

**TOWN OF AUBURN
SPECIAL TOWN MEETING
OCTOBER 24, 2017**

At 7:05 PM Moderator Chester Stencil Jr. called the meeting to order in the Auburn High School Auditorium with a quorum present. The Moderator appointed Rocco Morano, Elizabeth Johnson, Kerstin Sampson, Barbara Granger, Carol Johnson, and Patricia Maher as counters who were sworn in by the Town Clerk.

In compliance with the provisions of the Auburn Charter, copies of the warrant along with the recommendations of the Finance Committee were mailed to each Town Meeting Member on October 6, 2017. Constable Michael Marin, posted attested copies of the warrant in at least two conspicuous places in each precinct on October 6, 2017.

Members present: 98

Article 1: REPORTS OF COMMITTEES

Finance Committee

Good evening.

When we last met in May 2017, Town Meeting approved a \$64 million budget for fiscal 2018, which included a tax levy increase of 1.0%.

Proposed significant revisions to the budget include \$82K in net additions to Article #2 (the Operating Budget), use of a total of \$675K in Free Cash, including adding \$350K to the Stabilization Fund, \$175K to OPEB Liability Trust Fund and \$150K for a study of Auburn's Public Safety buildings. One other significant General Fund request is for \$100K to initially fund a multi-year street light upgrade.

Regarding the Warrant Articles, the Finance Committee takes the following position:

All Articles except Article 11 and Articles 20 thru 22 recommend approval; Articles 20 thru 22 defer to the petitioners due to their initial non-financial impact.

Just a few comments on certain articles:

Article 2 increases the operating budget by \$82K, the largest increases are \$25K each in the Reserve Fund, a new Economic Development Position starting in January 2018, and Electricity Expense. The Finance Committee recommends approval.

Article 11 proposes \$30K relocation of the skate park for future use as a dog park. The Finance Committee voted to defer to the petitioner.

Article 14 seeks to utilize \$150K in available Free Cash evaluate the current Public Safety buildings and make recommendations on the feasibility of renovation, expansion or construction of separate Fire and Police buildings or a joint Public Safety complex. The Finance Committee recommends approval.

Articles 16 and 17 appropriate \$350k and \$175K from Free Cash to the Stabilization Fund and OPEB Liability Trust Fund, respectively. The Finance Committee recommends approval. Further,

the Finance Committee would like to remind Town Meeting Members that should Article 14 fail or be amended to a lower dollar amount, that the balance of funds not approved in this article be added to the Stabilization Fund.

Article 23 addresses zoning by-laws relative to the revised proposal of adding Mass Pike billboards behind the Auburn Mall. The Finance Committee continues to recommend approval of this project as an economic driver for the several businesses that make up the Auburn Mall, and any ancillary business in the business area that will derive increased business from this new proposed advertising medium directed at the Mass Pike.

Respectfully submitted,

Kevin Hussey, Chairman

Anne Cavanaugh, Vice Chair

Malory O'Brien

Edward Coleman

Kevin Kennedy

Kimberly Holstrom

Trevor Sansoucy

Board of Selectmen Report

The Board of Selectmen makes the following recommendations on the Special Town Meeting Warrant.

Articles 2 through 8. The Board of Selectmen voted to recommend approval.

Articles 9 through 15. The Board of Selectmen voted to recommend approval.

On June 26, 2017 the Board of Selectmen took a vote to support the recommendation of the Dog Park Committee for the Option A location of the dog park at Lemansky Park. Option A included moving the skate board park to another area of Lemansky Park. Article 11, which seeks an appropriation of \$30,000.00 to relocate the skate board park, is the result of that vote.

Articles 16 through 19. The Board of Selectmen voted to recommend approval.

Articles 20 through 23. The Board of Selectmen voted to recommend approval.

There have been significant revisions in the zoning bylaw amendment proposed in Article 23 since it last came before the town meeting. The amendment, which would allow two digital billboards in the Regional Mall Overlay District, is very important to maintain a strong economy in the Town of Auburn.

Article 24. The Board of Selectmen voted to recommend approval.

