TOWN OF LONGMEADOW
ANNUAL TOWN MEETING
TUESDAY – MAY 9, 2017 – 7:00 P.M.
WEDNESDAY – MAY 10, 2017 – 7:00 P.M.

Minutes

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 Annual Town Meeting open, there being a quorum present and all provisions of the law having been met. In accordance with the ancient custom, the Moderator called upon Longmeadow resident, Lieutenant Colonel John G. Desarro, Commander of the 104th Communications Flight, Barnes Air National Guard Base to give the invocation. The Town Manager recognized those officials and staff resigning or retiring during the year and expressed appreciation for their years of service. Select Board Chair Person Marie Angelides presented the Citizen of Year award to James Russell. David Horowitz, Chair of the Park Board presented the Cliff Zundell award to Frances Cameron.

ARTICLE 1.
It was a Unanimous Affirmative vote to choose three trustees to administer the William Goldthwait Bequest, and that Dawn Barkman, Frances Mifflit and William McGurk were chosen as the trustees.

ARTICLE 2.
It was moved and seconded to transfer from available funds in the Treasury the sum of $200,000.00 for the purposes of funding the FY 2017 Snow and Ice removal deficit.

An amendment was moved and seconded to transfer from available funds in the Treasury the sum of $225,179.00.00 for the purposes of funding the FY 2017 Snow and Ice removal deficit.

It was a Unanimous Affirmative vote on the amendment.

The main motion as amended was approved by Unanimous Affirmative vote.

ARTICLE 3.
It was a Unanimous Affirmative vote to transfer from available funds in the Treasury the sum of $2,850.07 for the purposes of paying Bills of Prior Fiscal Year.

ARTICLE 4.
It was a Unanimous Affirmative vote to transfer from available funds in the Treasury the sum of $50,000.00 for the purposes of providing supplemental funding to the FY 2017 budgets for:

General Government - Legal Expense $30,000.00
Community and Cultural Services - Veterans Benefits $20,000.00

ARTICLE 5.
It was a Unanimous Affirmative vote to transfer from Water Retained Earnings, the sum of $80,000.00 for the purposes of providing supplemental funding to the FY 2017 Water operating budget – Mains Maintenance.

ARTICLE 6.
It was a Majority Affirmative vote to fix the Fiscal Year 2018 salary and compensation of the Moderator at $100.00 and the Select Persons at $2,000.00 each, to provide for a reserve fund, and to approve the Fiscal Year 2018 operating budget totaling $64,247,712.00 and itemized as follows:

General Government $1,522,774.00
Public Safety $5,107,478.00
Planning & Community Development $184,707.00
Schools $33,669,978.00
Department of Public Works (General Fund) $3,460,842.00
Community and Cultural Services $1,639,825.00
Debt Service & Town/School Employee/Retiree Benefits $13,022,911.00
Subtotal General Fund $58,608,515.00
Solid Waste / Recycling Enterprise Fund $1,141,710.00
Water Enterprise Fund $2,572,373.00
Sewer Enterprise Fund $1,925,114.00
Total $64,247,712.00

And to fund the General Fund $58,608,515.00 be raised and appropriated as follows: $57,955,402.00 from general taxation, $645,000.00 from Ambulance receipts, $8,113.00 be transferred from Fund Balance Reserve for Future Years Debt Service; and that
to fund the Solid Waste / Recycling Enterprise Fund $1,141,710.00 be raised and appropriated as follows: $260,000.00 from Solid Waste / Recycling receipts and $881,710.00 from general taxation; and to fund the Water Enterprise Fund $2,572,373.00 be raised and appropriated as follows: $2,447,373.00 from Water receipts and $125,000.00 from Water Retained Earnings; and to fund the Sewer Enterprise Fund $1,925,114.00 be raised and appropriated as follows: $1,925,114.00 from Sewer receipts.

ARTICLE 7.
It was a Unanimous Affirmative vote that the Town raise and appropriate the sum of $55,700.00 to a Salary Settlement Account to fund approved non-collective bargaining wage settlements.

ARTICLE 8.
It was moved and seconded to raise and appropriate, or transfer from available funds, the following amounts for capital projects and that any remaining amounts from the capital projects be returned to the Capital Stabilization Fund:

From Raise and Appropriate (FY2018)
- Project Development: $25,000.00
- Police Dept. Boiler Replacement: 84,000.00
- Fire Truck Replacement Reserve: 75,000.00
- IT Server Upgrades with Power Back Up: 105,000.00
- Boiler Piping Modifications at Glenbrook Middle School: 65,100.00
- Boiler Replacement at Blueberry Hill School: 125,000.00
- Boiler Replacement at Center School: 95,000.00
- Fire Alarm Replacement at Center School: 50,000.00
- Pavement Preservation: 500,000.00
- Sidewalk Reconstruction: 400,000.00
- Guardrails: 50,000.00

Subtotal: $1,574,100.00

From Capital Stabilization Fund
- Fire Suppression Updates at Blueberry Hill School: 75,000.00
- Fire Suppression Updates at Wolf Swamp School: 75,000.00

From Water Retained Earnings
- Crest Avenue Main Replacement: 163,000.00
- Chandler Ave Main Replacement: 140,600.00

From Sewer Retained Earnings
- Emerson Rd Treatment Plant Demolition: $160,000.00

Multi Fund

<table>
<thead>
<tr>
<th>Water Retained Earnings</th>
<th>Sewer Retained Earnings</th>
<th>Raise &amp; Appropriate FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPW Vibratory Roller</td>
<td>$17,500.00</td>
<td>$17,500.00</td>
</tr>
<tr>
<td>DPW Asphalt Paver Attachement for Toolcat</td>
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<td>8,750.00</td>
</tr>
<tr>
<td>DPW 2 Ton Dump w/Plow &amp; Spreeder</td>
<td>22,500.00</td>
<td>22,500.00</td>
</tr>
</tbody>
</table>

