

**TOWN OF LONGMEADOW
SPECIAL TOWN MEETING - MINUTES**

Tuesday, October 25, 2016 – 7:00 p.m.

Longmeadow High School

Acting under the authority of the posted warrant, the qualified voters of the Town met at the time and place appointed. At 7:00 PM o'clock in the evening the moderator declared the Special Town Meeting open, there being more than a quorum present and all provisions of the law having been met.

ARTICLE 1.

It was a Majority Affirmative vote to raise and appropriate the sum of \$100,000.00 for purposes of paying one half of the \$200,000.00 short term borrowing issued in May of 2016 as part of the final financing on the Longmeadow High School Project.

ARTICLE 2.

It was a Unanimous Affirmative vote to take no action on article #2.

ARTICLE 3.

The Moderator declared a 2/3rds Affirmative vote to raise and appropriate the sum of \$55,000.00 to transfer into the Town's Operational Stabilization Fund established by vote of Town Meeting on November 8, 2003 pursuant to Massachusetts General Laws Chapter 40 Section 5B.

ARTICLE 4.

It was a Majority Affirmative vote to raise and appropriate \$120,576.00 from the FY 2017 Community Preservation Fund revenues for: CPA Fund Balance Reserve for Open Space \$40,192.00, CPA Fund Balance Reserve for Community Housing \$40,192.00 and CPA Fund Balance Reserve for Historic Preservation \$40,192.00.

ARTICLE 5.

It was a Majority Affirmative vote to accept the DPW Committee Site Recommendation Report dated September 2016.

ARTICLE 6.

There was a motion moved and seconded to table Article 6 until after Article 11. The Moderator declared a 2/3rds Affirmative vote to table Article 6 until after Article 11.

Upon completion of Article 11 there was a motion moved and seconded to take Article 6 from the table which was approved by a Majority Affirmative vote.

A motion to amend the article was moved and seconded.

The motion to amend passed by Unanimous Affirmative vote.

The Moderator declared a 2/3rds Affirmative vote to transfer from available funds in the treasury, the sum of \$387,100.00 to the following accounts.

Capital Account for Fire Truck Replacement	\$137,000.00
Capital Stabilization Fund	\$127,500.00
FY 2017 Operating Budget Account / OPEB Liability	\$122,600.00

ARTICLE 7.

It was a Majority Negative vote to approve the construction of a new Adult Center at Bliss Park and, if so, to transfer from available funds in the treasury, the sum of \$200,000.00 for the purpose of funding architectural and engineering services up to and including site analysis, site survey, geotechnical soil testing, programming study, traffic study and schematic design for that new Adult Center.

ARTICLE 8.

It was a Majority Affirmative vote to transfer from available funds in the treasury, the sum of \$6,426.00, from Water Retained Earnings, the sum of \$3,213.00 and from Sewer Retained Earnings, the sum of \$3,213.00 for the purchase of a Global Positioning System (GPS) for the Town's Department of Public Works vehicles.

ARTICLE 9.

It was a Majority Affirmative vote to transfer from the Ambulance Fund the sum of \$50,000.00 for the purchase of one "cardiac monitor" and one "auto pulse" to be used in the equipping of the Town's ambulances.

ARTICLE 10.

It was Majority Affirmative vote to transfer from the Sewer Retained Earnings account the sum of \$160,000.00 for the purposes of funding a Sewer Infiltration/Inflow Analysis.

ARTICLE 11.

The Moderator Declared a 2/3rds Affirmative vote to authorize the Treasurer to borrow the sum of \$530,000.00 for the purposes of purchasing a new Fire Apparatus and related issuance costs.

ARTICLE 12.

It was a Majority Affirmative vote to reduce the amount appropriated and authorized to borrow for the Longmeadow High School Project voted in Article 1 of the May 25, 2010 Special Town Meeting from \$77,969,388.00 by \$31,413,388.00.

ARTICLE 13.

It was a Majority Affirmative vote to amend sections of Article V, Chapter 900, Registration and Maintenance of Foreclosed Properties of the General Bylaws of the Town by:

- (1) Deleting Article V, Chapter 900, Section 5-901 in its entirety and replacing it with the following text:

Unsecured and unmaintained foreclosed, vacant, abandoned, and/or blighted properties present a danger to the safety and health of the public, occupants, abutters, neighbors and public safety officers of the Town. It is the purpose and intent of this bylaw to protect and preserve public safety, health, welfare and security and the quiet enjoyment of occupants, abutters and neighbors, and to minimize hazards to public safety personnel inspecting or entering such properties by: (a) requiring all residential, commercial and industrial property owners, including lenders, trustees and service companies, to register and maintain foreclosed, vacant, abandoned, and blighted properties with the Town; and by (b) regulating the maintenance and security of foreclosed, vacant, abandoned, and/or blighted properties to help prevent blighted and unsecured properties.

- (2) Adding the following to Chapter 900, Section 5-902, Definitions:

(12) "Abandoned" means a residential, commercial or industrial property, the owner of which has permanently relinquished possession, custody and control.

(13) "Blighted" means any residential, commercial or industrial property which is detrimental to safety, health, morals, welfare of the Town because of the existence of a building or buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete."