The Auburn Board of Selectmen

Doreen M. Goodrich, Chairman

Kenneth A. Holstrom, Vice Chairman

Daniel S. Carpenter

Lionel R. Berthiaume

Tristan J. Laliberte

Article 2: I move that Town Meeting vote to approve Article 2 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Deborah J. Valentine

Seconded by Thomas J. Dufour

Vote on Article 2, by majority in favor

Article 2. As printed in the warrant

To see if Town Meeting will vote to amend Article 3 of the May 2, 2017 Annual Town Meeting as follows: Increase Line Item #011322-5781 Reserve Fund from \$175,000.00 to \$200,000.00; Add Line Item in #01155 Information Technology Department MIS Social Media Stipend for \$2,000.00; Increase Line Item # 011992- 5211 Electricity from \$99,000.00 to \$124,000.00; Increase Line Item #011992-5740 Insurance and Bonds from \$760,000.00 to \$775,000.00; Add Line Item in #01291 Emergency Management - Emergency Management Stipend for \$2,000.00; Decrease Line Item #01302-5691-00 Bay Path from \$1,123,189.00 to \$1,120,931.00; Add Line Item in Department of Development and Inspectional Services #01175 Planning Division for Economic Development Position for \$25,000.00; Decrease Line Item #017522-591734 Interest GOB 3,256,000 from \$62,418.00 to \$53,084.00; Increase Available Funds Reserve for Appropriation Dog Licenses from \$24,418.00 to \$39,000.00; and further to approve an amended FY2018 budget for the Town of Auburn of \$60,597,987.00; or act on anything relative thereto.

Article 3: I move that Town Meeting vote to approve Article 3 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Thomas J. Dufour

Seconded by Gregory A. Bohling

Vote on Article 3, by majority in favor

Article 3. As printed in the warrant

To see if Town Meeting will vote to appropriate \$4,374.00 from General Fund Revenues to the Auburn School Department Operating Budget for Fiscal Year 2018 to fund transportation costs for homeless and/or unanticipated transportation for other students to their educational programs; or act on anything relative thereto.

Article 4: I move that Town Meeting vote to approve Article 4 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Robert Moffatt

Seconded by John F. O'Day, Jr.

Vote on Article 4, by majority in favor

Article 4. As printed in the warrant

To see if the Town Meeting will vote to amend Article 13 for the Medicaid Reimbursement amount approved at the May 2, 2017 Annual Town Meeting from \$160,000.00 to \$185,000.00 to fund supplies and medical, therapeutic and educational services for significantly disabled special needs students as well as tuition and transportation to and from outside placements or within the District for special needs students; or act on anything relative thereto.

Article 5: I move that Town Meeting vote to approve Article 5 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By William J. Bylund

Seconded by Thomas J. Dufour

Vote on Article 5, by majority in favor

Article 5. As printed in the warrant

To see if the Town Meeting will vote to accept the provisions of Chapter 40, Section 13E of the Massachusetts General Laws to establish and appropriate or transfer money to a Special Education Reserve Fund with the stipulation that no funds will be allocated into such account until policies are agreed upon and approved by a vote by each of the following Town Boards: School Committee, Finance Committee and Board of Selectmen; or act on anything relative thereto.

Article 6: I move that Town Meeting vote to approve Article 6 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Glenn J. Feldman

Seconded by Jeffrey C. Mitchell

Vote on Article 6, by majority in favor

Article 6. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$5,000.00 from General Fund Revenues to abandon the monitoring wells at the DPW Facility, located at 5 Millbury Street; or act on anything relative thereto.

Article 7: I move that Town Meeting vote to approve Article 7 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By James M. Stolberg, Jr.

Seconded by Kristen Marie Pappas

Vote on Article 7, by majority in favor

Article 7. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$25,000.00 from General Fund Revenues to replace the conveyor belt system on two DPW 6-wheel dump trucks; or act on anything relative thereto.

Article 8: I move that Town Meeting vote to approve Article 8 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Carla N. Morano

Seconded by John R. Anderson

Vote on Article 8, by majority in favor

Article 8. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$5,000.00 from General Fund Revenues for the landfill monitoring well; or act on anything relative thereto.

Article 9: I move that Town Meeting vote to approve Article 9 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Rocco J. Morano

Seconded by John F. O'Day, Jr.

Vote on Article 9, by majority in favor

Article 9. As printed in the warrant

To see if the Town Meeting will vote appropriate \$100,000.00 from General Fund Revenues for Street Lights LED Conversion (Audit/Design/Buy); or act on anything relative thereto.

Article 10: I move that Town Meeting vote to approve Article 10 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Charles A. Baker

Seconded by Ellen C. Gaboury

Vote on Article 10, unanimous in favor

Article 10. As printed in the warrant

To see if the Town Meeting will vote to amend Article 4 CIP Funds of the May 2, 2017 Annual Town Meeting from "Fencing Lemansky – Baseball" to "Fencing – Parks"; or act on anything relative thereto.

Article 11: I move that Town Meeting vote to approve Article 11 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Richard W. Levansavich

Seconded by Ronald E. Prouty

Vote on Article 11, by majority in favor

Article 11 As printed in the warrant

To see if the Town Meeting will vote to appropriate \$30,000.00 from Special Revenue Yong Shing for the relocation of the Skateboard Park at Lemansky Park; or act on anything relative thereto.

Article 12: I move that Town Meeting vote to approve Article 12 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Jeffery C. Mitchell

Seconded by Gregory A. Bohling

Vote on Article 12, by majority in favor

Article 12. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$35,850.00 from General Fund Revenues for the purchase of personal protective turnout gear for the Fire Rescue Department; or act on anything relative thereto.

Article 13: I move that Town Meeting vote to approve Article 13 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Carolyn Vangel Corriveau

Seconded by Joseph S. Frascolla

Vote on Article 13, by majority in favor

Article 13. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$8,382.30 from Ambulance Reserve for Appropriations for the purchase of ballistic protection for the Fire Rescue Department; or act on anything relative thereto.

Article 14: I move that Town Meeting vote to approve Article 14 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Barbara K. Granger

Seconded by William J. Bylund

Vote on Article 14, by majority in favor

Article 14. As printed in the warrant

To see if the Town Meeting will vote to appropriate the sum of \$150,000.00 from Free Cash to hire an outside consultant to study and evaluate the existing public safety buildings including Police and Fire and to make recommendations on the feasibility of renovation, expansion or the construction of separate Fire and Police station buildings or a joint public safety complex, or a combination of both; or act on anything relative thereto.

Article 15: I move that Town Meeting vote to approve Article 15 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Ellen C. Gaboury

Seconded by Jeffrey C. Mitchell

Vote on Article 15, by majority in favor

Article 15. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$30,000.00 from General Fund Revenues to replace the backup radio at the water tower site; or act on anything relative thereto.

Article 16: I move that Town Meeting vote to approve Article 16 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Jerry-Jirair M. Balayan

Seconded by Elizabeth D. Johnson

Vote on Article 16, by majority in favor

Article 16. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$350,000.00 from Free Cash to the Stabilization Fund; or act on anything relative thereto.

By the Town Manager

Article 17: I move that Town Meeting vote to approve Article 17 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Ellen M. Ethier

Seconded by Charles A. Baker

Vote on Article 17, by majority in favor

Article 17. As printed in the warrant

To see if the Town Meeting will vote to appropriate \$175,000.00 from Free Cash to the Other Post-Employment Benefits Liability Trust Fund; or act on anything relative thereto.

Article 18: I move that Town Meeting vote to approve Article 18 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Elizabeth L. Prouty

Seconded by Gregory A. Bohling

Vote on Article 18, by majority in favor

Article 18. As printed in the warrant

To see if the Town Meeting will vote to supplement each prior vote of the Town Meeting that authorizes the borrowing of money to pay costs for capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or act on anything relative thereto.

Article 19: I move that Town Meeting vote to approve Article 19 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Ronald E. Prouty

Seconded by Thomas J. Dufour

Vote on Article 19, by majority in favor

Article 19. As printed in the warrant

By

To see if the Town Meeting will vote to amend the General By-laws of the Town of Auburn, Massachusetts by adding a new section, Section 6.13, which will establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers pursuant to Massachusetts General Laws Chapter 44, Section 53E½ - Section 6.13 shall read as follows:

6.13: Departmental Revolving Funds Pursuant to Massachusetts General Laws, Chapter 44, Section 53E½

(1) Purpose

- (A) This by-law establishes and authorizes revolving funds for use by town, departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities.
- (B) These revolving funds are established under and governed by Massachusetts General Laws Chapter 44, Section 53E½.

(2) Expenditure Limitations

- (A) A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
 - (1) Fringe benefits of full-time employees whose salaries or wages are paid from this fund shall also be paid from the fund;
 - (2) No liability shall be incurred in excess of the available balance of the fund; and
 - (3) The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectboard and Finance Committee.

(3) Interest

- (A) Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

(4) Procedures and Reports

- (A) Except as provided in Massachusetts General Laws Chapter 44, Section 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of revolving fund established and authorized by the by-law.
- (B) The Town Accountant shall include a statement on the collections credited to the fund, the encumbrances and expenditures charged to each fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.

