

**ANNUAL TOWN MEETING  
JUNE 13, 2016  
COMMONWEALTH OF MASSACHUSETTS**

The Annual Town Meeting held on June 13, 2016, at the Dighton-Rehoboth Regional High School, was called to order at 7:00PM by William E. McKeon, Jr., Moderator. Salute to the flag was given. The checkers were Lois Achetlik, Eleanor Boegler, Mary Carey, Maureen Dutra, Margaret Mullen, Elizabeth Silvia, and Joan Ready, Warden. Total attendance was 96.

**MODERATOR'S REMARKS**

**DIGHTON ANNUAL TOWN MEETING**

**JUNE 13, 2016**

I dedicate the 2016 Dighton Annual Town Meeting to the memory of one of the greatest scholars and kindest gentlemen ever raised in our town. And yet, many may not have ever known him. Let me tell you about this interesting man.

Robert Araujo was born in 1948 into a family of Dighton farmers. His grandfather immigrated from Madeira in the Azores. Robert worked at the family's farm stand in his youth. He excelled in his school studies in Dighton. He gained admission to Georgetown University, a Jesuit college, and went on to Georgetown Law School. The Jesuit order is dedicated to education and this became Robert's lifelong passion.

After serving stateside as an Army officer during the Vietnam War and briefly as a practicing attorney, Robert accepted his calling to enter the Society of Jesus to become a Jesuit. This process took nine years. During this period of his life, Robert studied at Oxford, Loyola, and also at Columbia where he obtained a second law degree and a masters degree. Robert became an expert in international law.

After ordination in 1993, Father taught at the great Jesuit universities of this country including Loyola of Chicago, Gonzaga, Boston College, Fordham, St. Louis University, and Georgetown. Additionally, he was a professor at the Pontifical Gregorian University in Rome. He was repeatedly recognized for his teaching skills and devotion to his students.

Father was a prolific author of books and scholarly articles mostly about the field of international law. Many of these writings regarded the Vatican's role in international diplomacy.

Because of his high intellect, legal expertise, and diplomatic skills, Father was appointed by the Holy See as a legal advisor to the Vatican Secretary of State in the United Nations. At the United Nations, he fought for healthcare for the handicapped and

against child trafficking. From our little town, Father made an impact on our world.

Too early in his life, Father received a diagnosis of a terminal illness. Yet, he continued to teach. Eventually, he moved to a Jesuit center in Weston, Massachusetts until he passed last October.

Father Araujo has been called "a giant of Catholic education and Catholic legal theory...His Credentials...should be placed in the Mt. Olympus of legal scholarship."

Another wrote about Father: "...his life as a Jesuit has enabled him to approach law with a humane and compassionate mindset, something he could not always do in the corporate or government world."

Father gave an extensive oral history during his final illness. He reflected: "Being a man of consistent faith, I suppose a long time ago I know that it is not our destiny to stay in the world: our destiny is with God."

Father Araujo said his own personality came from his own father

who he described as a soft spoken, gentle soul. I recall the several times Father Araujo offered mass at St. Peter's Church to his late father, Ceasar. He was a kindly man and took great joy returning to Dighton.

Let us honor the memory of a fine man who dedicated his life for the betterment of mankind and for his devotion to God.

God bless Robert Araujo.

**VOTED UNANIMOUSLY:** On motion of Dean Cronin and seconded to dispense with the reading of the warrant.

**VOTED UNANIMOUSLY:** On motion of Dean Cronin and seconded to dispense with the reading of the Articles and that reference to them be made by number and content.

**VOTED UNANIMOUSLY:** On motion of Dean Cronin and seconded to consider adjournment at 11:00 P.M.

**ARTICLE 1. VOTED UNANIMOUSLY:** On motion of Brett Zografos and seconded to hear a report of the Town Affairs Communications Committee.

Shawn Urban, Chairman of the Town Affairs Communication Committee stated that the Committee had a good first year and the Committee put out information that was provided to them. He stated that not all departments have used the committee to their full potential but they are always making themselves available. One issue the committee ran into was the posting of the town warrant. Mr. Urban and the Town clerk called the Secretary of State's Election Division and it was explained that the resolution to the committee posting the Warrant in other locations was the change of the current town's by-law. If this is what the residents would like to see happen, then they should reach out to the committee so an article could be written for the fall warrant. At this time, the committee is looking into a twitter account. They are always looking into new ideas of ways to get the residents the information they want. He suggested that the residents contact either the committee or the Selectman's office.

In closing, he stated that residents should get involved. We are at a time in Dighton's history where we will either all come together in common middle ground, see reason, and progress toward the future much like we have done in the past, or, we will fail to thrive as a community which we call home.

Mr. Urban, quoted Mr. Benjamin Franklin, "Tell me and I forget. Teach me and I remember. Involve me and I learn."

VOTED: On motion of Nancy Goulart and seconded that the report of the Town Affairs Communications Committee be accepted as read

ARTICLE 2. VOTED: On motion of Nancy Goulart and seconded to hear reports of the Town Officials.

Dean Cronin, Chairman of the Board of Selectmen, read the following statement:

**Report of the Board of Selectmen—Annual Town Meeting 6/13/16**

Good evening ladies and gentlemen and all special guests to the Town of Dighton's Annual Town Meeting of June 13, 2016.

Tonight we will hear 57 written articles read, of which all of the residents present will decide their outcome by a yes or no vote.

Among them will be:

- \* A repeat article to establish the position of Town Administrator
- \* The future of the former North Grammar School, VFW, and VanGyzen Hall
- \* The establishment of a Village Overlay District
- \* The initiation of a new Yard Sale by-law
- \* The establishment of a Historic Stonewall Protection by-law
- \* The establishment of a new separate Board of Health
- \* Various purchases of equipment or vehicles for our Public Safety Departments.
- \*

AND MORE

As in the past, the rather small turnout tonight of approximately 100 people leaves the burden of deciding the outcome of a proposed budget amount in the range of 18 million dollars, in the hands of the few of us who have come here tonight.

Therefore, we, the Board of Selectmen ask that you all weigh the pros and cons when voting for each of tonight's articles and the budget that has been proposed.

We thank you all in advance, for your wise and well considered votes tonight.

Edward Swartz, Chairman of the Finance Committee introduced himself and welcomed everyone to Annual Town Meeting. He stated that the Finance Committee put together a very solid budget. The Finance Committee met about 15 times to review and discuss the budget with Town officials and department heads.

The budget presented tonight is under the levy limit and this fiscal year we are adding new positions, purchasing new vehicles, new equipment and other needs of the departments which we haven't been able to do in past years. The Finance Committee will make their recommendations on each article as they are read.

Carol Beauregard, Board of Assessor's Chairman stated that the Board of Assessor's had no report.

No Report of the Dighton-Rehoboth Regional School District

VOTED: On motion of Edward Swartz and seconded that the reports of the Town's officials be accepted as read, and as printed in the annual town reports.

ARTICLE 3. VOTED: On motion of Edward Swartz and seconded that the Board of Selectmen be authorized to appoint all necessary Town Officials and Town Committees not otherwise provided for by statute.

ARTICLE 4. VOTED: On motion of Nancy Goulart and seconded that we hear the report of the Capital Outlay Committee.

Robert Rendon, Chairman of the Capital Outlay Committee read the following report:

Capital Outlay Committee Report for the FY2017 Annual Town Meeting (June 13, 2016)

The purpose of the Capital Outlay Committee is to provide the town with a plan for capital expenditures over the next six years as stated in Article XIX of the General By-Laws for the Town of Dighton. For the purpose of this committee, a capital expenditure is greater than \$10,000 and has a useful life of 5 or more years.

Over the past few months, information was gathered for those departments having larger capital expenditures; in other words, those departments that typically request a Special Article to fund their capital expenditure. Those departments included the Fire, Police and Communications Departments, the Highway Department, and the Building Inspection Department which also includes the Public Buildings and Property Maintenance budget.

While this committee realizes that some capital expenditures will be warranted based upon need and circumstances, especially in the case of an emergency or accident, we hope that capital expenditures will be planned and accounted for well in advance of incurring any expense. This report by no means is an endorsement of these expenditures by the committee members; rather, it is simply a statement of information.

With that being said, our findings indicate that over the next 5 years (including FY17 items that are not on the current warrant) a total of approximately \$2.53 million will need to be funded if all departments were to request and receive the necessary amounts identified. This is approximately \$316,000 more for FY17 - FY21 than the amount reported at the FY16 Annual Town Meeting. Approximately \$105,000 of this is due to the change in use of the Ambulance Fund.

	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>TOTAL</b>
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<b>2017 est</b>	<b>n/a</b>	<b>\$598,495</b>	<b>\$514,487</b>	<b>\$964,487</b>	<b>\$201,850</b>	<b>\$221,850</b>	<b>\$2,501,169</b>
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The FY17 amount contains \$338,495 already included in the warrant, with an additional amount of \$90,000 earmarked for the Special Town Meeting in the Fall (provided that those department heads submit special articles for these items.)

A detailed copy of our findings will be made available through the minutes of this Town Meeting.