AMENDMENT to Article 8

An amendment was moved and seconded to raise and appropriate, or transfer from available funds, the following amounts for capital projects and that any remaining amounts from the capital projects be returned to the Capital Stabilization Fund:

From Raise and Appropriate (FY2018)
- Project Development: $25,000.00
- Boiler Replacements (3) Blueberry Hill & Center Schools & Police Dept.: 304,000.00
- Fire Truck Replacement Reserve: 75,000.00
- IT Server Upgrades with Power Back Up: 105,000.00
- Boiler Piping Modifications at Glenbrook Middle School: 65,100.00
- Fire Alarm Replacement at Center School: 50,000.00
- Pavement Preservation: 500,000.00
- Sidewalk Reconstruction: 400,000.00
- Guardrails: 50,000.00

Subtotal: $1,574,100.00

From Capital Stabilization Fund
- Fire Suppression Updates (2) Blueberry Hill & Wolf Swamp Schools: $150,000.00

From Water Retained Earnings
- Crest Avenue Main Replacement: $163,000.00
Chandler Ave Main Replacement 140,600.00

**From Sewer Retained Earnings**
Emerson Rd Treatment Plant Demolition $ 160,000.00

<table>
<thead>
<tr>
<th>Multi Fund</th>
<th>Water Retained Earnings</th>
<th>Sewer Retained Earnings</th>
<th>Raise &amp; Appropriate FY 2018</th>
</tr>
</thead>
<tbody>
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<td>DPW Vibratory Roller</td>
<td>$17,500.00</td>
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<td>$35,000.00</td>
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<td>8,750.00</td>
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<tr>
<td>DPW 2 Ton Dump w/Plow &amp; Spreader</td>
<td>22,500.00</td>
<td>22,500.00</td>
<td>45,000.00</td>
</tr>
</tbody>
</table>

It was a **Unanimous Affirmative** vote to approve the amendment.
The Moderator Declared a **2/3rds Majority Affirmative** vote on the main motion as amended.

**ARTICLE 9.**
The Moderator Declared a **2/3rds Majority Affirmative** vote to authorize the Select Board to acquire by purchase, gift or eminent domain any fee, easement or other interest in all or any part of a parcel of land owned by Famiglia, LLC, or any successor in interest in the Town of Longmeadow known as 170 Dwight Road and designated on the Longmeadow Assessors Maps as Map 234, Block 3, Lot 35A; Map 234, Block 4, Lot 35A; and Map 177, Block 136, Lot 35A, approximately 12.07 acres in the area, for the purpose of constructing a new Department of Public Works Facility or other municipal purpose(s), on terms and conditions deemed by the Select Board to be in the best interests of the Town, and to raise and appropriate, transfer from available funds or borrow, $2,600,000.00 for the purposes of this Article, as set forth in Article 10.

**ARTICLE 10.**
The Moderator Declared a **2/3rds Majority Affirmative** vote to raise and appropriate the sum of $21,205,000.00 for the purposes of acquiring land located in the Town of Longmeadow known as 170 Dwight Road and designated on the Longmeadow Assessors Maps as Map 234, Block 3, Lot 35A; Map 234, Block 4, Lot 35A; and Map 177, Block 136, Lot 35A, approximately 12.07 acres in the area and constructing and equipping a new Department of Public Works Facility and that to meet said appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said sum of money by the issuance of general obligation bonds or notes of the Town, the costs of such borrowing to be allocated among the Town’s General Fund (from taxation), Sewer Enterprise Fund (from sewer charges), Water Enterprise Fund (from water charges) and from the Storm Water Enterprise Fund (storm water fees) should one be created. Any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59 Section 21C (Proposition 2 ½).

**ARTICLE 11.**
The Moderator Declared a **2/3rds Unanimous Affirmative** vote to appropriate $471,736.00 from the state for highway improvements under the authority of M.G.L. Chapter 90 including funds to be received in FY 2018 or any other applicable laws, and to authorize the Select Board, if necessary, to apply for, accept, and borrow in anticipation of state aid for such projects, expend.

**ARTICLE 12.**
It was a **Majority Affirmative** vote to accept the “Dwight Road Improvement District” which will be located on the east side of Dwight Road in Longmeadow, MA, easterly to the town line of East Longmeadow, MA and southerly to the convergence of Dwight Road and Maple Street. The northerly limit of the District is the north property line of the 6.35 acre parcel known as “Dwight Road Rear”.

**ARTICLE 13.**
It was a **Majority Affirmative** vote to create a District Improvement Financing (DIF) program authorized under Massachusetts General Law Chapter 40Q and that such program be known as the Dwight Road / Maple Street DIF Program. The Dwight Road / Maple Street DIF Program will encompass the Dwight Road Improvement District as part of a public-private collaborative process to promote redevelopment in Longmeadow and East Longmeadow.

**ARTICLE 14.**
The Moderator Declared a **2/3rds Affirmative** vote to raise and appropriate the sum of $2,500,000 for the purposes of public infrastructure improvements, including but not limited to road, sidewalk and traffic / pedestrian signal improvements in the area of “Dwight Road Improvement District” previously approved in Article #13, and to meet said appropriation to authorize the Treasurer to borrow said sum of money.

**ARTICLE 15.**
It was a **Unanimous Affirmative** vote to amend its General Bylaws by adding the following section to Chapter 400:
Section 3-404 Revolving Funds Established Under M.G.L. c. 44. Section 53E ½
a) School Department
There shall be a School Department Revolving Fund as provided under Massachusetts General Laws Chapter 44, Section 53E½, said funds to receive commissions paid from sales from vending machines located in various locations under the
jurisdiction of the School Department, said funds to be deposited with the Town Treasurer and with payments from the fund to be expended by the School Department, as established at each Annual Town Meeting, to support school-related activities.

