

July 10, 2018



TOWN OF SOUTHAMPTON

SPECIAL TOWN MEETING WARRANT

**Thursday, July 26, 2018
7:00 P.M.**



**CAFETERIA/GYMNASIUM
WILLIAM E. NORRIS SCHOOL
34 POMEROY MEADOW ROAD
SOUTHAMPTON, MASSACHUSETTS**

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TOWN OF SOUTHAMPTON

WARRANT FOR THE SPECIAL TOWN MEETING

July 26, 2018

HAMPSHIRE, ss.

To either of the Constables of the Town of Southampton in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the precincts of the Town of Southampton, County of Hampshire, qualified to vote in elections and Town affairs to meet in the Cafeteria/Gymnasium, William E. Norris School, 34 Pomeroy Meadow Road, Southampton, Massachusetts, on

Thursday, July 26, 2018 at 7:00 p.m.,

then and there to act on the following articles:

ARTICLE 1 111 GLENDALE ROAD ACQUISITION RIGHT OF FIRST REFUSAL OPTION 1

To see if the Town will vote:

- (a) that the sum of Seven Hundred Eighty-Five Thousand Dollars (\$785,000) be appropriated for the purpose of acquiring, for the purposes below, certain property located at 111 Glendale Road, Southampton, containing approximately 84.75 acres of land, being Tax Map 7, Lot 5, pursuant to the Town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8;
- (b) that, to meet this appropriation, the sum of Two Hundred Ninety-Two Thousand Dollars (\$292,000) shall be transferred from the Community Preservation Fund Undesignated Account and Ninety-Three Thousand Dollars (\$93,000) from the Open Space/Recreation Account, and the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Four Hundred Thousand (\$400,000) in accordance with Chapter 44, Section 7 and/or Chapter 44B, Section 11, and/or any other enabling authority, and to issue bonds or notes therefor, provided however, that such funds shall not be expended unless the Town is approved for a LAND (Local Acquisitions for Natural Diversity) Grant, as described below, from the Massachusetts Division of Conservation Services, and/or any other such sources, in the amount of at least Three Hundred Seventy-Five Thousand Dollars (\$375,000); and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay

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project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;

- (c) that the Select Board is authorized to acquire the said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Chapter 61, Section 8, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Conservation Commission pursuant to the provisions of Chapter 40, Section 8(C), as it may hereafter be amended, and other Massachusetts statutes relating to conservation;
- (d) that the Select Board and/or the Conservation Commission is authorized to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under the Local Acquisitions for Natural Diversity (LAND) grant program (Massachusetts General Laws Chapter 132A, Section 11) and/or any grants or reimbursement programs in any way connected with the scope of this Article, which grants and/or funds so received shall be used to repay all or a portion of the sum transferred from the Community Preservation Act Fund hereunder; and that the Select Board and/or the Conservation Commission is authorized to grant a perpetual conservation restriction to Kestrel Land Trust, or such other non-profit corporation or trust pursuant to the provisions of Chapter 184, Sections 31 through 33, in compliance with Chapter 44B, Section 12(a), protecting the property for the purposes for which it is acquired, and, further to authorize the Select Board and/or the Conservation Commission (Contact individual for the Town shall be Edward Gibson, Town Administrator) to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes;

or take any other action relative thereto.

2/3rds Majority

ARTICLE 2 111 GLENDALE ROAD ACQUISITION RIGHT OF FIRST REFUSAL OPTION 2

To see if the Town will vote:

- (a) that the sum of Seven Hundred Eighty-Five Thousand Dollars (\$785,000) shall be appropriated for the purpose of acquiring, for the purposes below, certain property located at 111 Glendale Road, Southampton, containing approximately 84.75 acres of land, being Tax Map 7, Lot 5, pursuant to the Town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8;
- (b) that to meet this appropriation, the sum of Two Hundred Ninety-Two Thousand Dollars (\$292,000) shall be transferred from the Community Preservation Fund Undesignated Account and Ninety-Three Thousand Dollars (\$93,000) from the Open Space/Recreation

Account, and the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Four Hundred Thousand (\$400,000) in accordance with Chapter 44, Section 7 and/or Chapter 44B, Section 11, and/or any other enabling authority, and to issue bonds or notes therefor; and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;

- (e) that the Select Board is authorized to acquire the said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Chapter 61, Section 8, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Conservation Commission pursuant to the provisions of Chapter 40, Section 8(C), as it may hereafter be amended, and other Massachusetts statutes relating to conservation;

- (c) that the Select Board and/or the Conservation Commission is authorized to grant a perpetual conservation restriction to a non-profit corporation or trust pursuant to the provisions of Chapter 184, Sections 31 through 33, in compliance with Chapter 44B, Section 12(a), protecting the property for the purposes for which it is acquired, and, further to authorize the Select Board and/or the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes;

or take any other action relative thereto.