Respectfully submitted,  
 Capital Outlay Committee  
 Robert Rendon, Chairperson  
 Jeff Cloonan, Clerk  
 Rob Fredericks  
 Brenda Moynihan

	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>Special Article?</b>	<b>Dept. Total / Notes</b>
<b>192 Public Buildings &amp; Properties Maintenance</b>	<b>\$165,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$165,000</b>
Heating system Station 2, 2nd floor	\$12,000							
Vehicle exhaust extraction system, Station 2	\$80,000							Tried for grant in 2012 (price \$60 k back then excluding electrical)
Exterior walls of station 2 masonry work	\$18,000							3 sides of building (25k?)
Station 1 Office Flooring/Kitchen/Bath repair	\$15,000							
Reconfiguration of Town Hall	\$40,000							To accommodate growth
<b>241 Building Inspection</b>	<b>\$5,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$5,000</b>
Replace 8th floor Inspector vehicle	\$5,000							This amount is based on rehabbing an old cruiser
<b>210 Police Department</b>	<b>\$93,700</b>	<b>\$46,850</b>	<b>\$46,850</b>	<b>\$46,850</b>	<b>\$46,850</b>	<b>\$46,850</b>		<b>\$327,950</b>
Replace one cruiser per year	\$93,700	\$46,850	\$46,850	\$46,850	\$46,850	\$46,850	Article 44	
<b>215 Communications Department</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$0</b>
Update phone system (non-emergency)								Fire, Police too?
Alarm systems (both stations)								Fire, Police too?
<b>220 Fire Department</b>	<b>\$250,295</b>	<b>\$352,637</b>	<b>\$802,637</b>	<b>\$40,000</b>	<b>\$0</b>	<b>\$0</b>		<b>\$1,445,569</b>
New car for chief	\$47,000						Article 19	Recommend to table
Emergency Rescue/Pumper (thru FY2019)	\$52,637	\$52,637	\$52,637				Article 20	
Ambulance (thru FY2017)	\$52,090						Article 21	Ambulance Fund
Cardiac Monitors (2)	\$58,568						Article 22	Ambulance Fund
Replace Ambulance 1		\$300,000						
Ladder truck			\$750,000					If it does not meet certification 1980 or 81; used \$450,000
Forestry 1 pick-up (3995, unknown ~150-175k)				\$40,000				
Forestry 2 pick-up (1989, 230k miles)	\$40,000							STM FY17
<b>422 Highway Construction &amp; Maintenance</b>	<b>\$84,500</b>	<b>\$115,000</b>	<b>\$115,000</b>	<b>\$115,000</b>	<b>\$175,000</b>	<b>\$22,000</b>		<b>\$626,500</b>
Snow Plow	\$12,500						Article 13	
New sander	\$22,000						Article 45	
New chipper	\$50,000							Replace 1988 Vermeer chipper; STM FY17
New dump		\$115,000						Replace 2000 Ford (only operates in Winter); with sander
New dump			\$115,000					Replace 1996 Ford (only operates in Winter); with sander
New dump				\$115,000				Replace 2008 Ford (lemon); with sander
New loader					\$175,000			Replace 1999 JCB
New sweeper						\$22,000		Replace 1996 Elgin; (may be able to buy used at \$110,000 min)
<b>TOTAL</b>	<b>\$598,495</b>	<b>\$514,487</b>	<b>\$964,487</b>	<b>\$201,850</b>	<b>\$221,850</b>	<b>\$68,350</b>		<b>\$2,570,019</b>
	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>		

VOTED: On motion of Nancy Goulart and seconded that the report of the Capital Outlay Committee be accepted as read:

ARTICLE 5. VOTED: On motion of Edward Swartz and seconded that the town will establish the position of Town Administrator by adding to Article IV of the General by Laws:

“Section 3. The Board of Selectman shall have the power to appoint, in accordance with the provisions of Chapter 41, Section 23A of the General Laws, a Town Administrator”

ARTICLE 6. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the town will raise and appropriate the amount of \$115,000.00 for Personnel and \$10,000.00 for expenses for a total of \$125,000.00 to fund the position/office of the Town Administrator.

Finance Committee Recommends

ARTICLE 7. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town establish the following salaries of elected Town Officials for Fiscal Year 2017 in accordance with the provisions of Section 108 of Chapter 41 of the General Laws.

**BOARD OF ASSESSORS**

Chairman	\$ 76,855.48
Members (2) Each	\$ 5,072.87
Total	\$ 87,001.22

**BOARD OF SELECTMEN**

Chairman	\$ 9,500.32
Member	\$ 9,500.32
Member	\$ 9,500.32
Total	\$ 28,500.96

<b><u>TREE WARDEN</u></b>	\$ 243.74
<b><u>MODERATOR</u></b>	\$ 551.39
<b><u>TOWN CLERK</u></b>	\$ 72,781.80
<b><u>TOWN COLLECTOR</u></b>	\$ 37,482.90

<b><u>TOWN TREASURER</u></b>	\$ 37,482.90
<b><u>PLANNING BOARD</u></b>	
Chairman	\$ 2,876.16
Members (4) Each	\$ 1,918.25
Total	\$ 10,549.16
<b><u>SEWER COMMISSIONERS</u></b>	
Chairman	\$ 3,373.55
Members (2) Each	\$ 2,239.18
Total	\$ 7,851.91

Finance Committee Recommends

**ARTICLE 8. VOTED:** On motion of Edward Swartz and seconded that the Town will vote to raise by taxation and/or transfer from available funds the appropriation necessary to defray Town Charges and Assessments as considered by the Finance Committee.

**ARTICLE 8. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to General Government accounts as specified in the warrant for the June 13, 2016 Annual Town meeting, Article 8, and specifically for personnel and expenses of said departments as therein provided, the sum of \$1,244,099.35 for fiscal year 2017.

Finance Committee Recommends

01-113      **TOWN MEETING**  
 That the Town raise and appropriate \$800.00 for the Personnel Expenses of the Town Meeting Account and \$1200.00 for the Expenses of the Town Meeting Account.

Finance Committee Recommends

01-114      **MODERATOR**  
 That the Town raise and appropriate \$551.39 for the Personnel Expenses of the Moderator Account.

Finance Committee Recommends

01-122      **BOARD OF SELECTMEN**  
 That the Town raise and appropriate \$103,416.96 for the Personnel Expenses and

		\$75,985.00 for the Expenses of the Board of Selectmen Account. Finance Committee Recommends
01-124	<u>TOWN ADMINISTRATOR</u>	That the Town raise and appropriate \$0.00 for the Personnel Expenses and \$0.00 for the Expenses of the Town Administrator Account. (Ref. Article 6, ATM) Finance Committee Recommends
01-131	<u>FINANCE COMMITTEE</u>	That the Town raise and appropriate \$3,775.00 for the Personnel Expenses and \$700.00 for the Expenses of the Finance Committee Account. Finance Committee Recommends
01-132	<u>RESERVE FUND</u>	That the Town raise and appropriate \$50,000.00 for the Expenses of the Reserve Fund. Finance Committee Recommends
01-135	<u>ACCOUNTANT</u>	That the Town raise and appropriate \$122,257.80 for the Personnel Expenses and \$4,755.00 for the Expenses of the Accountant Account. Finance Committee Recommends
01-141	<u>ASSESSORS</u>	That the Town raise and appropriate \$158,083.93 for the Personnel Expenses and \$11,415.00 for the Expenses of the Assessors Account. Finance Committee Recommends
01-145	<u>TREASURER</u>	That the Town raise and appropriate \$74,498.55 for the Personnel Expenses and \$32,500.00 for the Expenses of the Treasurer Account. Finance Committee Recommends
01-146	<u>COLLECTOR</u>	That the Town raise and appropriate \$75,998.55 for the Personnel Expenses and \$20,265.00 for the Expenses of the Collector Account. Finance Committee Recommends

01-151 **LAW (TOWN COUNSEL)**  
That the Town raise and appropriate \$40,000.00 for the Expenses of the Law (Town Counsel) Account.  
Finance Committee Recommends

01-155 **DATA PROCESSING**  
That the Town raise and appropriate \$40,150.05 for the Expenses of the Data Processing Account.  
Finance Committee Recommends

01-158 **TAX TITLE FORECLOSURE**  
That the Town raise and appropriate \$19,000.00 for the Expenses of the Tax Title Foreclosure Account.  
Finance Committee Recommends

01-161 **TOWN CLERK**  
That the Town raise and appropriate \$124,615.70 for the Personnel Expenses and \$4,215.00 for the Expenses of the Town Clerk Account.  
Finance Committee Recommends

01-162 **ELECTIONS**  
That the Town raise and appropriate \$10,300.00 for the Personnel Expenses and \$20,050.00 for the Expenses of the Election Account.  
Finance Committee Recommends

01-163 **REGISTRATION**  
That the Town raise and appropriate \$600.00 for the Personnel Expenses and \$3,600.00 for the Expenses of the Registration Account.  
Finance Committee Recommends

01-171 **CONSERVATION COMMISSION**  
That the Town raise and appropriate \$5,000.00 for the Personnel Expenses and \$1,150.00 for the Expenses of the Conservation Commission Account.  
Finance Committee Recommends

01-175 **PLANNING BOARD**  
That the Town raise and appropriate \$43,785.46 for the Personnel Expenses and \$8,704.60 for the Expenses of the Planning Board Account.  
Finance Committee Recommends

01-176 BOARD OF APPEALS  
That the Town raise and appropriate \$29,721.36 for the Personnel Expenses and \$24,655.00 for the Expenses of the Board of Appeals Account.  
Finance Committee Recommends

01-189 DEVELOPEMNT AND INDUSTRIAL COMMISSION  
That the Town raise and appropriate \$1,000.00 for the Expenses of the Development and Industrial Commission Account

01-192 PUBLIC BUILDINGS & PROPERTIES MAINTENANCE  
That the Town raise and appropriate \$85,850.00 for the Expenses of the Public Buildings and Properties Maintenance Account.  
Finance Committee Recommends

01-193 BUILDING INSURANCE  
That the Town raise and appropriate \$43,000.00 for the Expenses of the Building Insurance Account.  
Finance Committee Recommends

01-195 TOWN REPORTS  
That the Town raise and appropriate \$2,500.00 for the Expenses of the Town Report Account.  
Finance Committee Recommends

**VOTED:** **On motion of Edward Swartz and seconded that the Town vote to raise and appropriate \$2,722,563.35, transfer from the Ambulance Fund \$419,369.79, to the Public Safety accounts as specified in the warrant for the June 13, 2016 annual town meeting, Article 8 and specifically for personnel and expenses of said departments as therein provided, the sum of \$3,141,933.14 for fiscal year 2017.**

Finance Committee Recommends

01-210      POLICE  
That the Town raise and appropriate \$1,156,510.34 for the Personnel Expenses and \$162,825.00 for the Expenses of the Police Department Account.  
Finance Committee Recommends

01-215      COMMUNICATION CENTER  
That the Town raise and appropriate \$302,180.63 for the Personnel Expenses and \$20,305.00 for the Expenses of the Communication Center Account.  
Finance Committee Recommends

01-220      FIRE  
That the Town raise and appropriate \$497,964.79 for the Personnel Expenses and \$115,885.00 for the Expenses of the Fire Department Account.  
Finance Committee Recommends

01-231      AMBULANCE SERVICES  
That the Town raise and appropriate \$250,000.00 for the Personnel Expenses and that the Town transfer from the Ambulance Fund \$263,984.79 for the Personnel Expenses and \$155,385.00 for the Expenses of the Fire Department Ambulance Services.  
Finance Committee Recommends

01-241      BUILDING INSPECTOR  
That the Town raise and appropriate \$108,220.00 for the Personnel Expenses and \$41,630.00 for the Expenses of the Building Inspector Account.  
Finance Committee Recommends

01-242      GAS INSPECTOR  
That the Town raise and appropriate \$7,000.00 for the Personnel Expenses of the Gas Inspector Account.  
Finance Committee Recommends

01-243      PLUMBING INSPECTOR  
That the Town raise and appropriate \$7,000.00 for the Personnel Expenses and \$0.00 for the Expenses of the Plumbing Inspector Account.  
Finance Committee Recommends

01-244 WEIGHTS AND MEASURES  
That the Town raise and appropriate \$1,130.42 for the Personnel Expenses and \$370.00 for the Expenses of the Weights and Measures Account.  
Finance Committee Recommends

01-245 ELECTRICAL INSPECTOR  
That the Town raise and appropriate \$18,000.00 for the Personnel Expenses of the Electrical Inspector Account.  
Finance Committee Recommends

01-292 ANIMAL CONTROL OFFICER  
That the Town raise and appropriate \$16,560.60 for the Personnel Expenses and \$8,500.00 for the Expenses of the Animal Officer Account.  
Finance Committee Recommends

01-294 FORESTRY  
That the Town raise and appropriate \$431.60 for the Personnel Expenses of the Forestry Account.  
Finance Committee Recommends

01-295 HARBORMASTER  
That the Town raise and appropriate \$2,000.00 for the Personnel Expenses and \$5,550.00 for the Expenses of the Harbormaster Account.  
Finance Committee Recommends

01-299 DISASTER COMMITTEE  
That the Town raise and appropriate \$4,500.00 for the Expenses of the Disaster Committee Account.  
Finance Committee Recommends

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate for Education Assessments, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, the sum of \$9,483,867.00 for fiscal year 2017.**

**Finance Committee Recommends**

Dr. Anthony C. Azar, Superintendent of Schools addressed all those in attendance at the Annual Town Meeting of June 13, 2016. He stated that this is the second year that the district was below the assessment. The budget is very transparent and available on line. He has met with the Board of Selectmen on a regular basis, which has been a team effort. He also stated that he was very appreciative to Dighton for always supporting the district day in and day out. He continues to have 2 goals: 1) Student Achievement and 2) Member Town School Stability. He asked that the budget be supported again and that he is always accessible to discuss any questions or concerns regarding the budget.

01-300-5690 **REGIONAL SCHOOL DISTRICT**

That the Town raise and appropriate \$8,717,278.00 for the Operating Assessment and \$357,681.00 for the Capital Assessments from the Dighton-Rehoboth Regional School District.

**Finance Committee Recommends**

01-300-5691 **BRISTOL COUNTY AGRICULTURAL DISTRICT**

That the Town raise and appropriate \$55,593.00 for the Bristol County Agricultural High School Operating Assessment.

**Finance Committee Recommends**

01-300-5692 **BRISTOL PLYMOUTH REGIONAL HIGH SCHOOL**

That the Town raise and appropriate \$353,315.00 for the Bristol Plymouth Regional High School Operating and Transportation Assessment.

**Finance Committee Recommends**

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to Highway accounts, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for personnel and expenses of the Highway department as therein provided, the sum of \$827,885.84 for fiscal year 2017.**

**Finance Committee Recommends**

01-422 HIGHWAY  
That the Town raise and appropriate \$536,274.66 for the Personnel Expenses and \$150,500.00 for the Expenses of the Highway Account.  
Finance Committee Recommends

01-423 SNOW REMOVAL  
That the Town raise and appropriate \$13,000.00 for the Personnel Expenses and \$37,000.00 for the Expenses of the Snow Removal Account.  
Finance Committee Recommends

01-429 DIGHTON BERKLEY BRIDGE  
That the Town raise and appropriate \$0.00 for the Personnel Expenses and \$1,800.00 for the Expenses of the Dighton-Berkley Bridge Account.  
Finance Committee Recommends

04-432 STREET CLEANING/STORMWATER  
That the Town raise and appropriate \$27,936.38 for the Personnel Expenses and \$61,374.80 for the Expenses of the Street Cleaning/Stormwater Account.

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to the Sanitation account, Waste Collection and Disposal, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for personnel and expenses of said department as therein provided, the sum of \$476,400.98 for fiscal year 2017.**  
Finance Committee Recommends

01-433 WASTE COLLECTION DISPOSAL  
That the Town raise and appropriate \$7,000.00 for the Personnel Expenses and \$469,400.98 for the Expenses of the Waste Collection and Disposal Account.  
Finance Committee Recommends

**VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded, that the Town vote to raise and appropriate to Other Environmental accounts, to the Cemetery account, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for personnel and expenses of said department as therein provided, the sum of \$13,500.00 for fiscal year 2017.

**Finance Committee Recommends**

01-491

**CEMETERIES**

That the Town raise and appropriate \$13,500.00 for the Expenses of the Cemeteries Account.

**Finance Committee Recommends**

**VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to Human Services accounts, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for personnel and expenses of said departments as therein provided, the sum of \$313,686.81 for fiscal year 2017.

**Finance Committee Recommends**

01-510

**HEALTH (REGULATIONS)**

That the Town raise and appropriate \$21,193.67 for the Personnel Expenses and \$16,000.00 for the Expenses of the Health (Regulation) Account.

**Finance Committee Recommends**

01-519

**HEALTH (ADMINISTRATION)**

That the Town raise and appropriate \$18,599.60 for the Personnel Expenses and \$6,870.00 for the Expenses of the Health (Administration) Account.

**Finance Committee Recommends**

01-541

**COUNCIL ON AGING**

That the Town raise and appropriate \$94,712.57 for the Personnel Expenses and \$18,350.00 for the Expenses of the Council on Aging Account.

**Finance Committee Recommends**

01-543      **VETERANS SERVICES**  
That the Town raise and appropriate \$38,785.97 for the Personnel Expenses and \$99,175.00 for the Expenses of the Veterans Services Account.  
Finance Committee Recommends

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate \$267,657.00 and transfer from the PEG Access & Cable Related Fund \$29,425.00 to Culture & Recreation accounts, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for personnel and expenses of said departments as therein provided, the sum of \$297,082.00 for fiscal year 2017.**  
Finance Committee Recommends

01-610      **LIBRARY**  
That the Town raise and appropriate \$174,177.00 for the Personnel Expenses and \$70,730.00 for the Expenses of the Library Account.  
Finance Committee Recommends

01-630      **PARKS & RECREATION**  
That the Town raise and appropriate \$21,000.00 for the Expenses of the Recreation Account.  
Finance Committee Recommends

01-690      **TOWN HISTORIAN**  
That the Town raise and appropriate \$250.00 for the Expenses of the Town Historian Account.  
Finance Committee Recommends

01-691      **HISTORICAL COMMISSION**  
That the Town raise and appropriate \$1,500.00 for the Expenses of the Historical Commission Account.  
Finance Committee Recommends

01-698      **CABLE COMMISSION**  
That the Town transfer from the PEG Access and Cable Related Fund \$8,500.00 for the Personnel Expenses and \$20,925.00 for the Expenses of the Cable Commission Account.  
Finance Committee Recommends

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to transfer from Title V account \$10,362.00 to Debt Service account, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for expenses of said accounts as therein provided, the sum of \$10,362.00 for fiscal year 2017.**

**Finance Committee Recommends**

01-710      **RETIREMENT OF DEBT**  
That the Town transfer from (Title V) \$10,362.00.00 for the Expenses of the Retirement of Debt Account.

01-750      **INTEREST ON LONG-TERM DEBT**  
That the Town raise and appropriate \$0.00 for the Expenses of the Interest on Long-Term Debt account.

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to Employee Benefits accounts, as specified in the warrant for the June 13, 2016 annual town meeting, Article 8, and specifically for expenses of said accounts as therein provided, the sum of \$1,609,905.82 for fiscal year 2017.**

**Finance Committee Recommends**

01-911      **RETIREMENT AND PENSION CONTRIBUTIONS**  
That the Town raise and appropriate \$725,044.00 for the Expenses of the Retirement and Pension Contributions Account.  
Finance Committee Recommends

01-912      **WORKMAN'S COMPENSATION INSURANCE**  
That the Town raise and appropriate \$45,000.00 for the Expenses of the Workman's Compensation Insurance Account.  
Finance Committee Recommends

01-914 GROUP HEALTH INSURANCE  
That the Town raise and appropriate \$749,161.82 for the Expenses of the Group Health Insurance Account.  
Finance Committee Recommends

01-915 LIFE INSURANCE  
That the Town raise and appropriate \$700.00 for the Expenses of the Life Insurance Account.  
Finance Committee Recommends

01-916 EMPLOYER CONTRIBUTIONS  
That the Town raise and appropriate \$65,000.00 for the Expenses of the Employer Contributions for FICA and Medicare.  
Finance Committee Recommends

01-919 OPEB  
That the Town raise and appropriate \$25,000.00 for the Expenses of the OPEB account.  
Finance Committee Recommends

01-920 TUITION  
That the Town raise and appropriate \$0.00 for the Expenses of the Tuition Account.  
Finance Committee Recommends

**VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town vote to raise and appropriate to Liability Insurance accounts, as specified in the warrant for the June 13, 2016 Annual Town Meeting, Article 8, and specifically for expenses of said accounts as therein provided the sum of \$109,000.00.**  
Finance Committee Recommends

01-945 LIABILITY INSURANCE  
That the Town raise and appropriate \$109,000.00 for the Expenses of the Liability Insurance Account.  
Finance Committee Recommends

ARTICLE 9. VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town will vote to transfer from free cash funds in the Treasury \$4,403.00 to pay prior year's bills.

