



Town of Dighton

ANNUAL TOWN MEETING

Warrant

June 13, 2016

With

Finance Committee Recommendations

BRISTOL, SS.

To either of the Constables of the Town of Dighton in the County of Bristol,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are directed to notify and warn the inhabitants of the Town of Dighton qualified to vote in elections and Town Affairs to meet in the Dighton Rehoboth Regional High School Auditorium on Monday, the 13th day of June, at 7:00 P.M.; then and there to act on the following articles, viz:

- ARTICLE 1. To hear a report of the Town Affairs Communications Committee and act thereon.
- ARTICLE 2. To hear reports of the Town Officials and act thereon.
- ARTICLE 3. To authorize the Board of Selectmen to appoint all necessary Town Officials and Town Committees not otherwise provided for by statute, or act thereon.
- ARTICLE 4. To hear the report of the Capital Outlay Committee.
- ARTICLE 5. To see if 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. To see if the town will raise and appropriate an/or transfer from available funds a sum of money to fund the Personel of a Town Administrator Budget and to fund a sum of

money for the Expenses to be incurred by the Town Administrator Budget.

ARTICLE 7. To act relative to establishing the salaries of elected Town Officials for Fiscal Year 2017 in accordance with the provisions of Section 108 of Chapter 41 of the General Laws, or act thereon.

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

TREE WARDEN \$ 243.74

MODERATOR \$ 551.39

TOWN CLERK \$ 72,781.80

TOWN COLLECTOR
\$ 37,482.90

TOWN TREASURER
\$ 37,482.90

PLANNING BOARD

Chairman \$ 2,876.16
Members (4) Each \$1,918.25
Total \$ 10,549.16

SEWER COMMISSIONERS

Chairman \$ 3,373.55
Members (2) Each \$ 2,239.18
Total \$ 7,851.91

Recommended by Finance Committee

ARTICLE 8. To see if 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, or act thereon.

**TOWN OF DIGHTON BUDGET
For the Fiscal Year 2017**

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
<i>General Government</i>				
113	TOWN MEETINGS			
	Personnel Expenses	700.00	800.00	800.00
	Expenses	1200.00	1200.00	1200.00
	TOTAL APPROPRIATION	\$1,900.00	\$2,000.00	\$2,000.00
114	MODERATOR			
	Personnel Expenses	540.58	551.39	551.39
	TOTAL APPROPRIATION	\$540.58	\$551.39	\$551.39
122	BOARD OF SELECTMEN			
	Personnel Expenses	\$100,670.71	\$103,416.96	\$103,416.96
	Expenses	74,164.50	75,985.00	75,985.00
	TOTAL APPROPRIATION	\$174,835.21	\$179,401.96	\$179,401.96
124	TOWN ADMINISTRATOR	(Ref. 2017 Annual Town Meeting Warrant Article 6, above.)		
	Personnel Expenses	n/a	-0-	-0-
	Expenses	n/a	-0-	-0-
	TOTAL APPROPRIATION		-0-	-0-
131	FINANCE COMMITTEE			
	Personnel Expenses	3,701.00	3,775.00	3,775.00
	Expenses	700.00	700.00	700.00
	TOTAL APPROPRIATION	\$4,401.00	\$4,475.00	\$4,475.00
132	RESERVE FUND			
	Expenses	31,207.00	50,000.00	50,000.00
	TOTAL APPROPRIATION	\$31,207.00	\$50,000.00	\$50,000.00
135	TOWN ACCOUNTANT			
	Personnel Expenses	\$118,775.00	122,257.80	122,257.80
	Expenses	7,250.00	4,755.00	4,755.00
	TOTAL APPROPRIATION	\$126,025.00	\$127,012.80	\$127,012.80

