



**TOWN OF SWANSEA  
ANNUAL TOWN MEETING  
MAY 20, 2024**

The Annual Town Meeting held in and for the Town of Swansea, MA on Monday, May 20, 2024, was held in accordance with the General Laws of Massachusetts and the By-Laws of the Town of Swansea, with the rules of the meeting further governed by Town Meeting Time and Robert's Rules of Order, the Warrant and the Advisory & Finance Board recommendations; being duly posted and a quorum present, with all procedural requirements being met.

**7:36 PM**

Town Moderator Paul Burke called the Annual Town Meeting to order at the Joseph Case High School, 70 School Street, Swansea, MA with a quorum being present. As of 7:28 PM, there were 366 voters present; quorum requires 75.

A motion was made and seconded to waive the reading of the warrant. - **Motion carried unanimously.**

Selectman Medeiros led the assembly with the Pledge of Allegiance. Selectman Beaudette called for a Moment of Silence for the first responders and those who struggle each day.

Moderator Burke recognized Swansea's new Police Chief Mark Foley and the retiring of Police Chief Marc Haslam and School Superintendent John Robidoux.

**ARTICLE 1 VOTED:** That the Town vote to hear the report of the Advisory & Finance Committee.

Sarah Carlson read the report of the Advisory & Finance Committee.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 2 VOTED:** That the Town vote to accept the reports of the Town Officers and all Town Committees, and that the reading of such reports be waived.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 3 VOTED:** Motion made by the Town Moderator, and in accordance with Article II of the General Bylaws, Section 7-4, that the Town vote to confirm the appointments of the following individuals to the Advisory and Finance Committee, to the year 2027. Second received.

Robert M. Sparrow	138 Kispert Court
Robert L. Alford, II	22 Weaver Street
John R. Salzillo	11 Riverview Avenue
Jonathan Darling	12 Windfall Drive
M. Mercedes Soares	68 Collins Avenue

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried by a Majority.**

**ARTICLE 4 VOTED:** That the Town vote to fix the salaries of all Town Officers for the fiscal year beginning July 1, 2024 and ending June 30, 2025 as follows:

Selectmen:	Chairman	\$5,000
	Vice Chairman	\$5,000
	Clerk	\$5,000
Town Clerk:		\$83,281
Treasurer:		\$98,968
Assessors:	Chairman	\$2,000
	Vice Chairman	\$1,000
	Clerk	\$1,000
Tree Warden		\$1000
Moderator		\$500

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried by a Majority.**

**ARTICLE 5 VOTED:** That the Town vote to appropriate such sums of money as may be deemed necessary to defray Town charges for the fiscal year beginning July 1, 2024 and ending June 30, 2025 based on the Advisory and Finance Committee recommendations for the Line-Item numbers 1 through 109 inclusive in the May 20, 2024 Annual Town Meeting Budget Book, wherein \$25,786 is transferred from the Beach Receipts Reserved account and all such other sums amounting to \$46,328,124 be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a Majority.**

Speaking on article:

James Devol, 502 Old Fall River Road – called for a motion to approve the budget in whole.

Moderator Burke ruled the motion out of order and continued with review of the budget, line by line.

Budget #650: Joyce Moore, 72 Main Street

Paul Waple, 99 Swansom Road, Chairman of the Parks & Recreation

John Pozzi, Director of Parks & Recreation

Mallory Aronstein, Town Administrator

NO.	DEPARTMENT	LINE ITEM	TOTAL BUDGET
	<b># 114 Moderator</b>		
1	Salary	500.00	
2	Expense	100.00	<b>\$ 600.00</b>
	<b># 122 Selectmen</b>		
3	Salaries (Selectmen)	15,000.00	
4	Salaries	415,585.00	
5	Expense	47,200.00	
6	Equipment	0.00	<b>\$ 477,785.00</b>
	<b>#123 Public Buildings &amp; Properties Main.</b>		
7	Salary	194,018.00	
8	Expense	493,000.00	<b>\$ 687,018.00</b>
	<b>#131 Advisory &amp; Finance Committee</b>		
9	Salary	0.00	

10	Expense	4,000.00	\$ 4,000.00
	<b>#132 Reserve Fund</b>		
11	Reserve Fund	100,000.00	\$ 100,000.00
	<b>#135 Accountant</b>		
12	Salaries	193,271.00	
13	Expense	43,225.00	\$ 236,496.00
	<b>#141 Tax Assessors</b>		
14	Salaries (Elected)	4,000.00	
15	Salary	100,786.00	
16	Clerical Salaries	89,684.00	
17	Other Salaries	65,000.00	
18	Expense	79,000.00	\$ 338,470.00
	<b>#145 Treasurer/Collector</b>		
19	Salary	98,968.00	
20	Clerical Salaries	105,201.00	
21	Expense	53,450.00	\$ 257,619.00
	<b>#151 Legal &amp; Risk Management Services</b>		
22	Expense	155,000.00	\$ 155,000.00
	<b>#155 Management Information Systems</b>		
23	Expense	133,500.00	\$ 133,500.00
	<b>#161 Town Clerk</b>		
24	Salary	83,281.00	
25	Clerical Salaries	100,720.00	
26	Equipment	0.00	
27	Expense	15,600.00	\$ 199,601.00
	<b>#162 Election Expense</b>		
28	Expense	72,000.00	\$ 72,000.00
	<b>#163 Registrar of Voters</b>		
29	Salaries	2,500.00	
30	Expense	11,700.00	\$ 14,200.00
	<b>#171 Conservation Commission</b>		
31	Salary (Agent)	82,003.00	
32	Clerical Salary	52,484.00	
33	Expense	28,100.00	\$ 162,587.00
	<b>#175 Planning Board</b>		
34	Salary	88,000.00	
35	Clerical Salary	49,963.00	
36	Expense	27,685.00	\$ 165,648.00
	<b>#176 Zoning Board</b>		
37	Salaries	0.00	
38	Expense	8,000.00	\$ 8,000.00
	<b>#177 Water Aquifer</b>		
39	Expense	200.00	\$ 200.00
	<b>#192 Beach Expense</b>		
40	Expense	51,573.00	\$ 51,573.00
	<b>#193 Waterfront – Public Buildings &amp; Properties Maintenance</b>		
41	Expense	30,456.00	\$ 30,456.00

	<b>#195 Printing Town Report</b>		
42	Expense	4,000.00	\$ 4,000.00
	<b>#210 Police Department</b>		
43	Salaries	4,893,269.00	
44	Expense	450,968.00	
45	Equipment	109,150.00	
46	Special Investigations	1,500.00	
47	Travel Expenses	1,000.00	\$ 5,455,887.00
	<b>#220 Fire Department</b>		
48	Salaries	802,135.00	
49	Expense	265,650.00	
50	Equipment	24,000.00	
51	Out-of-State Expenses	0.00	\$ 1,091,785.00
	<b>#241 Building Department</b>		
52	Salary (Dept. Head)	77,250.00	
53	Clerical Salary	53,801.00	
54	Salaries (Other)	110,000.00	
55	Expense	35,800.00	
56	Equipment/Clothing Allowance	1,500.00	\$ 278,351.00
	<b>#244 Sealer of Weights</b>		
57	Salary	7,000.00	
58	Expense	500.00	\$ 7,500.00
	<b>#291 Emergency Management</b>		
59	Salary	2,000.00	
60	Expense	18,400.00	
61	Equipment	0.00	\$ 20,400.00
	<b>#300 Swansea School Department</b>		
62	Salaries & Wages	21,310,033.00	
63	Maintenance & Expense	5,380,669.00	
64	Equipment & Outlay	100,000.00	\$ 26,790,702.00
	<b>#390 Bristol County Agricultural School Assessment</b>		
65	Expense	125,344.00	
66	Debt Expense	191,350.00	\$ 316,694.00
	<b>#390 Diman Regional School Assessment</b>		
67	Expense	1,851,603.00	
68	Debt Expense	101,768.00	\$ 1,953,371.00
	<b>#422 Highway Department</b>		
69	Salaries & Wages	1,016,711.00	
70	Operating Expense	433,750.00	
71	Snow Removal	150,000.00	
72	Street Lighting	90,000.00	\$ 1,690,461.00
	<b>#425 Wastewater Management Plan</b>		
73	Expense	0.00	\$ 0.00
	<b>#429 Tree Warden</b>		
74	Salary	1,000.00	
75	Expense	65,000.00	\$ 66,000.00
	<b>#491 Cemeteries Records Clerk</b>		

76	Salary	2,000.00	
77	Expense	300.00	\$ 2,300.00
	<b>#493 Care of Soldiers Graves</b>		
78	Equipment	2,000.00	\$ 2,000.00
	<b>#510-512 Board of Health</b>		
79	Salaries & Wages	366,037.00	
80	Expense	56,090.00	\$ 422,127.00
	<b>#541 Council on Aging</b>		
81	Salaries	186,251.00	
82	Expense	57,540.00	\$ 243,791.00
	<b>#543 Veterans</b>		
83	Salaries	131,546.00	
84	Expense	10,000.00	
85	Benefits	250,000.00	\$ 391,546.00
	<b>#610 Libraries</b>		
86	Head Librarian	85,490.00	
87	Salaries	243,416.00	
88	Expense	126,985.00	\$ 455,891.00
	<b>#650 Parks &amp; Recreation</b>		
89	Superintendent	72,100.00	
90	Asst. to Superintendent salary	53,207.00	
91	Other & Overtime	9,000.00	
92	Expense	169,390.00	
	Equipment (clothing/phone allowance)	2,000.00	\$ 305,697.00
	<b>#680 Special Events</b>		
93	Expense	8,300.00	\$ 8,300.00
	<b>#691 Historical Commission</b>		
94	Expense	5,000.00	\$ 5,000.00
	<b>#699 Arts Council</b>		
95	Expense	340.00	\$ 340.00
	<b>#710 / 751 Notes &amp; Interest – Long Term</b>		
96	CPA Rousseau Farm/Hollack Property	142,045.00	
97	Police & Community Center	360,875.00	
98	CPA Land Purchase – Medeiros Farm	90,000.00	
99	WPAT/CWMP	20,142.00	
100	Multi-Purpose Loan of 2016	131,520.00	
101	Waterfront	61,430.00	\$ 806,012.00
	<b>#752 Notes &amp; Interest - Short Term</b>		
102	Interest, Short-term	20,000.00	
103	Principle, Short-term	0.00	
104	Borrowing Costs	0.00	\$ 20,000.00
	<b>#900 Bristol County Ret. Fund/Pension</b>		
105	Expense	2,883,502.00	\$ 2,883,502.00
	<b>#913 Unemployment Compensation Fund</b>		
106	Expense	35,000.00	\$ 35,000.00
	<b>#951 Soil Commission</b>		
107	Expense	2,500.00	\$ 2,500.00
<b>Total of ARTICLE 5 – Budget for FY'25</b>		<b>\$46,353,910.00</b>	

**ARTICLE 6 VOTED:** That the Town vote to authorize the Board of Selectmen to accept and to enter into contracts for the expenditure of any funds allotted or to be allotted by the Commonwealth and/or the County for the construction, reconstruction and improvement of Town roads, bikeways and waterways.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 7 VOTED:** That the Town vote to appropriate the sum of \$8,965,076.00 to pay the expense of meeting the insurance needs of the Town of Swansea and its employees, and that said sum be raised by direct taxation.

**Advisory and Finance Committee vote to recommend Unanimously (12-0).  
Motion carried Unanimously.**

**ARTICLE 8 VOTED:** That the Town vote to appropriate the sum of \$60,500 to meet the expense of the annual audit and that said sum be raised by direct taxation.

Speaking on article: Brenda Guertin, 25 Missile Loop  
Richard Borden, 896 Wilbur Avenue  
Ellen Viveiros, 48 Laurel Lane  
Steven Kitchin, Board of Selectmen

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried by a Majority.**

**ARTICLE 9 VOTED:** That the Town vote to appropriate the sum of \$70,000 to meet the Town's expenses for Tax Title purposes, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 10 VOTED:** That the Town vote to set the maximum spending limits for FY2025, pursuant to § 20-8C of the General Bylaws and Massachusetts General Laws, Chapter 44, Section 53E1/2, for the Town's revolving funds as follows:

Social Day Care Program Revolving Fund:	\$158,000.00
Fire Alarm Inspections Revolving Fund:	\$50,000.00
Boat Ramp Revolving Fund:	\$12,000.00
Shellfish Revolving Fund:	\$40,000.00
Police Details Revolving Fund:	\$75,000.00

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 11 VOTED:** That the Town vote pursuant to Chapter 44, Section 53F ½ to appropriate the sum of \$2,333,520.81 from the General Fund, the Solid Waste Enterprise Fund Receipts Account and/or the Solid Waste Retained Earnings Account to meet the expenses of the Solid Waste Enterprise Fund Account.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).**

**Motion carried Unanimously.**

**ARTICLE 12 VOTED:** That the Town vote to appropriate, or reserve for later appropriation, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, and the funding of reserves and all other necessary and proper expenses for the year.

**PROPOSED FISCAL YEAR 2024-25 COMMUNITY PRESERVATION BUDGET**

<u>Purpose</u>	<u>Recommended Amount</u>
Appropriations Community Preservation Administrative Expenses	\$ 23,818.21
Community Housing Reserve	\$ 47,634.42
Historic Resources Reserve	\$ 47,634.42
Open Space Reserve	\$ 0.00
Payment of Debt Service on Medeiros Farm Open Space Purchases	\$ 232,045.00
FY 24-25 Annual Budgeted Reserve	\$ 24,912.95

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 13 VOTED:** That the Town vote to authorize a sum of \$45,000 to be expended from the Undesignated Reserves portion of the Community Preservation Fund, to the Conservation Commission to subsidize the costs of the Wildlands Trust in monitoring three separate conservation restrictions that the Wildlands Trust holds over Town-owned land, specifically on Stevens Road Map 8, Lot 4 Richard Road Map 54, Lot 15 and Old Fall River Road Map 13, Lots 6B & 6D.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 14 VOTED:** That the Town vote to appropriate the sum of \$200,000 to be expended by the Police Chief to meet the expense of purchasing three (3) police cruisers with equipment, including radios and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend by Majority (12-1; 1-abstention).  
Motion carried by a Majority.**

**ARTICLE 15 VOTED:** That the Town vote to appropriate the sum of \$42,000 to be expended by the Police Chief to meet the expense of purchasing bullet proof vests and related equipment, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 16 VOTED:** That the Town vote to appropriate the sum of \$125,000 to be expended by the Fire

Chief to purchase turnout gear for the volunteer firefighters, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 17 VOTED:** That the Town vote to appropriate the sum of \$80,000 to be expended by the Fire Chief to purchase a Ford Expedition and related equipment for the Fire Department, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (12-2).  
Motion carried by a Majority.**

**ARTICLE 18 VOTED:** That the Town vote to transfer the sum of \$30,000 to be expended by the Fire Chief for the paving and resurfacing needs of Fire Stations 1 and 2, and that said sum be transferred from certified free cash.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried Unanimously.**

**ARTICLE 19 VOTED:** That the Town vote to transfer the sum of \$110,000 for the design, permitting, and installation of mechanical barriers at Old Providence Road to address flooding hazards along the roadway, and that said sum be transferred from certified free cash.

Speaking on article: Michael Medeiros, 92 Walker Street  
Joyce Moore, 72 Main Street  
Mallory Aronstein, Town Administrator  
Ellen Viveiros, 48 Laurel Lane  
Brenda Guertin, 25 Missile Loop

**Advisory and Finance Committee voted to recommend by a Majority (12-2).  
Motion was defeated by a Majority.**

**ARTICLE 20 VOTED:** That the Town vote to transfer the sum of \$130,000 to be expended by the Highway Department to purchase a skid steer, and that said sum be transferred from certified free cash.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion was defeated by a Majority.**

**ARTICLE 21 VOTED:** That the Town vote to transfer the sum of \$372,000 to be expended by the Highway Department to purchase a Western Star truck, chassis, and swap loader system and related equipment, and that said sum be transferred from certified free cash.

Speaking on article: Joyce Moore, 72 Main Street

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion was defeated by a Majority.**

**ARTICLE 22 VOTED:** That the Town vote to transfer the sum of \$25,000 for the purchase and implementation of e-Permitting software for various Town Departments, including the Board of Health, Town Clerk, and Board of Selectmen, and that said sum be transferred from certified free cash.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion was carried by a Majority.**

**ARTICLE 23 VOTED:** That the Town vote to appropriate the sum of \$250,000 for the field study, permitting and design of intersection improvements for Gardner Neck Road/New Gardner Neck Road at Route 103/Wilbur Avenue, and that said sum be raised by direct taxation.

Speaking on article:                Dann Boyer, 94 Pamela Drive

8:44PM:            **Advisory and Finance Committee voted to recommend by a Majority (11-1).  
Motion carried by a Majority – Moderator was challenged – Article went to a ballot vote. Ballot #6 was used. Vote count: YES – 170. NO – 175. Motion was defeated.**

**ARTICLE 24 VOTED:** That the Town vote to transfer the sum of \$52,500 to expand and create additional cemetery space at Vinnicum Cemetery, and that said sum be transferred from certified free cash.

**Advisory and Finance Committee voted to recommend by a Majority (13-1).  
Motion carried by a Majority.**

**ARTICLE 25 VOTED:** That the Town vote to transfer the sum of \$2 million for the purposes of renovating and restoring the Preserved Gardner House at Swansea Memorial Park, and that said sum be transferred from certified free cash.

Speaking on article:                Michael Beaudette, Board of Selectmen  
Robert Medeiros, Board of Selectmen  
Michael Medeiros, 92 Walker Street  
Mark Shane, 924 Gardner Neck Road  
Lisa Pergola, 104 Puffer Avenue  
Randy Lebeau, 253 Cummings Road  
Armand Dauteuil, 770 Gardner Neck Road  
Brady Couto, 20 Lisa Drive  
Marc Lapointe, 236 Hortonville Road  
Cheryl Bogle, Chairperson Historical Commission  
Samuel Chase, 86 Main Street  
Sarah Carlson, 1205 Gardner Neck Road  
Davis Dewey, 200 Winslow Way  
Kathleen Leblanc, 50 Morin Avenue  
Mallory Aronstein, Town Administrator

9:26PM:  
**Advisory and Finance Committee voted to not recommend (3 in favor, 9 opposed).  
Article went to a ballot vote. Ballot #10 was used. Vote Count: YES-111. NO-227. Motion is defeated.**

**ARTICLE 26 VOTED:** That the Town vote to transfer the sum of \$85,000 for the purposes of demolishing the Preserved Gardner House and regrading at Swansea Memorial Park, and that said sum be transferred from certified free cash.

**Advisory and Finance Committee voted to recommend by a Majority (9-3).  
Article went to a standing vote. Vote Count: YES-204. NO-92. Motion passes.**

**ARTICLE 27 VOTED:** That the Town vote to appropriate the sum of \$500,000 for the continued funding of reserve accounts, by adding \$250,000 to the Stabilization Fund and by adding \$250,000 into the Capital Stabilization Fund, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (13-1).  
Motion carried by a Majority.**

**ARTICLE 28 VOTED:** That the Town vote to appropriate the sum of \$250,000 for the Other Post Employment Benefits Liability Trust Fund, and that said sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend Unanimously (14-0).  
Motion carried by a Majority.**

**ARTICLE 29 VOTED:** That the Town vote to appropriate the sum of \$86,000 for the purpose of funding the Length of Service Awards Program for the Firefighters of Swansea, and that sum be raised by direct taxation.

**Advisory and Finance Committee voted to recommend by a Majority (11-3).  
Motion carried by a Majority.**

**ARTICLE 30 VOTED:** That the Town vote to authorize the Board of Selectmen, if it deems it to be appropriate and necessary, to file with the General Court of the Commonwealth, a Home Rule Petition to effectuate the adoption of legislation precisely as follows:

**AN ACT AUTHORIZING THE TOWN OF SWANSEA TO GRANT  
ADDITIONAL ALCOHOLIC BEVERAGE LICENSES**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows.

**SECTION 1.** Notwithstanding the numerical limitations for such licenses that are imposed upon the Town of Swansea pursuant to Section 17 of Chapter 138 of the General Laws, or by any other general or special law to the contrary, the Swansea licensing authority may grant up to six additional licenses for the sale of all alcoholic beverages to be drunk on the premises under Section 12 of said Chapter 138.

**SECTION 2.** The additional Section 12 licenses that are allowed pursuant to this Act may be granted by the Swansea licensing authority only for the types of establishments that are otherwise eligible for Section 12 licenses, and only for such establishments that are located on the property known as and comprising the “Swansea Mall Redevelopment Area”; this property being identified as the area located on the northerly and southerly parcels along Route 6 from the westerly boundary of Gardner Neck Road to the westerly boundary of Milton Reiser Road, as contained in the Town of Swansea Zoning Map, Business B District, and from Route 6 and Route 118 in a northerly direction 3,900 feet +/- to the northerly most point of the Swansea Mall, so called, as contained in the Town of Swansea Zoning Map, Business B District.

**SECTION 3.** Any additional Section 12 license that is allowed pursuant to this Act and is granted hereunder by the Swansea licensing authority shall not be transferable to any other person, corporation, or organization for a period of five (5) years from the date of original issuance. Nor may any such license be transferred in violation of the limitations of Section 2 of this Act. Any transfer in violation of Sections 2 or 3 of this Act shall render said license null and void.

SECTION 4. Notwithstanding Sections 12 and 77 of Chapter 138 of the General Laws, the Swansea licensing authority may, in its sole discretion, restrict the grant of any additional Section 12 license that is allowed pursuant to this Act to holders of common victualler licenses.

SECTION 5. Whenever an additional Section 12 license that is allowed pursuant to this Act is granted hereunder by the Swansea licensing authority and subsequently revoked by said licensing authority or determined by said licensing authority to no longer be in use at the location of original issuance, then said license shall be returned physically, with all of the legal rights and privileges pertaining thereto, to said licensing authority.

SECTION 6. No additional Section 12 license that is allowed pursuant to this Act may be granted hereunder by the Swansea licensing authority unless the applicant files with said licensing authority letters from both the Department of Revenue and a letter from the Division of Unemployment Assistance indicating that the applicant is in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 7. Except as otherwise provided in this Act, the additional Section 12 licenses that are allowed hereunder shall be subject to all provisions, restrictions and requirements of said Chapter 138.

SECTION 8. This Act shall take effect upon its passage.

And further to clarify, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves substantive amendments to the bill before enactment by the General Court; and to authorize the Board of Selectmen to approve such substantive amendments, provided that they are within the scope of the general public objectives of this petition.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried Unanimously.**

**ARTICLE 31 VOTED:** That the Town vote to amend the Town's General Bylaws by inserting a new article Article VI under Chapter 7 Boards, Commissions, and Committees as follows:

**ARTICLE VI: Attendance Requirements**

§ 7-22 Removal for failure to attend meetings.

- A. Unless such consequence is preempted by any special or general law, any appointed member of any board, commission or committee who, without reasonable excuse, fails either to attend three consecutive meetings, or fails to attend 25% of meetings in a calendar year will automatically be removed from office effective immediately, without further action needed.
- B. The vacancy created by the removal of any appointed member of any board, commission or committee pursuant to this ARTICLE VI shall be filled by the relevant appointing authority in the same prescribed manner for filling any other vacancy on said board, commission or committee; provided, that the same individual who was removed from office pursuant to § 7-22A shall not be reappointed to the same board, commission or committee for three (3) years.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried Unanimously.**

**ARTICLE 32 VOTED:** That the Town vote to amend the Town's Bylaws by deleting the language of Section 77-7 in its entirety, excepting only the title, and replacing it with the following language:

The Treasurer, with the approval of the Board of Selectmen and without requiring any further vote of Town Meeting, may sell and convey on behalf of the Town, and may execute deeds for such conveyance of, any land the title to which the Town acquired either through the foreclosure of a tax title or through a deed from the owner in lieu of unpaid taxes, and regardless of whether such acquisition occurred prior to the adoption of this § 77-7.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a Majority.**

**ARTICLE 33 VOTED:** That the Town vote to delete § 230-1 of the General Bylaws in its entirety, excepting only the title, and replacing it with the following language:

- A. No person shall throw, place, dump, deposit or strew, or cause to be thrown, placed, dumped, deposited or strewn, upon any public way, or any private way that is open and accessible to the general public, or any public park, public beach or other public property, any of the following: solid waste, recyclables, yard waste, construction materials, agricultural waste, composting, manure and other byproducts, earth materials, hazardous waste or other disposable materials.
- B. The provisions of this §230-1 shall be enforced by any police officer through the noncriminal disposition method of enforcement. The first violation in a given calendar year shall result in a noncriminal fine of \$100, the second violation in a given calendar year shall result in a noncriminal fine of \$200, and each additional violation in a given calendar year shall result in a noncriminal fine of \$300. Each day of a continuing violation shall constitute a separate violation.

And further, to delete existing Chapter 230-7 of the General Bylaws in its entirety, and to renumber §230-5 and 230-6 of the General Bylaws as §§ 230-6 and 230-7 respectively; and further, to add a new §230-5 under Article I of Chapter 230 of the General Bylaws as follows:

**§ 230-5 Discharge of Water and Other Liquids.**

- A. No person shall cause or allow any water or other liquid substance to be pumped, drained or discharged by artificial or engineered means into or across any public way, any private way that is open and accessible to the general public, or any public park, public beach or other public property.
- B. Any activity that is otherwise allowed under § 227-8 shall nonetheless be prohibited under § 230-5A whenever such activity causes nuisance or dangerous conditions on the surface of the public way, open and accessible private way, or other public property.
- C. The provisions of this § 230-5 shall be enforced by any police officer through the noncriminal disposition method of enforcement. The first violation in a given calendar year shall result in a noncriminal fine of \$100, the second violation in a given calendar year shall result in a noncriminal fine of \$200, and each additional violation in a given calendar year shall result in a noncriminal fine of \$300. Each day of a continuing violation shall constitute a separate violation.

Speaking on article:                   James Furtado, 204 Stevens Road  
  William Anderson, Highway Director

Mallory Aronstein, Town Administrator  
Ronald Nascimento, 51 Barbara Lane  
Michael Callaghan, 50 Locust Street

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a Majority.**

**ARTICLE 34 VOTED:** That the Town vote to delete in its entirety Article IV of Chapter 230 of the General Bylaws, and replace it with the following language:

**ARTICLE IV Construction within the Public Way**

§ 230-12 Scope.

No person, corporation or other legal entity shall cause, allow, direct or otherwise assist in any construction activities within the layout of any public way, except in accordance with the restrictions and requirements of this ARTICLE IV.

§ 230-13 Driveway Permits.

Except as provided in Paragraphs B and D, the construction, installation, upgrading, replacement, alteration or extension of any driveway or sidewalk that is, whether in whole or in part, within the layout of any public way, and that occurs subsequent to the adoption of this ARTICLE IV, shall require first obtaining a Driveway Permit from the Highway Director.

- A. For the purposes of this § 230-13, a driveway shall be inclusive of any improved location that is utilized for vehicular or pedestrian access to a parcel of land from a public way.
- B. No Driveway Permit shall be required solely for the repaving or other resurfacing of a driveway where such activity meets the following criteria;
  - 1. No change in the width of the curb cut;
  - 2. Any excavation does not exceed six (6) inches in depth;
  - 3. Any excavation, repaving or other resurfacing does not extend beyond the line of the curb cut into the improved public way; and
  - 4. No laying, repair, extension, alteration or relocation of any utilities or drainage culverts.
- C. The application and application fee requirements for Driveway Permits shall be as provided in the Regulations that are promulgated pursuant to § 230-15; provided, that there shall be no fee for any application to replace an existing driveway without changing the location or dimensions of the same; further provided, that any such application shall be executed by both the property owner of record and the contractor.
- D. If the Highway Director determines that any of the following apply, then the Highway Director shall deny the application and instead require the submission of an application for an Excavation Permit as provided in § 230-14:

1. The proposed driveway or sidewalk work will extend more than two (2) feet from the curb, or will involve more than sixty (60) square feet of the layout of the public way;
  2. The proposed driveway or sidewalk work will involve significant excavation within the layout of the public way;
  3. The proposed driveway or sidewalk work will involve the laying, repair, extension or alteration or relocation of utilities or drainage culverts within the layout of the public way; or
  4. The proposed driveway or sidewalk work will require a police detail in order to maintain public safety.
- E. The Highway Director may impose reasonable conditions on any issued Driveway Permit.
- F. The applicants shall notify the Highway Director in writing of the date on which work will begin pursuant to the Driveway Permit, and no such work shall begin prior to that date. Once such work begins, all such work, including restoration of the public way, shall be completed and thereafter inspected by the Highway Director or their designee in accordance with § 230-18A, within five (5) days. If said inspection indicates that additional work is required in order to come into compliance with § 230-16B, then the such work shall be completed and thereafter inspected by the Highway Director or their designee, within five (5) days.
- G. For a period of five years from the issuance of a completion certificate by the Highway Director pursuant to § 230-18B, or from the date of restoration of the public way by the Town in the event that the posted surety is utilized for that purpose pursuant to §§ 230-17A, the property owner of record, including any successors-in-interest, shall be solely responsible for maintaining the portion of the driveway or sidewalk that is within the layout of the public way in a safe and suitable condition for use by pedestrians and vehicles, as determined by the Highway Director. Should the Town be required to correct any violations of this provision, then said property owner of record shall be liable to the Town for reimbursement of the Town's actual costs in doing so, with complete payment being made to the Town within 30 days of billing.

#### § 230-14 Excavation Permit.

Any excavation within the layout of a public way shall require first obtaining an Excavation Permit from the Highway Director, unless a Driveway Permit has been obtained for the same pursuant to § 230-13. For the purposes of this ARTICLE IV, the Swansea Water District shall be considered a utility.

- A. The application and application fee requirements for Excavation Permits shall be as provided in the Regulations that are promulgated pursuant to § 230-15.
1. For utility work, if the utility hires a contractor to undertake the work, then both the utility and the contractor must execute the application. In the event that the proposed utility work extends onto any private property, then each such private property owner of record must execute the application as well.
  2. For driveway or sidewalk work that the Highway Director, pursuant to § 230-13C, determined requires an Excavation Permit, both the property owner of record and the contractor shall execute the application.

- B. A police detail is required to be present during any work that is undertaken pursuant to an Excavation Permit. The applicant(s) shall be solely responsible for the cost of any such police detail.
- C. Any driveway or sidewalk work that is undertaken pursuant to an Excavation Permit nonetheless shall be subject to the requirements of § 230-13F.
- D. The Highway Director may impose reasonable conditions on any issued Excavation Permit.
- E. The applicants shall notify the Highway Director in writing of the date on which work will begin pursuant to the Excavation Permit, and no such work shall begin prior to that date. Once such work begins, all such work, including restoration of the public way, shall be completed and thereafter inspected by the Highway Director or their designee in accordance with § 230-18A, within five (5) days, or as otherwise approved as the Highway Director. If said inspection indicates that additional work is required in order to come into compliance with § 230-16B, then such work shall be completed and thereafter inspected by the Highway Director or their designee, within five (5) days. In the event that a temporary patch is utilized in accordance with the Regulations that are promulgated pursuant to § 230-15, then this entire process, from notice of the date on which work will begin through timely inspection, shall be undertaken with respect to the temporary patch and thereafter repeated for the subsequent final restoration of the public way.
- F. Whenever emergency excavation of the public way must occur immediately in order to correct or alleviate a hazardous condition that presents an imminent risk of injury to persons or property, then the utility and/or its contractor may begin work in the public way without first obtaining an Excavation Permit, provided that the following requirements are met:
  - 1. The utility notifies the Highway Director or their designee in advance of beginning such work. If the emergency situation arose outside of business hours, then notice shall be provided to an email address or telephone number that is designated by the Highway Director for that purpose and provided to all relevant utilities;
  - 2. An application for an Excavation Permit is submitted by the next business day following the commencement of such work;
  - 3. Any pre-Permit work adheres to the performance standards that are included in the Regulations that are promulgated pursuant to § 230-15;
  - 4. The utility ensures, at its sole cost, that a police detail is on-site for any pre-Permit work; and
  - 5. The utility has on file with the Town an executed agreement in which it states that it will indemnify and hold harmless the Town, and each of its officers, officials, employees, agents, accountants, attorneys, departments, boards, commissions and committees from and against any liability for injury, loss, accident or damage to any person or property, and from and against any suits, claims, actions, proceedings, liabilities, administrative actions, fees, damages, fines, penalties, forfeitures, expenses and costs (including, without limitation, attorney's fees): (i) arising from the omission, fault, willful act, negligence or other

misconduct of the utility and any of its officers, agents, contractors, employees and volunteers; (ii) resulting from the failure of the utility and any of its officers, agents, contractors, employees and volunteers to perform or ensure the performance of all work in accordance with this ARTICLE IV and any regulations that are promulgated pursuant to § 230-15; or (iii) resulting from the violation of any other federal, state or local statute, bylaw, code, rule or regulation by the utility and any of its officers, agents, contractors, employees and volunteers. For the purposes of these indemnification obligations, any corporate parents, subsidiaries, sisters and affiliates of the utility, and any officers, agents, contractors, employees and volunteers of the same, shall be considered agents of the utility.

#### § 230-15 Regulations.

The Board of Selectmen shall promulgate regulations in order to implement and enforce this ARTICLE IV. Without limiting the possible scope of these regulations, the Board of Selectmen shall ensure that said regulations include the following:

- A. Performance Standards for undertaking and completing all work, ensuring public safety during all work, and completing restoration of the public way after the completion of all work, that is undertaken pursuant to Driveway Permits and Excavation Permits;
- B. Application requirements, including with respect to fees, plans and information to be submitted;
- C. Minimum insurance coverage requirements, as applicable, for all property owners, contractors and utilities;
- D. Standards and timeframes for utilizing temporary patches; and
- E. Allowed days and hours of operation.

