

SPECIAL TOWN MEETING - JUNE 14, 2010

At the Special Town Meeting held on Monday, June 14, 2010 at the Cohasset High School Sullivan Gymnasium the following articles were contained in the warrant and acted upon as follows.

Checkers sworn in by the Town Clerk, Marion L. Douglas at 7 p.m. were Debra Krupczak, Sandra Murray, Abigail Alves, Katherine Whitley, Betts Murray and the Assistant Town Clerk Carol St Pierre. Tellers were appointed and sworn in by the Moderator, Daniel Evans.

The Moderator called the meeting to order at 7:15 p.m. and a quorum of 100 was present at that time. The registered voters checked in on the voting list totaled 303 voters.

It was unanimously voted to dispense with the reading of the call of the Meeting and Return of Service having been examined by the Moderator and found to be in order.

Citizens recited the pledge of allegiance.

Article 1: Union Contracts & Other Salary Adjustments

To see if the Town will vote to raise and appropriate borrow pursuant to any applicable statute, and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, to fund the cost items of one or more collective bargaining agreements between the Town, represented by the Board of Selectmen, and the Police Department employees represented by Local 66, Cohasset Police Association (Sergeants, Patrolmen and Permanent Intermittent Officers), and Local 84 Cohasset Police Association (Lieutenants) in accordance with Chapter 150E of the General Laws.

MOVED that Fifty Nine Thousand Dollars (\$59,000) be appropriated to fund the FY09 cost items of the collective bargaining agreements for a three year term (FY 09 through FY 11) and a two year term (FY 12 and 13) between the Town represented by the Board of Selectmen and the Police Department employees represented by Local 66, Cohasset Police Association (Sergeants, Patrolmen and Permanent Intermittent Officers), and the FY 09 cost items of the collective bargaining agreement for a three year term (FY09 through FY 11) between the Town represented by the Board of Selectmen and Local 84, Cohasset Police Association (Lieutenants); and to meet this appropriation Fifty Nine Thousand Dollars (\$59,000) be transferred from the appropriation voted pursuant to Article 2 of the November 17, 2008 Special Town Meeting.

Motion adopted unanimously.

Article 2: Easements for Jacobs Meadow Culvert Project

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain permanent and temporary easements in all or any portions of the following parcels located off Summer Street and Elm Street for drainage purposes and the construction of improvements for the Jacobs Meadows culvert improvement project; to see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, a sum of money for such purposes.; or to take any other action related thereto.

<u>Map</u>	<u>Parcel</u>	<u>Location</u>	<u>Map</u>	<u>Parcel</u>	<u>Location</u>
27	5	85 Elm Street	30	21	124 Elm Street
27	4	87 Elm Street	32	24	80 Summer Street
27	3	91 Elm Street	32	23	84 Summer Street
27	2	95 Elm Street	32	96	Summer Street
27	1	97 Elm Street			

MOVED that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain permanent and temporary easements in all or any portions of the following parcels located off Summer Street and Elm Street for drainage purposes and the construction of improvements for the Jacobs Meadows culvert improvement project:

<u>Map</u>	<u>Parcel</u>	<u>Location</u>	<u>Map</u>	<u>Parcel</u>	<u>Location</u>
27	5	85 Elm Street	30	21	124 Elm Street
27	4	87 Elm Street	32	24	80 Summer Street
27	3	91 Elm Street	32	23	84 Summer Street
27	2	95 Elm Street	32	96	Summer Street
27	1	97 Elm Street			

A 2/3's vote required. Motion adopted unanimously.

Article 3: Zoning Bylaw Amendment – Section 8.7.1

To see if the Town will vote to amend Section 8.7 of the Zoning Bylaw as follows or to take any other action related thereto: 1. by deleting Section 8.7.1 and replacing it with the following:

1. An existing nonconforming single or two family residential building or structure may be extended, altered, reconstructed or enlarged so long as the extension, alteration, reconstruction or enlargement complies in all respects with the Area Regulations as set forth in Section 5.3.1 other than minimum required lot area.

MOVED that Section 8.7 of the Zoning Bylaw be amended as follows:

By deleting Section 8.7.1 and replacing it with the following:

1. An existing nonconforming single or two family residential building or structure may be extended, altered, reconstructed or enlarged so long as the extension, alteration, reconstruction or enlargement complies in all respects with the Area Regulations as set forth in Section 5.3.1 other than minimum required lot area.

A 2/3's vote required. Motion adopted unanimously.

At this time Article 9 was moved forward for consideration.

Article 9: Water Enterprise Fund

To see if the Town will vote to amend action taken in Article 19 of the 2003 annual town meeting with respect to the Water Enterprise Fund by adding the following words to the end of the motion "to be managed jointly by the Board of Water Commissioners and the Town Manager.

MOVED that the motion voted pursuant to Article 19 of the 2003 annual town meeting with respect to the Water Enterprise Fund be hereby amended by adding the following words to the end of said motion "to be managed jointly by the Board of Water Commissioners and the Town Manager.

Motion adopted unanimously.

Article 4: Transfer from Stabilization Fund

To see if the Town will vote to transfer a sum of money from the Town's Stabilization Fund to the Water Enterprise Fund.

MOVED that the sum of Three Hundred Thirty Five Thousand Dollars (\$335,000) be transferred from the Town's Stabilization Fund to the Water Enterprise Fund to provide an additional source of funds to meet the FY 10 Water Department appropriations as voted pursuant to Article 3 of the March 28, 2009 annual town meeting.

A 2/3's vote required. Motion adopted unanimously.