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
141	BOARD OF ASSESSORS			
	Personnel Expenses	156,027.46	158,083.93	158,083.93
	Expenses	12,240.00	11,415.00	11,415.00
	TOTAL APPROPRIATION	\$168,267.46	\$169,498.93	\$169,498.93
145	TOWN TREASURER			
	Personnel Expenses	69,985.19	74,498.55	74,498.55
	Expenses	32,400.00	32,500.00	32,500.00
	TOTAL APPROPRIATION	\$102,385.19	\$106,998.55	\$106,998.55
146	TOWN COLLECTOR			
	Personnel Expenses	71,485.19	75,998.55	75,998.55
	Expenses	19,400.00	20,265.00	20,265.00
	TOTAL APPROPRIATION	\$90,885.19	\$96,263.55	\$96,263.55
151	TOWN COUNSEL			
	Expenses	135,000.00	40,000.00	40,000.00
	TOTAL APPROPRIATION	\$135,000.00	\$40,000.00	\$40,000.00
155	DATA PROCESSING			
	Expenses	41,727.76	40,150.05	40,150.05
	TOTAL APPROPRIATION	\$41,727.76	\$40,150.05	\$40,150.05
158	TAX TITLE FORECLOSURE			
	Expenses	19,000.00	19,000.00	19,000.00
	TOTAL APPROPRIATION	\$19,000.00	\$19,000.00	\$19,000.00
161	TOWN CLERK			
	Personnel Expenses	123,415.56	124,615.70	124,615.70
	Expenses	4,200.00	4,215.00	4,215.00
	TOTAL APPROPRIATION	\$127,615.56	\$128,830.70	\$128,830.70
162	ELECTIONS			
	Personnel Expenses	7,300.00	10,300.00	10,300.00
	Expenses	17,200.00	20,050.00	20,050.00
	TOTAL APPROPRIATION	\$24,500.00	\$30,350.00	\$30,350.00
163	REGISTRATION			
	Personnel Expenses	600.00	600.00	600.00
	Expenses	3,600.00	3,600.00	3,600.00
	TOTAL APPROPRIATION	\$4,200.00	\$4,200.00	\$4,200.00
171	CONSERVATION COMMISSION			
	Personnel Expenses	-0-	5,000.00	5,000.00
	Expenses	1,150.00	1,150.00	1,150.00
	TOTAL APPROPRIATION	\$1,150.00	\$6,150.00	\$6,150.00

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
175	PLANNING BOARD			
	Personnel Expenses	42,950.45	43,785.46	43,785.46
	Expenses	9,244.60	8,704.60	8,704.60
	TOTAL APPROPRIATION	\$52,195.05	\$52,490.06	\$52,490.06
176	BOARD OF APPEALS			
	Personnel Expenses	29,600.30	58,015.80	29,721.36
	Expenses	9,866.00	24,655.00	24,655.00
	TOTAL APPROPRIATION	\$39,466.30	\$82,670.80	\$54,376.36
189	DEVELOPMENT AND INDUSTRIAL COMMISSION			
	Personnel Expenses	-0-	-0-	-0-
	Expenses	-0-	1,000.00	1,000.00
	TOTAL APPROPRIATION	-0-	\$1,000.00	\$1,000.00
192	PUBLIC BUILDINGS & PROPERTIES MAINTENANCE			
	Expenses	85,186.00	85,850.00	85,850.00
	TOTAL APPROPRIATION	\$85,186.00	\$85,850.00	\$85,850.00
193	BUILDING INSURANCE			
	Expenses	40,000.00	43,000.00	43,000.00
	TOTAL APPROPRIATION	\$40,000.00	\$43,000.00	\$43,000.00
195	TOWN REPORTS			
	Expenses	2,500.00	2,500.00	2,500.00
	TOTAL APPROPRIATION	\$2,500.00	\$2,500.00	\$2,500.00
Total General Government		\$1,272,987.30	\$1,272,393.79	\$1,244,099.35
 Public Safety				
210	POLICE DEPARTMENT			
	Personnel Expenses	\$1,104,594.76	\$1,156,510.34	1,156,510.34
	Expenses	163,650.00	162,825.00	162,825.00
	TOTAL APPROPRIATION	\$1,268,244.76	\$1,319,335.34	\$1,319,335.34
215	COMMUNICATIONS DEPARTMENT			
	Personnel Expenses	255,223.50	305,720.58	302,180.60
	Expenses	20,055.00	20,305.00	20,305.00
	TOTAL APPROPRIATION	\$275,278.50	\$326,025.58	\$322,485.60
220	FIRE DEPARTMENT			
	Personnel Expenses	765,982.00	497,964.79	497,964.79
	Expenses	142,386.00	111,885.00	111,885.00
	TOTAL APPROPRIATION	\$908,368.00	\$609,849.79	\$609,849.79

