety.**
- C. Each issued permit shall contain the signature of the Chief of Police or Designee; the name and address of the permit applicant/holder; the issuance and expiration date(s) of the permit; the permit number; the name of the licensee's organization, if any; whether the permit is valid for soliciting, canvassing or both; and in the case of soliciting, the particular goods or merchandise for which orders may be sought; and in the case of canvassing, the individual must submit a copy of the particular type(s) of printed materials to be distributed, and the specific manner(s) in which such printed materials will be left at various locations.**
- D. The Chief of Police or Designee shall retain a record of all licenses for soliciting and canvassing that have been issued for a period of one (1) year after date of issue.**

Sec. 7. Restrictions and Limitations on Soliciting and Canvassing

- A. Soliciting and canvassing activities are allowed between the hours of 9:00 a.m. and 9:00 p.m.**
- B. No solicitor or canvasser shall utilize deceptive, fraudulent, coercive, or other unfair practices in soliciting sales of goods or services, or in gaining entry to any residence or other building. Under no circumstances shall the permit holder misrepresent or fail to disclose to a potential customer said customer's statutory rights to cancel a solicited order for goods or services.**
- C. No solicitor or canvasser shall enter onto any property, whether residential, commercial, industrial or otherwise, that displays a sign stating, "no trespassing" or "no soliciting". For the purpose of this section, a "no soliciting" sign shall be sufficient to bar canvassers as well. Furthermore, no solicitor or canvasser shall ignore a request to leave private property by any individual with the lawful**

authority to make such a request, whether a resident, property owner, business employee or other authorized individual. No solicitor or canvasser shall enter onto any property included on the "No Soliciting or Canvassing List" issued pursuant to Sec. 8 of this Bylaw.

Sec. 8. No Soliciting or Canvassing List

Any residence or business that does not wish to be visited by canvassers and solicitors may make a request to the Chief of Police or Designee to be placed on the No Soliciting or Canvassing List. Each such request shall be in writing, a copy of which is maintained at the Police Department. Whenever the Chief of Police issues a permit pursuant to this chapter, they shall also provide the permit holder with an up-to-date copy of this List. The Chief of Police or Designee shall update the No Solicitation/Canvassing List each year based on information gathered by the Town Clerk during the annual Town Census. A residence or business shall remain on the List until a removal request is made in writing to the Chief of Police or Designee.

Sec. 9. Limitations on Use of Permit

- A. Every permit to solicit or canvass shall expire three (3) months after the date of issuance, unless an earlier date was requested in the application. No such permit is transferable, even to successors in interest to the permit holder.
- B. A photo identification shall be issued with every permit, which shall include the permit holder's full name and organization (if any), the seal of the Southampton Police Department, whether soliciting or canvassing activities or both are authorized, and the permit number and expiration date. The permit shall be worn so as to be visible and legible to the public at all times while soliciting or canvassing. Each permit holder additionally shall carry the issued permit at all times while conducting business pursuant to the same, and said permit shall be produced for review upon the request of any Town police officer.
- C. Each permit holder shall engage in only those activities that are allowed by the terms of the issued permit. No permit holder shall operate pursuant to the terms of an issued permit until the material terms of that permit, as described in Sec. 5, shall have been published in print and/or electronically by the Town in local publications and on the Town website.

Sec. 10. Suspension and Revocation of Permit

- A. The Chief of Police or Designee shall revoke or suspend a permit to solicit or canvass if they conclude that the permit holder has become a threat or risk to public safety, if they become aware that the permit holder submitted fraudulent information on the permit application, if the permit holder is convicted of a felony, if the permit holder becomes registered as a sex offender, or if the permit holder has

violated any provision of this chapter during the permit period.

Any revocation of an individual permit is the decision of the Chief of Police or Designee. Should a permit issued in the name of a company be suspended or revoked, the company may reapply for a permit with assurance, in the opinion of the Police Chief or Designee, that the violation has been corrected and will not occur again. Any revocation may be appealed per the process set forth in Sec. 12.

Sec. 11. Return of Permit

Upon expiration, suspension or revocation of any permit to solicit or canvass, the permit holder shall return the same to the Chief of Police or Designee.

Sec. 12. Appeal Process

Any person or organization who is denied registration or whose registration has been revoked or suspended may appeal by filing a written notice of appeal with the Select Board. Such appeal must be filed within five (5) days after receipt of the notice of denial, revocation, or suspension. The Select Board shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal, provided, however, that if the Select Board fails to make a determination within thirty (30) days after the filing of the appeal, the registration shall be deemed granted or reinstated as the case may be.

Sec. 13. Violations and penalties

Violations of the terms, conditions, and restrictions of this bylaw, exclusive of the fine regarding the display of permit identification (see Sec. 5B) issued pursuant to the same, may result in a fine of up to \$300. as set forth in the Non-Criminal Violation Bylaw, Article XLII.”

Each day of a continuing violation shall be a separate violation; and further provides that each house, business, property, mailbox, or vehicle that is solicited or canvassed in violation of this chapter, including in violation of the terms, conditions and restrictions of any permit issued pursuant to the same shall, be a separate violation. Each such violation shall be enforced by the Town police officers and shall be subject to the Non-Criminal Violation of By-laws, Rules and Regulations as provided in Article (to be determined) of these By-Laws and G.L. c. 40, § 21D.

Failure to prominently wear/display the provided permit may result in a violation of up to \$100 per individual and up to \$100 per primary employing entity per violation per day.

Sec. 14. Severability

The provisions of this bylaw are severable. If any court of competent jurisdiction determines that any such provision is in violation of the laws, constitutions or regulations of

the Commonwealth of Massachusetts or the United States of America, the remaining provisions shall not be affected thereby and shall continue in full force and effect.

ARTICLE 6 AMENDMENT TO ARTICLE XXIII NUMBERING OF BUILDINGS GENERAL BYLAWS

To see if the Town will vote to change the Town Bylaws, Article 23 Numbering of Buildings, by amending the existing language as noted below, deleting existing language with a strikethrough and with adding new language shown in **boldface** text which reads as follows:

ARTICLE XXIII

Numbering of Buildings

~~Sec. 1. The Select Board shall adopt a comprehensive system for numbering of buildings on or near the line of public or private ways and may order numbers to be affixed or to be painted on any buildings on any street in their discretion. The owner of every building shall comply with such order within thirty (30) days thereafter.~~

~~Sec. 2 Place the building number on the front side of the front door; if the building is not visible from the highway, it will be placed on the mailbox or a post or structure to the right of the driveway. Numbers to be a minimum of six inches (6") or larger. Failing to do so after thirty (30) days of notification will be fined twenty (\$20.00) dollars.~~

PROPOSED CHANGE:

Sec. 1. In the interest of public safety and to facilitate emergency responses, the Town needs a comprehensive system to number buildings on or near the line of public or private ways. Every building under construction, renovation, or transfer of ownership including, but not limited to, single and multiple family dwellings, apartment buildings, condominiums, municipal buildings, and all types of business establishments, shall have affixed thereto a number representing the address of such building prior to the date of occupancy. Buildings must display address numbers that are at least four (4) inches in height.

Sec. 2. Numbers shall be numeric and must meet the minimum size as designated in Sec 1. The numbers shall contrast with the background to which they are affixed to ensure readability without sight aids from the public or private way on which such building is located.

Sec. 3. If the building is located more than 80 feet from a public or private roadway, such building number shall also be:

- affixed to a sign (less than one square foot) at the intersection(s) of the public or private way(s) on which such building is located;
- displayed on signs that meet the same size and contrast requirements as numbers affixed to the building; or,
- attached to both sides of a roadside mailbox, with four (4) inch high, contrasting numbers as an acceptable alternative to a sign, when said mailbox is located on the same side of the public or private way as the building.

Sec. 4. For homes without mailboxes or when the mailbox is located on the opposite side of the public or private way on which the house/building is located, the following shall apply:

- signs must be visibly located at the driveway or lot entrance;
- address numbers must be four (4) inches in height; and,
- numbers must be attached to both sides of a sign.

Sec. 5. The address requirements for estate or subdivision lots are as follows:

- a clearly designated house number sign, not exceeding four (4) feet in height and six (6) feet in width, depicting house numbers and locations within the estate or subdivision must be displayed;
- mailboxes shall not suffice as home/building identification for estate/subdivision lots;
- address sign permits for estates/subdivisions shall be issued by the Building Department;
- failure to obtain a sign permit after 30 days of notification from the Building Department shall result in a continuous fine for every day of violation as specified by Article XLII (Non-Criminal Disposition of Violations of By-Laws, Rules, and Regulations), of the Southampton General Bylaws. No permits in relation to the site can be finalized until compliant with this article.

Sec. 6. Houses under construction shall install a permanent or temporary house number, spray paint on plywood is acceptable temporary sign, for the purpose of delivering emergency response aid to personnel engaged in lot development or home construction.

Sec. 7. It is recommended that all existing homes and businesses comply with the provisions of this bylaw as specified in Sections 1 and 2 above to facilitate efficient emergency responses.

Sec. 8. The Building Inspector shall be the designated enforcement authority and shall apply these requirements to all new construction and/or renovations that require building permits.

ARTICLE 7 ACCEPT A NEW ARTICLE XLVIX THE NAMING OF PUBLIC BUILDINGS, STRUCTURES, BRIDGES, AND PUBLIC LANDS GENERAL BYLAWS

To see if the Town will vote to accept a new Town Bylaw, Article 49, THE NAMING OF PUBLIC BUILDINGS, STRUCTURES, BRIDGES, AND PUBLIC LANDS with language which reads as follows:

ARTICLE XLIX

THE NAMING OF PUBLIC BUILDINGS, STRUCTURES, BRIDGES, AND PUBLIC LANDS

To see if the Town will vote to adopt the Town Bylaws, Article 49, The Naming of Public Buildings, Structures, Bridges, and Public Lands by approving the language which reads as follows:

Sec. 1. Purpose.

This bylaw is enacted to establish the process by which, in naming, renaming or otherwise designating public buildings, structures, bridges, and public lands, the Town seeks to recognize individuals, locations and/or events of significance in local history and local affairs.

Sec. 2. Definitions.

Designate – The act of calling by a distinctive title, term, or expression any public buildings, structures or public lands as defined in this bylaw.

Name – A word or phrase that constitutes the distinctive designation of any public building, structure, bridges, or public lands as defined in this bylaw.

Rename – The act of redesignating any public buildings, structures, bridges, or public lands as defined in this bylaw.

Nominee – The individual or entity whose name is proposed.

Public Building/Structure – Any structure, edifice, bridge or other facility owned or maintained by the Town of Southampton or any department or agency thereof.

Public Lands – Any real property owned or maintained by the Town of Southampton, or any department or agency thereof, including, but not limited to, playgrounds, parks, courts, athletic fields, intersections and medians, and private ways on public lands, but not including public ways regulated by Article III, Sec. 9 of the General Bylaws.

Features – Benches, bricks, flagpoles, plaques, parking spaces, trees, scoreboards, and signs or other markers located on public lands or within public buildings or structures.

Sec 3. Procedure.

The naming, renaming or other designation of any public building, structure, bridge, or public lands shall be by majority vote at an Annual or Special Town Meeting. Once public buildings, structures, bridges, or public lands have been named, they shall not be renamed unless changes are recommended by the Select Board and approved by Town Meeting.

Sec. 4 Criteria.

Any proposed name or designation of any public building, structure, bridge, or public lands, shall be submitted to the Select Board, in writing, for its review and recommendation as to the appropriateness thereof.

A. Applicable criteria for naming/renaming consideration shall include, but is not limited to:

- nominee's past residence in Southampton;
- nominee's extraordinary service to the Town;
- nominee's significant contribution to the Town;
- the designated item to be named relates to the individual's service or contribution to the Town;
- no public building, structure, bridge, or public lands shall be named for any living person, or commercial enterprise;
- letter of support from the Southampton Historical Commission, where applicable.

B. The Select Board may consider additional standards and criteria for consideration of proposed names or designations. Following a duly advertised public hearing, the Select Board shall forward its recommendation(s) to Special or Annual Town Meeting for approval.

C. The naming, renaming or other designation of individual rooms, areas or sub-areas within a public building, structure, or areas or sub-areas associated with any public lands, shall be by the department or agency having jurisdiction over the same. The Select Board shall be notified in writing in advance of the intent to name/rename or designate any sub-area within public buildings, structures, and public lands. The Select Board shall be notified within seven (7) days of the installation and naming or renaming permitted under this section. The requirements of Sec. 3.2(B) shall not apply to the naming, renaming or other designation authorized by this paragraph Sec. 3.3, provided that the naming, renaming, or other designation is consistent with the following criteria.

- such rooms, areas, or sub-areas constitute less than 25% of the public building, structure or public lands at or in which the same may be located

- no such room, area or sub-area shall be named for any living person;
 - no such room, area or sub-area shall bear the name of a commercial enterprise; and
 - a duly advertised public hearing is held at which such naming, renaming or designation is considered and acted upon by said department or agency. Any person objecting to such naming, renaming or designation by the department or agency may, within 10 days thereafter, appeal the action in writing to the Select Board, which shall, after a duly advertised public hearing, approve or reject the action.
- D. The installation and naming, renaming or other designation of features shall be by the department or agency having jurisdiction over the same. The Select Board may, after a duly advertised public hearing, establish standards and specifications for signs, plaques, markers or other features to be erected on public property within the Town.

BUDGET AND FINANCIAL ITEMS

ARTICLE 8 TRANSFER FROM FREE CASH TO THE CAPITAL STABILIZATION FUND

To see if the Town will vote to transfer/appropriate \$139,895.20 to the Capital Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 9 TRANSFER FROM FREE CASH TO THE OPERATING STABILIZATION FUND

To see if the Town will vote to transfer/appropriate \$101,412.60 to the Operating Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 10 TRANSFER FROM FREE CASH TO THE OPEB FUND

To see if the Town will vote to transfer/appropriate \$33,804.20 to the Other Post-Employment Benefits (OPEB) account; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 11 UNPAID BILLS PREVIOUS FISCAL YEAR

To see if the Town will vote to transfer for 12 previous fiscal year bills totaling \$3,831.18 to the Prior Year Expenses account for unpaid bills received late;

<u>Amount</u>	<u>Vendor</u>	<u>Account Approved for Payment</u>
\$8.05	McKesson	Ambulance/EMS Expenses
\$240.82	CBS	Highway Building Expenses
\$8.05	McKesson	Ambulance/EMS Expenses
\$12.47	LPVEC	Medicaid Claims Expenses
\$104.56	LPVEC	Medicaid Claims Expenses
\$915.50	Daily Hampshire Gazette	Zoning Board of Appeals
\$679.24	Daily Hampshire Gazette	Zoning Board of Appeals
\$41.34	LPVEC	Medicaid Claims Expenses
\$56.66	LPVEC	Medicaid Claims Expenses
\$753.25	Hampshire Regional School District	Student Opp. Act Supplies
\$11.24	Witmer Public Safety Group Inc	Police Expenses
\$1,000	All Traffic Solutions	Support for Electronic Messaging Boards

said sum to be taken from FY 22 expense accounts (listed above); or take any other action relative thereto.

ARTICLE 12 FIVE YEAR CONTRACT FOR LEASES FOR COPIER MACHINES FOR POLICE STATION AND TOWN HALL

To see if the Town will vote to allow the Select Board to enter into a five-year contract for copy machine leases at Town Hall for all Town Departments and for the Police Station for the Police Department; or take any other action relative thereto.

ARTICLE 13 ANNUAL OPERATING BUDGET FOR FISCAL 2023

To see if the Town will vote to fix salaries of all elected officials for the Fiscal Year 2023 for the period for July 1, 2022 to June 30, 2023, and further, to raise and appropriate \$19,098,142.31 monies as identified in the Town’s Annual Operating Budget from taxation, \$17,500 from WPAT loan and \$100,000 from Ambulance Fees, as attached, for Fiscal Year 2023; or take any other action relative thereto. **Attachment: FY 2023 Budget Labeled A**

ARTICLE 14 TRANSFER STATION ENTERPRISE FISCAL 2023 BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds Two Hundred Thirty-Five Thousand Three Hundred Five Dollars (\$235,305) to operate the Transfer Station Enterprise according to the following budget:

Wages	45,081
Operating Expenses	167,200
Environmental Compliance	4,000
<u>Indirect Costs</u>	<u>19,024</u>
Total	235,305

And that \$198,250 be raised from Transfer Station Enterprise Revenues \$37,055 to be taken from retained earnings and \$19,024 to be appropriated in General Fund (Indirect Costs); or take any other action relative thereto.