Article 5: Amendment to Fiscal 2011 Operating Budget

To see what additional action the Town will vote to amend, modify, increase or decrease, or otherwise, to balance the Fiscal Year 2011 Operating Budget as voted in Article 3 of the March 27, 2010 Annual Town Meeting, including proposed revised appropriations and any additional sums the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment, and outlays, capital and otherwise, of the several Town departments, for the current fiscal year.

MOVED that this article be indefinitely postponed.

Motion adopted.

Article 6: Water Rates & Charges

To see if the Town will vote to amend the current schedule of water rates by adopting a new schedule for

Rate 1 (Service Charges and Unit Consumption Charges for all Customers), Rate 2 (Capital Recovery Charge) and Rate 3 (Private Fire Protection Charge per Hydrant).

MOVED that the current schedule of Water Commission water rates be amended by approving the following new schedule:

RATE 1 Unit Consumption Charge for all Customers
Effective September 1, 2010

	Tier Level	
.	Charge per 100cf per Qtr.	
	<u>Tier I</u>	<u>Tier II</u>
	\$5.68	\$11.35

RATE 2 Capital Recovery Charge:
Effective June 1, 2010

	<u>Meter Size</u>	<u>Charge per Quarter</u>
	1 1/2" or smaller	\$187.00
	2"	\$542.00
	3"	\$1,056.00
	4"	\$1,547.00
	6"	\$3,094.00

RATE 3 Private Fire Protection Charge per Hydrant
No change in current charge

<u>Meter Size</u>	<u>Annual</u>
4" or smaller	\$207.00
6"	\$600.00
8"	\$1,280.00
10"	\$2,300.00
12"	\$3,700.00

Amendment offered by Lee Jenkins as a private citizen.

To amend the motion presented for Article 6 by leaving the water rates and charges the same as FY2010 and adding a Capital Recover Charger of \$115 a quarter.

Amendment is defeated.

Main motion is adopted.

Article 7: Water Department Budget

To see if the Town will vote raise and appropriate, borrow and/or transfer from available funds in the Treasury, a sum of money for the purpose of funding Water Department operations, expenses and debt service for the ensuing fiscal year commencing July 1, 2010.

MOVED that One Million Seven Hundred Twelve Thousand Six Hundred Seventy Two Dollars (\$1,712,672) be appropriated for Fiscal Year 2011 Water Department Operating Expenses, and Two Million Nine Hundred Sixty Nine Thousand Four Hundred Thirty Seven Dollars (\$2,969,437) be appropriated for Fiscal Year 2011 Water Department Debt Service; and that the total of \$4,382,109 be raised from Water Department revenues.

Motion is adopted.

Article 8: Water Department Capital Improvement Projects

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund various Water Department capital improvements and/or capital projects, and further to amend the water rates and charges to pay for such capital improvement projects.

Motion 1.

MOVED that One Hundred Thousand Dollars (\$100,000) be hereby appropriated, with the intention that these funds be available in FY10 and beyond, to be expended by the Board of Water Commissioners for the Sludge Lagoon/GEO Tubes Project at the Water Treatment Plant, and to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow One Hundred Thousand Dollars (\$100,000) under and pursuant to Chapter 44, Section 8 of the Massachusetts General Laws, as amended, or any other enabling authority, and to issue bonds and notes of the Town, while such borrowing is to be a general obligation of the Town, it is the intent of the town to pay the debt service for this borrowing from water revenues; and further that the Rate 2 Capital Recovery Charge as adopted pursuant to Article 6 of this warrant (for the June 14, 2010 special town meeting) be increased One Dollar and Twenty Cents (\$1.20) per quarter effective June 1, 2011 to pay the annual debt service for this project.

A 2/3's vote is required. Motion adopted unanimously.

Motion 2.

MOVED that Fifty Thousand Dollars (\$50,000) be hereby appropriated, with the intention that these funds be available in FY10 and beyond, to be expended by the Board of Water Commissioners for the Phosphate System Project at the Water Treatment Plant, and to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow Fifty Thousand Dollars (\$50,000) under and pursuant to Chapter 44, Section 8 of the Massachusetts General Laws, as amended, or any other enabling authority, and to issue bonds and notes of the Town; while such borrowing is to be a general obligation of the Town, it is the intent of the town to pay the debt service for this borrowing from water revenues; and further that the Rate 2 Capital Recovery Charge as adopted pursuant to Article 6 of this warrant (for the June 14, 2010 special town meeting) be increased Sixty Cents (\$.60) per quarter effective June 1, 2011 to pay the annual debt service for this project.

A 2/3's vote is required. Motion adopted unanimously.

Motion 3.

MOVED that One Hundred Thirty Eight Thousand Dollars (\$138,000) be hereby appropriated, with the intention that these funds be available in FY10 and beyond, to be expended by the Board of Water Commissioners for the Little Harbor Water Distribution System Project, and to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow One Hundred Thirty Eight Thousand Dollars (\$138,000) under and pursuant to Chapter 44, Section 8 of the Massachusetts General Laws, as amended, or any other enabling authority, and to issue bonds and notes of the Town; while such borrowing is to be a general obligation of the Town, it is the intent of the town to pay the debt service for this borrowing from water revenues; and further that the Rate 2 Capital Recovery Charge as adopted pursuant to Article 6 of this warrant (for the June 14, 2010 special town meeting) be increased One Dollar and Sixty Cents (\$1.60) per quarter effective June 1, 2011 to pay the annual debt service for this project.

A 2/3's vote is required. Motion adopted unanimously.

It was voted unanimously that this Special Town Meeting be dissolved at 10:35 p.m.

A True Record, ATTEST:

**Marion L. Douglas
Town Clerk**