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
231	AMBULANCE SERVICES			
	Personnel Expenses	179,226.58	513,984.79	513,984.79
	Expenses	122,100.00	155,385.00	155,385.00
	TOTAL APPROPRIATION	\$301,326.58	\$669,369.79	\$669,369.79
		Ambulance Fund	R & A \$250,000.00	Ambulance Fund \$419,369.79
241	BUILDING INSPECTION			
	Personnel Expenses	104,005.00	108,220.00	108,220.00
	Expenses	37,430.00	41,630.00	41,630.00
	TOTAL APPROPRIATION	\$141,435.00	\$149,850.00	\$149,850.00
242	GAS INSPECTION			
	Personnel Expenses	6,000.00	7,000.00	7,000.00
	TOTAL APPROPRIATION	\$6,000.00	\$7,000.00	\$7,000.00
243	PLUMBING INSPECTION			
	Personnel Expenses	6,000.00	7,000.00	7,000.00
	Expenses	200.00	-0-	-0-
	TOTAL APPROPRIATION	\$6,200.00	\$7,000.00	\$7,000.00
244	WEIGHTS & MEASURES			
	Personnel Expenses	1,108.25	1,130.42	1,130.42
	Expenses	345.00	370.00	370.00
	TOTAL APPROPRIATION	\$1,453.25	\$1,500.42	\$1,500.42
245	ELECTRICAL INSPECTION			
	Personnel Expenses	12,000.00	18,000.00	18,000.00
	TOTAL APPROPRIATION	\$12,000.00	\$18,000.00	\$18,000.00
292	ANIMAL CONTROL OFFICER			
	Personnel Expenses	16,236.48	16,560.60	16,560.60
	Expenses	8,750.00	8,500.00	8,500.00
	TOTAL APPROPRIATION	\$24,986.48	\$25,060.60	\$25,060.60
294	FORESTRY			
	Personnel Expenses	423.14	431.60	431.60
	TOTAL APPROPRIATION	\$423.14	\$431.60	\$431.60
295	HARBORMASTER			
	Personnel Expenses	-0-	3,000.00	2,000.00
	Expenses	4,550.00	5,550.00	5,550.00
	TOTAL APPROPRIATION	\$4,550.00	\$8,550.00	\$7,550.00
		(\$450.00 MWIMF)		

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION FINANCE COMMITTEE
299	DISASTER COMMITTEE			
	Expenses	5,000.00	\$4,500.00	\$4,500.00
	TOTAL APPROPRIATION	\$5,000.00	\$4,500.00	\$4,500.00

Total Public Safety **\$2,955,265.71** **\$3,146,473.12** **\$3,141,933.14**

EDUCATION

300	EDUCATION			
	Expenses 5690 Dighton-Rehoboth Regional School District	8,705,141.00	9,074,959.00	9,074,959.00
	Operating	\$8,373,988.00	\$8,717,278.00	\$8,717,278.00
	Capital	331,153.00	357,681.00	357,681.00
	Total Appropriation	\$8,705,141.00	\$9,074,959.00	\$9,074,959.00
	Expenses 5691 Bristol County Agricultural Total Appropriation	\$55,593.00	\$55,593.00	\$55,593.00
	Expenses 5692 Bristol-Plymouth Total Appropriation	\$315,088.00	\$353,315.00	\$353,315.00

Total Education **\$9,075,822.00** **\$9,483,867.00** **\$9,483,867.00**

Highway

422	HIGHWAY CONSTRUCTION & MAINTENANCE			
	Personnel Expenses	456,302.06	536,274.66	536,274.66
	Expenses	150,500.00	150,500.00	150,500.00
	TOTAL APPROPRIATION	\$606,802.06	\$686,774.66	\$686,774.66
423	SNOW & ICE CONTROL			
	Personnel Expenses	13,000.00	13,000.00	13,000.00
	Expenses	37,000.00	37,000.00	37,000.00
	TOTAL APPROPRIATION	\$50,000.00	\$50,000.00	\$50,000.00