Finance Committee Recommends

ARTICLE 10. VOTED UNANIMOUSLY: On motion Robert Rendon and seconded that the Town will vote to approve the following sums to be expended under the direction of the Board of Sewer Commissioners for the maintenance of the Sewer Enterprise for Fiscal Year 2017:

**Direct Costs:**

Salaries:	\$104,001.94
Expenses:	\$181,250.00
Indirect Costs Total	\$ 44,985.25
Capital Outlay	\$475,000.00

The above appropriations will be funded as follows:  
\$290,000.00 through sewer receipts and \$515,237.19 transferred from Sewer Enterprise Retained Earnings totaling \$805,237.19.

Finance Committee Recommends

ARTICLE 11. VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town will vote to appropriate from available funds from the Massachusetts Department of Public Works for Fiscal Year 2017 for the purpose of expending funds for capital improvements of local roads under the "Transportation Bond Issue" \$284,350.00.

Finance Committee Recommends

ARTICLE 12. VOTED UNANIMOUSLY: On motion of Peter Roache and seconded that the Town will vote to transfer from free cash \$55,000.00 for materials to upgrade drainage on Main Street.

Finance Committee Recommends

ARTICLE 13. VOTED UNANIMOUSLY: On motion of Peter Roache and seconded that the Town will raise and appropriate the sum of \$12,500.00 for the purchase of one (1) four-way 11' snow plow to replace aging Highway Department equipment..

Finance Committee Recommends

ARTICLE 14. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to make changes in grade, take land by purchase or eminent domain, and to settle damages from land taken in conjunction with the Fiscal Year 2017 Highway Program under Chapter 90, and the Town road improvement program.

ARTICLE 15. VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town will vote to re-establish a revolving fund into which shall be paid all fees collected by the Dighton Public Library for copying, faxing and printing services; said fees to be expended from said revolving account by the Trustees of the Public Library for purchase of printing/copying supplies, or take any action thereon. Spending shall be capped at \$5,000.00.

Finance Committee Recommends  
Board of Selectmen Recommends

ARTICLE 16. VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town will vote to re-establish a revolving fund into which shall be paid all overdue fines and monies collected by the Dighton Public Library for overdue, lost, and/or damaged materials; said monies to be expended from said revolving account by the Trustees of the Public Library for the replacement of library materials or take any action thereon. Spending shall be capped at \$8,000.00.

Finance Committee Recommends  
Board of Selectmen Recommends

ARTICLE 17. VOTED UNANIMOUSLY: On motion of Brett Zografos and seconded that the Town will vote to authorize the Board of Selectmen, subject to the approval of the Finance Committee, to dispose of used items returned to them, by sale to highest bidder.

ARTICLE 18. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to re-establish a revolving fund into which shall be paid all fees received by the Dighton Council on Aging for services rendered by "PRIME TIME" (Adult Day Supportive Care), said fees to be expended from said revolving account by the Council on Aging Board for the purpose of running the program, providing for salaries, office supplies, equipment repairs and maintenance, and any other related expense, or take any action thereon. Spending shall be capped at \$146,483.00.

Finance Committee Recommends  
Board of Selectmen Recommends

ARTICLE 19. NO MOTION: To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of \$47,000.00 to purchase one new Sport Utility Vehicle (SUV) for use by the Fire Department with all accessories and equipment or act thereon.

ARTICLE 20. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to raise and appropriate the sum of \$52,636.27 as the eighth (8<sup>th</sup>) year payment on the Rescue Pumper of a ten (10) year lease program.

Finance Committee Recommends

ARTICLE 21. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to transfer from the Ambulance Fund the sum of \$52,089.61 as the fifth (5<sup>th</sup>) year payment on the Ambulance of a five (5) year lease program.

Finance Committee Recommends

ARTICLE 22. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to transfer from the Ambulance Fund the sum of \$58,567.88 to purchase two new 12-lead cardiac monitors with all accessories.

Finance Committee Recommends

**Mr. Donald Hirschy, Member of the VanGyzen Hall Study Committee read the letter that was sent to the Board of Selectmen by the Committee with their recommendations after exploring options for the VanGyzen Hall.**

VanGyzen Hall Study Committee

January 29, 2016  
February 24, 2016 (Modified)

Board of Selectmen  
Town of Dighton  
979 Somerset Ave  
Dighton MA 02715

Dear Mr. Cronin, Mr. Menges and Ms. Goulart:

On August 20, 2015 you appointed our Committee to explore alternatives for the future use of VanGyzen Hall. The Committee members are Bob Mullen - Chairman, Brett Zografos — Secretary, Jack Taylor, Don Hirschy, James Ready and Jim Aquiar. We have met nine times including a public hearing to ensure that there was public input to this process.

We began the process by brainstorming possible alternative without regard to cost or feasibility. We then explored the pros and cons of each alternative eliminating several that were not feasible. We narrowed our alternatives to six (6) and developed the cost of each by getting input from Jo Ann Bentley Architects, Inc. Mr. Frank Torres of Torres Realty, Mr. Robert Fredericks, Esquire and other cost information from the Dighton Accounting Office. The following are the six (6) alternatives that we evaluated:

	<u>Costs</u>	
	One-Time	Annual
Refurbish the exterior with minor improvements to the interior	(\$180,000)	(\$8,372)
Renovate for a Town Annex	(\$490,000)	(\$38,209)
Community Center/Senior Center	(\$470,000)	(\$36,959)
Demolish and Sell	\$48,500	\$4,000

Sell as is	\$55,000	\$4000
Move Prime Time to Van Gyzen and create Annex at Prime Time	(\$654,000)	(\$36,959)

The details of these costs or income are included on the attached spreadsheet.

There were many things to consider both factual and sentimental. Rather than repeat all of what was considered, we have included the Power Point Presentation that was shown at the Public Hearing on November 19, 2015 with additional comments from that meeting.

After our detailed review, consideration of public input and much discussion, it is the unanimous recommendation of this Committee that we combine two of the alternative and first put the building up for auction with a minimum bid as determined by the Town Treasurer and the Board of Selectmen and that if the auction is not successful that the building be demolished and the land sold. We also recommend that a small parcel of the existing property be reserved to place a Memorial to recognize the history of the Hall,

Our Committee will prepare the appropriate warrant articles for the next Town Meeting.

We would also like to thank you for giving us the opportunity to participate in Town government through this Committee.

We would be glad to answer any question or comments you may have.

Sincerely  
Robert Mullen  
Chairman

ARTICLE 23. TABLED: To see if the Town will vote to raise and appropriate and/or transfer from certified free cash in the Treasury \$180,000.00 for remediation and renovation of the former North Grammar School, now Van Gyzen Hall, at 495 School Street, for code compliant general public use under the oversight of the board of selectmen, or act thereon.

Finance Committee Does Not Recommend

VOTED: On motion of Edward Swartz and seconded that Article 23 be tabled.

ARTICLE 24. TABLED: To see if the Town will authorize the Board of Selectmen to sell the VanGyzen Hall and Property at auction with a minimum bid of \$75,000 as recommended by the VanGyzen Hall Study Committee in their report to the Selectmen dated January 29, 2016.

No Recommendation by Finance Committee

VOTED UNANIMOUSLY: On motion of Glenn Jefferson and seconded that Article 24 be tabled.

ARTICLE 25. VOTED: On motion of Don Hirsch and seconded that the Town will raise and appropriate \$50,000.00 for the demolition of the VanGyzen Hall if it is not successfully sold at auction as recommended by the VanGyzen Hall Study Committee in their report to the Selectmen dated January 29, 2016.

Finance Committee Recommends

ARTICLE 26. VOTED UNANIMOUSLY: On motion of Don Hirsch and seconded that the town transfer from free cash \$5,000 to cover any costs associated with the creation of a memorial on a small portion of the VanGyzen Hall property to memorialize the history of the Hall as recommended by the VanGyzen Hall Study Committee.

Finance Committee Recommends

ARTICLE 27. VOTED: On motion of Nancy Goulart and seconded that the Town will authorize the Board of Selectmen to sell the VanGyzen Hall and Property at auction with a minimum bid as determined by the Town Treasurer and the Board of Selectmen as recommended by the VanGyzen Hall Study Committee in their report to the Selectmen dated January 29, 2016 and modified February 24, 2016.

Finance Committee Recommends

**VOTED: On motion of Nancy Goulart and seconded that Article 27 be taken out of order and that the town discuss and vote on Article 27 before Article 23.**

**2/3 Vote Required: YES: 78 NO: 3**

VOTED: On motion of Nancy Goulart and seconded that James Aguiar, Building and Zoning Commissioner be given permission to speak at the Annual Town Meeting.

Mr. Aguiar, explained that this is an emotional discussion. The VanGyzen building is vacant and continues to fall into despair. The Board of Selectmen have recently put a roof on the building. There has been a lack of social interest in the building and we have come to a crossroad: "spend money on the building or close this chapter and move on." To continue to spend money on the building makes no sense. This month alone, while the building has been vacant there has been burst pipes and windows have been left open. If something isn't done, the building will have to come down. He asked that a decision on this building be made tonight.

**ARTICLE 28. VOTED UNANIMOUSLY:** On motion of Tom Pires and seconded that the Town will approve the appointment by the Planning Board of a member of the Planning Board as the board's Administrative Assistant, in accordance with the provisions of Section 21A, Chapter 268A of the Massachusetts General Laws.