2/3rds Majority

ARTICLE 3 TRANSFER FOR PEG PROGRAMMING RELATED EXPENSES

To see if the town will vote to Transfer Sixteen Thousand Nine Hundred and Thirty-Five Dollars and Forty-Five Cents (\$16,935.45) to pay Easthampton Media for audio visual services per the Town's Contract, said sum to be taken from the Peg Programming Receipts Reserved for appropriation Account; or take any other action relative thereto.

Simple Majority

ARTICLE 4 FIVE YEAR LEASE CONTRACT FOR THE EMERGENCY COMMUNICATIONS DISPATCH EQUIPMENT AT THE POLICE

To see if the Town will vote to allow the Select Board to enter into a five-year contract for a communications dispatch radio equipment lease at the Police Department; or take any other action relative thereto.

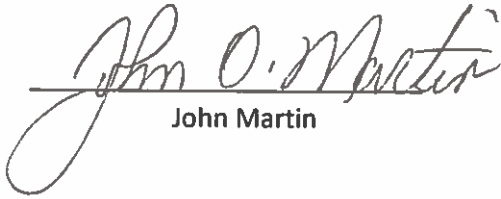
Simple Majority

And you are hereby directed to serve this Warrant by posting attested copies thereof in six usual places in said Town, fourteen (14) days at least before the time of holding said meeting.

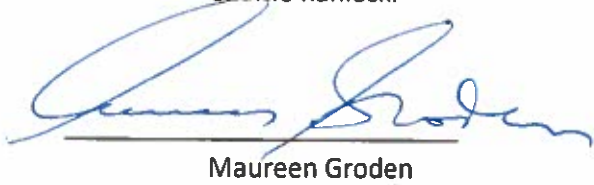
Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

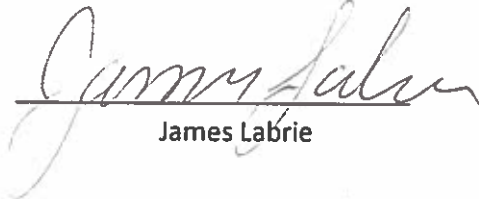
Given under our hands this 10th day of July in the year Two Thousand and Eighteen.

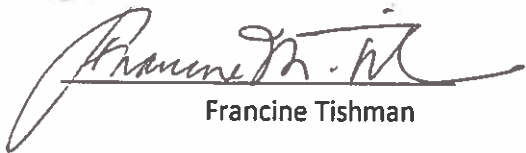
BOARD OF SELECTMEN


John Martin


Charlie Kaniecki


Maureen Groden


James Labrie


Francine Tishman

True Copy:

ATTEST:



Constable

OFFICER'S RETURN

Hampshire, SS

July 12, 2018

This is to certify that I have served the within warrant by posting attested copies thereof in six usual places fourteen (14) days at least before the time of holding said meeting.


Constable

A True Copy, ATTEST:

Janine Domina

Town Clerk of Southampton



10/10/10

10/10/10

RECEIVED
JUL 12 2018
1:30 PM
BY: JL

Warrant Return

Town of Southampton

Hampshire, ss.

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Southampton by posting an attested copy at the Southampton Town Hall and five or more other places designated for the posting of such notices seven/fourteen days before holding said meeting.

Constable: Michael R Goyette
Michael R Goyette

Date posted: 07/12/2018

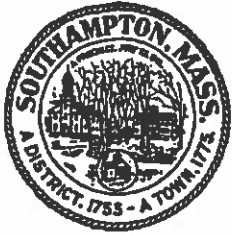
Posted at the following locations:

- 1. Town Hall
- 2. Trading Post
- 3. Pure Food
- 4. Big Y
- 5. Ston Liquors
- 6. County Liquors
- 7. Stop & Save
- 8. Edwards Library

Alternative posting location:

- 1. _____
- 2. _____
- 3. _____





**Special Town Meeting
July 26, 2018
William E. Norris School
34 Pomeroy Meadow Rd., Southhampton, MA**

Town Moderator, Robert Floyd, opened the meeting at 7:00 p.m. with a quorum present. Two hundred and twenty two (222) registered voters were present. The checkers/counters were Kristine Canton, Eileen Hamel, Terri Goral, and Barbara Arrighi. Karl Kuehner, Deputy Moderator, led the pledge of allegiance.

Mr. Moderator welcomed everyone and read an introduction on town meeting procedures, as well as a disclosure statement. Mr. Moderator proceeded to read the warrant and return of the warrant.

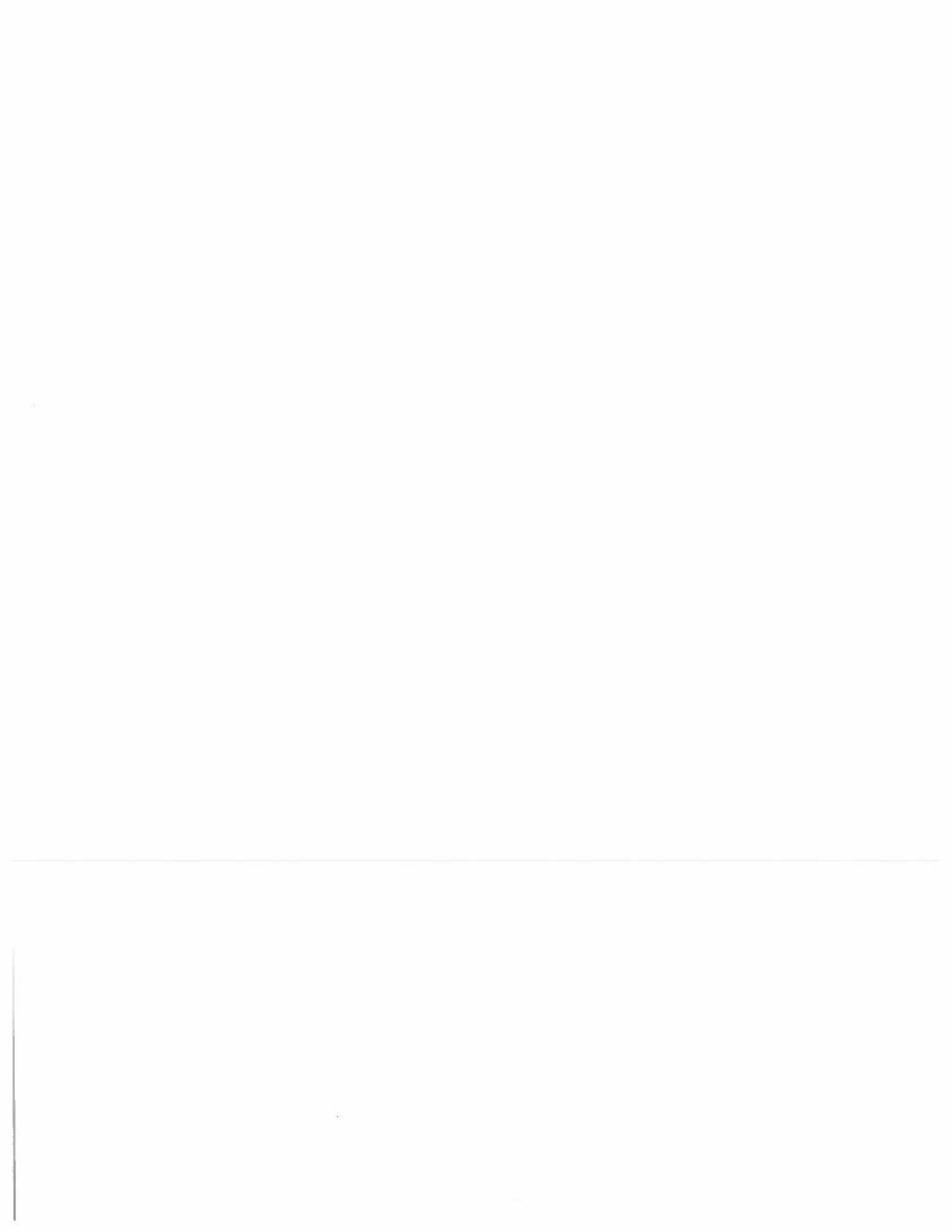
Mr. Moderator then called for a motion for Article 1.