#### § 230-16 Restrictions on Use of Permit.

All Driveway Permits and Excavation Permits are subject to the following restrictions:

- A. By accepting, and undertaking work pursuant to, a Driveway Permit or Excavation Permit, all applicants for said Permit shall, and agree that they will, indemnify and hold harmless the Town, and each of its officers, officials, employees, agents, accountants, attorneys, departments, boards, commissions and committees from and against any liability for injury, loss, accident or damage to any person or property, and from and against any suits, claims, actions, proceedings, liabilities, administrative actions, fees, damages, fines, penalties, forfeitures, expenses and costs (including, without limitation, attorney's fees): (i) arising from the omission, fault, willful act, negligence or other misconduct of any of the applicants, or any of their household members, tenants, guests, officers, agents, contractors, employees, servants, invitees or volunteers; (ii) resulting from the failure of the applicants or any of their household members, tenants, guests, officers, agents, contractors, employees, servants, invitees or volunteers to perform or ensure the performance of all work in accordance with the issued Permit and its conditions, this ARTICLE IV and any regulations that are promulgated pursuant to § 230-15; or (iii) resulting from the violation of any other federal, state or local statute, bylaw, code, rule or regulation by the applicants or any of their household members, tenants, guests, officers, agents, contractors, employees, servants, invitees or volunteers. For the purposes of these indemnification obligations, any corporate parents, subsidiaries, sisters and affiliates of any utility or contractor, and any officers, agents, contractors, employees and volunteers of the same, shall be considered agents of said utility or contractor, and regardless of whether such

agents are otherwise authorized to assist, participate in or direct any of the work in accordance with § 230-16F. These indemnification obligations shall automatically constitute a condition on any issued Driveway Permit or Excavation Permit.

- B. The Highway Director and any of their designees shall have the right at any time, and without notice, to be present during, and inspect the progress of, any work that is being undertaken pursuant to a Driveway Permit or Excavation Permit. The applicants shall adhere to any orders that the Highway Director or their designee issues with respect to such work, whether for the correction of deficiencies, the ensuring of public safety or otherwise.
- C. All work shall be undertaken in accordance with any conditions that are imposed upon a Driveway Permit or Excavation Permit, with the plans that were submitted and approved with application, and with any performance standards that are included in the Regulations that are promulgated pursuant to § 230-15. In no event shall the public way be excavated, altered or disturbed in any area except as explicitly marked on the approved plan. Should circumstances occurring during the work necessitate expanding the footprint of the public way to be excavated, altered or disturbed, then the applicant(s) must cease the work and apply to amend the Permit.
- D. No work shall be undertaken pursuant to a Driveway Permit or Excavation Permit until the applicant(s) have obtained confirmation from Dig Safe regarding the location of underground utilities, and have obtained confirmation from the Highway Director or their designee of the location of underground traffic control devices.
- E. A copy of the Driveway Permit or Excavation Permit shall be kept on-site at all times and be available for inspection.
- F. In no event shall any contractor or subcontractor, or any corporate parent, subsidiary, sister or affiliate, that is not included in the application as a co-applicant be allowed to assist, participate in or direct any of the work being undertaken pursuant to a Driveway Permit or Excavation Permit.
- G. All permanently removed granite curbing shall be returned to the Highway Department.

§ 230-17 Surety and Insurance Certificate.

- A. No approved Driveway Permit or Excavation Permit shall be issued to the applicant(s) until and unless the applicant(s) post a bond or other surety with the Town that satisfies the following requirements.
  - 1. The amount of the surety shall be determined by the Highway Director, and must be sufficient to ensure restoration of the public way in accordance with the performance standards that are included in the Regulations that are promulgated pursuant to § 230-15, and regardless of whether the non-restoration portion of the contemplated work is otherwise completed by the applicants;
  - 2. The surety shall be valid through, and only released after, the following benchmarks:
    - a. For work that is completed in accordance with a Driveway Permit, upon the issuance of a completion certificate pursuant to § 230-18B; and

b. For work that is completed in accordance with an Excavation Permit, after five (5) years have elapsed after the issuance of the completion certificate; provided, that if a permanent resurfacing of the public way is required by the performance standards that are included in the Regulations that are promulgated pursuant to § 230-15, then the surety shall not be released until ten (10) years have elapsed after the issuance of a completion certificate.

3. The Town shall be entitled to utilize the surety in any of the following events:

a. The applicant(s) violate the timeframes of §§ 230-13E or 230-14E;

b. After a second failed inspection, whether of a temporary patch or of the final restoration of the public way;

c. Upon the failure of any temporary patch, unless that failure is repaired, to the satisfaction of the Highway Director or their designee, by the applicant(s) within fourteen (14) days, at the sole cost of the applicant(s); and

d. Upon the failure of any final restoration of the public way, unless that failure is repaired, to the satisfaction of the Highway Director or their designee, by the applicant(s) within fourteen (14) days, at the sole cost of the applicant(s)

4. In no event shall the surety be utilized for, and in no event shall the Town be responsible for, completing any work on private property or completing any work in the public way on behalf of the applicant(s) other than ensuring the temporary patching or final restoration of the public way.

5. Nothing shall preclude the Highway Director, in their discretion, from forbearing the use of the posted surety under § 230-17A(3)(a) or § 230-17A(3)(b), and instead authorizing the applicant(s) additional time to complete the work, pass inspection and receive a completion certificate pursuant to § 230-18. Any such forbearance shall not operate to waive the use of the surety by the Town at any point thereafter.

B. No approved Driveway Permit or Excavation Permit shall be issued to the applicant(s) until and unless the applicant(s) provide certificate(s) of insurance each indicating the following:

1. That coverages exist in the amounts that are required by the Regulations that are promulgated pursuant to § 230-15; and

2. That these coverages will not expire, or be discontinued or canceled, without 14 days prior notice to the Highway Director.

§ 230-18 Inspection and Completion Certificate.

A. It shall be the responsibility of the applicant(s) to schedule in a timely manner, in accordance with the applicable timeframe of either §§ 230-13E or 230-14E, the inspection(s) of the work that has

been completed pursuant to a Driveway Permit or Excavation Permit. Such inspections shall be undertaken by the Highway Director or their designee.