**ARTICLE 29. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the Town will vote to re-establish a revolving fund collected by the Dighton Planning Board into which shall be paid all money collected through the sale of subdivision rules and regulations, zoning by-law booklets and zoning maps. In addition, all fees submitted to the Planning Board accompanied with Form A Plans, Preliminary Plans, and Definitive Plans established in the Massachusetts General Laws Chapter 41, Town of Dighton Subdivision Rules & Regulations; said monies to be expended from said revolving fund by the Dighton Planning Board for the advertising and certified mailings of Public Hearing notices for proposed subdivisions, engineer's fees, attorney's fees, amendment changes, zoning changes, master plan, long and short term planning purposes and related research, with a cap of \$30,000.

Finance Committee Recommends  
Board of Selectmen Recommends

**ARTICLE 30. VOTED:** On motion of Tom Pires and seconded that the Town will vote to amend the Town of Dighton Zoning By-law, to provide for "Village Overlay District", by adding the following:

**A. Insert a new section 5000 as follows:**

**5000. VILLAGE OVERLAY DISTRICT**

**5010. Purpose:**

The purposes of the Village Overlay District is to encourage redevelopment and infill development in the Route 138 and Center Street and Main Street and Route 138 intersection areas in a manner that promotes compact building form, protects and enhances the value of land and buildings and provides for a variety of business and residential uses; and toward these ends, to establish distinctive dimensional and design standards that reinforce and foster aesthetic and functional improvements to the Center Street Village and Main Street Village. The intent, furthermore, is to provide the frame work for a future redevelopment of an area that is primarily residential in use but also contains; Town Hall, Post Office, Grange Hall and various small commercial uses that retain the residential qualities of the area. The Village Overlay District seeks to encourage interaction among activities located within the area, to enhance business vitality, reduce vehicular traffic, provide employment opportunities for residents close to home, ensure the compatibility with each other of the commercial and residential uses, ensure that the appearance and effects of buildings and uses are harmonious with the residential character of the area in which they are located through:

- The enhancement and improvement of existing properties and/or structures relative to pedestrian access, vehicular circulation, and signage;
- The implementation of design and development standards to guide future development and re-use proposals which reflect the features of the neighborhood;
- The implementation of design and development standards that encourage parking areas to be subordinated in relation to buildings, landscaping, and pedestrian access;
- The encouragement of communication and shared redevelopment efforts among adjoining property owners to help achieve their long term goals and objectives;
- The promotion of a mixture of uses to reduce vehicle trips, such that residents and area employees can walk to needed services and amenities, and to conversely provide a built-in demand for the local commercial and retail uses;
- The reutilization of properties that have reached their market or physical obsolescence;

**5020. Authority.**

The Village Overlay District is adopted pursuant to authority provided by G.L. c. 40A and the Home Rule amendment, Article 89 of the amendments to the Constitution of the Commonwealth.

**5030. Establishment of Overlay District.**

The Village Overlay District is herein established as an Overlay District as shown on the Town's Zoning Map. All rules of the underlying district(s) shall remain in

full force and effect, except where the requirements of the VILLAGE OVERLAY DISTRICT are more stringent, in which case the requirements of this overlay district shall supersede those of the underlying district.

**5040. Use Regulations.**

The Village Overlay District is an overlay district superimposed over the underlying residential district set forth in this Zoning by-law. Within the Village Overlay District, the requirements of the underlying residential district continue to apply, except when the following uses are proposed then the following provisions shall apply:

**A. Uses Preferred As-of-Right Uses in the Village Overlay District:** The following uses are preferred and may be developed as-of-right, subject to the development standards herein.

1. Single-family dwelling,
2. Exempt and Institutional Uses as provided for in Subsection B, of Appendix A,
3. Private Club or Lodge,
4. Funeral Home,
5. Retail Store with a facility of under 2,000 gross sq. ft. as part of a single-family dwelling,
6. Restaurant (under 2,000 gross sq. ft.) including Bakery, deli, coffee shop, ice cream shop, sandwich shop, or similar establishment in which all or a majority of the food service is food to be consumed off the premises, but not including drive-through food service,
7. Business or Professional Office, including Medical Office (under 2,000 sq. ft.)
8. Bank, Financial Agency (under 400 gross sq. ft.) including Automated teller machine (ATM), not attached to a full-service banking office, provided that public access is available only from within a building and is operated in connection with other uses in the same building but not including a Stand Alone Kiosk, Drive-through or Walk-up
9. Personal Service Establishment as part of a single-family dwelling,
10. Bed and Breakfast.
11. Any other principal uses allowed by-right in the underlying residential district as shown in Appendix A.

**B. Uses allowed by Special Permit in the Village Overlay District:**

The following uses may be allowed by special permit from the Planning Board, which shall be the special permit granting authority (SPGA) in the Village Business Overlay District:

1. Retail Store with a facility of 2,000 gross sq. ft. to 14,000 sq. ft. which may include a drive through window,
2. Restaurant (2,000 sq. ft. to 14,000 gross sq. ft.) including Bakery, deli, coffee shop, ice cream shop, sandwich shop, or similar establishment in which all or a majority of the food service is food to be consumed off the premises, but not including drive-through food service ,
3. Business or Professional Office, including Medical Office (2,000 gross sq. ft. to 14,000 gross sq. ft.),
4. Bank, Financial Agency (2,000 gross sq. ft. to 14,000 gross sq. ft.) including Automated Teller Machine (ATM), not attached to a full-service banking office, provided that public access is available only from within a building and is operated in connection with other uses in the same building but not including a Stand Alone Kiosk, Drive-through or Walk-up
5. Personal Service Establishment as part of a single-family dwelling,
6. Nursing or convalescent home.
7. Mixed Use Development
8. Mixed Use Infill
9. Any other principal uses allowed by special permit in the underlying residential district as shown in Appendix A.
10. Medical Center or Clinic not exceeding four percent (4%) of the gross sq. ft of the principal use as an Accessory Use to a Retail Store only.

**C. Prohibited Uses.**

Any uses not specifically listed under Subsections A and B above shall be prohibited.

**5050. Dimensional Regulations.**

The Dimensional Regulations of the underlying residential district shall continue to apply See Appendix B Table of Dimensional Regulations.

**5060. Procedures.**

The Special Permit Granting Authority (SPGA) shall be the Planning Board. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A and section 5300 herein. After notice and public hearing and after due consideration of the reports and recommendations, if any, of other town boards, commissions and/or departments, the SPGA may grant such a permit in accordance with the standards set forth herein and section 5300.

Notwithstanding anything herein to the contrary, all Applications hereunder shall be

subject to and apply for Site Plan Review as set forth in Section 5400 herein.

The SPGA shall also impose, in addition to any applicable conditions specified in this section, such conditions as the SPGA finds reasonably appropriate to improve the site design as based on traffic flow, safety and or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

The SPGA may adopt and from time to time amend reasonable regulations for the administration of this Bylaw. The Regulations shall contain detailed requirements governing applications for review, which shall include, but need not be limited to, the following:

- a) the content of plans;
- b) the designation of proposed building locations;
- c) location and design characteristics of proposed roads, driveways, and parking area;
- d) existing and proposed site grades;
- e) identification of wetlands affected by or adjoining the proposed project;
- f) utility service to the proposed project and drainage plans and calculations;
- g) traffic studies relating to the proposed project; and,
- h) screening plans for the proposed project.

#### **5070. Parking Requirements.**

The Parking Requirements of the underlying Business or Residential district shall continue to apply and in addition the Parking Regulations equivalent to the proposed use as set forth in section 3120 shall apply. In all events, the most restrictive parking requirement shall apply to the proposed use and if there is more than one use proposed then the requirements for all uses shall be met. The Planning Board shall be permitted to waive this requirement if, in their sole discretion, they determine that the parking which is proposed will meet the intent and purpose of this ordinance and that public safety will be served.

#### **5080. Performance and Development Standards**

Special Permits hereunder shall be granted by the special permit granting authority, unless otherwise specified herein, only upon written determination that the benefit to the town and neighborhood outweigh the adverse effects of the proposed use, taking into account the characteristics of the site of the proposal in relation to that site. In addition to the specific factors set forth below, the determination shall include consideration of each of the criteria as set forth in section 5320 herein.

**5071.** Enhancement and improvement of existing properties and/or structures relative to access and traffic impacts.

**5072.** Impacts on the neighborhood character insofar as special consideration shall be given to reuse of existing buildings over new construction and new construction which design is consistent with typical New England character and consistent with the neighborhood and community at large.

**5073.** Impacts caused by noise, vibration, smoke, heat, glare and odor; lighting, outdoor storage, waste disposal.

**5074.** Adequacy of loading/unloading areas, walkways.

**5075.** Impacts on the neighborhood character caused by signage, landscaping, and appearance/architectural design. The Special Permit Granting authority may consider, among others, the compatibility of the proposed structures with the existing neighborhood, including but not limited to style, size, massing and landscaping.

**5076.** Compliance with the Town of Dighton Stormwater by-law, Commonwealth of Massachusetts Stormwater Policy and Environmental Protection Agency NPDES requirements, as applicable.

**B. And amend Section VI, Definitions, by adding the following new definitions:**

**Accessory Rooftop Element:** an architectural or other permanent feature that rises above the primary roof surface of a building but does not contain any enclosed habitable space. Examples include: parapet wall, skylight, clerestory, monitor, cupola, roof deck and railing, roof access hatch and/or headhouse, mechanical equipment, and elevator headhouse.

**Design Standards:** all provisions of this Bylaw that apply to site design, building design, and landscape design within this Village Business Overlay District.

**Floor Area, Gross:** the sum of the horizontal area of the several floors of a building, as measured to the outside surfaces of exterior walls, including halls, stairways, vents, elevator shafts, mechanical equipment rooms, inner courts, attached garages, porches, balconies, basement or attic storage areas, and other

common space or uninhabitable space.

**Floor Area, Net:** the usable or leasable floor area of a building, excluding halls, stairways, vents, elevator shafts, mechanical equipment rooms, inner courts, attached garages, porches, balconies, basement or attic storage areas, and other common space or uninhabitable space.

**Institutional:** A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned and operated building used for public purpose.

**Live-Work Units:** a structure used by a single household both as a dwelling unit and as a “Work Space”, as defined herein, where such Work Space occupies at least [fifty percent (50%)] of the unit’s total floor area. The unit may be designed as a “liveabove” with the workspace on the ground level and the living space above or it may be designed as a “live beside” with the workspace and the living space on the same level but adequately separated. The living space of a Live-Work unit shall contain a kitchen area and sanitary facilities.

**Medical Office:** a Business or Professional Office which includes the provision of medical related services.

**Mixed Use Development Project:** a Development Project that contains a combination of residential and business uses within the same building, on the same lot, or of residential business, civic, institutional, and/or open space uses within the same development.

**Mixed Use Development:** The development of a tract of land, building, or structure with two (2) or more different uses such as, but not limited to, residential, Business or Professional Office including Medical office, Retail Store, Institutional, or Light Manufacturing, in a compact village form, with vehicular access to an accepted public way. A proposed Mixed Use Development shall have a minimum of five (5) contiguous acres of land and shall demonstrate that the project shall be served by town water and sewer service upon completion of the proposed development.

**Mixed Use Infill:** Within the Village Business Overlay District, the development of a tract of land, building, or structure with two (2) or more different uses such as, but not limited to, residential, Business or Professional Offices including Medical office, Retail, Institutional, or Light Manufacturing, in a compact village Form A proposed Mixed Use Infill development, shall have no minimum area requirements

other than those imposed by dimensional requirements of the Dighton Zoning Bylaws but shall occur only on parcels of land less than five (5) acres in size. The proposed Mixed Use Infill development shall demonstrate that the project shall be served by town water and sewer service upon completion of the proposed development.

**Mixed-Use Development, Vertical:** a single building in which the ground floor facing the street is used primarily for retail/commercial or service uses, and other ground floor and upper floor space used for residential or office uses.

**Mixed-Use Development, Horizontal:** Two or more buildings on one lot which provide retail/commercial or service uses in building(s) facing the street and residential or office uses above the ground floor or in separate building(s) behind or to the side.

**Multi-Family Residential:** a building that contains or will contain more than three apartment or condominium units.

**Retail Store:** A facility selling goods, including but not limited to a bank or financial institution, but not specifically listed in the Table of Use Regulations. The term facility shall include the main structure, any area(s) covered or uncovered in or upon which merchandise is stored or displayed for sale.

**Stand Alone Kiosk, Drive-through or Walk-up:** A kind of open and available facility, either standing alone or attached to a main building, used to provide immediate automated service to customers of an institution which may be accessed by driving through or walking up to the facility.

**Work Space:** an area within a Live-Work Unit that is designed or equipped exclusively or principally for the conduct of work activities [*allowable work activities may be identified by the community*] and is to be regularly used for such work activities by one or more occupants of the unit.

**C. And further to amend Section II, subsection 2100 by adding the following:**

**Add to Section 2100. DISTRICTS, Subsection 2110. Establishment:**

Add a new district entitled “Center Street & Main Street Village Business Overlay District” after:

“Flood Hazard Overlay District  
Water Resources Protection District”.

**D. And further to amend Section III, subsection 3150. Parking and loading design and location as follows:**

Add a new Use category under section 3120. Number of spaces, as follows:

Insert - Medical Office: One (1) space per two employees plus one (1) per 200 gross square feet of floor area.

Planning Board Recommends  
2/3 Vote Required: YES: 67 NO: 9

ARTICLE 31. VOTED: On motion of Peter Benvie and seconded that the Town will vote to amend Section 4600 of the Town of Dighton Zoning By-law to clarify the special permit granting authority with regard to ground-mounted solar photovoltaic installations and further regulate small scale ground mounted solar installations:

**Item 1. Amend Section 4600 by adding a new section 4635 as follows:**

4635 Special Permit Granting Authority. The Planning Board shall be the Special Permit Granting Authority hereunder.

**Item 2. Amend Section 4631(b) adding the following sentence to the end thereof.**

(b) Notwithstanding the foregoing any Small Scale Ground Mounted System which exceed a name-plate capacity of 50 KW shall not be located on a parcel of land which is less than two acres.

**Item 3. Amend Section 4633 after the first sentence add the following new sentence:**

“Any Site Plan Review Application must include documentation showing review and approval from the Fire Chief and Police Chief.”

**Item 4- Amend Section 4655(b) by adding the following at the end thereof;**

“...but in all events shall be at least 100 feet from any dwelling on another parcel.”

**Item 5. Amend Section VI Definitions as follows:**

The following definitions shall be changed. Underline indicates addition, strikethrough indicates removal of language.

**Large-Scale Mounted Solar Photovoltaic Installation:** A solar photovoltaic system, including ground mounted hot water collectors or other solar collector, on a parcel of at least eight (8) acres that is structurally mounted on the ground and is not roof mounted, and has a minimum nameplate capacity of 1 Mgw DC.

**Small-Scale Ground Mounted Solar Photovoltaic Installation:** A solar photovoltaic system including ground mounted hot water collectors or other solar collector, on a parcel of land which meets the minimum lot area requirements of the district in which it is located and which system has a nameplate capacity no larger than that which is necessary to provide enough energy sufficient to operate the structure or the use located on the same parcel upon which it is located.

Planning Board Recommends  
2/3 Vote Required: YES: 71 NO: 6

ARTICLE 32. VOTED TO TABLE: To see if the Town will vote to amend the General By-laws to add a new Article XXXIV entitled “Yard Sales”, as follows:

**Yard Sales**

**Section 1 Purpose**

The purpose of this bylaw is to protect the health, safety and general welfare of the inhabitants of the Town of Dighton by ensuring that yard sales are conducted in an appropriate and safe manner and are maintained safely and not conducted so frequently to become permanent uses and all advertising material used therein is removed from the public ways thereafter.

**Section 2 Definitions**

**Yard Sale:** The temporary selling of items generally found within ones residence, having been previously used or purchased for use by the owner thereof, such as furniture, tools, or clothing, taking place on the seller's own premises or the premises of a charitable organization. Sometimes referred to as a garage sale.

**Temporary Sale:** A sale not lasting more than two days.

### **Section 3 Prohibitions**

No person shall conduct a Yard Sale without first obtaining a Yard Sale permit from the Town Clerk.

All permits must be posted and visible to the general public during the Yard Sale.

No person or charitable organization shall conduct a Yard Sale more than 2 (two) days in any month.

A Yard Sale may only be conducted on a lot with a residential use thereupon or at a charitable organization's property.

Any signage used in advertising the Yard Sale must be removed by the permittee within 48 hours of the close of the Yard Sale.

### **Section 4 Permits**

The Permit fee shall be five dollars (\$5.00).

Applications for permits shall be provided by the Town Clerk.

The Board of Selectmen shall issue permits in accordance herewith.

### **Section 5 Enforcement**

**Non-Criminal Disposition.** Violations of any section of this section may be processed pursuant to G.L. c. 40, § 21D and fines for such violations shall be assessed as follows:

First Offense: \$25.00

Second Offense: \$50.00

Third Offense : \$100.00

Each day such violation is committed or permitted to continue shall constitute a separate offense.

The Police Chief and his/her appointees shall have the authority to issue notices of violations and citations under this by-law.

VOTED: On motion of Robert Woods and seconded to Table Article 32.

ARTICLE 33. NO MOTION: To see if the Town will vote to add to Section 2320 Miscellaneous Accessory Uses of the Town of Dighton Zoning Bylaw the following new subsection 2326 as follows:

2326 RESIDENTIAL PORTABLE SELF-STORAGE UNITS. A portable self-storage unit, otherwise known as a "Pod" or a "Box Container", shall be allowed in a Residence District for not more than three months in any calendar year, unless not visible from the street or any adjacent property. A portable self-storage unit serving a construction project with an active building permit, or business with a proper permit, and municipal buildings are exempt from this bylaw.

**Moderator, William McKeon, Jr. excused himself as Moderator for the following motion  
Article 34 – to accept the Provisions of Chapter 43D, and Town Clerk Susana Medeiros  
presided over the following motion.**

ARTICLE 34. DEFEATED: On motion of Peter Benvie and seconded that the Town will accept the provisions of Chapter 43D of the Massachusetts General Laws as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006, and to approve the filing of an application with the interagency Permitting Board for the designation of land at 1892 County Street, Assessors' Map 17, Lot 319, as a priority Development Site, or take any other action in relation thereto.

ARTICLE 35. VOTED TO TABLE: To see if the Town will vote to enact the following addition to the General By-laws as “Article XXXV. Town of Dighton Historic Stonewall Protection By-law”:

## **TOWN OF DIGHTON HISTORIC STONE WALL PROTECTION BY-LAW**

**Purpose.** The intent of this by-law is to protect the historic stone walls located in Dighton since they are a cultural resource, and help preserve the rural character of the Town. This by-law will establish guidelines for the identification of historic stone walls and provide for the protection and preservation of the Town’s historic stone walls. The protection and preservation of the Town’s historic stone walls is also in furtherance of the public health, safety and welfare.

**Definition.** For the purposes of this by-law, a “Historic Stone Wall” is a vertical structure of aligned natural stone of at least seventy-five (75) years of age, normally constructed to designate a property boundary or to separate agricultural activities within a farmstead. Further classification of historic stone walls will follow the guidelines set forth in Exploring Stone Walls by R.M. Thornton (Walker & Co., New York 2005), as the same may be revised from time to time.

### **General Provisions.**

- a) The alteration, relocation or demolition of an historic stone wall or any portion thereof which is located in Dighton shall require prior written approval of the Dighton Building Commissioner, after notification and approval of the Dighton Historical Commission, obtained by submission of a specific plan containing details of the location, project, and reconstruction plan. The plan must show due regard for the historic value of the stone wall and repair methods compliant with these guidelines. A contingency repair bond may be required by the Building Official.
- b) The alteration, relocation or demolition of an historic stone wall as part of any subdivision project must also be approved by the Planning Board.
- c) The replacement of an historic stone wall at its original location shall be with the same materials and the same construction method as the original wall, using as many original stones as possible.
- d) Cuts for driveways, roads, utility easements or fire lanes shall be of the minimum necessary length, and ends of the walls must be restored.
- e) Historic stone walls in disrepair or neglected condition shall not be removed from their present location, but must be repaired or left as is. Any in situ reconstruction shall match that of the original wall, i.e., drywall or hidden cement.
- f) New stone walls must closely approximate the appearance of the adjoining historic stone wall with respect to coursing, native field stone, joint width and distribution of stones by size.

**Penalties.** Any person violating any provision of this by-law shall be subject to a

fine of \$500. Each day any violation of this by-law shall continue shall constitute a separate offense.

**Severability.** If any one or more sections of this by-law shall for any reason be adjudged unconstitutional or otherwise invalid, the judgment shall not affect, impair, or invalidate the remaining provisions.

**Relationship to Other By-laws.** Nothing in this by-law shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of the Dighton Zoning By-law.

**THIS BY-LAW SHALL BECOME EFFECTIVE IMMEDIATELY AFTER ALL NECESSARY APPROVALS HAVE BEEN OBTAINED.**

**VOTED:** On motion of James Ready and seconded to Table Article 35.

**ARTICLE 36. NO MOTION:** To see if the Town will vote to annul Section 3 of Article II, "Finance", of the Town General By-Laws, as approved on May 1, 2000, and substitute in its stead the following:

"When the warrant for a town meeting contains any article or articles under which an appropriation, transfer, or expenditure of money, or an incurring of debt, or the disposition of any property of the town, may be made, such article or articles shall be referred by the Selectmen to the Finance Committee, which shall consider said articles, and may, if it deems advisable, hold a public hearing thereon, and shall report in writing its recommendations to the said town meeting. To each article upon which the Finance Committee advises a town meeting shall be appended a statement, 'Recommended by the Finance Committee', or 'Not Recommended by the Finance Committee', as appropriate, in all published town meeting warrant texts including the texts for paid publication in a local newspaper. At the town meeting, each voter may be furnished a copy of a white paper, endorsed by the committee majority, explaining any decision of the Finance Committee not to recommend a financial or property article. Furnishing written recommendations to the town meeting shall not prevent the Finance Committee from additionally commenting orally in debate upon any article, or from changing its recommendations by majority vote in the presence of the town during such debate."

Appended to each special financial article upon Town Meeting warrant shall appear its projected cost in figures and its proposed funding source.

ARTICLE 37. VOTED: On motion of Edward Swartz and seconded that the Town will vote to raise and appropriate the sum of \$18,500.00 to perform an audit for FY16.

Finance Committee Recommends

ARTICLE 38. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to authorize the Town Treasurer with the approval of the Board of Selectmen to sell at public auction, and further allow the Board of Selectmen to sell through the sealed bid process according to MGL Ch. 30B, Section 16, all properties which the Town has legally acquired by Tax Title.

ARTICLE 39. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of revenue of the financial year beginning July 1, 2016 in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

ARTICLE 40. VOTED UNANIMOUSLY: On motion of Timothy Rhines and seconded that the Town will vote to reserve from the Community Preservation fund annual reserves in the amounts recommended by the Community Preservation Committee for the committee administrative expenses, Community Preservation projects and other expenses in fiscal year 2017, with each item to be considered a separate appropriation:

Appropriations:

From FY 2017 estimated revenues for Committee Administrative expenses  
\$5,000.00

Reserves:

From FY 2017 estimated revenues for Historic Resources: \$12,000.00

From FY 2017 estimated revenues for Community Housing Reserve: \$12,000.00

From FY 2017 estimated revenues for Open Space: \$12,000.00

From FY 2017 estimated revenues for budget reserve: \$64,000.00

Finance Committee Recommends

ARTICLE 41. VOTED UNANIMOUSLY: On motion of Timothy Rhines and seconded the Town will vote to appropriate \$125,000.00 (\$25,000.00) from the Community Preservation Historical Reserve and (\$100,000.00) from the Community Preservation Undesignated Reserve for the rehabilitation of the Winslow-Davis House and the one room school house located at 1217 Williams Street, Map 12, Lot 53. This property is owned by the Dighton Historical Society.

Said funds for the Winslow-Davis House will be to install septic system, upgrade plumbing, heating/cooling, electrical systems, replace roof, scrape and paint house and repair/replace other deficiencies such as chimney and windows.

In addition to the Winslow-Davis House the one room school house will be scraped and painted and windows repaired.

All rehabilitation shall comply with the standards for rehabilitation stated in the United States Secretary of the Interior standards for the treatment of the historical properties codified in 36CFR part 68. All work to be completed and billed by June 30, 2017. Said funds are to be expended under the direction of the Community Preservation Commission.

Finance Committee Recommends

ARTICLE 42. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to grant to the Board of Selectmen the authority to obtain whatever parcels or easements as necessary, to make changes in grade, take land by purchase or eminent domain and to settle damages from land taken in conjunction with highway maintenance or road or bridge reconstruction projects.

ARTICLE 43. VOTED UNANIMOUSLY AS AMENDED: On motion of Nancy Goulart and seconded that the town in accordance with Section 1 and 1B of Chapter 41 of the MGL, to provide for a Board of Health to be appointed by the Board of Selectmen in accordance with Section 1 and 1B of Chapter 41 of the MGL and fix the number of members of the appointed Board of Health at three (3) each to be appointed annually by the Board of Selectmen.

VOTED: On motion of Nancy Goulart and seconded to Amend Article 43.

**Mr. McKeon, Moderator called a recess at 10:20PM. Resumed Town Meeting at 10:28PM**

ARTICLE 44. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to raise and appropriate the sum of \$93,700.00 for the purchase of two fully equipped police vehicles including accessories.

Finance Committee Recommends

ARTICLE 45. VOTED UNANIMOUSLY: On motion of Edward Swartz and seconded that the Town will vote to raise and appropriate the sum of \$22,000.00 for the purchase of one new stainless steel six (6) yard sander for the use of the Dighton Street Department.

Finance Committee Recommends

ARTICLE 46. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to amend its General By-laws by adding a new by-law, Article XXXV, "Regulation of Donation Collection Bins", as follows:

The purpose of this Bylaw is to protect the public health, safety and welfare, to address the proliferation of donation collection bins within the Town of Dighton, and provide regulations to ensure that donation collection bins are located and maintained so as to promote public safety, health and welfare, in a clean and safe condition.

**Definitions** As used in this section, the following terms shall have the meaning indicated:

**Donation Collection Bin** – Any enclosed receptacle or container made of metal, steel, fiberglass, wood, or similar product designed or intended for the donation and the temporary storage of clothing, books or other goods and materials, which is accessible to and allows the public to deposit goods without assistance, and which is owned, operated or controlled by an entity other than the owner or lessee of the lot on which it is located.

**Operator** – Any person or legal entity that owns, operates or is otherwise in control of a donation collection bin in the Town of Dighton.

#### **Prohibitions and Standards**

It shall be unlawful for any person to place a donation collection bin within the Town of Dighton without first obtaining an annual permit from the Building Commissioner. Each operator who seeks to place a donation collection bin in the

Town shall complete a written application on a yearly basis on a form provided by the Building Commissioner.

A donation collection bin subject to the provisions of this chapter must have clearly identified, in writing on its face the name, address, and telephone number of the entity or organization that is maintaining the donation collection bin. No further advertising shall be permitted on the donation collection bin.

B. A permit for a donation collection bin may be granted only in accordance with and subject to the following provisions, conditions and restrictions:

(1) Donation collection bin permits may be granted only in Business or Industrial Zoning Districts for properties owned or leased and used for non-profit purposes, but excluding, churches and other houses of worship in any Zoning District. Only one donation collection bin is allowed per property, which includes all contiguous land in common ownership.

(2) The donation collection bin shall be appropriately located so as to not interfere with sight triangles, on site circulation, required setbacks, landscaping, parking or any other zoning requirements and shall be placed on a concrete or other paved surface. The donation collection bin shall not be placed at any location directly abutting a residential property and shall comply with all setbacks for accessory structures under the Zoning Bylaws. All donation collection bins shall be properly screened from view as approved by the Building Commissioner or his designee and shall not consume any available parking spaces required for the permitting or zoning requirements of the premises where sited. The donation collection bin shall be placed such that there is safe and convenient pedestrian and vehicular access to it.

(3) The donation collection bin shall be of the type that is enclosed by use of a receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.

(4) Each donation collection bin shall not cover a ground surface area in excess of five feet by five feet, nor be more than six feet in height.

(5) Each donation collection bin must be regularly emptied of its contents so that it does not overflow. Used clothing or other donated goods and materials may not be placed about the surrounding area. All donation collection bins must be maintained in a state of good repair and in a neat and clean condition, and free of trash, debris, refuse or like material.

(6) Each donation collection bin must have the applicant's name, business name, business address and telephone number as well as the name, address and telephone number of the person or persons responsible for maintaining each donation collection bin which shall be posted on each bin.

(7) The application fee for a permit for a donation collection bin shall be \$150.00 for each donation collection bin. The permit period for each donation collection bin shall be January 1 through December 31 of each year.

(8) The Building Commissioner or his designee shall deny a license application which does not comply with the requirements of this Bylaw.

(9) The permit issued to the applicant shall be affixed to the donation collection bins used by the license holder prior to placement of the bin. The permit shall be clearly placed on the same side of the bin as the chute used to deposit donated items. Next to the permit there shall be placed in clear lettering the name and telephone number of the operator. Upon the sale or transfer of a bin, a new permit shall be sought and if granted to a subsequent owner, the permit must be affixed to the bin prior to placement in service.

### **Applicability**

A. The provisions of this Bylaw shall apply to both existing and future donation collection bins located within the Town of Dighton. Property owners with existing donation collection bins prior to the effective date of this Bylaw shall come into compliance as follows:

(1) Within sixty days of the effective date of this Bylaw, the operator shall file an application for a permit as required under this bylaw for each existing donation collection bin. The application shall demonstrate how the existing donation collection bin complies with this Bylaw or show the proposed changes that shall be completed to achieve compliance. Within ninety days after the effective date of this Bylaw, each existing donation bin shall be brought into compliance with this Bylaw or removed from the Town, except as provided below.

(2) For those existing donation collection bins that are located on properties in Business or Industrial District but which are not devoted to non-profit purposes as required by this bylaw, one existing donation collection bin may continue to be located and operated on the property, provided that it can be brought into

compliance with all other requirements of this Bylaw. The operator of each such prior nonconforming donation collection bin must apply for and receive an annual permit as provided in this Bylaw. Upon sale of the property or the business located on the property on which such prior nonconforming donation collection bin is located, the prior nonconforming donation collection bin must be removed within ten days.

**Violation**

- A. Any person, entity, partnership, firm or corporation violating any of the provisions of this Bylaw shall be punished by a fine of not less than \$50.00, but not exceeding \$100.00 for each individual violation.
- B. Each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.
- C. The owner, lessee, or other person or legal entity in control of the property where the donation collection bin is being maintained and the operator of said bin in violation of this Section shall be jointly and severally liable for each violation thereof.
- D. The Building Commissioner or his designee may issue an enforcement order for any failure to comply with the provisions of this Bylaw.
- E. The Building Commissioner or his designee shall enforce this Bylaw.

**ARTICLE 47. NO MOTION:** To see that the Town of Dighton will regulate the amount of wastewater which can be added to the sewer collection system by amending the General By-laws of the Town relating to sewers and adding a so-called "Sewer Bank" by-law which will control and allocate the amount of wastewater entering the sewer collection system based upon the amount of groundwater and rainfall which is removed from the system and the availability of treatment capacity and by further establishing a financial reserve for system upgrades and repairs.

**ARTICLE 48. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town will vote to raise and appropriate the sum of \$9,125.00 to host a Household Hazardous Waste Collection Day.

Finance Committee Recommends

ARTICLE 49. VOTED: On motion of Nancy Goulart and seconded that the Town will vote in accordance with Massachusetts General Laws Chapter 59, Section 38H, to authorize the Board of Selectmen to enter into a **Payment In Lieu of Taxes (PILOT) Agreement** with DG Energy Partners Management, LLC, San Francisco, California, or its assigns for a period of up to twenty-five (25) years, and to approve said agreement under which DG Energy Partners Management, LLC, San Francisco, California, or its assigns will pay the Town a sum of money per year relative to a 6 acre +/- portion of a parcel of land located at 1401 Williams Street, Dighton, related to the construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately six hundred fifty-eight (658) kilowatts, said Tax Agreement on file in the Town Clerk's Office, and further to allow the Board of Selectmen to negotiate any amendments necessary to said Tax Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the Tax Agreement increase or decrease commensurately.

ARTICLE 50. VOTED UNANIMOUSLY TO TABLE: To see that the Town will vote in accordance with Massachusetts General Laws Chapter 59, Section 38H, to authorize the Board of Selectmen to enter into a **Payment In Lieu of Taxes (PILOT) Agreement** with ISM Partners, LLC, Delaware, Maryland, with a principal place of business at Belmont, California, or its assigns for a period of up to twenty-five (25) years, and to approve said agreement under which ISM Partners, LLC, Delaware, Maryland, with a principal place of business at Belmont, California, or its assigns will pay the Town a sum of money per year relative to a fifty-eight (58) acre +/- portion of a parcel of land located at 2729 Elm Street, Dighton, related to the construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 4,500 Kilowatt DC, said Tax Agreement on file in the Town Clerk's Office, and further to allow the Board of Selectmen to negotiate any amendments necessary to said Tax Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the Tax Agreement increase or decrease commensurately.

VOTED: On motion of Carol Beauregard and seconded to Table Article 50.

ARTICLE 51. VOTED UNANIMOUSLY TO TABLE: To see that the Town will vote in accordance with Massachusetts General Laws Chapter 59, Section 38H, to authorize the Board of Selectmen to enter into a **Payment In Lieu of Taxes (PILOT) Agreement** with ISM Partners, LLC, Delaware, Maryland, with a principal place of business at Belmont, California, or its assigns for a period of up to twenty-five (25) years, and to approve said agreement under which ISM Partners, LLC, Delaware, with a principal place of business at Belmont, California, or its assigns will pay the Town a sum of money per year relative to a 67.74 acre +/- portion of a parcel of land located at 2320 Williams Street, Dighton, related to the construction and operation

of a Largecale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 3,200 Kilowatt DC, said Tax Agreement on file in the Town Clerk's Office, and further to allow the Board of Selectmen to negotiate any changes in size of the parcel of land or size of the system so long as the payments reflected in the Tax Agreement increase or decrease commensurately.

VOTED: On motion of Nancy Goulart and seconded to Table Article 51.

ARTICLE 52. VOTED: On motion of Edward Swartz and seconded that the Town will vote, for one year ending at the dissolution of the 2017 annual town meeting unless by said meeting renewed for another year, to allow the Board of Selectmen with the advice of the Board of Assessors to negotiate subject to subsequent town meeting approval Payment In Lieu of Taxes (PILOT) agreements for periods of up to twenty-five (25) years, with proponents of construction and operation of Large Scale Ground Mounted Solar Photovoltaic Installations, in accordance with the provisions of Section 38H of Chapter 59 of the General Laws.

ARTICLE 53 VOTED UNANIMOUSLY. On motion of Edward Swartz and seconded that the Town will vote to appropriate \$450,000.00 from available funds from the Massachusetts Department of Public Works for Fiscal Year 2017 for the purpose of expending funds for capital improvements of local roads under the "Complete Streets Funding Program".

Finance Committee Recommends

ARTICLE 54. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to grant the Board of Selectmen the authority to obtain whatever parcels or easements as necessary, to make changes in grade, take land by purchase or eminent domain and to settle damages from land taken in conjunction with the Main and Elm Streets AZ Drainage Project.

ARTICLE 55. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to grant to the Board of Selectmen the authority to obtain whatever parcels or easements as necessary, to make changes in grade, take land by purchase or eminent domain and to settle damages from land taken in conjunction with the extension of the sidewalk on Center Street westerly to Somerset Avenue.

ARTICLE 56. VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town will vote to amend Article XXVII of the General Bylaws by rescinding the existing bylaw and replacing the same as follows:

ARTICLE XXVII  
NON-CRIMINAL DISPOSITION

Section 1. Whoever violates any provision of these bylaws or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in M.G.L. c.40, sec. 21D.

Section 2. Without intending to limit the generality of the foregoing, it is the intention of this Article that Town by-laws, rules and regulation are to be included within the scope of this Article; that the specific penalties as listed here shall apply in such cases and that, in addition to police officers who shall in all cases be considered enforcing persons for the purpose of this Article, the municipal personnel listed for each respective Town by-law, rule or regulation, if any, shall also be enforcing persons for such section. Each day on which any violation exists shall be deemed to be a separate offense.

**BASIC FINE SCHEDULE:**

First Violation:	Written warning.
Second Violation:	Fine of \$100.
Third Violation:	Fine of \$200. and suspension of Tobacco Sales Permit for 7 days.
Fourth and additional Violation:	Fine of \$300. and suspension of Tobacco Sales Permit for 30 days.

Four violations or more in a 12-month period may, after a public hearing, result in revocation of Tobacco Sales Permit.

**ARTICLE 57. DEFEATED:** On motion of Glenn Jefferson and seconded to reconsider Article 49.

The Moderator appointed the following members to the Finance Committee for FY2017:

Edward Swartz  
Scott Dingus  
Peter Roache  
Bridgett Connors  
Robert Rendon

Mr. William McKeon, Town Moderator, thanked 2 long time members, Mr. William Copeland and Mr. Kevin Perry for their service while serving on the Finance Committee.

Mr. Edward Swartz, Chairman, Finance Committee, thanked Mr. William Copeland for his many years of service. Along with himself and Nancy Goulart, Mr. Copeland has been on the committee for the longest period of time.

Nancy Goulart, Member of the Board of Selectmen, read the following statement:

THOSE REMEMBERED AT THE DIGHTON ANNUAL TOWN MEETING  
MONDAY, JUNE 13, 2016

Ladies and gentlemen, I will read the names of many town residents who passed away during the last year at the conclusion of which I will ask for a moment of silence in their memory.

Everett Almeida, Reserve Police Officer

Donald St. Pierre, Reserve Police Officer, MA DOT Employee

George Goulart, Reserve Police Officer, Veteran of WWII, Oldest Graduate of Dighton-Rehoboth Regional High School – Diploma Awarded 2012

Robert Bleau – Businessman, Electrician

Marceline Zasmuta, Dighton Postmistress for many years

Robert Chadwick – Mail Carrier, North Dighton Post Office

Eleanor Cummings – Town's Oldest Resident

Sally Dutra – VFW Auxiliary

Donald French – Veteran, Plumbing and Gas Inspector

Bill Giles – Racing Boat Designer, Builder and Captain

Gloria McCrady – D-R Principal's Office

Francis Slusarz – D-R School Department and his mother, Helen Slusarz

Florinda Perry – Poll Worker for Many Years

Roberta Perry – Warden, Poll Worker, Cable Commission, Housing Authority and Mother of Retired Police Officer William "Billy" Perry

Raymond Sousa – Superintendent, Dighton Water District

Annette Tweedy – Dighton-Rehoboth K-12 Regionalization Study Committee  
Police/Communications Center Study Committee

I also ask that you remember those victims of the mass murder that occurred in Orlando, FL and all of those who have been killed in the too numerous terrorist attacks here in the United States of America and around the world.

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MOMENT OF SILENCE

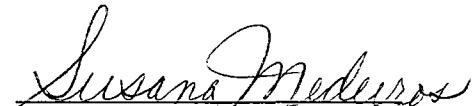
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Thank you.

Nancy J. Goulart, Selectman

VOTED: On motion of Edward Swartz and seconded to dissolve Annual Town Meeting at 11:19 PM.

ATTEST:

  
Susana Medeiros  
Town Clerk