

Selectmen's Meeting Minutes 3/28/11

Board of Selectmen Meeting Minutes 3/28/11

The Easton Board of Selectmen met this evening at the Easton Town Offices, Selectmen's Office, 136 Elm Street, with Chair Colleen Corona presiding.

Members present: Colleen Corona, Irwin Cohen, Ellen Barlow, Sean Noonan and Town Administrator David Colton

Corona called the meeting to order at 7pm

One day liquor license requests

Easton Rod & Gun Club

Arthur Martell was present and explained the annual Fathers Day event and the request for the one day all alcohol license on June 19, 2011 from noon -6pm at the Easton Rod & Gun Club located at 112 Howard Street, Easton. It was noted that Easton Police detail is not required.

Voted: (Noonan/Cohen) voted unanimously to approve the one day license

Stonehill College

Voted: (Cohen/Barlow) voted unanimously to approve a one day beer and wine license for the Spring Fling Dance on April 16, 2011 at the Merkert Gymnasium from 9pm – 1am

Voted: (Barlow/Noonan) voted unanimously to approve a one day beer and wine license for the Brockton Neighborhood Health Center Banquet on April 27, 2011 at Donahue Hall from 5pm – 9pm

Voted: (Cohen/Noonan) voted unanimously to approve a one day beer and wine license for the Class of 2011 Legacy Campaign Celebration on May 20, 2011 from 3:30pm – 6pm

Voted: (Barlow/Noonan) voted unanimously to approve a one day all alcohol license for a wedding on August 20, 2011 at the Martin Institute from 4pm – 11pm

South Coast Rail update

Raynham Selectman Joe Pacheco was present to coordinate mitigation requests. Colton referenced the Draft Environmental Impact Report (DEIR) and statement which became public last week; the Stoughton route is their preferred alternative. A hard copy of this report is available at the library and it is also available on the Town's website. Colton noted that all comments are due into the state by May 27, 2011.

Corona noted that we will be posting comments relating to the DEIR; the Planner Director will be coordinating this for the community. We have expressed our unhappiness in the past but at the same time, we want to have discussions on what we want for our community if this rail does go through. Corona noted that she met with officials for Raynham and suggested we join with them to mitigate for our community.

Pacheco gave background that in 2007 the Town of Raynham chose to mitigate the rail's impact to the community, not litigate. Pacheco suggested that with the change in strategy we want to be proactive because we do believe the town will be impacted. The Town of Raynham collaborated internally with department heads to come up with mitigation concerns if the rail comes through. Pacheco referenced the document submitted to the Selectmen regarding Raynham's requests for mitigation. See the

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attached information. Pacheco noted that they want to work with other communities to mitigate, not litigate because they don't want to spend the money on the litigation. He suggested that the officials in Easton have always wanted to be prepared. The Board agreed to circulate the list to the department heads.

Barlow spoke in favor of mitigation list and also would like to voice concerns about the EIR; she has lots of concerns and questions the impact on historic buildings. Barlow noted the money spent on litigation and the fact that that a few years ago there was a ballot question and the voters didn't support spending additional funds.

Corona thanked Pacheco for sharing Raynham's concerns. Pacheco is also the Executive Director of Pro Home Inc., which assists Easton residents having to do with affordable housing and first time homebuyer programs. Pacheco spoke of the non profit agency to help people. They can give up to \$10,000 for first time home buyers if eligible; \$3,000 if you are facing foreclosure and relocation costs are sometimes covered. They are a HUD approved counseling agency. Pacheco noted that Easton residents don't take advantage of what they have to offer; they do credit counseling and budgeting seminars. Citizens can contact Pro Home at 508-821-2514 or at the website www.prohomeinc.org. Corona thanked Pacheco again and noted they are thinking of contacting Stoughton too.

Corona noted that the Planning Director will be coordinating the public comments. The meetings and deadlines will be posted on the town's website.

Presentation of the Southeastern Regional School Budget

Superintendent Luis Lopes and Easton's representative Mike Pietrowski were present. See the attached budget information.

Lopes commented that he would also like to have the school involved in the rail mitigation as it will definitely impact the school; they have quite a few concerns.

Lopes noted that 2012 will continue to be a challenging year. The Southeastern Regional School Committee voted a budget that reflects a foundation budget. They got federal stimulus funds which have been held back and as a result they are not anticipating any cuts in positions. Easton's enrollment is down slightly from 77 – 73 students. Lopes reviewed the assessment worksheet (see attached). This year, the budget is down. Lopes spoke of the money carried over from the grant and there will still be some funds to carry over into the first quarter of 2013. They have been proactive as far as looking at health insurance costs; the health insurance co-pays have increased and they anticipate an increase.

Barlow asked about the renovation project. Lopes submitted renovation and addition plans. He spoke of working with the Massachusetts School Building Authority (MSBA) and their reimbursement rate of 80% which is the maximum allowed by law. Once this is finalized, the remaining \$6.1 million will need to be addressed by the district. The School Committee will be asked to accept debt over 25 years using existing capital which we already have; some of this money has been set aside. This money will pay the total debt over the 25 years and there will be no need for an override. If the School Committee votes to approve the plan, they will notify the Selectmen and then the Town will have the option to hold a Special Town Meeting within 30 days if they choose not to agree to pay for this. Most cities and towns will take a vote of no action which will satisfy the MSBA requirement.

Cohen stated that he is glad to see the reduction of \$48,000 for the Town of Easton.

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Pietrowski invited all to come for lunch at the Colonial Room sometime in the future. Pietrowski thanked the community for his vote during last year's election and commented that the Southeastern Regional School is a good school with good students and again reiterated that he appreciates the vote of confidence.

Troop 42

Corona acknowledged the members of Troop 42 in attendance and their efforts in obtaining their citizenship and the community merit badge.

Transmittal of zoning amendments to the Planning Board

Planning & Zoning Board Chair Christine Santoro and Planning Director Brad Washburn were present to discuss the zoning amendments. Santoro noted that they will have public hearings on all of these proposed amendments as indicated below:

Amend building height

In-law apartments

Internally illuminated signs

Solar Photovoltaic Overlay District

Open space or municipal

Rezone from residential to industrial and residential to business

Voted: (Barlow/Cohen) voted unanimously to convey all the requested zoning amendments back to the Planning & Zoning Board

Green Communities Grant Announcement

Colton referenced the state's grant announcement. Colton spoke of the Green Communities Committee and the fact that Easton is now a certified Green Community. He spoke of Barlow's involvement on the Green Communities Committee. We received word that we will receive \$168,300 for energy related projects. Colton noted great job by the committee and the coordinator, Adrienne Edwards. Barlow also thanked Edwards for her efforts in getting the Town the original Green Communities designation and the grant. Barlow also spoke of how the committee will be doing more outreach in the future. Corona added that we try to take advantage of every grant that we can and thanked the committee for all the work.

Upcoming Spring Town Sponsored Events

Corona announced the upcoming events:

- *Drug Drop Off Day – Saturday April 16, 2011 8am – noon at the Easton Police Department*
- *28th Annual Hazardous Waste Collection Day – Saturday April 16, 2011 from 8am to noon at the DPW – 130 Center Street*
- *5th Annual Community Pride Roadside Cleanup – Saturday April 16 – 17, 2011*
- *Arbor Day Tree Planting – Friday, April 29, 2011 9am – location to be determined*
- *Easton Water Division Open House – Saturday April 30, 2011 10am – 12:30pm at the DPW Water Division 130 Center Street- Poster Contest Awards at 11am*

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- *Canoe River Aquifer Awareness Day – Saturday May 14, 2011 at the Mansfield Water Treatment Plant – Rt. 106 Mansfield*
- Colton added that the Boys Scouts will also be working at the Hazardous Waste Day to collect American flags that need proper disposal.

Support letter for the Oakes Ames Memorial Hall

Corona recused herself as she is a member of the Oakes Ames Memorial Hall Board and left the room. (7:35pm)

Barlow read the proposed letter into the record as proposed for matching grant funds.

Citizen Bob Hicks asked if there is any cost to the town. Colton noted the CPA Committee has voted to support a matching grant for the hall and if they get this grant, the CPA Committee will vote to support \$100,000; this will be subject to town meeting vote.

Voted: (Noonan/Cohen) voted unanimously of those present to support the draft support letter

Corona returned at this point 7:40pm

Bottle Bill Resolution

Corona referenced the material submitted to the Board asking if the Town would like to sign on to a resolution in support of the law. See the attached information. This will expand the list to include water bottles.

Cohen suggested there can't be a downside to this. This will help with bottles on the side of the road.

Corona noted 145 towns have already endorsed this as well as the Massachusetts Municipal Association.

Noonan noted the only hesitation is the cost to the consumer if the bottles are not redeemed.

Corona suggested that the Board consider this issue and suggested that the Board discuss this at an upcoming agenda. The Board agreed.

FY'12 Budget Update

Colton referenced the budget memo and the current predicted FY'12 deficit of \$1,808,000. This has now been reduced by the Southeastern Regional School Budget by \$45,000 or so. The School Superintendent met with Colton and they agreed to begin the process of cutting to reach the balanced budget. They agreed to trim \$1.5 million from the budget; the Town will cut \$600,000 and the School Department will cut \$900,000. We need to find other cuts or other sources of revenue or greater use of reserves. The budget should be nearly balanced in the next couple of week. Colton will be prepared to bring these cuts to the Board's next meeting. He suggested that this will include a possible cut of three vacancies in the Fire Department; two in the Police Department and then some additional layoffs in other departments. Colton noted that he is meeting with department heads on Thursday to discuss propose cuts.

Corona asked if we have received any new information from the state. Colton noted that he is not aware of any new information and stated that we are still working with the Governor's budget. Colton spoke of the fact that Easton did not receive any assistance relating to aid for storm reimbursement while residents in Norfolk County will receive reimbursement. He suggested that the Board consider signing a letter to legislative delegation asking to be considered for reimbursement.

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Corona noted that she did meet with Representative Angelo D'Emilia and he will be coming to our next meeting. He will be filing a bill to help communities with this reimbursement.

Barlow asked about a proposed moratorium on tax delinquencies as a way to bring in revenues. Colton noted we are pretty aggressive in collecting and we don't have a large delinquent tax list. We have an attorney working for us and we send out demands.

Fire House Study Committee

Colton spoke of the cuts needed and the three vacancies which will be eliminated in the Fire Department. The Fire Chief will be in the position of having to close one of the fire stations depending on who shows up for work that day; sick, vacation and personal time become an issue. If there is not enough staff, the Chief must close a station. We don't have enough money to fund overtime like we have been. The problem with rotating station closings is that we can't predict when; it will be on a day by day basis. Colton agreed it is better to keep it open daily instead of closing on a routine basis. Colton explained that his request for the Fire Study House Committee was to look at this and see if there was a better way to do this. If the committee's response is not to close the station, we have to look at other ways for revenue. The Chief deserves some guidance from the community and help by looking at reports that have been already been done before moving forward.

Colton stated that he is aware of the tie vote on this committee from the previous Selectmen's meeting. Corona confirmed that the committee charge hasn't changed since it was originally drafted by Colton and approved by the Selectmen.

Cohen noted that he feels strongly for the people he voted for at the last meeting based on their experience and feels they can be independent to the process of reviewing the Fire Study. However, Cohen suggested that he understands that the perception can be different. He doesn't agree with this thinking and noted that he hasn't received so many calls and emails on any issue, therefore he has changed his mind on his vote.

Vote:

Cohen – Graveline & Merlin

Corona - Graveline & Merlin

Barlow- Graveline & Merlin

Noonan - Merlin & Webster

The Board voted by roll call to appoint Keith Graveline and Steve Merlin to the Fire House Study Committee.

Corona noted that Noonan had previously expressed interest and asked Noonan if he had any concerns about serving on this committee. Noonan replied that he had no concerns.

Voted: (Barlow/Cohen) voted unanimously to appoint Noonan to the Fire Study Committee

Annual Town Meeting Warrant Review

The Board reviewed the draft warrant dated 3/25/11. Colton referenced the articles and asked that the Board considering voting to include the articles. He noted the number of CPA Articles on the warrant. Sewer district articles were briefly discussed and three citizen petitions were referenced; one promotes reduction of the CPA surcharge; one involves a rent control board and one relates to the Finance Committee and how they review all warrant articles. Colton referenced a legal opinion from Town Counsel based on the wording of this article and suggested that the proposed warrant article is

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deficient. He noted that this still must be placed on the warrant unless the petitioners request to take this off the warrant.

Bob Hicks was present and spoke as one of the petitioners and noted the intent to conform with state law. His understanding is that the Finance Committee should be able to act on all warrant articles. This is contrary to advice that if the petition is approved at town meeting it would have to go on the ballot. Hicks referenced the opinion. Corona noted that he should review the opinion and discuss it further when this comes up for review at an upcoming Selectmen's Meeting.

Noonan asked about the Capital Budget article and suggested we move this toward the end of the warrant to keep the audience. Colton suggested it could be moved and reiterated that this is not the final warrant.

Voted: (Barlow/Cohen) voted unanimously to include the warrant articles as presented on the draft warrant

Town Administrator Performance Evaluation

Colton noted the annual process of the performance evaluation. He referenced the draft self evaluation included in the Board's packet and suggested that with the election coming up the end of April, it makes most sense to have the current Board do the evaluation.

Corona noted the process of the Board reviewing his self evaluation and then it is consolidated into one document. Corona asked at the Board send comments back to her for discussion at the next meeting.

Minutes

Voted: (Noonan/Barlow) voted unanimously to approve general minutes dated 12/13/10

Voted: (Barlow/Noonan) voted unanimously to approve general minutes dated 3/7/11

Voted: (Noonan/Cohen) voted unanimously to approve executive session minutes dated 1/10/11

Town Administrator Notes

Colton referenced a letter submitted by some residents of Massapoag Ave asking for the Selectmen to expand the no parking zone. Colton suggested that we consider sending this to the Traffic Safety committee for their review. The board agreed.

Public Participation

Resident Heather Lewis spoke in opposition to the train coming through Easton; she asked that the Selectmen and Town boards consider asking for an extension to review the DEIR. Corona agreed that the Board will be asking for an extension.

Selectmen's Notes

None

Press Notes

None

Voted: (Barlow/Noonan) voted unanimously to adjourn (8:10pm)

Respectfully submitted,

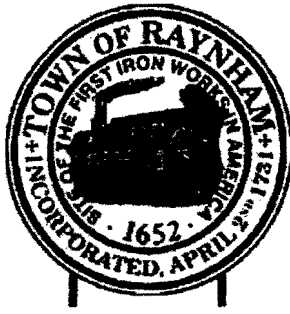
Approved 4/25/11

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Mary Southworth

List of Documents and Other Exhibits Used:

Agenda Notes
Green Communities Grant Announcement
Fliers for town wide spring events
South Coast Rail Draft Environmental Impact Report (DEIR)
Southeastern Regional School budget
Memos from the Planning Director re: zoning amendments
Draft#1 Annual Town Meeting Warrant
Draft support letter to Secretary Galvin for the Oakes Ames Memorial Hall
Proposed Bottle Bill Resolution
Update to FY12 Preliminary Budget Memo
Town Administrator Self Evaluation for FY11
General Minutes 12/13/10; 3/7/11
Executive Session Minutes 1/10/11
Town of Raynham letter regarding mitigation



www.town.raynham.ma.us

TOWN OF RAYNHAM
SELECTMEN AND BOARD OF HEALTH
558 SOUTH MAIN STREET
RAYNHAM, MASSACHUSETTS 02767
TEL.#: (508) 824-2707
Board of Health: (508) 824-2766
FAX#: (508) 823-1812

September 30, 2008

Kristina Egan
10 Park Plaza, Room 4150
Boston, MA 02116

Re: Commuter Rail

Dear Ms. Egan:

Enclosed please find a list of mitigation measures, compiled by the Town of Raynham, pursuant to the request of our (former) Town Planner, Richard McCarthy.

Most are self-explanatory, however, we would be happy to meet with you to review them.

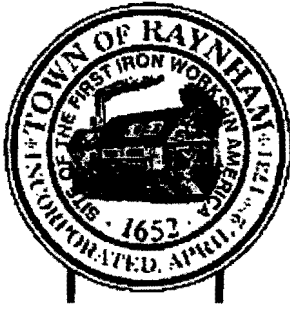
Thank you for your consideration.

Very truly yours,

Randall A. Buckner
Town Administrator

RAB/s
Enc: (1)

cc: John Bullard, Chairman, S.E. Mass. Commuter Rail Task Force
Steven Smith, Executive Director, SRPEDD



TOWN OF RAYNHAM
SELECTMEN AND BOARD OF HEALTH
558 SOUTH MAIN STREET
RAYNHAM, MASSACHUSETTS 02767
TEL.#: (508) 824-2707
Board of Health: (508) 824-2766
FAX#: (508) 823-1812

PROPOSED COMMUTER RAIL MITIGATION MEASURES
For Town of Raynham
South Coast Rail Project

1. Commuter rail stop that is compatible with the Town and accessible to residents.
2. No whistles at grade crossings.
3. Road improvements to Rt. 138 to be engineered, permitted and constructed by the State.
4. Sound barriers in accordance with Federal guidelines to protect residences along the route.
5. Any wetland restoration, mitigation and replication required must be within the Town of Raynham.
6. Mitigation for homeowners whose property values are negatively affected by proximity of the rail line in the form of full market value.
7. Public safety facility in North Raynham.
8. Safety education program for school children in public schools.
9. Mitigation for North Raynham Water District for any negative effects on wells.
10. If chosen route crosses Route 138, preference is for the train to pass underneath Route 138 rather than at-grade.

Adopted by unanimous vote of the Board of Selectmen on September 16, 2008.

Massachusetts Department of Elementary and Secondary Education FY12 Chapter 70 Summary, Preliminary

88 EASTON

Aid Calculation FY12

Prior Year Aid

1 Chapter 70 +SFSF FY11

[REDACTED]

Foundation Aid

2 Foundation budget FY12

32,076,583

3 Required district contribution FY12

23,438,516

4 Foundation aid (2 -3)

8,638,067

5 Increase over FY11 (4 - 1)

[REDACTED]

Non-Operating District Reduction to Foundation

6 Non-operating district reduction to foundation

[REDACTED]

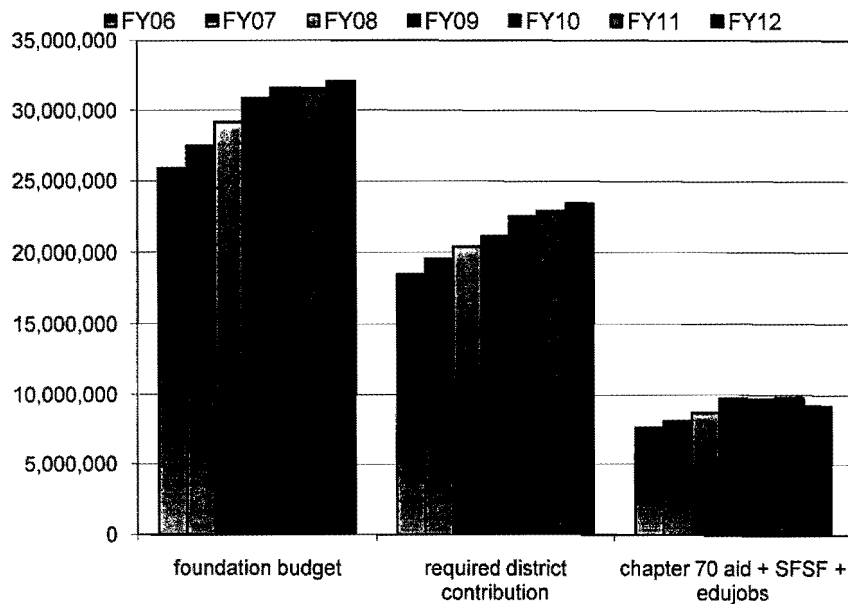
Chapter 70 Aid FY12

sum of line 1 and 5 minus line 6

[REDACTED]

Comparison to FY11

	FY11	FY12	Change	Pct Chg
Enrollment	3,803	3,785	-18	-0.47%
Foundation budget	31,588,230	32,076,583	488,353	1.55%
Required district contribution	22,880,367	23,438,516	558,149	2.44%
Chapter 70 aid	[REDACTED]	[REDACTED]	49,086	0.54%
Required net school spending (NSS)	32,023,817	32,631,052	607,235	1.90%
SFSF Grant	[REDACTED]	[REDACTED]	-49,086	-100.00%
Education jobs Grant	[REDACTED]	[REDACTED]	-613,290	-100.00%
Chapter 70 plus SFSF+Edujobs	[REDACTED]	[REDACTED]	-613,290	-6.25%
target aid share	30.09%	28.37%		
C70 & SFSF + Edujobs % of fndati	31.04%	28.66%		
Required NSS plus SFSF + Edujobs:	32,686,193	32,631,052	-55,141	-0.17%
Req NSS & SFSF +Edujobs % of fr	103.48%	101.73%		



Massachusetts Department of Elementary and Secondary Education
Determination of City and Town Total Required Contribution FY12

88 EASTON

Effort Goal

1) 2010 equalized valuation	3,256,098,100
2) Property percentage	0.3148%
3) Local effort from property wealth	10,249,497
4) 2008 income	918,962,000
5) Income percentage	1.4641%
6) Local effort from income	13,454,526
7) Combined effort yield (row 3+ row 6)	23,704,022
8) Foundation budget FY12	33,091,997
9) Maximum local contribution (82.5% * row 8)	27,300,898
10) Target local contribution (lesser of row 7 or row 9)	23,704,022
11) Target local share (row 10 as % of row 8)	71.63%
12) Target aid share (100% minus row 11)	28.37%

FY12 Increments Toward Goal

13) Required local contribution FY11	23,681,512
14) Municipal revenue growth factor (DOR)	2.61%
15) FY12 preliminary contribution (13 x 14)	24,299,599
16) Preliminary contribution pct of foundation (15/8)	73.43%
<i>If preliminary contribution is above the target share:</i>	
17) Excess local effort (15 - 10)	595,577
18) 20% reduction toward target (17 x 20%)	119,115
19) FY12 required local contribution (15 - 18)	24,180,484
20) Contribution as percentage of foundation (19 / 8)	73.07
<i>If preliminary contribution is below the target share:</i>	
21) Shortfall from target local share (11 - 16)	
22) Added increment toward target (13 x 1% or 2%)*	
<i>*1% if shortfall is between 5% and 10%; 2% if shortfall > 10%</i>	
23) Shortfall from target after adding increment (10 - 15 - 22)	
24) FY12 required local contribution (15 + 22)	
25) Contribution as percentage of foundation (24 / 8)	

See a listing of all 351 communities

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**Massachusetts Department of Elementary and Secondary Education
FY12 Chapter 70**

Apportionment of Local Contribution Across School Districts

88 EASTON	EASTON	SOUTHEASTERN	BRISTOL COUNTY	COMBINED TOTAL ALL DISTRICTS
<u>Prior Year Data (for comparison purposes)</u>				
1 FY11 foundation enrollment	3,803	73	5	3,881
2 FY11 foundation budget	31,588,230	1,036,133	69,913	32,694,277
3 Each district's share of municipality's combined FY11 foundation	96.62%	3.17%	0.21%	100.00%
4 FY11 required contribution	22,880,367	750,505	50,640	23,681,512
<u>Apportionment of FY12 contribution among community's districts</u>				
5 FY12 total unapportioned required contribution ("municipal contribution" sheet row 19 or 24)				24,180,484
6 FY12 foundation enrollment	3,785	66	3	3,854
7 FY12 foundation budget	32,076,583	972,635	42,779	33,091,997
8 Each district's share of municipality's total FY12 foundation	96.93%	2.94%	0.13%	100.00%
9 FY12 required contribution apportioned using row 8 percentages	23,438,516	710,709	31,259	24,180,484
10 Essex Agricultural adjustment				
11 Required district contribution FY12 (lines 10 + 11)	23,438,516	710,709	31,259	24,180,484
12 Change FY11 to FY12 (12 - 5)	558,149	-39,796	-19,381	498,972



TOWN OF EASTON
MASSACHUSETTS
Office of the Town Administrator

DAVID A. COLTON

Town Administrator

**Fiscal Year 2012
Preliminary Budget Update Memorandum
Town of Easton
David A. Colton
Town Administrator**

March 28, 2011

Overview. Bringing the Town's fiscal year 2012 budget into balance continues to present a number of significant challenges. Reduced revenues, increases in employee benefit costs, and dwindling reserves all play major roles in producing a deficit that was, earlier this year, projected to be \$2M. Since making that projection we have been working diligently to reduce the deficit and although we have had some success, the snow and ice deficit of approximately \$600,000 has eroded most of our gains leaving use with a projected deficit of \$1.8M. At this point there is little doubt that large cuts in the operating budgets of all departments will need to be made.

General Fund Revenues. Overall these revenues are expected to remain relatively flat in FY12 with a projected increase of slightly above 2%. Detailed projections with comparisons to prior years are attached for your review.

Taxation will grow minimally to \$43,961,666, an increase of 3.03% over FY11. The sources of this growth are the 2.5% tax levy increase allowed by law plus new growth in real estate values expected to generate \$350,000. New growth over the last three fiscal years has averaged \$370,000.

No appreciable growth is predicted in local receipts. There would need to be an appreciable increase in general economic activity to generate additional motor vehicle excise, building permit and other fees, or meals taxes. Although indications are that the general economy is improving, it is doing so slowly and without proven sustainability. It would be folly under current conditions to predict any sizable growth.

State Aid will once again be cut, but not by as much as expected. According to the Governor's budget state aid will decline by \$46,669.

Reserves. Town leaders wisely allotted funds to be set aside in a stabilization fund as part of the FY 2006 proposition 2 ½ override. In addition, these amounts were augmented in 2007 and 2008. When the current recession hit, we estimated that we could hold out for three years based on prudent use of the accumulated reserves.

While this is working well so far, FY 12 is the third year of that plan and reserves have tightened. Stabilization and free cash balances since the override year are as follows:

<u>Fiscal Year End</u>	<u>Stabilization</u>	<u>Free Cash</u>
2006	\$1,588,236.82	\$1,366,111
2007	\$2,051,665.58	\$1,612,388
2008	\$2,587,452.50	\$1,511,527
2009	\$2,918,257.28	\$ 688,651
2010	\$2,053,809.24	\$1,515,679
Projected 2011	\$ 793,809.24	\$ 275,679

I continue to recommend that we attempt to complete the year with a reserve balance of approximately \$1M which would leave FY12 reserve spending at a total of \$1,300,000. This means that the overall use of reserves would decrease by nearly \$400,000 in FY12 when compared with the previous year. The FY 2011 projection in the chart above reflects implementation of this plan.

Enterprise Funds. Two budgets (water and solid waste collection) are funded through user fees and therefore have no impact on the projected deficit.

Expenditures. For purposes of this update I will discuss the expenditure side of the budget in terms of changes made since the Preliminary Budget Memo of January 6, 2011.

1. I have already alluded to the snow and ice deficit of approximately \$600,000 which must be raised in fiscal 2012.
2. The Easton School Superintendent and Committee have been working very hard to bring in a budget that can be supported by revenues. At this time we are carrying a budget of \$33,103,793 or 3.9% above FY 2011. In addition, the Southeastern Regional School assessment is going down. Once we receive the Superintendents' report, the adjustment will be made.
3. Employee Benefits and Insurance primarily pays for employee health insurance, workers compensation insurance, liability insurance and pension costs. We project an increase of \$695,136 or 6.65% in this budget.

Next Steps. I will present, at your next meeting, a series of budget cuts totaling \$600,000 for Town Departments. The Superintendent of Schools is preparing a series of budget cuts totaling \$900,000. This would result in an overall Town budget of \$66,896,595 which is an increase of 1.7%. If these cuts are approved we would still need to produce *additional cuts or revenue* of approximately \$300,000 to balance the budget.

**TOWN OF EASTON
FY 2012 GENERAL FUND REVENUE PROJECTIONS**

Description	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Budget	FY 2010 Actual	Variance	FY 2011 Budget	FY 2012 Proj. w/ House 1	Increase/ Decrease	% Chg
Taxation:										
Real Estate & Personal Property	29,687,080	34,538,904	36,153,391	37,197,673	37,474,928		38,512,475	39,855,594	1,343,119	
Other Taxes	267,816	201,245	416,571	-	162,899		-	-	-	
2 1/2 % (budget/projection only)				930,546			959,056	996,390	37,332	
New Growth	1,014,056	621,330	371,633	360,098	360,098		380,307	350,000	(30,307)	
Operational Override	3,400,000									
Exempt Debt	1,598,321	1,723,328	2,230,931	2,773,076	2,773,076		2,815,508	2,759,682	(55,826)	
Total Taxation	35,967,273	37,084,807	39,172,526	41,261,393	40,771,001	(490,392)	42,667,348	43,961,666	1,294,318	3.03%
State Revenue:										
State Aid Chapter 70	8,115,511	8,764,374	8,764,241	9,598,361	9,598,361	-	9,143,450	9,192,536	49,086	0.54%
Charter Tuition Reimbursement	36,153	51,169	37,929	66,890	25,143	(41,747)	10,716	9,846	(870)	-8.12%
Lottery	2,679,163	2,725,472	2,097,996	1,929,409	1,929,409	-	1,852,233	1,718,309	(133,924)	-7.23%
General Fund Lottery Subsidy			361,889	-	-	-	-	-	-	0.00%
Police Career Incentive	155,126	152,612	154,535	31,015	32,197	1,182	16,139	17,392	1,253	7.76%
Veterans Benefits	105,423	96,289	125,876	136,429	143,472	7,043	164,460	200,105	35,645	21.67%
State Owned Land	59,797	66,808	71,633	64,532	64,532	-	63,884	63,650	(234)	-0.37%
Exemp: Vets, Blind, Surv Sp & Elderly	45,806	117,797	84,573	79,461	86,948	7,487	84,071	86,446	2,375	2.82%
Supplemental Distribution	-	-	-	-	-	-	-	-	-	0.00%
School Construction	1,245,934	1,245,934	983,980	983,980	983,980	-	983,980	983,980	-	0.00%
Total State Revenue	12,442,913	13,220,455	12,682,852	12,890,077	12,864,042	(26,035)	12,318,933	12,272,264	(46,669)	-0.38%
Local Receipts:										
Motor Vehicle Excise	2,771,420	3,115,660	2,822,055	2,700,000	2,704,299	4,299	2,600,000	2,600,000	-	0.00%
Penalties & Interest on Taxes & Excise	170,783	189,486	265,688	200,000	297,046	97,046	250,000	250,000	-	0.00%
Licenses & Permits	524,114	608,209	454,848	450,000	713,821	263,821	550,000	550,000	-	0.00%
Fees	862,696	872,098	920,929	870,000	877,509	7,509	870,000	870,000	-	0.00%
Fines & Forfeitures	60,157	56,679	38,494	38,000	43,086	5,086	38,000	38,000	-	0.00%
Investment Income	334,376	135,147	56,833	55,000	33,871	(21,129)	30,000	30,000	-	0.00%
Ames Fund	200,000	250,000	335,000	140,000	140,000	-	300,000	300,000	-	0.00%
Medicare Part D Subsidy	80,004	141,692	152,363	145,000	213,403	68,403	170,000	170,000	-	0.00%
Other Miscellaneous Income	190,061	120,111	798,114	100,000	135,677	35,677	91,220	100,000	8,780	9.63%
School Resource Officer Reimb		35,000	50,000	50,000	50,000	-	50,000	50,000	-	0.00%
Veterans Agent Reimb							37,119	37,119	-	0.00%
Medicaid Reimbursement	138,931	103,588	133,566	50,000	99,656	49,656	75,000	75,000	-	0.00%
Local Option Meals Tax		65,087	30,156	121,696	91,420	(30,276)	200,000	200,000	-	0.00%
Chapter 46, Supplemental Tax			30,000	30,000	47,434	17,434	30,000	30,000	-	0.00%
Total Local Receipts	5,332,542	5,692,757	6,058,046	4,949,696	5,447,222	497,526	5,291,339	5,300,119	8,780	0.17%
Total General Fund Revenue	53,742,728	55,998,019	57,913,224	59,101,166	59,082,265	(18,901)	60,277,620	61,534,049	1,256,429	2.08%
Exempt Debt Adjustments:										
Exempt Debt Raised by Taxation	(1,598,321)	(1,723,328)	(2,230,931)	(2,773,076)	(2,773,076)	-	(2,815,508)	(2,759,682)	55,826	-1.98%
Net General Fund Revenue	52,144,407	54,274,691	55,682,293	56,328,090	56,309,189	(18,901)	57,462,112	58,774,367	1,312,255	2.28%

Net General Fund Revenue:

1,312,255

Reserves/One-Time Revenues Increases/(Decreases) FY10-FY11:

Free Cash	856,954
Stabilization Fund	(1,140,000)
Overlay Surplus	(35,000)
Recurring: Revolving / Conservation	(78,121)
Subtotal reserves/one-time revenues	(396,167)

Subtotal available funds increase (decrease)

916,088

Uncontrollable Cost (Increases)/Decreases FY10-FY11:

Change in Unappropriated Expenses	(379,498)
Change in SE Regional School Assessment	-
Change in debt within Prop 2 1/2 (non-exempt)	-
Change in Health Insurance	(597,296)
Change in Pension Assessment	(81,733)
Change in Worker's Comp Insurance	42,631
Change in General Insurance	(6,358)
Change in Medicare Taxes	(60,000)
Subtotal uncontrollable cost (increases)/decreases	(1,082,254)

Net Surplus (Deficit) Before for FY11 Budget Increases

(166,166)

Less: General Government Increases	1.80%	(239,297)
School Budget Increase	3.90%	(1,402,954)

Surplus (Deficit)

(1,808,417)

**TOWN OF EASTON
PRELIMINARY BUDGET SUMMARY**

	FY 2012 Preliminary	Budget Adjustments	Adjusted Budget 3/28/11	% of Tot Budget	Comparative Amounts		
					FY 2011 Budget	Increase/ Decrease	% Chg
Revenues:							
Operating Revenue:							
Taxation	43,961,666		43,961,666	66.03%	42,667,348	1,294,318	3.03%
State Aid	11,494,257	778,007	12,272,264	18.43%	12,318,933	(46,669)	-0.38%
Local Receipts	5,300,119		5,300,119	7.96%	5,291,339	8,780	0.17%
Enterprise Receipts	3,693,392		3,693,392	5.55%	3,716,887	(23,495)	-0.63%
<i>Sub-total Operating</i>	64,449,434	778,007	65,227,441	97.97%	63,994,507	1,232,934	1.93%
Reserves/One-Time Revenues:							
Non-recurring:							
Free Cash	1,240,000		1,240,000	1.86%	383,046	856,954	223.72%
Stabilization Fund	60,000		60,000	0.09%	1,200,000	(1,140,000)	-95.00%
Overlay Surplus			-	0.00%	35,000	(35,000)	-
<i>Sub-total Non-recurring</i>	1,300,000	-	1,300,000	1.95%	1,618,046	(318,046)	-19.66%
Recurring:							
Revolving Accounts	-		-	0.00%	75,000	(75,000)	-100.00%
Conservation Fund	61,057		61,057	0.09%	64,178	(3,121)	-4.86%
<i>Sub-total Recurring</i>	61,057	-	61,057	0.09%	139,178	(78,121)	-56.13%
<i>Sub-total Reserves</i>	1,361,057	-	1,361,057	2.04%	1,757,224	(396,167)	-22.55%
Total Operating Revenues/Reserves	65,810,491	778,007	66,588,498	100.01%	65,751,731	836,767	1.27%
Expenditures:							
Unappropriated Expenses (detail on pg. 2)	1,235,351	359,647	1,594,998	2.33%	1,215,500	379,498	31.22%
Transfer to Stabilization Fund (taxation amt)	-		-	0.00%	-	-	0.00%
120 Selectmen	333,423		333,423	0.49%	334,423	(1,000)	-0.30%
131 Finance Committee	2,000		2,000	0.00%	2,000	-	0.00%
132 Reserve Fund	60,000		60,000	0.09%	56,108	3,892	6.94%
135 Accountant	189,732		189,732	0.28%	189,278	454	0.24%
140 Assessors	229,139		229,139	0.34%	220,278	8,861	4.02%
145 Collector /Treasurer	316,357		316,357	0.46%	304,815	11,542	3.79%
150 Town Counsel	160,000		160,000	0.23%	160,000	-	0.00%
155 Data Processing	189,667		189,667	0.28%	187,200	2,467	1.32%
160 Town Clerk	203,549		203,549	0.30%	221,262	(17,713)	-8.01%
175 Planning and Community Development	244,930		244,930	0.36%	224,737	20,193	8.99%
210 Police	3,855,057		3,855,057	5.64%	3,824,749	30,308	0.79%
220 Fire	2,998,778		2,998,778	4.38%	2,852,162	146,616	5.14%
231 Ambulance	429,474		429,474	0.63%	413,620	15,854	3.83%
240 Inspectional Services	297,583		297,583	0.44%	285,566	12,017	4.21%
310 SE Regional School	857,976	(77,998)	779,978	1.14%	779,978	-	0.00%
400's DPW Admin	2,677,298		2,677,298	3.91%	2,710,636	(33,338)	-1.23%
510 Board of Health	224,472		224,472	0.33%	215,831	8,641	4.00%
541 Council on Aging	229,934		229,934	0.34%	228,117	1,817	0.80%
543 Veterans Department	298,426		298,426	0.44%	265,768	32,658	12.29%
610 Library	455,500		455,500	0.67%	448,997	6,503	1.45%
630 Recreation Department	16,550		16,550	0.02%	18,725	(2,175)	-11.62%
700 Debt & Interest (detail on pg. 2)	4,936,444	-	4,936,444	7.22%	4,992,270	(55,826)	-1.12%
910 EE Benefits & Insurance (detail on pg.2)	11,311,863	(157,269)	11,154,594	16.31%	10,459,138	695,456	6.65%
920 Other General Government	109,600		109,600	0.16%	110,600	(1,000)	-0.90%
61-450 Water Division	2,335,139		2,335,139	3.41%	2,358,634	(23,495)	-1.00%
62-430 Solid Waste & Recycling	810,500		810,500	1.18%	810,500	-	0.00%
300 School Department	32,661,360	442,433	33,103,793	48.40%	31,860,839	1,242,954	3.90%
300 School Department (Buildings & Grounds)	160,000		160,000	0.22%		160,000	0.00%
Total Budget	67,830,102	566,813	68,396,915	100.00%	65,751,731	2,645,184	4.02%
Surplus/(Deficit)	(2,019,611)	211,194	(1,808,417)		-	(1,808,417)	

Free Cash Balance
Stabilization Fund Balance
Water Surplus

1,515,679.00 Certified balance 7/1/10
869,258.40 As of 2/28/11
575,085 Certified balance 7/1/10

**TOWN OF EASTON
PRELIMINARY BUDGET SUMMARY**

UNAPPROPRIATED EXPENSE DETAIL							
	FY 2012 Preliminary	Budget Adjustments	Adjusted Budget 3/28/11	% of Total	Comparative Amounts		
					FY 2011 Budget	Increase/ Decrease	% Chg
Cherry Sheet Charges/Assessments							
County Assessment	278,191		278,191	17.44%	271,406	6,785	2.50%
Retired EE Health Ins	-		-	0.00%	-	-	0.00%
Mosquito Control	42,102		42,102	2.64%	41,075	1,027	2.50%
Air Pollution Districts	6,757		6,757	0.42%	6,592	165	2.50%
Old Colony Planning Council	7,477		7,477	0.47%	7,295	182	2.49%
RMV Non-Renewal Surcharge	15,949		15,949	1.00%	15,560	389	2.50%
MBTA	150,520		150,520	9.44%	146,849	3,671	2.50%
Special Education	10,503		10,503	0.66%	10,247	256	2.50%
Charter Schools/School Choice	148,499		148,499	9.31%	144,877	3,622	2.50%
Sub-total	659,998	-	659,998	41.38%	643,901	16,097	2.50%
Other Unappropriated Expenses							
Overlay	350,000		350,000	21.93%	346,246	3,754	1.08%
Snow & Ice Overexpended	225,353	359,647	585,000	36.68%	225,353	359,647	159.59%
Other (Appropriation/Overlay Deficit)			-	0.00%	-	-	0.00%
Sub-total	575,353	359,647	935,000	58.61%	571,599	363,401	63.58%
Total Unappropriated Expenditures	1,235,351	359,647	1,594,998	99.99%	1,215,500	379,498	31.22%
DEBT & INTEREST BUDGET							
	FY 2012 Preliminary	Budget Adjustments	Adjusted Budget 3/28/11	% of Total	Comparative Amounts		
					FY 2011 Budget	Increase/ Decrease	% Chg
Non-exempt Debt							
School Principal	120,000		120,000	2.43%	120,000	0	0.00%
School LT Debt Interest	45,413		45,413	0.92%	48,713	(3,300)	0.00%
School ST Debt Interest			-	0.00%	-	0	0.00%
	165,413	-	165,413	3.35%	168,713	(3,300)	-1.96%
Town Principal	597,419		597,419	12.10%	643,516	(46,097)	-7.16%
Town LT Debt Interest	154,046		154,046	3.12%	177,379	(23,333)	-13.15%
Town ST Debt Interest	18,400		18,400	0.37%	2,000	16,400	820.00%
Capital Budget Reserve	257,504		257,504	5.22%	201,174	56,330	0.00%
	1,027,369	-	1,027,369	20.81%	1,024,069	3,300	0.32%
Total Non-exempt Debt	1,192,782	-	1,192,782	24.16%	1,192,782	-	0.00%
Exempt Debt							
School Principal	2,460,000		2,460,000	49.83%	2,445,000	15,000	0.61%
School LT Debt Interest	1,283,662		1,283,662	26.00%	1,316,988	(33,326)	-2.53%
School ST Debt Interest			-	0.00%	37,500	(37,500)	-
Total Exempt Debt	3,743,662	-	3,743,662	75.83%	3,799,488	(55,826)	-1.47%
Total Debt & Interest Budget	4,936,444	-	4,936,444	99.99%	4,992,270	(55,826)	-1.12%
EMPLOYEE BENEFITS & INSURANCE DETAIL							
	FY 2012 Preliminary	Budget Adjustments	Adjusted Budget 3/28/11	% of Total	Comparative Amounts		
					FY 2011 Budget	Increase/ Decrease	% Chg
EE Health Insurance - Town	2,336,055	(169,905)	2,166,150	19.42%	2,123,686	42,464	2.00%
EE Health Insurance - School	5,015,392	62,316	5,077,708	45.52%	4,522,876	554,832	12.27%
Executive Loss Control Committee	2,500		2,500	0.02%	2,500	-	0.00%
Retirement Assessment - County	2,759,662	(49,680)	2,709,982	24.29%	2,628,249	81,733	3.11%
Reserve for Salary Increase	-		-	0.00%	7,300	(7,300)	0.00%
General Insurance - Town	215,754		215,754	1.93%	181,875	33,879	18.63%
General Insurance - School	200,000		200,000	1.79%	227,521	(27,521)	-12.10%
Worker's Comp - Town	95,000		95,000	0.85%	95,000	-	0.00%
Worker's Comp - School	115,000		115,000	1.03%	157,631	(42,631)	-27.04%
Tuition	1,500		1,500	0.01%	1,500	-	0.00%
Medicare - Town Share	170,000		170,000	1.52%	150,000	20,000	13.33%
Medicare - School Share	400,000		400,000	3.59%	360,000	40,000	11.11%
Noncontributory Pension	1,000		1,000	0.01%	1,000	-	0.00%
Total Employee Benefits & Insurance	11,311,863	(157,269)	11,154,594	99.98%	10,459,138	695,456	6.65%

**TOWN OF EASTON
COMMONWEALTH OF MASSACHUSETTS**

WARRANT FOR ANNUAL TOWN MEETING

May 16, 2011

BRISTOL, SS.

To either of the Constables of the Town of Easton in the County of Bristol:
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Easton qualified to vote in elections and Town affairs to meet in the Oliver Ames High School Auditorium in said Easton on Monday, the 16th day of May, next, at 7:00 P.M., then and there to act upon the following articles:

ARTICLE 1. ACCEPTANCE OF ANNUAL REPORTS

To see if the Town will vote to accept the reports of the Selectmen, Town Administrator, Assessors, Board of Health, Town Clerk, Treasurer, Collector of Taxes, School Committee, Town Accountant, Director of Public Works, and other Departments, Boards and Committees of the Town, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual vote to accept the Town Report.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

ARTICLE 2. RE-AUTHORIZATION OF REVOLVING FUNDS

To see if the Town will vote to re-authorize revolving funds for the Fiscal Year July 1, 2011 – June 30, 2012 under the provisions of Massachusetts General Laws Chapter 44, §53E½ for the following:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Chapter 227 Filing Fee Account	Conservation Commission	Fees required by Chapter 227, Wetlands Regulations, of the Code of the Town of Easton	Supplies, services and administrative costs as necessary to aid the Commission in making decisions on conservation applications, or enforcement	\$50,000	Available for expenditure next year

Annual Town Meeting Warrant Draft#1 3/25/11

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Subdivision Review, Special Permit and Inspection Fees Account	Planning & Zoning Board	Fees received from applicants for subdivision or special permit approval for application review, publication of notices and inspections	actions. Services of expert engineers and consultants, related administrative costs, deemed necessary by the Board; costs and expenses of application review and inspections during construction; the purchase of software; and any other related expenses.	\$50,000	Available for expenditure next year
Town Clerk's Record Preservation Fund	Town Clerk	Fees and receipts received from a surcharge applied to all certified vital record copies	Supplies, services, and related administrative costs to aid in the preservation, restoration and documentation of the permanent records of the Town.	\$10,000	Available for expenditure next year

or take any other action with respect thereto.

Submitted by Board of Selectmen

Explanation: This article is required annually to re-authorize revolving funds previously established by Town Meeting.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 3. SUPPLEMENT FISCAL YEAR 2011 BUDGETS

Annual Town Meeting Warrant Draft#1 3/25/11

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to supplement fiscal year 2011 budgets, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 4. PAYMENT OF BILL(S) FROM A PRIOR FISCAL YEAR

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to pay the cost of bills incurred in a prior fiscal year, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: There are no prior year bills at this time. This article will be dismissed unless any prior year bills are discovered.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 5. APPROPRIATION OF FUNDS FOR SEXUAL ASSAULT SURVIVOR AND PREVENTION SERVICES

To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds, the amount of \$5,000 to fund a contract for fiscal year 2012 for services provided to sexual assault survivors and their families, as well as services associated with the prevention of sexual assaults and other services associated therewith, and further to authorize the Board of Selectmen to enter into said contract, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: We have appropriated funds for this purpose for many years and propose that we continue to make these essential services available in the community.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 6. ELECTED OFFICIALS' COMPENSATION

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

Board of Selectmen, each member	\$1,800
Board of Health, each member	\$1,000
Board of Assessors, each member	\$1,800

Annual Town Meeting Warrant Draft#1 3/25/11

Moderator \$ 100
or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual article, required by statute, to set the salary levels for all compensated elected officials.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 7. FY 2012 OPERATING BUDGET

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money to defray the Town charges for the ensuing fiscal year including the salaries of the several elected and appointed officers of the Town, and make appropriations for same, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This is the annual operating budget for the Town. The Town Administrator and others will make a presentation at town meeting regarding this proposal.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 8. FY 2012 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or appropriate by transfer from available funds, a sum of money for the purpose of meeting the capital budget needs of the Town for fiscal year 2012, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This is the annual capital budget for the Town.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 9. LONG-TERM LEASE FOR PHONE SYSTEM

To see if the Town will vote to authorize the Board of Selectmen to enter into a five year lease for the purchase of a telephone system for the town offices, fire and public works departments, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: The existing telephone system is leased by the town on an operating basis and is not owned. This authorization will enable the town to install a new system that will be owned by the town at the end of the lease. Funding for the lease payments will come from the annual operating budget.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 10. FUNDING FOR NORTH EASTON VILLAGE WASTEWATER TREATMENT AND COLLECTION FACILITIES CONSTRUCTION

Town Counsel is reviewing the draft article.

ARTICLE 11. SEWER BYLAW

Town Counsel is reviewing the draft article.

ARTICLE 12. NORTH EASTON VILLAGE WASTEWATER TREATMENT FACILITY AND SEWER COLLECTION SYSTEM PROJECT – TEMPORARY AND PERMANENT EASEMENTS

Town Counsel is reviewing the draft article.

ARTICLE 13. NORTH EASTON VILLAGE WASTEWATER TREATMENT FACILITY AND SEWER COLLECTION SYSTEM PROJECT – PURCHASE OF LAND

Town Counsel is reviewing the draft article.

ARTICLE 14. APPROPRIATION OF FUNDS FOR PRELIMINARY DESIGN PLANS FOR NORTH EASTON VILLAGE

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or appropriate by transfer from available funds, the sum of \$95,000 for the preparation of preliminary design plans for streetscape and utility improvements along Main Street in North Easton Village, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This article is requesting authorization to provide a capital appropriation for preliminary design plans for streetscape and utility improvements along Main Street in North Easton Village. The preliminary design plans would be included as part of the Town's application to the MassWorks Infrastructure Grant Program administered by the Executive Office of Housing and Economic Development. The Massworks Infrastructure Grant program provides funding to municipalities for publicly owned infrastructure including streets, streetscape, sewers, pedestrian walkways, etc.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 15. TRANSFER TO UNEMPLOYMENT TRUST FUND

To see if the Town will vote to raise and appropriate or appropriate and transfer from available funds a sum of money to be transferred into the unemployment trust fund, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The balance in the trust fund has been depleted due to federal extensions of benefits and needs to be replenished. At this time the estimated amount to be transferred is \$45,000.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 16 . FUND SICK LEAVE BUYBACK REQUESTS AS REQUIRED BY COLLECTIVE BARGAINING

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to pay the cost of accumulated sick-leave required to be paid by collective bargaining contract, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This article will fund the buyback of accumulated sick time for several members of the police union who have opted to purchase their time in the following fiscal year, rather than upon retirement, as allowed by union contract and the buyback of accumulated sick time for a former employee who was determined eligible through arbitration. The estimated amount to be appropriated is \$50,252.10.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 17. RETIREMENT CONTRIBUTIONS AND OTHER PAY FOR ACTIVATED PERSONNEL

To see if the town will vote to raise and appropriate or appropriate and transfer from available funds the sum of \$10,366.06 for the purpose of paying certain retirement contributions and other pay for personnel activated for military duty, or act thereon.

Submitted by Board of Selectmen

Explanation: Several employees were activated for military duty during fiscal years 2009 and 2010. These employees received adjusted pay from the town, offset by the employees' military pay. In addition to paying wages, the town is also responsible to pay county retirement contributions on the military share of pay to allow for no loss in pension eligibility. The amounts due to the retirement board were not determined until after the employees had returned to work from active duty and the fiscal year had closed. It was also discovered that one employee's pay was not adjusted for contractual increases when a collective bargaining agreement was settled and that pay is also included in the appropriation.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 18. REPORT AND FY 2012 BUDGET OF THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation Budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: This article proposes the fiscal year 2012 budget for the Community Preservation Committee. Estimated revenues for FY12 total \$1,155,851, of which \$57,793 shall be appropriated for administrative costs and \$115,585 will be reserved for both historic preservation and community housing. Debt service for open space is \$111,125 and \$4,460 shall also be reserved for open space.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 19. CITIZEN PETITION

To see if the Town will vote to reduce the local real estate tax surcharge from the prevailing CPA surcharge rate of 3 percent to a surcharge rate of 1.5 percent effective as of July 1, 2011. The existing two exemptions, which are (1) an exemption for the first \$100,000 of assessed value for every residence, and (2) an exemption for property owned and occupied by lower income persons, will continue to be in effect.

Submitted by Citizen Petition

Explanation: This article was submitted by Citizen Petition.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 20. ACQUISITION OF LAND ON CHESTNUT STREET

To see if the Town will vote to authorize the Board of Selectmen, with the approval of the Community Preservation Committee to purchase the property located at 43, 47, and 51 Chestnut Street, shown on Assessor's Map 7R, Lots 7, 227, and 228, said property containing approximately 16.7 acres, more or less, owned by James and Michael Bertarelli, being described in several deeds recorded in the Bristol County Registry of Deeds under the Community Preservation Act (Mass. Gen. Laws, c.44B) for one or more of the following uses:

- Acquisition, creation and preservation of land for recreational use; and

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- Acquisition, creation and preservation of open space

and that, to fund such purchase, the Town appropriate the sum of \$2.3 Million for said purpose, including other costs incidental and related thereto, and to meet said appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money and to issue any bonds or notes which may be necessary for that purpose, as authorized by Mass. Gen. Laws, c. 44B, §11, or any other enabling legislation, or in the alternative, to raise and appropriate or appropriate by transfer from available funds, a sum of money to fund said acquisition, and further, to authorize the Board of Selectmen to take all actions necessary to accomplish said purpose, and further, to convey all or part of the land to the care, custody and control of the Board of Selectmen and/or the Conservation Commission, and further, to authorize the Selectmen to accept and/or convey conservation or preservation restrictions as required by G.L. c 44B, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: Brad Washburn, Planning Director and staff for the Community Preservation Committee, will make a presentation at town meeting to explain this article.

ARTICLE 21. CPA FUNDING FOR GOVERNOR AMES ESTATE

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate \$500,000 from available Community Preservation Funds for the purpose of funding a portion of the purchase of conservation and/or historical preservation restrictions in compliance with G.L. c. 44B, on the property known as the Governor Ames Estate, located at 35 Oliver Street, 23 and 27 Sullivan Avenue, 105 Elm Street, and 59 Pond Street, and listed on Assessors Map 12U as Lots 16 and 17; Map 16U as Lots 130 and 131; and Map 17 as Lot 2; and to authorize the Selectmen to accept and/or convey such restrictions, as required under G.L. c. 44B; and further to authorize the Selectmen to apply for and accept any grants or gifts with respect to the purchase of said restrictions, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The Trustees of Reservations is working to acquire the Governor Ames Estate in order to protect the historic and natural resources on the site. The Trustee's proposal will preserve approximately 48 acres of open space and existing historic structures. The total cost of the project is approximately \$4 million, with approximately \$2 million to fund the purchase of the property and another \$2 million to fund the public access improvements and ongoing stewardship obligations. The Trustees are requesting \$500,000 from CPA funds to acquire a conservation restriction, \$500,000 from State funds, and \$3 million to be acquired through private fundraising efforts to fund the project.

The Community Preservation Committee recommended approval of funding for the Governor Ames Estate project at its meeting of March 3, 2011, subject to the following conditions:

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The conservation restriction shall be subject to approval by the Easton Conservation Commission, and shall include a clause to indemnify the Town against any reasonable costs or attorney fees to enforce the restriction;

ARTICLE 22. QUESSET GARDEN RESTORATION

To see if the Town will vote pursuant to G.L. Chapter 44B, in accordance with the recommendations of the Easton Community Preservation Committee, to appropriate the sum of \$120,000.00 from available Community Preservation Funds to fund Phase II of the Queset Garden historic restoration project at the Ames Free Library on 53 Main Street, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 23. OAKES AMES MEMORIAL HALL RESTORATION

To see if the Town will vote pursuant to G.L. Chapter 44B, in accordance with the recommendations of the Easton Community Preservation Committee, to appropriate the sum of \$140,000 from available Community Preservation Funds to perform historical restoration work at Oakes Ames Memorial Hall, 1 Barrows Street Extension, said work to include restoration cleaning; repointing mortar joints, stone joints, and granite and brownstone; repair of masonry fractures and bulges; natural stone patching; replacement of granite stones; and sealant repair; provided that funding is contingent on the receipt of matching state grants to fund the remainder of the project; and further, authorizing the Selectmen to accept a historic preservation restriction on the property, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 24. AFFORDABLE HOUSING

To see if the Town will vote pursuant to G.L. Chapter 44B, in accordance with the recommendations of the Easton Community Preservation Committee, to appropriate the sum of \$25,000 from available Community Preservation Funds to fund the development of an affordable housing unit at 12A Highland Street and to authorize the Selectmen to accept an affordable housing restriction on said property, as required under G.L. c. 44B, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 25. AFFORDABLE HOUSING TRUST FUND

To see if the Town will vote pursuant to G.L. Chapter 44B, in accordance with the recommendations of the Easton Community Preservation Committee, to appropriate the sum of \$207,500 from available Community Preservation Funds to the Affordable Housing Trust Fund to facilitate implementation of Easton's Affordable Housing Action Plan, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation:

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 26. REPLENISHMENT OF CPA FUNDS

To see if the Town will vote to transfer available funds in the amount of \$15,000 received as a grant from the Massachusetts Historical Commission into the Community Preservation Fund, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The Historical Commission received a \$15,000 reimbursement grant award from the Massachusetts Historical Commission to conduct a Historic Property Survey of the North Easton Village. The project was funded with CPA funds. Subsequently, the project has been completed and the Town has received the reimbursement monies totaling \$15,000. This Article asks the Town to vote to use the grant reimbursement to replenish the CPA funds used to conduct the survey.

Selectmen Recommendation:

Finance Committee Recommendation:

**ARTICLE 27 . APPROPRIATION AND AUTHORIZATION TO EXPEND
CHAPTER 90 FUNDS**

To see if the Town will vote to appropriate by transfer from available funds received from the State's FY 2012 Chapter 90 apportionment a sum of money for the construction, reconstruction or improvement of public roads and sidewalks, and to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of said funds, and to take any other action relative thereto.

Submitted by Board of Selectmen

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Explanation: This is the Town's annual share of Chapter 90 funds provided by the State for road related improvements in the community. The actual amount to be appropriated is not available at this time.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 28. SEPTIC LOAN PROGRAM

To see if the Town will vote to appropriate a sum of money 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 without limitation 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 Water Pollution Abatement Trust or otherwise, or to take any other action relative thereto.

Submitted by Board of Health

Explanation: If approved, this will allow the Town to avail itself of funds available through the Massachusetts Water Pollution Abatement Trust at 0% interest which will then be used to provide loans to residents for the express purpose of upgrading failed septic systems which are no longer protecting the public health. The monies will be offered as betterment loans which will be paid back with interest over a period of time, not to exceed 20 years. Betterments appear as additional charges on the real estate tax bill.

Since June of 1997 this program has been used by towns in Southeastern Massachusetts to provide individuals access to over 47 million dollars thus facilitating the upgrading of over 4,600 failed septic systems.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 29. APPROPRIATE FUNDS FOR SPECIAL EDUCATION PURPOSES

To see if the town will vote to appropriate and transfer from available funds received from Project Spoke the sum of \$286,000 for the purpose of paying special education costs in excess of budgeted amounts, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The Town was a member of a special educational collaborative known as "Project Spoke." The collaborative has disbanded and surplus funds were distributed back to member communities. Easton's share was approximately \$286,000. The proposed appropriation shall be used to stabilize unanticipated special education costs.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 30. APPROPRIATE FUNDS FOR ACTUARIAL VALUATION

To see if the town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to conduct an actuarial valuation of the Town's unfunded post employment benefits liability, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The actuarial valuation is a financial reporting requirement that the Town must comply with. It will determine the estimated unfunded liability for post employment benefits other than pensions, which are primarily health insurance benefits. The valuation is good for two years and the estimated cost is \$10,000.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 31. ACCEPTANCE OF SECTION 18 OF MGL CHAPTER 32B

To see if the Town will vote to accept the terms of § 18 of MGL Chapter 32B, which section provides that the Town require retirees who are eligible for Medicare to switch to one of the Town's Medicare supplement insurance programs, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This article would allow the town to require that retirees switch to Medicare upon eligibility. This switch is most cost effective for the retiree and the town. The town presently offers two supplemental insurance programs for Medicare-eligible retirees to ensure that our retirees have ample choices to suit their individual needs.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 32. AMENDMENT TO §227 WETLANDS PROTECTION BYLAW

To see if the Town will vote to amend the following portion of §227 of the Town's "Wetlands Protection Bylaw" Bylaw.

Delete the following section in its entirety:

§ 227-7. C

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional three-year period, provided that a request for a renewal is received in writing by the Commission prior to expiration. Provided, further, that the time from the date of an appeal of said permit or an appeal of the state order of conditions issued by the Conservation Commission on the same

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proposed work as the permit until all such appeals shall be resolved through the entire appellate process, including all possible administrative and judicial appeals, shall not be considered as part of the three- or five-year permit period, notwithstanding that no judicial order to stay the work has been entered. This tolling provision shall be applicable to all permits or extension permits in effect on the effective date of this provision. Where the time period of a permit has been stopped under this tolling provision, the Commission shall review the proposed project and permit conditions for possible amendment of the permit and work shall not commence until the completion of such review.

Replace

§ 227-9. Definitions.

- A. The following definitions shall apply in the interpretation and implementation of this chapter:
ALTER - Includes, without limitation, the following activities, when undertaken to, upon, within or affecting resource areas protection¹ by this chapter:
- (1) Removal, excavation or dredging of soil, sand, gravel or aggregate materials of any kind.
 - (2) Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns or flood retention characteristics.
 - (3) Drainage, or other disturbances of water level or water acceptable.

With:

§ 227-9. Definitions.

- A. The following definitions shall apply in the interpretation and implementation of this chapter:
ALTER - Includes, without limitation, the following activities, when undertaken to, upon, within or affecting resource areas protected¹ by this chapter:
- (4) Removal, excavation or dredging of soil, sand, gravel or aggregate materials of any kind.
 - (5) Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns or flood retention characteristics.
 - (6) Drainage, or other disturbances of water level or water table.

Submitted by the Conservation Commission

Explanation: The proposed amendments correct typographical errors. Further, the parameters for granting an extension of permits have been established in the regulations of the Commission.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

ARTICLE 33. AMENDMENT TO §114 DEMOLITION REVIEW

To see if the Town will vote to amend § 114-3(H) and (I) of the Town's "Building Permit Demolition Permit Review" Bylaw by replacing it in its entirety with the following:

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- H. The Commission may determine that the Building is either: (1) not preferably preserved in its entirety; or (2) that it is not preferably preserved provided that any demolition adhere to certain conditions:
1. In the event that the Commission shall determine the building is not preferably preserved in its entirety, it shall so notify the Building Inspector and applicant in writing. The Building Inspector may then issue the demolition permit.
 2. In the event that the Commission shall determine that the building is not preferably preserved but that conditions must be placed on any demolition so as to preserve the historical and social character of the Property, the area and the Town, the Commission shall provide a detailed written list of such conditions and the reasons for the imposition of the same to the applicant and the Building Inspector. The Building Inspector may then issue the demolition permit provided that such permit contains the conditions imposed by the Commission.

Submitted by the Historical Commission

Explanation: the proposed amendment would allow the Commission to determine that a building or portion of a building may not be preferably preserved, and therefore demolished, but with certain conditions that will preserve the historical and social aspects of the property important to the area and the Town.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

ARTICLE 34. AGRICULTURAL COMMISSION BYLAW

To see if the Town will vote to amend its General Bylaws by adding a new Section _____, to create an Agricultural Commission, as follows:

Section _____ - Agricultural Commission

1. Purpose – The Agricultural Commission is created to promote, preserve, encourage and facilitate agricultural activities within the Town of Easton. The Commission’s activities include, but are not limited to the following:
 - a. Development of long and short range plans and strategies to facilitate, preserve, promote and encourage agriculture;
 - b. Actions as a mediator, facilitator, promoter, advocate, negotiator and educator for agricultural activities;
 - c. Promotion of preservation of prime agricultural lands and working farmlands;
 - d. Providing of advice to the Board of Selectmen, Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Community

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Preservation Committee and Historical Commission on projects and activities that involve or affect agriculture or agricultural lands within the Town;

- e. Pursuit of initiatives, grants and other opportunities for assistance in the promotion, facilitation and encouragement of agricultural activities in the Town of Easton.