ARTICLE 16.
It was a Unanimous Affirmative vote to establish a funding limit to the Town’s School Department Revolving Fund with payments from the fund to be expended therefrom by the School Department, up to $5,000.00.

ARTICLE 17.
It was moved and seconded that the Town, upon recommendation from the Select Board, vote to authorize the School Department to enter into a lease purchase financing agreement to acquire IT capital equipment for a period up to four (4) years.

A motion to lay the article on the table failed by 2/3rds Declaration

The Moderator Declared the article passed by a 2/3rds Affirmative vote.

ARTICLE 18.
It was a Unanimous Affirmative vote to transfer from available funds in the Treasury the sum of $34,321.00 to the Town’s Operational Stabilization Fund previously established by vote of Article #15 at the November 18, 2003 Special Town Meeting.

ARTICLE 19.
It was a Majority Affirmative vote to raise and appropriate the sum of $8,000.00 from the FY 2018 Community Preservation local surcharge and trust fund for administrative costs for the Community Preservation Committee.

It was moved and seconded to consolidate Articles 20, 21, 22, 23, 24, 26 and 27. The motion to consolidate passed by Majority Affirmative vote.

ARTICLE 20.
It was a Majority Affirmative vote to fund the Community Preservation Project for the Storrs House Museum 2nd Floor Climate Control Project in the amount of $22,300.00 funded from the Community Preservation Historic Preservation Fund Balance.

ARTICLE 21.
It was a Majority Affirmative vote to fund the Community Preservation Project for the Town’s Historic Records Preservation in the amount of $20,000.00 funded from the Community Preservation Historic Preservation Fund Balance.

ARTICLE 22.
It was a Majority Affirmative vote to fund the Community Preservation Project for the Blueberry Hill School Playground in the amount of $40,000.00 funded from the Community Preservation Recreation / Open Space Fund Balance.

ARTICLE 23.
It was a Majority Affirmative vote to fund the Community Preservation Project for Wolf Swamp Field Well Installation, in the amount of $80,000.00 funded from the Community Preservation Undesignated Fund Balance, contingent upon the Town developing a master plan for the fields.

ARTICLE 24.
It was a Majority Affirmative vote to fund the Community Preservation Project for Bliss Park Guardrails and Signage in the amount of $7,500.00 funded from the Community Preservation Undesignated Fund Balance.

ARTICLE 25.
It was a Majority Affirmative vote to fund the Community Preservation Project for Dugouts at Turner Fields in the amount of $20,000.00 funded from the Community Preservation Undesignated Fund Balance.

ARTICLE 26.
It was a Majority Affirmative vote to fund the Community Preservation Project for the Longmeadow Cemetery Gravestone Restoration and Preservation in the amount of $20,475.00 funded from the Community Preservation Historic Preservation Fund Balance.

ARTICLE 27.
It was a Majority Affirmative vote to fund the Community Preservation Project for the Community House Retaining Wall and Areaway in the amount of $13,500.00 funded from the Community Preservation Historic Preservation Fund Balance, and the amount of $98,500.00 to be funded from the Community Preservation Undesignated Fund Balance.

ARTICLE 28.
It was a Majority Affirmative vote to fund the Community Preservation Project for Wolf Swamp Pre-School Playground Equipment in the amount of $34,000.00 funded from the Community Preservation Undesignated Fund Balance.
ARTICLE 29.
It was a Majority Affirmative vote to fund the Community Preservation Project for Storrs Library Window Replacement in the amount of $118,500.00 funded from the Community Preservation Undesignated Fund Balance, and to transfer $132,500.00 from the Community Preservation Project Center School Terrace and Balustrade voted in Article # 21 at the May 10, 2016 Annual Town Meeting, to be applied to this project.

At 10:36 pm there was a Majority Affirmative vote to adjourn the meeting until Wednesday, May 10, 2017 at 7:00 pm.

**********************************************************************************May 10, 2017 - 2
Art Night**********************************************************************************

At 7:00 PM o’clock in the evening the Moderator declared the 2
Art night of the Annual Town Meeting open, there being a
quorum present and all provisions of the law having been met. Town Manager Stephen Crane, recognized and thanked
members of the former School Building Committee.

ARTICLE 30.
It was a Majority Affirmative vote to designate the remaining funds from the upfront Mitigation Payment received from MGM as
Special Revenue Funds and that such funds may only be expended in the exact way outlined in the Town’s “Surrounding Community
Arbitration Award” made by the Massachusetts Gaming Commission.

ARTICLE 31.
It was a Majority Affirmative vote to transfer from available funds in the treasury, the sum of $250,000.00 for the purpose of funding
Architectural and Engineering Services for the design of a new and/or renovated Adult Center at Greenwood Park.

ARTICLE 32.
It was a Majority Affirmative vote to amend its General Bylaws by adding the following section to Article Two, Chapter 600
“Section 2-606 Stormwater Enterprise Fund.”

(a) ESTABLISHED
There is hereby established within the Department of Public Works a utility known as the "Stormwater Division" under the day-to-day
supervision of the Director of Public Works.

(b) PURPOSE
The Department of Public Works shall administer the stormwater management programs of the Town through the Stormwater
Division. It shall be funded by revenue collected through the Stormwater fee and such other funds as may, from time to time, be
appropriated or obtained through other sources including but not limited to grants and low-interest loans. The stormwater management
program is designed to promote the health and safety of the public, to protect property from flooding and the damage caused by
stormwater runoff, and to protect and manage water quality by controlling the level of pollutants in stormwater runoff and the flow of
water as conveyed by man-made and by natural stormwater management systems and facilities.

(c) AUTHORITY
This chapter is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Amendment Article 2 of the
Massachusetts Constitution, MGL c. 83, §§ 1 through 24, and such other powers as granted to cities and towns in the General Laws.