Article 1: It was moved and seconded that the Town vote to:

(a) appropriate Seven Hundred Eighty-Five Thousand Dollars (\$785,000) for the purpose of acquiring, for the purposes below, certain property located at 111 Glendale Road, Southhampton containing approximately 84.75 acres of land, more or less, being Tax Map 7, Lot 5 pursuant to the town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8; and

(b) that, to meet this appropriation, the sum of Two Hundred Ninety-Two Thousand Dollars (\$292,000) shall be transferred from the Community Preservation Fund Undesignated Account and Ninety-Three Thousand Dollars (\$93,000) from the Open Space/Recreation Account, and the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Four Hundred Thousand (\$400,000) in accordance with Chapter 44, Section 7 and/or Chapter 44B, Section 11, and/or any other enabling authority, and to issue bonds or notes therefor, provided however, that such funds shall not be expended unless the Town is approved for a LAND (Local Acquisitions for Natural Diversity) Grant, as described below, from the Massachusetts Division of Conservation Services, and/or any other such sources, in the amount of at least Three Hundred Seventy-Five Thousand Dollars (\$375,000); and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;

(c) that the Select Board is authorized to acquire the said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Chapter 61, Section 8, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Conservation Commission pursuant



to the provisions of Chapter 40, Section 8(C), as it may hereafter be amended, and other Massachusetts statutes relating to conservation;

(d) that the Select Board and/or the Conservation Commission is authorized to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under the Local Acquisitions for Natural Diversity (LAND) grant program (Massachusetts General Laws Chapter 132A, Section 11) and/or any grants or reimbursement programs in any way connected with the scope of this Article, which grants and/or funds so received shall be used to repay all or a portion of the sum transferred from the Community Preservation Act Fund hereunder; and that the Select Board and/or the Conservation Commission is authorized to grant a perpetual conservation restriction to Kestrel Land Trust, or such other non-profit corporation or trust pursuant to the provisions of Chapter 184, Sections 31 through 33, in compliance with Chapter 44B, Section 12(a), protecting the property for the purposes for which it is acquired, and, further to authorize the Select Board and/or the Conservation Commission (Contact individual for the Town shall be Edward Gibson, Town Administrator) to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes;

An informational presentation was made on the overhead projector in regards to the "Right of First Refusal" and this property by Maureen Groden, Selectboard member and Open Space Review Ad Hoc Committee member.

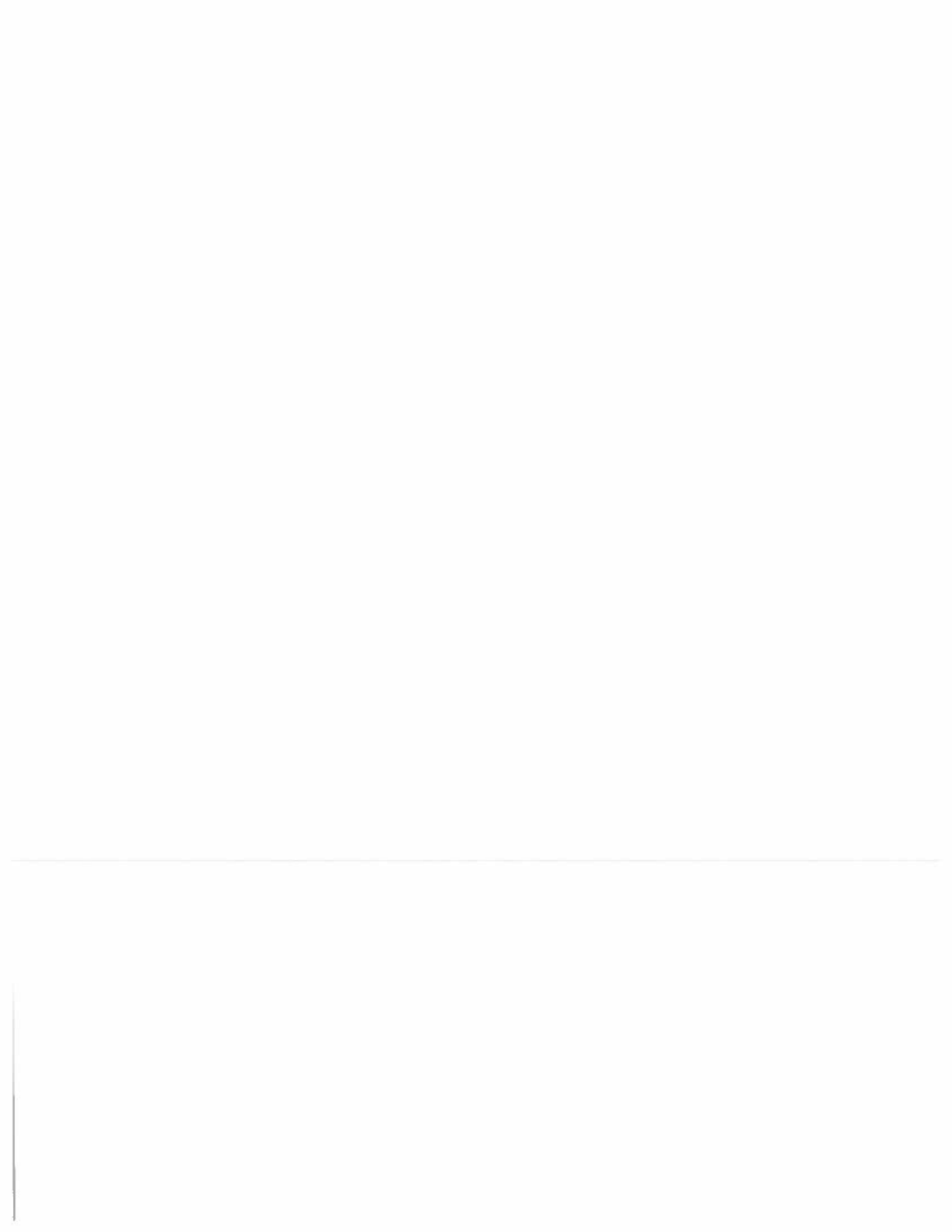
➤ **Article 1 passed by majority vote, and met the 2/3rds requirement (Ayes 198; Nays 11)**