- 2. Composition – The Commission shall consist of seven members, appointed by the Board of Selectmen. Potential members shall demonstrate an interest in carrying out the Purpose of the Commission, as set forth above. In appointing the members of the Commission, the Selectmen may consider a candidate’s actual experience in agricultural activities. The term of office shall be three years, provided that appointments of the initial members of the Commission shall be as follows: three members for a term of three years; two members for a term of two years; and two members for a term of one year. Vacancies shall be filled based upon the unexpired term of the vacated position so as to maintain staggered terms. The Commission shall make recommendations to the Selectmen for the filling of any vacancy.

Or take any other action in relation thereto.

Submitted by Board of Selectmen

Explanation: Easton has a long history as an agricultural community. An Agricultural Commission will help ensure agricultural activities are supported within the Town by advocating for farmers and farmland preservation; and promote a beneficial relationship between the agricultural community and the public.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

ARTICLE 35. SENIOR TAX WORK-OFF PROGRAM

To see if the Town will accept the provision of Chapter 27, section 24, of the acts of 2009 which amends MGL Chapter 59, Section 5K, the Senior Tax Work-Off Program. “**Section 24.** Section 5K of chapter 59 of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the figure “\$750” and inserting in place thereof the following figure:- \$1,000.”

Submitted by Council on Aging

Explanation: Acceptance of this article would increase the maximum amount of property tax credit an elderly homeowner could earn in the Senior Tax Work-Off Program from \$750 to \$1,000. The effective date of this change will be 7/1/11.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 36 . SENIOR TAX WORK-OFF PROGRAM

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To see if the Town will accept the provisions of Chapter 188, Section 43, of the acts of 2010, which amends MGL Chapter 59, Section 5K, the Senior Tax Work-Off Program. “**Section 43.** Section 5K of said chapter 59, as amended by section 24 of chapter 27 of the acts of 2009, is hereby further amended by adding the following paragraph:-A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.”

Submitted by Council on Aging

Explanation: Acceptance of subsection 1 of this article would allow someone else to work off the hours on behalf of a senior homeowner who is not capable of doing the work themselves. Acceptance of subsection 2 of this article would allow the maximum reduction of the property tax credit to be based on 125 hours of service, rather than \$1,000. Therefore if the minimum wage increases, the maximum property tax credit would also increase. The effective date of this change will be 7/1/11.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 37. SUNDAY MORNING LIQUOR SALES

To see if the Town will vote to accept provisions of Massachusetts General Law Chapter 138, §33B, providing the Selectmen with the discretion to permit Section 12 (on-premise) licensees to sell alcoholic beverages between the hours of 10 AM and 12 Noon on Sundays; or act or do anything in relation thereto.

Submitted by Board of Selectmen

Explanation: Acceptance of the provision of this law will allow the Selectmen to license restaurants for the sale of alcoholic beverages between 10am and 12noon on Sundays.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 38. ACCEPTANCE OF TWO EASMENTS – PROSPECT / FOUNDRY STREET INTERSECTION

Submitted by Board of Selectmen

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 39. BYLAW AMENDMENT; METER TAMPERING

To see if the Town will vote to delete Section 223-65 of the Town’s General Bylaws, in its entirety, and replace it with the following:

223-65. Tampering with Meters or Intentionally Damaged Meters:

Tampering with, hindering, altering or intentionally damaging water meters are offenses subject to fines and penalties under Mass General Law Chapter 165 Section 11, as amended by Chapter 374 of the Acts of 2010 along with the authority provided under G.L. c. 40, §39G.

A. Meter Tampering First Offense

Upon identification of a first offense of meter tampering the town, acting by and through its DPW, shall issue a fine of \$1,000.00 or triple the amount of any damages, whichever is greater. Damages shall include the value of the water, cost of the damaged equipment and all labor costs incurred.

B. Meter Tampering Second Offense

A second offense of meter tampering shall impose the fine delineated in Section A, above. In addition to such fines, the town also may recommend criminal prosecution and imprisonment as allowed under G.L. c. 165, §11.

Or take any other action in relation thereto

Submitted by Board of Selectmen

Explanation: The DPW Water Division is proposing to update its current meter tampering fee from \$200.00 to conform to recent changes in the Ma General Laws which allows for a \$1000.00 fine. This fine will serve as a much better deterrent for anyone considering water theft.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 40. ZONING AMENDMENT; BUILDING HEIGHT

To see if the Town will vote, pursuant to G.L. Chapter 40A, to amend the Easton Zoning Bylaw at Section II – Definitions, by deleting the definition of “Height” with the following:

HEIGHT

~~The vertical distance from the average finished grade of the adjacent ground to the top of the structure of the highest roof beams of a flat roof, or the mean level of the highest gable or the slope of a hip roof. Measured as the vertical distance from the mean grade of the natural ground contiguous to the building, as such ground existed prior to construction at the proposed location of all exterior walls (grade plane), to the mean height of the highest roof surface. The limitation shall not apply to chimneys, vents, and~~

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other similar features provided such features do not cover more than fifteen percent (15%) of the area of the roof of the building or other structure and in no way are used for human occupancy.

and

TO see if the Town will vote, pursuant to MGL Chapter 40A, to amend the Easton Zoning Bylaw **BY AMENDING THE HEIGHT LIMITATIONS IN DIMENSIONAL AND DENSITY REGULATION TABLE, AND FOOTNOTE 10 THERETO, AT Section 6-3 SO THAT THE TABLE AND FOOTNOTE 10 NOW READS** as follows:

Zoning District	Min. Lot Size in Sq. Ft.	Contiguous Min. Lot Frontage in Lin. Ft	Min. Yard Depth in Feet			Min. Lot Depth in Ft.	Max. Bldg. Hgt. in Ft.	Max. % Lot Coverage by Structure	Max. # of Stories Above Grade
			Front	Rear	Side				
Residential - R	40,000	150	25 (10)	20	15	100	25 (10)	20	3
Residential 1 - R1	40,000	150	25	20	15	100	25 (10)	20	3

~~(10) Where present buildings on adjoining lots are less than twenty five (25) feet from the front lot lines, new buildings may be placed as near the way as the average of the buildings on said adjoining lots. A vacant lot shall, for this purpose, be treated as so occupied by a building set back twenty five (25) feet.~~

(10) Height

- One (1) foot may be added to the Maximum Building Height for each additional foot by which (i) the front setback exceeds the minimum front setback distance) or (ii) the narrower side setback exceeds the minimum side setback distance, whichever of these two distances is the smallest; provided the height shall not in any case exceed thirty-five (35) feet.
- In situations where a building is allowed to be closer to a setback line, by variance or other means, one (1) foot shall be deducted from the Maximum Allowable Building Height for each foot by which (i) the front setback is less than the minimum front setback distance or (ii) the narrower side setback is less than the minimum side setback distance, whichever of these two distances is the greatest. This reduction in Maximum Height shall apply only to the

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portions of the building that occupy the space between the property line and the corresponding setback line.

Submitted by Planning & Zoning Board

Explanation: This article will change how building height is measured and defined and reduces the allowable maximum building height in residential zoning districts from thirty-five (35) feet to twenty-five (25) feet. Building heights up to thirty-five (35) feet are allowed with commensurate setbacks from the setback line(s). The purpose of this amendment is to promote building heights that more accurately reflect the character and scale of Easton's traditional neighborhoods.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 41. ZONING AMENDMENT; CORRECTION OF VARIOUS MINOR INCONSISTENCIES IN ZONING CODE (3-1, 7-5 G.1, 2-10)

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 17, 2010, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

Item 1: §7-16.1 Affordable Housing Requirements, Purpose

The purpose of this section is to promote the public welfare by:

- a. increasing the supply of housing that is available and affordable to low or moderate income households, with an emphasis on family housing;
- b. encouraging residential growth in already developed areas; and
- c. ~~b~~: preventing the displacement of Easton residents.

Item 2: §7-16.2 Affordable Housing Requirements, Definitions

AFFORDABLE HOUSING GUIDELINES are written policies and criteria, recommended by the ~~Fair & Affordable Housing Partnership~~ *Affordable Housing Trust Fund Board of Trustees* and adopted by the Planning Board, which supplement and serve to aid in the interpretation of this section. They may be revised from time to time without an amendment to the Zoning Bylaw.

Item 3: §7-16.7 Affordable Housing Requirements, Procedures

2. Submittal of Affordable Housing Plan—The applicant shall fill out and submit an Affordable Housing Plan form to the Department of Planning and Community Development prior to making an application for a building permit. This form requires the following information:

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- a) On-Site Unit Projects—Applicants electing to develop on-site affordable units shall provide a schedule of all project units by location, square footage, unit types, number and types of rooms, and location of affordable units.
 - b) Cash Contribution Projects Under Paragraph ~~5 6~~, Subparagraph ~~d. b.~~ — Applicants electing to make a cash contribution in lieu of providing affordable units shall provide a statement of the number of project units and the corresponding formula required by the Affordable Housing Guidelines.
 - c) Alternative Requirements—Applicants proposing to employ paragraph ~~7 6~~, Alternative Requirements for Affordable Units, above shall provide a proposal specifying the ~~land~~, buildings, off-site affordable units, and/or cash contribution; and a schedule and proposed security for providing these.
3. Planning & Zoning Board Application—The applicant shall make a formal application for a special permit to the Town Clerk.
 4. ~~Fair & Affordable Housing Partnership Review~~ *Affordable Housing Trust Fund Board of Trustees Review* —Except for applications proposing cash contributions under paragraph ~~5 6~~, subparagraph ~~d. b.~~, the ~~Fair & Affordable Housing Partnership Affordable Housing Trust Fund Board of Trustees~~ shall, in the next regularly scheduled meeting after necessary public notice, review the Affordable Housing Plan and prepare a recommendation to the Planning & Zoning Board.
 5. Planning & Zoning Board Review—The Planning Board shall meet to hear the special permit application. The Planning & Zoning Board decision may require modifications, conditions, and safeguards, including documentation regarding affordability and funding commitments reasonably related hereto, and shall explain any deviation from ~~Housing Advisory Board Affordable Housing Trust Fund Board of Trustees~~ recommendations in writing in its decision.

Item 4: §7-16.8 Affordable Housing Requirements, Conditions

8. Conditions

1. The Planning & Zoning Board shall require that a Revised Affordable Housing Plan, which shall include any conditions in the grant of a special permit from the Planning & Zoning Board, shall be submitted to the Planning Director for final approval prior to the issuance of a building permit. For projects providing affordable units, the Affordable Housing Plan shall include a reference to specific floor plans of the affordable units that shall be attached to the plan. For projects providing cash or other contributions under ~~paragraph 5, subparagraph d. or paragraph 7.~~ *paragraph 6*, the revised Affordable Housing Plan shall set forth a detailed description, if applicable, and schedule for contributions, including any documentation required to secure such, in accordance with the Affordable Housing Guidelines. The Revised Affordable Housing Plan shall be legally binding as part of a special permit which shall refer to it in any decision.

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2. Where set forth as a condition in the approved Revised Affordable Housing Plan, no building permit shall be issued until the applicant submits to the Director of the Department of Planning and Community Development a proper bond, or other financial instrument designed to secure performance of the requirements of this section.
- 3.e.No building permit shall be issued until the applicant submits proof that the special permit decision has been recorded and that the Planning Director *has issued* a final approval letter for the Revised Affordable Housing Plan.
- 4.d.The Zoning Board of Appeals may impose conditions in which the Building Commissioner may limit, restrict, or withhold the issuance of a certificate of occupancy for any market rate unit(s) in a development until:
 - a)1)all of the affordable units have obtained a certificate of occupancy; or
 - b)2)any ~~land~~ *cash contributions*, buildings and/or off-site units required to be donated to the Town or its designee have been conveyed.
- 5.e.Prior to issuance of any certificate of occupancy for the a project including affordable units, the applicant shall submit to the Director of Planning and Community Development for approval a plan for marketing and selection of occupants; initial rents or sales prices for the units designated as affordable; and, prior to their being recorded, condominium, cooperative or other homeowner association documents, as appropriate. For projects including affordable units for rent, this plan shall be recorded as a part of the affordable housing restriction set forth in paragraph 5 ~~6~~, ~~subparagraphs i. and j.~~ herein. All plans shall be consistent with the Affordable Housing Guidelines.
- 6.f.Initial Sales/Rental will be through a lottery implemented by a qualified non-profit housing agency such as the Easton Housing Authority, the South Shore Housing Development Corporation, or the Citizens Housing and Planning Association, and a comparable agency will oversee re-sales or re-rentals to preserve affordability in perpetuity, in accordance with the Comprehensive Permit Guidelines.

Item 5: §7-16.9 Affordable Housing Requirements, Affordable Housing Guidelines

9. *Affordable Housing Guidelines*

The Planning Board, in consultation with the ~~Housing Advisory Board~~ *Affordable Housing Trust Fund Board of Trustees* and after public notice and hearing, shall adopt Affordable Housing Guidelines.

Submitted by Planning and Zoning Board

Explanation: This article aims to correct some minor inconsistencies in Section 7-16 of Easton's Zoning Bylaw. These include references to other areas within the bylaw and references to the "Housing Advisory Board" and "Fair and Affordable Housing Partnership." The Board of Easton's Affordable Housing Trust Fund now carries out the functions of these groups at the request of the Board of Selectmen.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 42. ZONING AMENDMENT; LARGE-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the Easton Zoning By Law at Section 3-1 to include the following District:

<u>Full Title</u>	<u>Abbreviation</u>
Large-Scale Ground-Mounted Solar Photovoltaic Installation District	SPOD

and further, to amend the Easton Zoning By Law, by adopting the following new section, 7-18 :

7-18 LARGE-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

A. Purpose

The purpose of this bylaw is to facilitate the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, repair, and/or removal of Large-Scale Ground-Mounted Solar Photovoltaic Installations greater than 250 kW on at least 5 acres of land. Any installation qualifying as a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall require Site Plan Review in accordance with Section 7-10 of the Zoning Bylaws of the Town of Easton.

B. Definitions

Building Inspector:

The Inspector of Buildings, charged with the enforcement of the zoning ordinance.

Building Permit:

A construction permit issued by an authorized Building Inspector which provides evidence that the project is consistent with the state and federal building codes as well as local Zoning Bylaws, including those governing ground-mounted large-scale solar installations.

Designated Location:

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The Large-Scale Ground-Mounted Solar Photovoltaic Overlay District, as designated by the Town of Easton, is shown on the Official Zoning Map, dated May 16, 2011, in accordance with Massachusetts General Laws Chapter 40A. This map is hereby made a part of this Zoning Bylaw and is on file in the Office of the Easton Town Clerk.

Large-Scale Ground-Mounted Solar Photovoltaic Installation:

A solar system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity greater than 250 kW and occupies more than 5 acres of land.

On-Site Solar Installation

A solar installation that is constructed at a location where other uses of the underlying property occur.

Rated Nameplate Capacity

The maximum rated output of electric power production of the Electric system in Alternating Current (AC) or Direct Current (DC).

Site Plan Review

Review by the Planning Board to determine conformance with Section 7-10 of the Zoning Bylaw.

Site Plan Review Authority

For purposes of this bylaw, the Planning Board is the Site Plan Review Authority.

Solar Photovoltaic Array

An arrangement of solar photovoltaic panels.

Zoning Enforcement Authority

The Building Inspector is charged with enforcing the zoning ordinances or bylaws.

C. Overlay District

1. Establishment

The Large-Scale Ground-Mounted Solar Photovoltaic Installation Overlay District, hereinafter referred to as the "SPOD", is an overlay district that is superimposed over the underlying zoning districts, as shown on the Zoning Map as set forth on the map entitled "Large-Scale Ground-Mounted Solar Photovoltaic Installation Zoning Map," dated May 16, 2011, attached hereto as Appendix B. This map is hereby made a part of the Zoning Bylaw and is on file in the Office of the Town Clerk.

2. Applicability

a. This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations greater than 250 kW that occupy no less than 5 acres of land proposed to be constructed in Easton. This Section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment. Such facilities located in the SPOD are subject to Site Plan Review and the Standards and Requirements contained herein. Site Plan Review will be required

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if there are any physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

b. Municipal facilities owned, operated by, or developed for and on behalf of the Town of Easton are allowed as-of-right without Site Plan Review, but must meet the other requirements of this Section.

c. Smaller scale ground- or building-mounted solar electric installations which are an accessory structure to an existing residential or non-residential use do not need to comply with this Section, but require a building permit and must comply with the other provisions of Easton's Zoning Bylaws as applicable.

D. General Requirements for all Large-Scale Ground-Mounted Solar Photovoltaic Installations

The following requirements are common to all solar installations to be sited in designated locations.

1. Compliance with Laws, Ordinances and Regulations

The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar installation shall be constructed in accordance with the State Building Code.

2. Building Permit and Building Inspection

No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

3. Fees

The application for a building permit for a Large-Scale Ground-Mounted Solar Photovoltaic Installations must be accompanied by the fee required for a Building Permit [and Special Permit] and as required by Site Plan Review Section 7-10.

E. Site Plan Review

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall undergo Site Plan Review in accordance with Section 7-10 of this bylaw by the Planning Board prior to construction, installation or modification as provided in this Section and shall also meet the requirements of this section. Municipal facilities are not subject to Site Plan Review, but must meet other requirements of this Section including but not limited to the Design and Performance Standards.

1. General

All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

2. Required Documents

The project applicant shall provide the following documents in addition to or in coordination with those required for Site Plan Review.

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- a. Site Plan. The Site Plan must include the following:
- (i) Property lines and physical features, including roads and topography, for the project site.
 - (ii) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures including their height.
 - (iii) Locations of wetlands, Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP).
 - (iv) Locations of Floodplains or inundation areas for moderate or high hazard dams.
 - (v) Locations of Priority Heritage Landscapes and local or National Historic Districts.
 - (vi) A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment as appropriate.
 - (vii) Blueprints or drawings of the solar installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
 - (viii) One or three line electrical diagram detailing the solar installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.
 - (ix) Documentation of the major system components to be used, including the electric generating components, transmission systems, mounting system, inverter, etc.
 - (x) Name, address, and contact information for proposed system installer.
 - (xi) Name, address, phone number and signature of the project applicant, as well as all co-applicants or property owners, if any.
 - (xii) The name, contact information and signature of any agents representing the project applicant.
 - (xiii) Fire protection measures.
 - (xiv) Storm drainage, including means of ultimate disposal and calculations.

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- (xv) Existing trees 10” caliper or better and existing tree/shrub masses; proposed planting, landscaping, and screening.
- (xvi) Certified list of abutters.
- b. Site Control. The project applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar installation.
- c. Operation and Maintenance Plan. The project applicant shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, stormwater management (consistent with DEP’s Stormwater Regulations and the Town of Easton’s Stormwater Regulations) and vegetation controls, as well as general procedures for operational maintenance of the installation.
- d. Zoning. Zoning District designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose).
- e. Insurance. The project applicant shall provide proof of liability insurance.
- f. Financial Surety. Applicants of Large-Scale Ground-Mounted Solar Photovoltaic Installation projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent (125%) of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project applicant and the Town. Such surety will not be required for municipal facilities. The project applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

F. Utility Notification

No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

G. Dimensional Requirements

1. Setbacks

For Large-Scale Ground-Mounted Solar Photovoltaic Installations, front, side and rear setbacks shall be as follows.

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- a. Front yard: The front yard depth shall be at least 100 feet.
- b. Side yard. Each side yard shall have a depth of at least 75 feet; provided, however, that where the lot abuts a Residential district, the side yard shall not be less than 100 feet.
- c. Rear yard. The rear yard depth shall not be less than 75 feet; provided, however, that where the lot abuts a Residential district, the rear yard shall not be less than 100 feet.

Every abutting property shall be visually screened from the project through any one or combination of the following location, distance, plantings, existing vegetation and fencing. Said screening is not required to exceed 6 feet in height and the Applicant shall demonstrate that the proposal provides visual screening.

2. Appurtenant Structures

All appurtenant structures to Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to reasonable regulations adopted by the Planning and Zoning Board after a public hearing concerning the bulk and height of structures, lot area, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

H. Design and Performance Standards

1. Lighting

Lighting of Large-Scale Ground-Mounted Solar Installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be shielded from abutting properties. Lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

2. Signage

Signs on Large-Scale Ground-Mounted Solar Photovoltaic Installations shall comply with Section 10 of the Zoning Bylaws. A sign consistent with the Town's sign bylaw shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-Scale Ground-Mounted Solar Photovoltaic Installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar installation.

3. Utility Connections

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Electrical transformers or other utility interconnections shall be constructed as required by the utility provider and may be above ground only if necessary. Reasonable efforts shall be made to place all utility connections from the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground (if feasible), depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider.

4. Roads

Access roads shall be constructed to minimize grading, removal of stone walls or street trees and minimize impacts to environmental or historic resources.

5. Control of Vegetation

Herbicides may not be used to control vegetation at the Large-Scale Ground-Mounted Solar Photovoltaic Installation. Mowing or the use of pervious pavers or geotextile materials underneath the solar array is a possible alternative.

6. Hazardous Materials

Hazardous materials stored, used, or generated on site shall not exceed the amount for a Very Small Quantity Generator of Hazardous Waste as defined by the DEP pursuant to Mass DEP regulations 310 CMR 30.000 and shall meet all requirements of the DEP including storage of hazardous materials in a building with an impervious floor that is not adjacent to any floor drains to prevent discharge to the outdoor environment. If hazardous materials are utilized within the solar equipment then impervious containment areas capable of controlling any release to the environment and to prevent potential contamination of groundwater are required.

I. Safety and Environmental Standards

1. Emergency Services

The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and Site Plan to the local Fire Chief, Highway Superintendent, and Emergency Management Director. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan including the training of any municipal first responders. All means of shutting down the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

2. Land Clearing, Soil Erosion and Habitat Impacts

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations, and bylaws.

J. Monitoring, Maintenance and Reporting

1. Solar Installation Conditions

The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the solar installation and any access road(s).

2. Modifications

All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Planning Board.

3. Annual Reporting

The owner or operator of the installation shall submit an Annual Report demonstrating and certifying compliance with the Operation and Maintenance Plan (see Section 14-5-2(c)) and the requirements of this bylaw and their approved site plan including control of vegetation, noise standards, and adequacy of road access. The annual report shall also provide information on the maintenance completed during the course of the year and the amount of electricity generated by the facility. The report shall be submitted to the Board of Selectmen, Planning Board, Fire Chief, Emergency Management Director, Building Inspector, Board of Health and Conservation Commission (if Wetlands Permit was issued) no later than 45 days after the end of the calendar year.

K. Abandonment or Decommissioning

1. Removal Requirements

Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned consistent with Section 7-18(K)(2) shall be removed. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- a. Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installations, structures, equipment, security barriers and transmission lines from the site.
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

2. Abandonment

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Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the Large-Scale Ground-Mounted Solar Photovoltaic Installation fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation at the owner's expense.

3. Financial Surety

Applicants shall submit documentation of financial surety that satisfies Section 7-18(E)(2)(f).

Submitted by Planning & Zoning Board

Explanation: This article establishes a Large-Scale Ground-Mounted Solar Photovoltaic Installation District (SPOD) to allow for large solar installations (greater than 250kW) within specific areas of Town on parcels of land greater than 5 acres. Such facilities would require Site Plan Approval from the Planning and Zoning Board.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 43. ZONING AMENDMENT; INTERNALLY ILLUMINATED SIGNS

To see if the Town will amend its zoning bylaws by adding a new section 10-3(5)(e), regulating internally illuminated signs, as follows:

Internal illumination, unless a written request is made to the Planning Board and the Planning Board finds, in writing that such sign will not adversely impact the neighborhood due to issues relating to design, light pollution and public safety.

To see if the Town will amend its zoning bylaws at section 10-3(1)(e) as follows:

Flashing, animated or internally illuminated, including LED and neon, except as may be allowed by the Planning Board pursuant to Section 10-3(5)(e)

To see if the Town will amend its zoning bylaws at section 10-3(5)(d) as follows:

Non-white lighting, except as may be allowed by the Planning Board pursuant to Section 10-3(5)(e)

Or take any other action in relation thereto

Submitted by Planning & Zoning Board

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Explanation: This article will allow internally illuminated signs at the discretion of the Planning and Zoning Board in certain instances where the Board feels that such sign will not adversely impact the neighborhood due to issues relating to design, light pollution and public safety.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 44. ZONING AMENDMENT; IN-LAW APARTMENT BYLAW

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the Easton Zoning By Law to explicitly allow for in-law apartments, by adopting the following new section, 7-19:

7-19 IN-LAW APARTMENTS

A. Purpose and Intent

The intent of permitting In-Law Apartments is to:

1. Provide an opportunity for family members who choose to live in close proximity, but separate from other family members, to remain within that family environment;
2. Provide for the health and security concerns of elder or disabled homeowners who wish to remain in their homes;
3. Protect residential stability, property values and the single-family character of neighborhoods;
4. Make it possible for the Town to supervise and monitor such additions for code compliance and safety;

B. Definitions

1. In-Law Apartment: An In-Law Apartment is a self-contained housing unit attached to or incorporated within a Single-Family Dwelling. The In-Law Apartment must be accessory to the Single-Family Dwelling and be subordinate in size to said Single-Family Dwelling and shall comply with each of the criteria stated below.
2. Dwelling, Single-Family: A building designed or used exclusively as a residence and including only one dwelling unit.
3. Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This definition does not include a trailer, however mounted.
4. Primary Residence: A residentially used building in which is conducted the principal use of the lot on which it is located.

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C. Use and Dimensional Regulations:

1. The Building Inspector may issue a Building Permit authorizing the installation and use of an In-Law Apartment within or attached to an existing or new owner-occupied, Single-Family Dwelling only when the following conditions are met:
 - (a) The In-Law Apartment will be a complete, separate housekeeping unit containing both kitchen and bath.
 - (b) In-Law Apartments must be accessory to a Single-Family Dwelling and only one In-Law Apartment may be created on any lot.
 - (c) The owner(s) of the Single-Family Dwelling for which the In-Law Apartment is created must continue to occupy at least one of the dwelling units on the property as their primary residence, except for bona fide temporary absences.
 - (d) Any new separate outside entrance serving an In-Law Apartment shall be located on the side or in the rear of the building. However, numbering in a form acceptable to the Fire Department must indicate to emergency personnel the existence of an additional unit on the lot.
 - (e) The gross floor area of an In-Law Apartment (including any additions) shall not be greater than twenty-five percent (25%) of the primary Single-Family Dwelling unit, or nine-hundred (900) square feet, whichever is smaller.
 - (f) Once an In-Law Apartment has been added to a Single-Family residence or lot, the In-Law Apartment shall never be enlarged beyond the nine hundred (900) square feet allowed by this bylaw/ordinance.
 - (g) One additional off-street parking space shall be provided for use by the occupant(s) of the In-Law Apartment.
2. Prior to issuance of a building permit, the owner(s) must send a notarized letter to the Building Inspector stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence, except for bona fide temporary absences. The owner shall also record a copy of the letter at the Registry of Deeds.
3. Prior to issuance of a building permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.
4. When a Single-Family Dwelling, which has received a permit for an In-Law Apartment, is sold, the new owner(s), if they wish to continue the use, must, within thirty (30) days of the sale, submit a notarized letter to the Building Inspector stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences. The new owner shall also record a copy of the letter at the Registry of Deeds.

D. Administration and Enforcement

1. It shall be the duty of the Building Inspector to administer and enforce the provisions of this Bylaw.
2. No In-Law Apartment may be created or constructed until the Building Inspector has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the town's laws and bylaws. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes

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and regulations. No In-Law Apartment shall be occupied until a certificate of occupancy has been issued by the Building Inspector where required.

- 3. The Building Inspector shall refuse to issue any permit for an In-Law Apartment which would result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance granted by the Board of Appeals or its agent.
- 4. The Building Inspector shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

Submitted by Planning & Zoning Board

Explanation: This article will allow in-law apartments by right in residential zoning districts.

Selectmen Recommendation:

Finance Committee Recommendation:

Planning & Zoning Board Recommendation:

ARTICLE 45. ZONING AMENDMENT - AMEND ZONING MAP

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the May 21, 2010 Town of Easton Zoning Map (original date: March 7, 1973) and rezone the following properties, owned by the Town of Easton, as follows:

From Residential to Municipal and Open Space

Map/Lot	Location	Lot Size	Book/Page
U44 / 55A	584 Foundry Street - Lot 1	17.43 acres	17739 / 154
U44 / 55A	584 Foundry Street - Lot 2	13.35 acres	17739 / 154
U44 / 55A	584 Foundry Street - Lot 6	6.01 acres	17739 / 154
U5 / 19	Union Street – Parcel A-1a	265,768 s.f.	19065 / 278
U5 / 19	Union Street – Parcel A-1b	345,475 s.f.	19065 / 273
U5 / 19	Union Street – Lot B	63,959 s.f.	19065 / 271
U5 / 19	Union Street – Parcel A-2	118, 990 s.f.	19065 / 268
R22 / 1B	Howard St – Lot 6	40,100 s.f.	17771 / 61
R22 / 1B	Howard St – Lot 6A	130 s.f.	17771 / 61
U47 / 16	360 Purchase Street	15.54 acres	18004 / 262
R6 / 100	Massapoag Avenue	13.92 acres	18462 / 322
R10 / 16	604 Foundry Street – Parcel B	4.774 acres	

and to accept the report of the Planning & Zoning Board in relation to this article, or take any relative action thereto.

Submitted by Conservation Commission

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Explanation: With this change, the zoning will reflect the actual land use.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 46. ZONING AMENDMENT; AMEND ZONING MAP

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the May 21, 2010 Town of Easton Zoning Map (original date: March 7, 1973) and rezone the following properties as follows:

From Industrial to Residential

Map/Lot	Location	Lot Size	Book/Page
6R-4 / 31	190 Chestnut Street	3.5 acres	13967 / 186
6R-4 / 43	164 Chestnut Street	5.35 acres	02007 / 0082
6R-4 / 44	170 Chestnut Street	16.02 acres	01718 / 0790
6R-4 / 45	(Lot 45 is part of parcel 6R/44)	(same as above)	
6R-4 / 46	174 Chestnut Street	3.98 acres	01964 / 0093
6R-4 / 47	178 Chestnut Street	1.92 acres	8601 / 325
6R-4 / 52	134 Chestnut Street	0.92 acres	6313 / 12
6R-4 / 53	138 Chestnut Street	0.92 acres	02610 / 0148
6R-4 / 54	142 Chestnut Street	0.92 acres	6002 / 56
6R-4 / 55	146 Chestnut Street	0.92 acres	05653 / 0300
6R-4 / 31A	162 Chestnut Street	0.69 acres	9933 / 287
6R-4 / 31B	158 Chestnut Street	0.69 acres	01987 / 0065
9R-2 / 16	154 Chestnut Street	9.33 acres	02395 / 0148
9R-2 / 17	162R Chestnut Street	3.45 acres	9933 / 287
9R-2 / 19	106R Chestnut Street	4.00 acres	01751 / 0160
9R-2 / 34	9 Shannonmarie Way	1.19 acres	8954 / 171
9R-2 / 103	9R Shannonmarie Way	2.45 acres	8574 / 294
9R-2 / 175	29 Hancock Street	4.86 acres	15041 / 87
9R-2 / 177	33 Hancock Street	9.66 acres	15041 / 81

From Residential to Business

Map/Lot	Location	Lot Size	Book/Page
17U / 170	250 Main Street	4.6 acres	6198 / 86

and to accept the report of the Planning & Zoning Board in relation to this article,

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or take any other action relative thereto.

Submitted by Planning and Zoning Board

Explanation: With this change, the zoning will reflect desired land use allowing a mix of business and residential uses.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 47. STREET ACCEPTANCE – POSSUM RUN ROAD

To see if the Town will vote to accept the following named street or way, “Possum Run Road” as a public way, pursuant to MGL c. 82, from Station 0+00 to Station 8+50, as shown on a plan of land entitled: “As-Built Street Acceptance Plan, Possum Run Road, Easton, MA” surveyed for T&M Realty Corp, Scale 1” = 40’ dated December 15, 2006 by Hayward – Boynton & Williams, Inc., as approved by the Planning Board on April 24, 1998 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 373, Page 36 on July 29, 1998 and to authorize the Board of Selectman to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Possum Run Road or to take any other action relative thereto.

Submitted by Planning and Zoning Board

Explanation: The work in this street is completed and it is ready to be accepted as a Public Way.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 48. STREET ACCEPTANCE - ALDERWOOD DRIVE

To see if the Town will vote to accept the following named street or way, “Alderwood Drive” as a public way, pursuant to MGL c. 82, from Station 0+00 to Station 6+00, as shown on a plan of land entitled: “As Built Street Acceptance Plan, Alderwood Drive, Easton, MA” surveyed for Daly Builders, Scale 1” = 40’ dated June 26, 1991 by Hayward-Boynton & Williams, Inc, as approved by the Planning Board in March 11, 1987 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 248, Page 10 on April 15, 1987 and to authorize the Board of Selectman to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Alderwood Drive or to take any other action relative thereto.

Submitted by Planning and Zoning Board

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Explanation: The work in this street is completed and it is ready to be accepted as a Public Way.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 49. STREET ACCEPTANCE - COREY DRIVE

To see if the Town will vote to accept the following named street or way, “Corey Drive” as a public way, pursuant to MGL c. 82, from Station 0+00 to Station 4+24.17 as shown on a plan of land entitled: “As-Built and Acceptance Plan of Corey Drive, Easton, MA”, surveyed for Donald & Adina Colangelo, Scale 1” = 40’ dated May 21, 2010 by Ribelin Land Surveyors, Inc., as approved by the Planning Board on June 13, 2001 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 398, Page 57 on August 3, 2001 and to authorize the Board of Selectman to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Corey Drive or to take any other action relative thereto.

Submitted by Planning and Zoning Board

Explanation: The work in this street is completed and it is ready to be accepted as a Public Way.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 50. STREET ACCEPTANCE - OAK LEAF LANE

To see if the Town will vote to accept the following named street or way, “Oak Leaf Lane” as a public way, pursuant to MGL c. 82, from Station 0+00 to Station 6+85, as shown on a plan of land entitled: “Roadway As-Built Plan & Profile of Oak Leaf, Easton, MA” surveyed for Welch Building Corp., Scale 1” = 40’ dated February 22, 2010 by Gallagher Engineering, as approved by the Planning Board on June 27, 2001 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 401, Page 27 on November 6, 2001 and to authorize the Board of Selectman to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Oakleaf Lane or to take any other action relative thereto.

Submitted by Planning and Zoning Board

Explanation: The work in this street is completed and it is ready to be accepted as a Public Way.

Selectmen Recommendation:

Finance Committee Recommendation: N/A

Planning & Zoning Board Recommendation:

ARTICLE 51. CITIZEN PETITION

To see if the Town shall vote to change the Charter of the Town of Easton by deleting subsection (‘c) Powers and Duties of section C3-5 Finance Committee and substitute the following as a new subsection (‘c) reading,

(‘c) Powers and Duties. They shall consider any or all municipal questions for the purpose of making reports or recommendations to the Town.

Submitted by Citizen Petition

Explanation: This article was submitted by Citizen Petition.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 52 . CITIZEN PETITION

To see if the Town of Easton will authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to adopt the following legislation:

AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATION AND CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE TOWN OF EASTON

SECTION 1. The general court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of citizens in the town of Easton, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by ownership of mobile home park accommodations located therein, that unless mobile home park accommodation rents and eviction of tenants are regulated and controlled, such emergency will produce serious threats to the public health, safety and general welfare of the citizens of said town, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Easton.

SECTION 2. The town of Easton may, by its by-laws, regulate rents for the use or occupancy of mobile home park accommodations in said town, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of mobile home park accommodations and eviction of tenants therefrom and may, by it’s by-laws, require registration by owners of mobile home parks under penalty of perjury, of information relating to the mobile home park accommodations. Said rent board shall have all the powers necessary or convenient to perform its functions, may make rules and regulations, require registration by owners of mobile home parks, under penalty of perjury, of information relating to the mobile home park accommodations, sue and be sued, compel the attendance of persons and the production of papers and

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information and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-law adopted pursuant to this act or any order of said rent board shall be punishable by a fine of no more than \$1000.00.

SECTION 3. (a) The rent board established under section two may make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for mobile home park accommodations in said town are established at levels which yield to owners a fair net operating income for such accommodations. (b) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether controlled mobile home park accommodations yield a fair net operating income: (1) increases or decreases in property taxes; (2) unavoidable increases or any decreases in operating and maintenance expenses; (3) capital improvements of the mobile home park as distinguished from ordinary repair, replacement and maintenance; (4) increases or decreases in space, services, equipment, etc.; (5) substantial deterioration of the mobile home park other than as a result or ordinary wear and tear; and (6) failure to perform ordinary repair, replacement and maintenance.

SECTION 4. The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section two, as if said rent board were an agency of the commonwealth, including those provisions giving those agencies the power to issue, vacate, modify and enforce subpoenas, and those provisions relating to judicial review of an agency order.

SECTION 5. (a) The Taunton division of the district court department shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws. (b) The superior court shall have jurisdiction to enforce the provisions of this act and any by-laws adopted thereunder and may restrain violations thereof.

SECTION 6. The town of Easton may by its by-laws regulate the eviction of tenants and the rent board established under section two, may issue orders which shall be a defense to actions of summary process for possession and such orders shall be reviewable pursuant to section four and five.

SECTION 7. The personnel, if any, of the rent board established under section two shall not be subject to section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

SECTION 8. If any provision of this act or the application of such provision to any person or circumstance shall be held to be invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 9. This act shall take effect upon its passage.

Submitted by Citizen Petition

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Explanation: This article was submitted by Citizen Petition.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 53 . PROPOSED PERSONNEL BYLAW CHANGES

ARTICLE 54.

To transact any other business that may legally come before said meeting.

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