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
429	DIGHTON BERKLEY BRIDGE			
	Expenses	150.00	1,800.00	1,800.00
	TOTAL APPROPRIATION	\$150.00	\$1,800.00	\$1,800.00
432	STREET CLEANING/STORMWATER			
	Personnel Expenses	-0-	27,936.38	27,936.38
	Expenses	-0-	61,374.80	61,374.80
	TOTAL APPROPRIATION		\$89,311.18	\$89,311.18
Total Highway		\$656,952.06	\$827,885.84	\$827,885.84
 <i>Sanitation</i>				
433	WASTE COLLECTION & DISPOSAL			
	Personnel Expenses	6,663.23	7,000.00	7,000.00
	Expenses	439,087.10	469,400.98	469,400.98
	TOTAL APPROPRIATION	\$445,750.33	\$476,400.98	\$476,400.98
Total Sanitation		\$445,750.33	\$476,400.98	\$476,400.98
 <i>Other Environmental</i>				
491	CEMETERY			
	Expenses	13,500.00	13,500.00	13,500.00
	TOTAL APPROPRIATION	\$13,500.00	\$13,500.00	\$13,500.00
Total Other Environmental		\$13,500.00	\$13,500.00	\$13,500.00
 <i>Human Services</i>				
510	BOARD OF HEALTH-REGULATIONS & INSPECTIONS			
	Personnel Expenses	20,674.19	21,193.67	21,193.67
	Expenses	12,000.00	16,000.00	16,000.00
	TOTAL APPROPRIATION	\$32,674.19	\$37,193.67	\$37,193.67
519	BOARD OF HEALTH AMINISTRATION			
	Personnel Expenses	16,512.52	52,774.48	18,599.60
	Expenses	6,350.00	6,870.00	6,870.00
	TOTAL APPROPRIATION	\$22,862.52	\$59,644.48	\$25,469.60
541	COUNCIL ON AGING			
	Personnel Expenses	93,016.60	94,712.57	94,712.57
	Expenses	16,785.00	18,350.00	18,350.00
	TOTAL APPROPRIATION	\$109,801.60	\$113,062.57	\$113,062.57

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
543	VETERANS' SERVICES			
	Personnel Expenses	38,032.32	38,785.97	38,785.97
	Expenses	97,200.00	99,175.00	99,175.00
	TOTAL APPROPRIATION	\$135,232.32	\$137,960.97	\$137,960.97
Total Human Services		\$300,570.63	\$347,861.69	\$313,686.81
Culture and Recreation				
610	PUBLIC LIBRARY			
	Personnel Expenses	\$169,119.00	174,177.00	174,177.00
	Expenses	64,924.00	70,730.00	70,730.00
	TOTAL APPROPRIATION	\$234,043.00	\$244,907.00	\$244,907.00
630	PARKS & RECREATION			
	Personnel Expenses	-0-	-0-	-0-
	Expenses	16,000.00	21,000.00	21,000.00
	TOTAL APPROPRIATION	\$16,000.00	\$21,000.00	\$21,000.00
690	TOWN HISTORIAN			
	Expenses	250.00	250.00	250.00
	TOTAL APPROPRIATION	\$250.00	\$250.00	\$250.00
691	HISTORICAL COMMISSION			
	Expenses	1,500.00	1,500.00	1,500.00
	TOTAL APPROPRIATION	\$1,500.00	\$1,500.00	\$1,500.00
698	CABLE COMMISSION			
	Personnel Expenses	-0-	8,500.00	8,500.00
	Expenses	-0-	\$20,925.00	20,925.00
	TOTAL APPROPRIATION	-0-	\$29,425.00	\$29,425.00
(PEG Access and Cable Related Fund)				
Total Culture and Recreation		\$251,793.00	\$297,082.00	\$297,082.00
Debt Service				
710	MATURING PRINCIPAL ON LONG-TERM DEBT			
	Expenses	10,362.00	176,085.00	176,085.00
	TOTAL APPROPRIATION	\$10,362.00	\$176,085.00	\$176,085.00
		(Title V)	(\$10,362.00 Title V)	
751	INTEREST ON LONG-TERM DEBT			
	Expenses	-0-	\$45,870.22	45,870.22
	TOTAL APPROPRIATION	-0-	\$45,870.22	45,870.22
Total Debt Service		\$10,362.00	\$221,955.22	\$221,955.22