Article 2: It was moved and seconded that the Town vote to:

(a) appropriate Seven Hundred Eighty-Five Thousand Dollars (\$785,000) for the purpose of acquiring, for the purposes below, certain property located at 111 Glendale Road, Southampton containing approximately 84.75 acres of land, more or less, being Tax Map 7, Lot 5 pursuant to the town's statutory right of first refusal under Massachusetts General Laws Chapter 61, Section 8; and

(b) that to meet this appropriation, the sum of Two Hundred Ninety-Two Thousand Dollars (\$292,000) shall be transferred from the Community Preservation Fund Undesignated Account and Ninety-Three Thousand Dollars (\$93,000) from the Open Space/Recreation Account, and the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Four Hundred Thousand (\$400,000) in accordance with Chapter 44, Section 7 and/or Chapter 44B, Section 11, and/or any other enabling authority, and to issue bonds or notes therefor; and, in accordance with Chapter 44, Section 20, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for such project shall be reduced by the amount of any such premium so applied;

(c) that the Select Board is authorized to acquire the said property by gift, negotiated purchase, eminent domain or otherwise, including pursuant to the Town's statutory right of first refusal pursuant to Chapter 61, Section 8, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and that said property shall be under the care, custody and control of the Conservation Commission pursuant



to the provisions of Chapter 40, Section 8(C), as it may hereafter be amended, and other Massachusetts statutes relating to conservation;

(d) that the Select Board and/or the Conservation Commission is authorized to grant a perpetual conservation restriction to a non-profit corporation or trust pursuant to the provisions of Chapter 184, Sections 31 through 33, in compliance with Chapter 44B, Section 12(a), protecting the property for the purposes for which it is acquired, and, further to authorize the Select Board and/or the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes;

➤ **Article 2 passed by majority vote, and met the 2/3rds requirement (Ayes 192; Nays 11)**

Article 3: It was moved and seconded that the Town vote to transfer \$16,935.45 from the Peg Programming Receipts Reserved for Appropriation Account to pay Easthampton Media for audio visual services per the Town's Contract. (FY18)

➤ **Article 3 passed unanimously**

Article 4: It was moved and seconded that the Town vote to take no action in regards to a five-year lease for new communications dispatch radio equipment at the Police Department for use in communications dispatch for EMS, Fire, Highway and Police services.

➤ **Article 4 - no action was taken; unanimous**

**A motion was made and seconded to dissolve the Special Town Meeting at 8:10 PM.
Approved unanimously**

A true copy of the warrant, return of the warrant, and the minutes of the meeting.

Attest:

Janine Domina, Clerk
Town of Southampton