- (3) Amending Article V, Chapter 900, Section 5-903(1), Registration by deleting the first paragraph of the section in its entirety and replacing with the following:

"All owners of foreclosed, vacant, abandoned and/or blighted properties shall register such properties with the Commissioner on forms provided by the Commissioner within seven (7) days of the date of foreclosure, vacancy, abandonment, and/or the property's falling into a blighted state. If the owner is an out-of-state corporation, person or other entity, the owner shall appoint an in-state agent authorized to accept service of process and other documents under this bylaw."

ARTICLE 14.

It was a Unanimous Affirmative vote to amend Article III, Chapter 500, Section 3-508, Appointments: Commencement of Term of the General Bylaws of the Town by deleting it in its entirety and amending as follows:

"The appointing authority may make an appointment to a board, commission or committee only at a public meeting of the appointing authority held at least seven (7) days, but no more than sixty (60) days after the last applicant interview for an open or vacant position. The term of an applicant receiving an appointment shall not commence until (i) the applicant has filed a written acceptance of the appointment with the office of the Select Board; (ii) the applicant has sworn into office if required for the position (by the Massachusetts General Bylaws or these Bylaws); and (iii) the applicant has undergone required ethics training under the Massachusetts General Bylaws."

ARTICLE 15.

It was a Majority Negative vote to amend Article II, Chapter 600, Section 2-601(m), Water and Sewer Non-Payment, of the General Bylaws of the Town by deleting in its entirety and amending as follows:

"If a bill for water services remains unpaid for thirty (30) days after the bill is issued, a demand fee equal to Fifteen Dollars (\$15.00) shall be assessed, and the Department of Finance and Administration shall send a notice to the delinquent; and if the bill remains unpaid for fifteen (15) days thereafter, the Department of Finance and Administration shall inform the Water and Sewer Commissioners, who have the authority to cause the water supply to be turned off. If the water supply has been turned off at a water use location, the Commissioners shall not cause the water to be turned on again until the amount due, including all assessed interest and demand fees, together with Twenty-Five Dollars (\$25.00) for the restoration of the service have been paid."

ARTICLE 16.

The Moderator Declared a 2/3rds Affirmative vote to amend Article II, Definitions of the Zoning Bylaws of the Town by adding the following definitions:

Accessory structure - "A structure which is subordinate and customarily incidental to the principal building and is located on the same lot. In residential zones, no such accessory structure shall exceed one story, nor shall it exceed ten (10) linear feet of height at the eave."

Family - "One or more individuals living together as a single housekeeping unit and occupying one dwelling. For purposes of controlling residential density, not more than four (4) unrelated individuals shall constitute a family; any roomer living in the dwelling shall be included in determining the number of unrelated individuals."

Story - "That portion of a building contained between any floor and the floor or roof next above it, but not including a cellar, crawl space, or attic."

Structure - The present definition of “structure” should be deleted and amended in its entirety as follows:
“Anything constructed or erected, the use of which requires a fixed location on the ground, or attachment to something located on the ground, including buildings, mobile homes, billboards, tanks, solar panels, or the like, or the parts thereof, and swimming pools, but not including paved surfaces such as a driveway, a walk or a patio.”

And, accordingly, place the newly adopted definitions in alphabetical order with existing definitions and renumber all definitions accordingly.

ARTICLE 17.

It was moved and seconded that the Town vote to amend Article IV, Section B, Uses in Residence Zones of the Zoning Bylaws of the Town in the following respects:

1. Deleting Section B, 1.1d in its entirety and replacing with “Accessory uses shall not include the keeping upon the land of unused (for over thirty (30) days) or unsightly personal property, or the storing of any unregistered and uninspected motor vehicles, except within a totally enclosed garage.”
2. Adding Section B, 1.1g “Accessory uses in the front yard shall not include the parking of any vehicle other than on a paved, gravel or other impervious surface area. For purposes of this bylaw, such area shall not exceed twenty percent (20%) of the area bounded by the side lot lines, the front of the residential structure, and the street line of any lot. This provision is not intended to ban parking on any paved or gravel area to the rear or side of the residential structure”.
3. Adding Section B, 1.1h “Accessory uses shall not include the keeping of a construction dumpster, storage device commonly known as a “pod” for longer than a sixty (60) day period without permission from the Inspector of Buildings.”

An amendment was moved and seconded so the article reads:

1. Deleting Section B, 1.1d in its entirety and replacing with “Accessory uses shall not include the keeping upon the land of unused (for over thirty (30) days) or unsightly personal property, or the storing of any unregistered and uninspected motor vehicles, except within a totally enclosed garage.”
2. Adding Section B, 1.1g “Accessory uses in the front yard shall not include the parking of any vehicle other than on a paved, gravel or other impervious surface area. For purposes of this bylaw, such area shall not exceed twenty percent (20%) of the area bounded by the side lot lines, the front of the residential structure, and the street line of any lot. This provision is not intended to ban parking on any paved or gravel area to the rear or side of the residential structure”.
3. Adding Section B, 1.1h “Accessory uses shall not include the keeping of a construction dumpster or a storage device commonly known as a “pod” for longer than a sixty (60) day period without permission from the Inspector of Buildings.”

The amendment passed by a Majority Affirmative vote.

The Moderator declared the motion as amended passed by a 2/3ds Affirmative vote.

The meeting dissolved at 9:58 p.m.

The number of registered voters in attendance was 1,046, which represents 8.98% of the eligible voters, there being 11,647 registered voters as of October 14, 2016.

Katherine T. Ingram
Town Clerk