(d) DEFINITIONS
The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except
where the context clearly indicates a different meaning:
CREDIT - A reduction in the amount of a Stormwater fee charge to a particular property.
DIRECT COSTS - The costs incurred in the operation and maintenance of the stormwater system as reflected in the Stormwater
Enterprise Fund budget.
DWELLING UNIT - The individual, private premises contained in any building intended, whether occupied or not, as the residence
for one household, regardless of the number of Individuals in the household. A building may contain more than one dwelling unit.
GENERAL LAWS - The General Laws of the Commonwealth of Massachusetts.
IMPERVIOUS SURFACE - Those areas which prevent or impede the infiltration of stormwater into the soil in the manner in which it
entered the soil, in natural conditions, prior to development. Common impervious surfaces include, but are not limited to, rooftops,
buildings or structures, sidewalks, walkways, patio areas, swimming pools, decks, driveways, parking lots, storage areas, compacted
gravel and soil surfaces, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural
infiltration of stormwater runoff which existed prior to development.
INDIRECT COSTS - The costs incurred in the operation and maintenance of the stormwater system including, but not limited to,
health insurance, property and casualty insurance, utility expenses, life insurance, and retirement. Another example of an indirect cost
would be the value of time spent by General Fund employees in the Collector’s office processing Enterprise Fund user payments.
LARGE RESIDENTIAL PROPERTY - Improved property containing apartments, or condominiums with four or more dwelling units
and rooming and boarding houses. Large residential properties shall not include improved property containing structures used
primarily for non-residential purposes (i.e., hotels, motels, retirement centers, nursing homes or assisted living homes or properties
designated as "mixed use" properties by the Board of Assessors).
NON-RESIDENTIAL PROPERTY - Property that is not small residential property as defined herein, including, but not limited to, such property as commercial and office buildings, public buildings and structures, industrial and manufacturing buildings, Large Residential Property, storage buildings and storage areas, parking lots, roadways, driveways, parks, recreation properties, tennis courts, swimming pools, public and private schools and universities, research facilities and stations, hospitals and convalescent centers, airports, agricultural uses, water and wastewater treatment plants, hotels, motels, retirement centers, nursing homes or assisted living homes, properties designated as "mixed use" properties by the Board of Assessors, and any other form of use not otherwise mentioned which is not a residential property.

PERVIOUS SURFACE - Those areas that allow the unimpeded infiltration of stormwater into the soil. Common pervious surfaces include, but are not limited to, lawn area, forest land, agricultural lands, meadows and other undeveloped land. In determining utility fee calculations, all land on a parcel of property not defined as impervious land will be considered to be pervious.

PROPERTY ASSOCIATIONS - A condominium, cooperative, or other form of ownership, whether residential, commercial or multiple-use, in which fees are divided among multiple record title owners by instrument recorded in the Hampden Registry of Deeds or Hampden Land Court.

SMALL RESIDENTIAL PROPERTY - Improved property containing one, two or three dwelling units. Small residential properties shall not include improved property containing structures used primarily for non-residential purposes (i.e., hotels, motels, retirement centers, nursing homes or assisted living homes or properties designated as "mixed use" properties by the Board of Assessors).

STORMWATER - The surface water runoff from precipitation.

STORMWATER FEE - The periodic user fee imposed pursuant to this chapter by the Town of Longmeadow for providing stormwater management.

STORMWATER MANAGEMENT

A. All services provided by the Town which relate to the:
   (1) Transfer, control, conveyance, treatment or movement of stormwater runoff through Town-owned infrastructure;
   (2) Maintenance, repair, grading and replacement of existing stormwater management systems and facilities and equipment owned by the Town;
   (3) Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs, including grading of roads to facilitate the movement of stormwater;
   (4) Regulation of the use of stormwater management services, systems and facilities; and
   (5) Compliance with applicable local, state and federal stormwater management regulations, permit requirements, and mandates.

B. Stormwater management services may address the quality of stormwater runoff as well as the quantity thereof.

STORMWATER MANAGEMENT SYSTEMS AND FACILITIES

Those natural and man-made channels, swales, ditches, rivers, streams, brooks, creeks, wetlands, branches, reservoirs, ponds, drainageways, drainage structures, conveyances, storm drains, catch basins, inlets, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, outfalls, and other physical works, properties, and improvements that collect, transport, transfer, control, pump, treat, convey, detain, retain, dispose of, or otherwise influence the movement of stormwater runoff.

UNDEVELOPED LAND

All land that is not altered from its natural state.

(c) FEE ESTABLISHED: BILLING FREQUENCY; DEPOSIT TO ENTERPRISE FUND ACCOUNT.

A. Pursuant to MGL c. 83, § 16, the Town hereby establishes a charge for the use of the stormwater management of the Town to be known as the "Stormwater fee."

B. The Stormwater fee is imposed on each parcel of residential property and each parcel of non-residential property, whether occupied or not. The Stormwater fee shall be billed at least annually, but not more frequently than in four quarterly increments, as determined by the Select Board. The fee shall be billed to the record title owner of the property. The billing shall be consolidated in the same bill as is sent to said property owner for other services provided by the Town supported by fees, including water service and sanitary sewer use. If the property does not receive a water/sewer bill from the Town, a bill for only the Stormwater fee will be sent. Payment shall be due 30 days after the issue date of the Stormwater bill.

C. Receipts generated from the Stormwater fee shall be deposited in an enterprise fund account to be known as the "stormwater management account" set up in accordance with the authority granted by MGL c. 44, § 53F 1/2. The funds deposited to this account shall be used to fund the stormwater management program of the Town.

(f) RATES

A. The Director of Public Works shall recommend an annual budget for stormwater management services to the Town Manager. The Town Manager shall include a proposed annual budget for the stormwater management in the proposed operating budget submitted to the Select Board in accordance with Article 7 of the Charter of the Town of Longmeadow. The budget submitted by the Town Manager and approved by the Select Board shall have the rates set in an amount sufficient to provide for a balanced operating and capital improvement budget for the stormwater management services.

B. A user fee based on an Equivalent Residential Unit (ERU) shall be imposed on every owner of non-exempt Developed Property within the Town. An ERU shall equal that square footage that represents the median of the area of Impervious Surface for all Single Family Residences in the Town. The Select Board, by resolution, establish the square footage that constitutes one ERU on a periodic basis.

C. The Select Board shall have the authority to set and modify the user fee rates so that the total revenue generated by said charges, and any secondary sources of revenue, shall be sufficient to fund the Town’s stormwater program.
D. The Select Board shall establish the user fee rate for each ERU by the adoption of a written Resolution by vote of the Select Board. A schedule of said rates shall be on file in the office of the Town Manager of the Town of Longmeadow.

E. There shall be two classifications for the rates, Small Residential Property and Non-residential. Small Residential Property rates will be billed at a flat rate per the fee structure adopted by the Select Board. Non-residential rates shall be based upon the total area of impervious surface on a parcel of land in single and separate ownership as determined by the Town of Longmeadow Department of Public Works by identifying such parcels from the records of the Town Board of Assessors and utilizing available GIS data layers including building footprints, building structures, driveways, pathways, pools, sport courts, and parking areas. Any impervious areas within the Town-owned right-of-way will not be attributed to the parcel and will not be considered as part of the total impervious area of the parcel. The user fee for a specific property is determined by multiplying the user fee rate per ERU times the number of ERUs allocated to the property. Rates per ERU for Non-residential property shall be set by the Select Board and modified as necessary. The following declining block rate structure shall be used for Non-residential property:

<table>
<thead>
<tr>
<th>Block ERU Range</th>
<th>Block Coefficient (multiplied by ERU rate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>1.0</td>
</tr>
<tr>
<td>11-50</td>
<td>0.9</td>
</tr>
<tr>
<td>51-100</td>
<td>0.8</td>
</tr>
<tr>
<td>101-500</td>
<td>0.7</td>
</tr>
</tbody>
</table>

F. Any impervious areas within the federal, state, county, and Town-owned right-of-way used by the traveling public will not be attributed to the parcel and will not be considered as part of the total impervious area of the parcel.

G. Property associations may submit to the Department of Public Works a copy of the instrument recorded in the Hampden Registry of Deeds or Hampden Land Court that defines the percentage of common ownership attributable to each unit thereof. Upon receipt of a copy of such instrument, the Department shall cause each individual owner to be billed separately for the percentage attributable to such unit.

(g) **SCOPE OF RESPONSIBILITY FOR STORMWATER MANAGEMENT SYSTEMS AND FACILITIES.**

A. The Town shall be responsible for all costs to operate, maintain, improve and access those stormwater management systems and facilities which are located:
   (1) Within public road rights-of-way;
   (2) On private property but within easements granted to, and accepted by, the Town of Longmeadow, or which are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to the stormwater management system facilities located thereon;
   (3) On public land which is owned by the Town and/or land of another governmental entity upon which the Town has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.

B. Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the Town, and for which the Town lacks a lawful right of entry, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

(h) **PURPOSES OF FUND.**

The Stormwater fee shall only be used for the direct and indirect costs of the Stormwater Division to provide stormwater management services as defined in §(d) and also includes the following:

A. The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater management systems and facilities.

B. All indirect and direct costs of administration and implementation of the stormwater management programs, including the cost of labor attributable to the stormwater management program and the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements.

C. Engineering and design, debt service and related financing expenses, construction costs for new facilities, and enlargement or improvement of existing facilities.

D. Operation and maintenance of the stormwater systems, including catch basin cleaning, ditch maintenance, street sweeping and the purchase of equipment for use in the operation and maintenance of stormwater systems.

E. Capital projects for stormwater management.

F. Illicit discharge detection and elimination.

G. Monitoring, surveillance, and inspection of stormwater control devices.

H. Water quality monitoring and water quality programs.

I. Retrofitting developed areas for pollution control.

J. Inspection and enforcement activities.

K. Billing and related administrative costs.

L. Other activities which are determined to be reasonably necessary by the Director of Public Works, including costs related to regulatory compliance.

(i) **LIABILITY FOR FEE; EXEMPTIONS.**

A. The Town finds that all real property in the Town contributes to runoff and either uses or benefits from the maintenance of the stormwater system. Therefore, except as provided in this section or otherwise provided by law, no public property,
including public property funded by taxpayers of the Town of Longmeadow, or private property located in the Town of Longmeadow shall be exempt from the Stormwater fee charges.

B. Notwithstanding the foregoing, the Town establishes exemptions to the Stormwater fee as follows:

(1) Public streets, highways and rights-of-way. However, maintenance buildings and/or other improved property used for road maintenance purposes shall not be exempt from Stormwater fee charges. All other state, federal, and county properties are subject to the user fee charges on the same basis as private properties.

(j) **FEE CREDITS.**

A. The Town Manager shall develop a proposed Stormwater Management Credit Policy ("Credit Policy"). The Credit Policy as approved by the Town Manager shall be submitted by the Town Manager to the Select Board for approval. The Select Board may approve or disapprove the Credit Policy as submitted. The Credit Policy will define potential credits or adjustments such as: for stormwater improvements, undeveloped land with protected status, multiple undeveloped parcels under single ownership, seniors, low income, educational programs, and others. The Credit Policy shall be available for inspection by the public at the Department of Public Works and on the Town website.

B. The Department of Public Works is hereby authorized to grant credits to property owners to be applied against the Stormwater fee based on the technical and procedural criteria set forth in the Credit Policy.

C. Any credit allowed against the Stormwater fee charge shall be conditioned on continuing compliance with the Town’s design and performance standards as stated in the Credit Policy and/or upon continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the property owner or owners upon which the credit is based. The Department of Public Works may revoke a credit at any time for noncompliance with applicable standards and criteria as established in the Credit Policy or this chapter.

D. In order to obtain a credit, the property owner must make application to the Town on forms provided by the Department of Public Works for such purpose, the application to be fully completed in accordance with the procedures outlined in the Credit Policy.

E. When an application for a credit is deemed complete by the Department of Public Works, the Director of Public Works shall have 30 days from the date the complete application is accepted to either grant the credit in whole, grant the credit in part, or deny the credit. Credits applied for by the property owner and granted in whole or in part shall apply to all Stormwater fee charges in accordance with the terms defined in the Credit Policy.

(k) **FEE BILLING, DELINQUENCIES, COLLECTIONS, ABATEMENTS.**

A. Failure of the Town to send a bill for Stormwater Enterprise Fund shall not relieve the property owner of record from the obligation to pay for such utility. If a property is unbilled, or if no bill is sent for a particular parcel of land, the Town may back bill for the fees as applicable for a period not to exceed one year of charges, but no late fees or delinquency charges of any kind shall be charged or recovered from any property owner so back billed.

B. Stormwater Enterprise Fund bills shall be managed by the Department of Public Works for collection. The Longmeadow Finance Department shall keep records of all paid and unpaid Stormwater Enterprise Fund bills and maintain financial records for the utility.

C. If a bill for Stormwater Enterprise Fund bill is not paid in full by the 30th day from the date the bill is issued, interest at the rate of 12% per annum shall accrue on any unpaid balance. Interest shall accrue from the day after the bills are due.

D. At any time after interest begins to accrue on an unpaid account, the Longmeadow Town Collector may serve on the party assessed a statement of the amount due, including interest, with a demand for payment. A charge as set forth in Chapter 300, Section 2-319 Licenses and Permits, Unpaid Fees, shall be made for such demand. If the amount due remains unpaid 14 days after mailing of said demand, the Longmeadow Town Collector shall commit the amount to the Board of Assessors for inclusion on the next annual property tax bill. Upon inclusion of the unpaid amount on an annual property tax bill, the amount due shall be a lien on the property, which shall have priority over all other liens except municipal liens and mortgages of record prior to the recording of a notice of lien.

E. In the event that a property owner believes the Stormwater fee is improperly calculated or is otherwise incorrect, the property owner may, within 30 days from the date of issuance of the Stormwater Enterprise Fund bill, and after payment of the bill in full, apply to the Department of Public Works for an abatement. The application for abatement shall be supported by such information as is necessary for a reasonable person to conclude that it is more likely than not that the billing is in error. The Department of Public Works shall have 60 days to consider the request for abatement and render a written decision, which may deny the abatement, grant the abatement in full or grant the abatement in part.

F. Abatements that are offered by the Town of Longmeadow per Massachusetts General Laws Chapter 59, Section 5 may also be requested from the Department of Public Works.

(I) **APPEALS; HEARINGS.**

A. In the event that a property owner is aggrieved by a written decision from the Department of Public Works denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have 30 days from the date of the written decision to file an appeal to the Department of Public Works. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal with the Department of Public Works, the Department shall forthwith transmit to the Select Board all documents constituting the record upon which the particular decision was made. The Select Board shall set a date for hearing which shall be within 90 days of the date of the filing of the appeal, and notice thereof setting forth the place, date and time of hearing shall be sent to the property owner no less than 10 days prior to the hearing date. The Select Board shall render a written decision within 30 days of the conclusion of the hearing affirming the action of the Department or reversing the action. If reversing the denial of an abatement, the
decision shall specify the sum to be abated, which shall not exceed the amounts paid. If reversing the denial of a credit, the
decision shall specify the credit to be applied prospectively against future charges unless the property owner has paid the full
amount of the Stormwater fee as charged and has also requested an abatement.

B. In the event that a property owner fails to pay the Stormwater fee as charged and the Town utilizes the process set forth in
MGL c. 83, §§ 16A through 16F, to collect the unpaid charges, the property owner shall have the right to seek an abatement
by filing an application for abatement with the Department of Public Works in accordance with the remedy specified in MGL
c. 83, § 16E, with a copy delivered to the Board of Assessors. The application for abatement shall conform to the
requirements for a notice of appeal as set forth in Subsection A, above, and the process for a hearing before the Select Board,
including the applicable time limits, shall be as set forth therein. In the event that the Select Board denies the abatement, in
whole or in part, it shall, in its written decision, include a statement notifying the property owner of the right to seek a review
of the decision by the filing of an appeal with the Appellate Tax Board of the Commonwealth of Massachusetts within three
months of the date of the decision of the Select Board. As the right to Appellate Tax Board review under this Subsection B is
derived from applicable sections of the General Laws as contained in Chapters 59 and 83 thereof; to the extent that the terms
of this chapter conflict with the terms specified therein, the terms specified in the General Laws control.

ARTICLE 33.
It was Majority Affirmative vote to accept the provisions of Massachusetts General Laws Chapter 60 Section 3F, the law would
allow the Town to designate a place on its property or motor vehicle excise tax bills or mail with such bills a separate form whereby
taxpayers may voluntarily check off, donate and pledge an amount of money, which shall increase the amount already due, for the
purposes of providing support for veterans and their dependents in need of immediate assistance.

ARTICLE 34.
It was moved and seconded that the Town 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:

Remove:

“If a bill for water services remains unpaid for thirty (30) days after the bill is due, 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, together with Five ($5) Dollars for the notice and Twenty-Five Dollars ($25.00) for the restoration of the service have been paid.”

Replace with:

“If a bill for water services remains unpaid for ten (10) days after the bill is due, 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 account; 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.”

A motion was moved and seconded to read:

All bills for water services shall be payable upon receipt. If a bill for water services remains unpaid for 40 days after the date
of billing, 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 account that the Water and Sewer Commissioners have the authority to cause the water service to be turned off if the bill for water services are not paid on/before 55 days after the date of billing.

A 48-hour written notice by certified mail and/or other documented communication shall be required prior to water being shut off. Termination of service may only take place Monday through Thursday between the hours of 8:00 am and 4:00 pm.

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 services have been paid.

Nothing shall be construed to prevent termination for reasons of safety, health, cooperation with civil authorities or any other
reason for which termination power is specifically granted in Massachusetts General Laws.

Service shall not be shut off to any residential customer if:

a) The customer or any person in the residence is seriously ill as substantiated by a medical doctor;
b) A child under 12 months of age lives in the residence;
c) Between October 15th and May 15th, if the home is heated by a steam or hydronic hot water boiler;
d) The customer or other residents are 65 years of age or older;
The customer is unable to pay for services because of financial hardship as defined in 220 CMR 25.01(2). A customer shall be responsible for and accordingly shall be subject to termination for non-payment of any portion of any bill which is not the subject of dispute.

The motion to amend the article was approved by a Majority Affirmative vote.

The main motion as amended was approved by a Majority Affirmative vote.

ARTICLE 35.
It was a Majority Affirmative vote to amend Article III, Chapter 300, Section 3-324, Counting Voters, of the General Bylaws of the Town by deleting in its entirety and amending as follows:

Remove:
“if a vote is taken in a Town Meeting and if the decision of the Moderator is doubted by seven (7) or more voters, the Moderator shall request the house to be seated and shall appoint tellers. The Moderator shall announce that only those voters who occupy seats on the floor of the meeting are eligible to be counted on the vote; but the Moderator has authority to instruct the tellers to count the votes of specific voters who are unable to obtain seats on the floor of the meeting. The Moderator shall cause the question before the meeting to be distinctly and clearly stated and, in sequence, the Moderator shall request those who choose to vote in the affirmative and those who choose to vote in the negative to rise and stand in their places until they are counted by the tellers. The tellers shall carefully count the standing voters and shall report to the Moderator. The Moderator shall announce the number of voters in the affirmative and in the negative. If a two-thirds vote for an action at a Town meeting is required by statute, the moderator, in accordance with General Laws Chapter 39, Section 15, as amended, may dispense with the requirement of taking a count of the vote if the moderator, in his discretion and without taking a count, determines that two-thirds of those voting supported this action.”

Replace with:
“if a vote is taken in a Town Meeting and if the decision of the Moderator is doubted by seven (7) or more voters, the Moderator shall request the house to be seated and shall appoint tellers. The Moderator shall announce that only those voters who occupy seats on the floor of the meeting are eligible to be counted on the vote; but the Moderator has authority to instruct the tellers to count the votes of specific voters who are unable to obtain seats on the floor of the meeting. The Moderator shall cause the question before the meeting to be distinctly and clearly stated and, in sequence, the Moderator shall request those who choose to vote in the affirmative and those who choose to vote in the negative to raise their voting cards in the air until they are counted by the tellers. The tellers shall carefully count the voters’ raised cards and shall report to the Moderator. The Moderator shall announce the number of voters in the affirmative and in the negative. If a two-thirds vote for an action at a Town meeting is required by statute, the moderator, in accordance with General Laws Chapter 39, Section 15, as amended, may dispense with the requirement of taking a count of the vote if the moderator, in his discretion and without taking a count, determines that two-thirds of those voting supported this action.”

ARTICLE 36.
It was a Unanimous Affirmative vote to accept the provision of Massachusetts General Law Chapter 200A, Section 9A which deals with the disposition of abandoned funds by the Town.

ARTICLE 37.
It was a Majority Affirmative vote to amend Article II, Chapter 300, Section 2-319 (a) Licenses and Permits; Unpaid Fees, of the General Bylaws of the Town by deleting in its entirety and amending as follows:

Remove:
2-319. Licenses and Permits; Unpaid Fees.
(a) The Department of Finance and Administration shall be responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission, or division hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees assessments, betterment or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

Replace with:
2-319. Licenses and Permits; Unpaid Fees.
(a) The Department of Finance and Administration shall be responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall quarterly furnish to each department, board, commission, or division hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees assessments, betterment or other municipal charges for not less than a sixty day period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
ARTICLE 38.
It was a Majority Affirmative vote to re-accept the provisions of Massachusetts General Law Chapter 32B, Section 20 which provides for the creation of a trust fund to reserve money for retiree health insurance and other postemployment benefits (OPEB).

ARTICLE 39.
It was a Majority Affirmative vote to approve and adopt the Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the Influence of Money in Politics (please see attached resolution).

Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the Influence of Money in Politics

WHEREAS, recent changes in funding and disclosure rules for national, state and local political elections have degraded the goals of the democratic process; and

WHEREAS, a recent decision by the Massachusetts Office of Campaign and Political Finance (OCPF) now allows an infusion of previously prohibited out-of-state money to influence local and state elections, new legislation is now required to prohibit such funding from circumventing Massachusetts state law; and

WHEREAS, in an effort to restore voter confidence in our democracy, a grassroots movement known as "Represent.Us" is working for legislative reforms to reduce the opportunity for corruption within the political system in our country by supporting a legislative reform bill known as the "American Anti-Corruption Act" (the Act); and

WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and influencing policymaking; ends secret money by mandating full transparency; enables citizens to fund elections; closes the revolving door between Congress and lobbying firms; and enhances the power of the Federal Election Commission; and

WHEREAS, this national organization's local chapter, Represent.Us Western Mass, sought and promoted an advisory referendum; specifically in the Hampshire/Franklin State Senate District (currently held by Stan Rosenberg) to build support for this initiative; and

WHEREAS, on November 4, 2014, the citizens of the above mentioned district were given the opportunity to be heard on this topic through the above advisory referendum where the question received 84 percent aggregate support across the entire district, and

NOW, THEREFORE, BE IT RESOLVED by the citizens of the Town of Longmeadow, Massachusetts that we support tough new anti-corruption laws to close loopholes in Massachusetts' campaign finance regulations that currently allows unregulated out-of-state money to infiltrate state and local elections; and we support the goals outlined in the American Anti-Corruption Act to remove the corrupting influence of money on our political system. The Act prohibits politicians from taking campaign money from special interest groups including private industries and unions; increases transparency for campaign funding; empowers all voters through a tax rebate voucher to contribute to the candidates they support; prohibits representatives and senior staff from all lobbying activity for five years once they leave office; and places limits on superPACs.

BE IT FURTHER RESOLVED that the citizens of the Town of Longmeadow implores our elected representatives in Boston, State Senator Lesser and Rep. Ashe and in Washington, Sen. Edward Markey and Sen. Elizabeth Warren and Rep. Neal (or their successors) to lead this effort to enact these initiatives in Massachusetts and in the U.S. Congress.

BE IT FURTHER RESOLVED that the Clerk of the Town of Longmeadow is hereby directed to give notice to the above representatives by sending a certified copy of this resolution to each of them.

ARTICLE 40.
It was moved and seconded to take no action on this article to transfer from available funds in the Treasury the sum of $25,000 (twenty five thousand dollars) for the purposes of installing pedestrian crossing signals at the intersection of Longmeadow Street and Western Drive/Forest Glen Road.

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

ARTICLE 41.
It was moved and seconded that the Town vote to: a person shall not, keep, maintain, or permit upon any lot or parcel within the Town of Longmeadow livestock (to include goats, sheep, and pigs), bees, poultry (to include turkeys, chickens, roosters, ducks, and geese) with the exception that the lot or parcel is zoned Agricultural.

A motion to amend was approved by a Majority Affirmative vote to read as:

It was moved and seconded move that the Town vote to: a person shall not, keep, maintain, or permit upon any lot or parcel within the Town of Longmeadow livestock (to include goats, sheep, and pigs), bees, poultry (to include turkeys, chickens, roosters, ducks, and geese) with the exception that the lot or parcel is zoned Agricultural.
The main motion as amended Failed by a 2/3rds Declaration.

ARTICLE 42.
It was moved and seconded that the Town vote to reaffirm the use of the land and structures located at 301 Laurel Street (also known as “Bliss Park”) and 337 Longmeadow Street (also known as “Laurel Park”) as parkland, in accordance with a vote taken at the February 28, 1934 Town Meeting, Article 9, wherein said land was intended to be transferred from the Water Department to the care and control of the Park Commissioners and its use was established “as a public park and public playground”; and, accordingly, therefore, to designate Laurel Park and so much of Bliss Park that has not been improved as a playground for the purpose of conserving, utilizing and protecting for the public the forest, water, air and other natural resources attributable to those lands and contained therein and/or upon them; and, further, to authorize and direct the Board of Selectman to take any and all actions necessary to secure the use of said Bliss Park and Laurel Park for park and conservation purposes and to execute and record at the Hampden County Registry of Deeds any and all documents as may be necessary to protect said parkland pursuant to Article 97 of the Constitution of the Commonwealth of Massachusetts, including, without limitation, a conservation restriction. The Town shall not be authorized to take any action with regard to Bliss Park and Laurel Park inconsistent with the intent of this warrant article until these properties are legally recognized as falling under the protection of said Article 97.

An amendment was approved by a Majority Affirmative vote to read as follows:

It was moved and seconded that the Town vote to reaffirm the use of the land and structures located at 301 Laurel Street (also known as “Bliss Park”) and 337 Longmeadow Street (also known as “Laurel Park”) as parkland, in accordance with a vote taken at the February 28, 1934 Town Meeting, Article 9, wherein said land was intended to be transferred from the Water Department to the care and control of the Park Commissioners and its use was established “as a public park and public playground”; and, accordingly, therefore, to designate Laurel Park and so much of Bliss Park that has not been improved as a playground for the purpose of conserving, utilizing and protecting for the public the forest, water, air and other natural resources attributable to those lands and contained therein and/or upon them; and, further, to authorize and direct the Board of Selectman to take any and all actions necessary to secure the use of said Bliss Park and Laurel Park for park and conservation purposes and to execute and record at the Hampden County Registry of Deeds any and all documents as may be necessary to protect said parkland pursuant to Article 97 of the Constitution of the Commonwealth of Massachusetts, including, without limitation, a conservation restriction. The Town shall not be authorized to take any action with regard to Bliss Park and Laurel Park inconsistent with the intent of this warrant article until these properties are legally recognized as falling under the protection of said Article 97.

The main motion as amended was approved by a Majority Affirmative vote.

ARTICLE 43.
It was moved and seconded that the Town vote to accept a bylaw to require a voter to show a valid photo ID to register to vote and when voting. Valid forms of identification are a MA state ID, MA Driver’s License, MA Firearms Card, Valid Military ID Card or a valid passport.

An amendment failed by a Majority Negative vote to:

It is hereby moved that Warrant #43 be referred to a committee to review all voting registration, identification, and early voting issues. The committee shall be comprised of three (3) members, one chosen by the Select Board, one chosen by the Moderator, and one chosen by the petitioner of Warrant #43. The committee shall report to the Select Board within 180 days of its first meeting.

The main motion failed by a Majority Negative vote.

ARTICLE 44.
It was a Majority Affirmative vote to designate the Town of Longmeadow a pollinator friendly community through the recognition of various pollinator species, including the honeybee and allowing and encouraging the keeping of honeybees subject to Board of Health and State of Massachusetts regulations.

The meeting dissolved at 10:57 p.m.

The number of registered voters in attendance was 331 (2.81% of eligible voters) on May 9, 2017 and 342 (2.9% of eligible voters) on May 10, 2017, there being 11,783 registered voters as of April 19, 2017.

Katherine T. Ingram
Town Clerk