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
<i>Employee Benefits</i>				
911	RETIREMENT & PENSION CONTRIBUTIONS			
	Expenses	667,164.00	725,044.00	725,044.00
	TOTAL APPROPRIATION	\$667,164.00	\$725,044.00	\$725,044.00
912	WORKERS COMPENSATION INSURANCE			
	Expenses	29,000.00	45,000.00	45,000.00
	TOTAL APPROPRIATION	\$29,000.00	\$45,000.00	\$45,000.00
914	GROUP HEALTH INSURANCE			
	Expenses	730,966.09	749,161.82	749,161.82
	TOTAL APPROPRIATION	\$730,966.09	\$749,161.82	\$749,161.82
915	GROUP LIFE INSURANCE			
	Expenses	700.00	700.00	700.00
	TOTAL APPROPRIATION	\$700.00	\$700.00	\$700.00
916	EMPLOYER CONTRIBUTIONS			
	Expenses	\$63,000.00	\$65,000.00	65,000.00
	TOTAL APPROPRIATION	\$63,000.00	\$65,000.00	\$65,000.00
919	OTHER POST EMPLOYMENT BENEFITS (OPEB)			
	Expenses	\$25,000.00	\$25,000.00	25,000.00
	TOTAL APPROPRIATION	\$25,000.00	\$25,000.00	\$25,000.00
920	TUITION			
	Expenses	-0-	-0-	-0-
	TOTAL APPROPRIATION	-0-	-0-	-0-
Total Employee Benefits		\$1,515,830.09	\$1,609,905.82	\$1,609,905.82
<i>Court Judgments</i>				
941	COURT JUDGMENTS			
	Expenses	-0-	-0-	-0-
	TOTAL APPROPRIATION	-0-	-0-	-0-
Total Court Judgments		-0-	-0-	-0-

NUMBER	DEPARTMENT	CURRENT FISCAL YEAR	FISCAL YEAR 2017 REQUEST	FISCAL YEAR 2017 RECOMMENDATION BY FINANCE COMMITTEE
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Liability Insurance

945	LIABILITY INSURANCE Expenses	100,000.00	109,000.00	109,000.00
	TOTAL APPROPRIATION	\$100,000.00	\$109,000.00	\$109,000.00

Total Liability Insurance **\$100,000.00 \$109,000.00 \$109,000.00**

GENERAL FUND TOTALS **\$16,598,833.12 \$17,806,325.46 \$17,739,316.16**

ARTICLE 9. To see if the Town will vote to transfer from free cash funds in the Treasury \$4,403.00 to pay prior year's bills, or act thereon.

	\$4,403.00	<i>Transfer from Free Cash</i>	<i>Recommended by Finance Committee</i>
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ARTICLE 10. To see if 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
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Capital Outlay	\$475,000.00
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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.

	\$290,000.00	<i>Sewer Receipts</i>	
	\$515,237.19	<i>Retained Earnings</i>	<i>Recommended by Finance Committee</i>

ARTICLE 11. To see if 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, or act thereon.

\$284,350.00 Transportation Bond Issue Recommended by Finance Committee

ARTICLE 12. To see if the Town will vote to transfer from free cash \$55,000.00 for materials to upgrade drainage on Main Street, or act thereon.

\$55,000.00 Transfer from Free Cash Recommended by Finance Committee

ARTICLE 13. To see if 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, or act thereon.

\$12,500.00 Raise and Appropriate Recommended by Finance Committee

ARTICLE 14. To see if 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, or act thereon.

ARTICLE 15. To see if 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.

ARTICLE 16. To see if 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.

ARTICLE 17. To see if 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, or act thereon.

ARTICLE 18. To see if 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.

ARTICLE 19. 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.

\$47,000.00 ***Finance Committee Recommended Tabling***

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of \$52,636.27 as the eighth (8th) year payment on the Rescue Pumper of a ten (10) year lease program, or act thereon.

\$52,636.27 ***Raise and Appropriate*** ***Recommended by Finance Committee***

ARTICLE 21. To see if the Town will vote to transfer from the Ambulance Fund the sum of \$52,089.61 as the fifth (5th) year payment on the Ambulance of a five (5) year lease program, or act thereon.

\$52,089.61 ***Transfer from the Ambulance Fund*** ***Recommended by Finance Committee***

ARTICLE 22. To see if 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 and equipment or act thereon.

\$58,567.88 ***Transfer from the Ambulance Fund*** ***Recommended by Finance Committee***

ARTICLE 23. 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.

\$180,000.00 ***Finance Committee Recommended Tabling***

ARTICLE 24. 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.

Sale of Real Property

Recommended by Finance Committee

ARTICLE 25. To see if the Town will raise and appropriate or take from free cash an amount of \$50,000 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.