- B. If the Highway Director or their designee determines that the work has been completed in a manner that satisfies the requirements of § 230-16B, then the Highway Director shall issue a completion certificate to the applicant(s); provided, that whenever seasonal conditions require the placement of a temporary patch, a completion certificate shall not be issued until after inspection of the subsequent final restoration.

§ 230-19 Enforcement.

- A. The provisions this ARTICLE IV, the terms and conditions of any Driveway Permit or Excavation Permit, and the provisions of any Regulations that are promulgated pursuant to § 230-15, shall be enforced by any police officer through the noncriminal disposition method of enforcement.
1. Each day of a continuing violation shall constitute a separate violation, and nothing shall preclude a particular action or inaction from constituting multiple distinct and separate fineable offenses.
  2. Any violation by a contractor shall result in separate fines being issued to both the contractor and the property owner or utility that hired that contractor.
  3. Each violation shall result in a fine of \$ 250.00.
- B. The Highway Director, upon the approval of the Board of Selectmen, may seek the enforcement of the provisions this Article IV, the terms and conditions of any Driveway Permit or Excavation Permit, and the provisions of any Regulations that are promulgated pursuant to § 230-15, through the issuance of injunctive or other equitable relief by the Superior Court.

§ 230-20 Severability.

The provisions of this Article IV are severable. Should any court of competent jurisdiction invalidate any particular provision, the remainder of this Article IV shall continue in full force and effect.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a Majority. Moderator was challenged. Article went to a standing vote.  
Vote Count: YES-134. NO-95. Motion passes.**

**ARTICLE 35 VOTED:** That the Town vote to authorize the Board of Selectmen to accept, as a gift or a nominal fee of \$1.00, a non-exclusive emergency access easement over the property located at 57 Main Street, being shown as Assessor's Map 8, Lot 3-A and Assessor's Map 72, Lot 3, for the benefit of the Town land on which the Town Hall and public library are located, being 81 Main Street and shown as Assessor's Map 73, Lot 33, for the purpose of allowing access to and from said Town land by emergency personnel and vehicles.

Speaking on article: Shirley Stasiowski, 26 Picard Court

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a 2/3's declared Majority.**

**ARTICLE 36 VOTED:** That the Town vote to accept High Hill Road and White Rock Lane as public ways as laid out April 23, 2024 by the Board of Selectmen, and the plan for which is on file at the Town Clerk's Office.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).  
Motion carried by a Majority.**

**ARTICLE 37 VOTED:** That the Town vote to Keith Circle and Kyle Court as public ways as laid out on April 23, 2024 by the Board of Selectmen, and the plan for which is on file at the Town Clerk's Office.

Speaking on article: Brenda Guertin, 25 Missile Loop

**Advisory and Finance Committee voted to not recommend (5 in favor, 7 opposed).  
Motion is defeated by a Majority.**

**ARTICLE 38 VOTED:** To see if the Town will vote to appropriate the amount of \$21,600,000 for the purpose of financing the construction of Phase 1A of the Route 6 Corridor and Route 118 wastewater collection system throughout the Town including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws.

And further, to authorize the Treasurer, with the approval of the Board of Selectmen, and for the purpose of meeting this appropriation, to borrow any and all of said \$21,600,000, and to issue bonds or notes therefore, under and pursuant to Section 7 of Chapter 44 of the General Laws and any other enabling authority, with such bonds or notes being general obligations of the Town unless the Treasurer, with the approval of the Board of Selectmen, determines that they should be issued as limited obligations to be secured by local system revenues as defined in Section 1 of said Chapter 29C.

And further, to authorize the Treasurer, with the approval of the Board of Selectmen, and for the purpose of meeting this appropriation, to borrow any and all of said appropriation from the Massachusetts Clean Water Trust established pursuant to said Chapter 29C, and, with the approval of the Board of Selectmen, to secure such loan by general revenues or such local systems revenues to the extent required by said Trust.

And further, to authorize the Board of Selectmen and the Sewer Commission, and their respective designees, to enter into, execute, submit and file any and all applications and agreements that are necessary or expedient to effectuate the receipt of any grants, reimbursements, aid, loans or other funds from any local, state or federal source, including without limitation pursuant to said Chapter 29C with the Trust and with the Department of Environmental Protection, for the purpose of funding or financing all or any portion of said Phase 1A construction;

And further to clarify, that the total expenditure for the Phase 1A construction from all combined sources, including, without limitation, grants, reimbursements, aid, loans (and whether secured or unsecured), and issuance of bonds and notes (and whether general or limited), shall not exceed said amount of \$21,600,000.

And further, to authorize the Board of Selectmen and the Sewer Commission, and their respective designees, to expend all funds available for said Phase 1A construction and to take any other action necessary or convenient to carry out said Phase 1A construction.

Speaking on article: James Pelletier, 37 Pearse Road  
Randy Lebeau, 253 Cummings Road  
Robert Medeiros, Board of Selectmen

Albert Baldwin, 117 Reservoir Avenue  
Mallory Aronstein, Town Administrator  
Ronald Nascimento, 51 Barbara Lane  
Michael Callaghan, 50 Locust Street  
John Mello, 245 Gardner Neck Road  
Angela Dolan, 17 Windfall Drive  
Steven Kitchin, Board of Selectmen

**Advisory and Finance Committee voted to recommend Unanimously (12-0).**

**Moderator Burke stated this would require a 2/3's vote due to this being a borrowing article. Ballot #9 was used. Vote Count: YES-241. NO-26. Motion passes.**

**ARTICLE 39 VOTED:** To see if the Town will vote to accept the provisions of Chapter 44, §53F ½ of the Massachusetts General Laws for the purpose of establishing Sewer Services as an enterprise fund effective Fiscal Year 2025.

**Advisory and Finance Committee voted to recommend Unanimously (12-0).**

**Motion is carried Unanimously.**

A motion was made and seconded to adjourn the Annual Town Meeting at 11:04 PM and to reconvene back to the Special Town Meeting.

Adjournment.

Respectfully submitted,  
Diane Pelland, Town Clerk