ARTICLE 15 WATER ENTERPRISE FISCAL 2023 BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds Nine Hundred Sixty-Seven Thousand Seven Hundred Fifty-Nine Dollars and Eighty-Eight Cents (\$967,759.88) to operate the Water Enterprise, according to the following budget:

Salaries & Wages	305,364.88
Operating Expenses	169,526.00
Capital Outlay	100,000.00
Indirect Costs	98,869.00
<u>Debt Services</u>	<u>294,000.00</u>
Total	967,759.88

And that \$922,854.90 be raised from Water Enterprise Revenues, \$44,905 from retained earnings and \$98,869 appropriated in General Fund (Indirect Costs); or take any other action relative thereto.

ARTICLE 16 TRANSFER FROM FREE CASH FOR HIGHWAY DUMP TRUCK DEBT PAYMENT

To see if the Town will vote to transfer/appropriate a total of \$47,930.00 from Free Cash, to the Debt Highway Account (\$47,000.00 in Principal & \$930.00 in Interest) for the FY 23 Debt payment on the Debt Highway Dump Truck new; or take any other action relative thereto.

ARTICLE 17 TRANSFER FROM FREE CASH TO THE MASS TRAILS GRANT MATCH GREENWAY PROJECT

To see if the Town will vote to transfer/appropriate a total of \$15,000.00 from Free Cash, to the Account for Mass Trails Grant Match for design and engineering costs for the Greenway Bike and Pedestrian Trail if the Town receives the Grant; or take any other action relative thereto.

ARTICLE 18 RESCIND PREVIOUS TOWN MEETING VOTE FOR DEBT EXCLUSION, ACQUISITION & DESIGN FOR GREENWAY PROJECT, ARTICLE 25, JUNE 12, 2021

To see if the town will vote to rescind the vote on Article 25 from the June 12, 2021 Annual Town Meeting Warrant which was to appropriate the sum of \$270,000 as a debt exclusion to acquire the Right of Way for the Greenway Rail Trail (Bike and Pedestrian) Path and/or to pay design costs related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action thereto.

ARTICLE 19 FUNDING FOR HIGHWAY LOADER DEBT EXCLUSION

To see if the Town will vote to appropriate the sum of \$231,000.00 or any other amount to purchase a new wheel loader for the use of the Highway Department, including the payment of all costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 20 TRANSFER FOR NORRIS SCHOOL MASONRY REPAIRS

To see if the Town will vote to transfer the sum of \$7,500 from the Capital Stabilization Fund to the Norris School Capital to fund Masonry repairs at the Elementary School; or take any other action relative thereto.

ARTICLE 21 TRANSFER FOR REPLACEMENT HEATING SYSTEM FOR THE HIGHWAY DEPARTMENT OFFICE & GARAGE

To see if the Town will vote to transfer the sum of \$56,000 from the Capital Stabilization Fund to the Highway Department Capital Budget to fund the replacement of the heating system for the Town Highway Garage; or take any other action relative thereto.

ARTICLE 22 TRANSFER FOR NORRIS SCHOOL ROOF REPAIRS

To see if the Town will vote to transfer the sum of \$7,400 from Capital Stabilization Fund to the Norris Elementary School Capital Budget to fund the repairs to the roof at the Elementary School; or take any other action relative thereto.

ARTICLE 23 TRANSFER FOR CENTER STREET CEMETERY WATER LINE REPLACEMENT

To see if the Town will vote to transfer the sum of \$13,200 from the Capital Stabilization Fund to the Cemetery Capital Budget to fund the installation of new replacement water lines in the Center Street Cemetery; or take any other action relative thereto.

ARTICLE 24 TRANSFER FOR BRUSH FIRE & RESCUE UTV AND TRAILER

To see if the Town will vote to transfer the sum of \$18,000 from the Capital Stabilization Fund to the Fire/EMS Capital Budget to fund the purchase of a new Brush Fire & Rescue UTV and Trailer to be used for brush fires and rescue of individuals by the Fire/EMS and Police Departments; or take any other action relative thereto.

ARTICLE 25 TRANSFER FOR PEG CAPITAL FUNDS FOR EASTHAMPTON MEDIA

To see if the Town will vote to transfer/appropriate \$50,000.00 from Public, Educational, and Government (PEG) Access Capital Fund to the Town's PEG Access Designee, Easthampton Media, to fund the replacement, upgrade and installation of the PEG TV broadcasting, streaming, and recording equipment at their facility for the purposes of broadcasting on the local cable channels. Additionally, funds will be used to update and upgrade studio and field production equipment used by members and staff; or take any other action relative thereto.

ARTICLE 26 HOME RULE LEGISLATION FOR ADDITIONAL PACKAGE STORE LICENSE

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to authorize the grant of an additional package store liquor license, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or take any other action relative thereto:

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the licensing authority of the Town of Southamptton may grant 1 additional license for the sale of alcoholic beverages to be drunk off the premises under Section 12 of said Chapter 138.

The license shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all requirements of said Chapter 138, except said section 17 relative to the number of licenses that may be granted.

SECTION 2. If a license granted pursuant to this act is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 3. This Act shall take effect upon its passage.
or take any other action relative thereto.

ARTICLE 27 TREASURER/COLLECTOR DEMAND FEE OF \$25.00

To see if the Town will vote to authorize each written demand issued by the Collector a fee of \$25 to be added and collected as part of the tax, as authorized by MGL c.60, § 15, effective as of July 1, 2022.

ARTICLE 28 VOTE TO ESTABLISH A MUNICIPAL LIGHT PLANT (MLP)

To see if the Town will vote to authorize the Select Board to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 (sections 34 and 47C) of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services, or to take any other action relative thereto.

ARTICLE 29 REAUTHORIZATION OF BOARD OF HEALTH SEPTIC BETTERMENT PROGRAM

To see if the Town will vote to appropriate Two Hundred Thousand Dollars (\$200,000) for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise, or to take any other action relative thereto.

REVOLVING FUNDS

ARTICLE 30 REVOLVING FUND SPENDING LIMITS

To see if the town will vote to set the Revolving Fund FY2023 spending limits for such revolving funds as follows:

or take any other action relative thereto.

Program or Purpose	Use of Fund	FY 22 Spending Limit
Conservation	Operating Expenses/Admin. Expenses	\$10,000
Conservation Forestry	Oversight and Management of the Conservation Areas including forestry land	\$20,000
Council on Aging Van	Payment for Operation of COA Van	\$31,000
Dog Licensing & Control	Expenses Related to Admin. Of Licenses & Dog Control	\$8,000
Electrical Inspections	Payment for Electrical Inspection Services	\$20,000
Fire Department (Brush Services)	Fire Chief to purchase brush firefighting equipment	\$20,000
Park Commission	Operating Expenses/Admin Expenses	\$10,000
Planning Board	Admin. Expenses	\$10,000
Planning Board	Consultant Costs	\$15,000
Plumbing Inspections	Payment for Plumbing Inspection Services	\$20,000
Tax Title	Tax Title related costs	\$10,000
Weights & Measures	Weights & Measures Fees	\$3,000
Zoning Board of Appeals	ZBA Expenditures	\$5,000

COMMUNITY PRESERVATION PROJECTS

ARTICLE 31 REPORT OF THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to hear and act, pursuant to Massachusetts General Laws Chapter 44B, on the report of the Community Preservation Committee for the Fiscal Year 2023 Community Preservation Budget and to appropriate or reserve from the Community Preservation Fund the following sums of money as recommended by the Community Preservation Committee for Committee administrative expenses, community preservation projects and other necessary and proper expenses in the fiscal year beginning July 1, 2022, with each item to be considered as a separate appropriation:

Administrative Expenses..... \$7,500

Reserves:

- From FY22 Estimated revenues for Historic Resources Reserve \$42,250
- From FY22 Estimated revenues for Community Housing Reserve.... \$42,250
- From FY22 Estimated revenues for Pomeroy Meadow Rd Land \$53,800
(Pomeroy Meadow Land purchase is only a memo item, and will fulfill the 10% requirement for Open Space Reserve.)

or take any other action relative thereto.

ARTICLE 32 CPC FUNDING FOR LAND PURCHASE FOR HOUSING AUTHORITY

To see if the Town will vote to transfer the sum of \$125,000 from the Community Preservation account to the Housing Authority said funds to be transferred from Community Preservation Surcharge Community Housing Account for the purpose of acquiring 1.32 acres of property and for associated costs of the acquisition to be used for affordable housing; or take any other act relative thereto.

ARTICLE 33 CPC FUNDING FOR LAND PURCHASE FOR AQUIFER PROTECTION

To see if the Town will vote:

(a) to appropriate the sum of Four Hundred Forty-Three Thousand Seven Hundred Dollars (\$443,700) from the CPA Undesignated Account for the purpose of acquiring approximately 76 acres of land on Pomeroy Meadow Road, being Assessor's Map 8, Parcel 1, and described in a deed recorded with the Hampshire Registry of Deeds in Book 14282, Page 287; and

(b) to acquire said property by gift, purchase, eminent domain or otherwise, for conservation, passive recreation and/or water supply and drinking water protection purposes, said property being in the immediate recharge area for the Barnes Aquifer, said acquisition being subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution; and

(c) to authorize the Water Commissioners, to apply for a DWSP Grant, upon such terms and conditions as the Water Commissioners, with the approval of the Select Board, shall determine to be appropriate, and that the interest in said property shall be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, §§ 39B and 41, as they may hereafter be amended, and other Massachusetts statutes relating to water supply and conservation purposes, said property to be managed and controlled by the Water Commissioners and further that the Select Board and/or the Water Commissioners is authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any state and/or federal programs in aid of water supply and conservation land acquisition, including but not limited to, all applications deemed necessary for grants and or reimbursements from the DWSP Grant Program, and to receive and accept such grants and/or reimbursements for this purpose, and/or any grants or reimbursement programs in any way connected with the scope of this article, and that the Select Board and/or the Water Commissioners be authorized to enter into all agreements and execute any instruments, including a grant of a perpetual water supply and conservation restriction to the Commonwealth, or a non-profit corporation or trust that meets the requirements of Massachusetts General Laws, Chapter 184, §§31-33, as may be necessary to effect said acquisition or obtain such grant, and in the event any such grant is awarded, said awarded funds shall be used to reimburse the CPA Undesignated Account; and

(d) to authorize the Conservation Commission, the Water Commissioners and/or the Select Board and any other appropriate Town Officers to take all related actions necessary or appropriate to carry out this acquisition and the grant of a perpetual conservation restriction and the intent of this article; or take any other action thereto.

And you are hereby directed to serve this Warrant by posting attested copies thereof in six usual places in said Town, seven (7) days at least before the time of holding said meeting. Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 24th day of May in the year Two Thousand and Twenty-Two.

SELECT BOARD



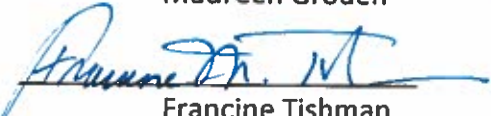
Christine Fowles



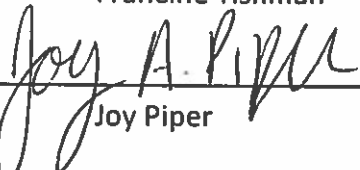
Jon Lambra



Maureen Groden



Francine Tishman



Joy Piper

A True Copy:

ATTEST: _____
Constable

OFFICER'S RETURN

Hampshire, SS

Date: _____

This is to certify that I have served the within warrant by posting attested copies thereof in six usual places seven (7) days at least before the time of holding said meeting.

Constable

A True Copy, ATTEST:

Lucille Dalton

Town Clerk of Southampton