\$50,000.00 Raise and Appropriate

Recommended by Finance Committee

ARTICLE 26. To see if the Town will raise and appropriate or take from free cash an amount of \$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.

\$5,000.00 Transfer from Free Cash

Recommended by Finance Committee

ARTICLE 27. To see if 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.

Sale of Real Property

Recommended by Finance Committee

ARTICLE 28. To see if 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, or act thereon.

ARTICLE 29. To see if 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, or act thereon.

ARTICLE 30. To see if 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 of 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.

Or act thereon.

ARTICLE 31. To see if 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.

OR TAKE ANY ACTION IN RELATION THERETO

ARTICLE 32. 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.

or act thereon.

ARTICLE 33. 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.

or act thereon.

ARTICLE 34. To see if 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. 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.

or act thereon.

ARTICLE 36. 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.

or act thereon.

ARTICLE 37. To see if the Town will vote to raise and appropriate the sum of \$18,500.00 to perform an audit for FY16, or act thereon.

\$18,500.00 Raise and Appropriate Recommended by Finance Committee

ARTICLE 38. To see if 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, or act thereon.

ARTICLE 39. To see if 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, or act thereon.

ARTICLE 40. To see if 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

or take any other action thereon.

**\$105,000.00 Community
 Preservation Fund Recommended by Finance Committee**

ARTICLE 41. To see if 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.

ARTICLE 42. To see if 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, or act thereon.

ARTICLE 43. To see if the Town, in accordance with the provisions of Section 1 of Chapter 41 of the General Laws and as recommended by the 2015 committee to study the structure and functions of the board of health, will vote to provide for an elected board of health, and, in accordance with the provisions of Section 2 of Chapter 41 of the General Laws, fix the number of members of the elected board of health at three (3), each to be elected initially at the annual town election on April 8, 2017, for terms of one, two, and three years, respectively, and thereafter as each said initial term expires, one member to be elected at each subsequent annual town election for a term of three years, or act thereon.

ARTICLE 44. To see if the Town will vote to raise and appropriate the sum of \$93,700.00 for the purchase of two fully equipped SUV police vehicles including accessories.

\$93,700.00 Raise and Appropriate Recommended by Finance Committee

ARTICLE 45. To see if 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, or act thereon.

\$22,000.00 *Raise and Appropriate Recommended by Finance Committee*

ARTICLE 46. To see if 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.

or act thereon.

ARTICLE 47. To see if 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, or take any action thereon.

ARTICLE 48. To see if the Town will vote to raise and appropriate the sum of \$9,125.00 to host a Household Hazardous Waste Collection Day, or act thereon.

\$9,125.00 Raise and Appropriate Recommended by Finance Committee

ARTICLE 49. To see if 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, or act thereon.

ARTICLE 50. To see if 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, or act thereon.

ARTICLE 51. To see if 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 Large-Scale 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, or act thereon.

ARTICLE 52. To see if 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, or act thereon.

ARTICLE 53. To see if 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 "Complete Streets Funding Program", or act thereon.

\$450,000.00 Transportation Bond Issue Recommended by Finance Committee

ARTICLE 54. To see if 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. To see if 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 and to settle damages from land taken in conjunction with the extension of the sidewalk on Center Street westerly to Somerset Avenue.

ARTICLE 56. To see if 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 regulations 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. To act upon any other business that lawfully may be introduced at said meeting.

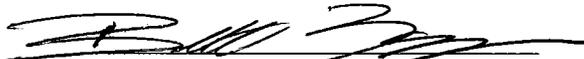
And you are directed to serve this warrant by posting attested copies thereof at each of the post offices, at the Town Hall and at the main Fire Station, all in said Dighton, seven days at least before the time of holding said meeting.

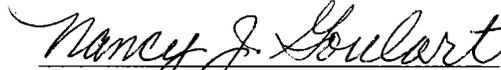
Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands this 1st day of June in the year of our Lord the Two Thousand Sixteenth, and of the independence of the Commonwealth of Massachusetts the two hundred and fortieth.

BOARD OF SELECTMEN


Dean V. Cronin - Chairman


Brett R. Zografos - Clerk


Nancy J. Goulart - Member

A true copy

Attest: 
TOWN CLERK

Posted as directed:


CONSTABLE

Date:

