

# SPECIAL TOWN MEETING

JUNE 22, 2013

## MINUTES

Pursuant to the provisions of the foregoing warrant, the voters assembled at the Nauset Regional High School to vote on the following questions. The results are as follows:

### Article 1.

The Board of Selectmen moved and seconded the following article:

That the Town votes to establish a town-wide water supply and water distributing system pursuant to Section 39A of Chapter 40 of the General Laws; and

That \$114,800,000 is appropriated to pay costs of establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

That to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$114,800,000 under and pursuant to Chapter 44, Section 8 of the General Laws and/or Chapter 29C of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and

That the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the General Laws and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

That the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

That pursuant to G.L. Chapter 40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A; and

That the Town hereby accepts the provisions of G. L. Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; and

That the Selectmen are authorized to petition the General Court to enact legislation as may be needed to permit the Town to assess privilege fees, establish a water enterprise fund and such other duties as are normally assigned to Water Commissioners, and further provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Selectmen, and such other amendments to the bill submitted, as the Selectmen may approve before enactment by the General Court, and to authorize the Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

### Article 2.

The Board of Selectmen moved and seconded the following article:

That the Town votes to establish a limited municipal water supply and water distributing system pursuant to Section 39A of Chapter 40 of the General Laws; and

That \$40.8 million is appropriated to pay costs of establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

That to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$40.8 million and issue bonds or notes therefor under Chapter 44, Section 8 of the General Laws and/or Chapter 29C of the General Laws or pursuant to any other enabling authority; and

That the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the General Laws and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

That the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

That, pursuant to G.L. Chapter 40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A; and

That the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; and

That the Selectmen are authorized to petition the General Court to enact legislation as may be needed to permit the Town to assess privilege fees, establish a water enterprise fund and such other duties as are normally assigned to Water Commissioners, and further provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Selectmen, and such other amendments to the bill submitted, as the Selectmen may approve before enactment by the General Court, and to authorize the Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

Secret Ballot Vote 809 yes 516 no  
Failed to meet 2/3 needed 883 to pass

Secret Ballot Vote 843 yes 432 no  
Failed to meet 2/3 needed 850 to pass

Article 3:

The Board of Selectmen moved and seconded the following:

To transfer \$158,746 from Free Cash in the following amounts, to the following accounts:

Town Clerk's Salary Account	\$ 2100.
Town Report Account	12,066
FEMA Account	24,580.
Well Immediate Response Acct	120,000.

Passed by majority voice vote

Article 4.

Thomas Johnson, petitioner of this article, read the article as his motion to establish a water supply by appropriating \$5,800,000.00 including construction and development of public wells.

See Article in warrant.

Secret Ballot Votes 387 Yes 605 No article failed

Article 5.

A motion was not given to the Town Clerk or Moderator. The article was voted as a Resolution since the town does not own the road, we cannot plow or maintain the road. The Selectmen will establish a committee to explore the process necessary to support a necessary solution.

Majority voice vote

Article 6.

This article was indefinitely postponed. The petitioners Colleys) were not present and the Selectmen had not received proof of damages from the petitioner.

Unanimous voice vote

The quorum for this town meeting was 210 voters. There were 1368 voters in attendance for this meeting. The town meeting was called for 10:00 a.m. on Saturday however began at 11:15 a.m. when the Town Clerk read the call of the meeting. The Moderator declared the meeting closed at 2:00 p.m. and was dissolved.

A True Copy Attest: Lillian Lamperti