(5) Authorized Revolving Funds

- (A) A List of Authorized Revolving Funds shall be listed in a table as shown below and identified as Figure 1.0.
- (B) Figure 1.0 lists:
- (1) Each revolving fund authorized for use by a town department, board, committee, agency or officer;
 - (2) The department or agency head, board, committee or officer authorized to spend from each fund;
 - (3) The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant;
 - (4) The expenses of the program or activity for which each fund may be used;
 - (5) Any restrictions or conditions on expenditures from each fund;
 - (6) Any reporting or other requirements that apply to each fund; and
 - (7) The fiscal years each fund shall operate under this by-law.

Figure 1.0

A	B	C	D	E	F	G
Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credit to Fund	Programs or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/Reports	Fiscal Years
Council on Aging	Council on Aging	Rental fees and/or donations	Building expenses	Expenditures not to exceed \$15,000.00	Submit Annual Report and Budget to the Finance Committee	Fiscal Year 2019 and subsequent years
Police Department	Chief of Police	Fees generated from false alarms and firearms licenses	General Police Department maintenance	Expenditures not to exceed \$35,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Highway Department	Director of Department of Public Works	Fees charged for rubbish stickers for yard waste	Salaries and expenses involved in removing yard waste	Expenditures not to exceed \$30,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Department of Code Enforcement	Director of Department of Development and Inspectional Services	Fees charged for wiring, gas, plumbing and inspection services	Services of wiring, gas, plumbing inspectors and assistants	Expenditures not to exceed \$100,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Conservation Commission	Conservation Commission	Fees charged for conservation related services provided by the Town	Contract services authorized by the Conservation Commission	Expenditures not to exceed \$50,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Department of Code Enforcement	Director of Department of Development and Inspectional Services	Fees charged for demolition of structures and/or buildings deemed an immediate danger	Department of Code Enforcement salaries	Expenditures not to exceed \$25,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years

Department of Recreation	Director of Department of Public Works	Support of recreational and cultural programs offered by the Town	Expenses and supplies for development of recreational and cultural services	Expenditures not to exceed 1% of prior year's tax levy for the Town of Auburn	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Weights & Measures	Director of Department of Development and Inspectional Services	Fees charged for services provided by and associated the scales of Weights and Measures	Expenses, supplies and other services related to Weights and Measures	Expenditures not to exceed \$20,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Dr. Arthur and Dr. Martha Pappas Recreation Complex	Director of the Department of Public Works	Fees and rental charges for use of fields and facilities at the Pappas Recreation Complex	Expenses involved in the annual maintenance of the facility	Expenditures not to exceed 1% of the prior year's tax levy	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years

A	B	C	D	E	F	G
Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credit to Fund	Programs or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/Reports	Fiscal Years
Division of Dog Officer	Department of Development and Inspectional Services	Fees charged in the daily operations of the animal compound	Expenditures for support and maintenance of the Town dog kennel and the animals housed therein	Expenditures not to exceed \$2,500.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Board of Health	Department of Development and Inspectional Services	Expenditures related to the operations of the Flu Clinics	Fees charged and received from health insurance companies for services rendered by the Flu Clinics	Expenditures not to exceed \$7,500.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Parks, Recreation and Cemetery	Director of Department of Public Works	Fees generated for the sale of cement cremation vaults	Expenditures related to costs for financing cement cremation vaults	Expenditures not to exceed \$5,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Board of Health	Director Department of Development and Inspectional Services	Fees generated from the sale of containers for the disposal of household medical sharps	Expenditures relative to the sale of household containers for medical sharp	Expenditures not to exceed \$5,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Board of Health	Director Department of Development and Inspectional Services	Fees and costs generated from liens placed on real estate	Expenditures related to abating Public Health nuisances and causes of sickness in the Town that otherwise cannot be corrected	Expenditures not to exceed \$15,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Board of Health	Director Department of Development and Inspectional Services	Fees related to the sale of compost bins	Expenditures related to the sale of compost bins to Town residents	Expenditures not to exceed \$5,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Engineering Division	Director Department of Public Works	Fees collected from the sale of rain barrels	Expenditures incurred in the sale of rain collection barrels to residents of Auburn	Expenditures not to exceed \$5,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years
Animal Control Division	Director Department of Development and Inspectional Services	Fees from kennel fees including but not limited to reclamation, adoption and boarding fees	Expenditures for animal care veterinary medical expenses, and maintenance	Expenditures not to exceed \$10,000.00	Submit Annual Report and Budget to Finance Committee	Fiscal Year 2019 and subsequent years

; or act on anything relative thereto.

Article 20: I move that Town Meeting vote to approve Article 20 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Erik S. Berg

Seconded by Ronald E. Prouty

Vote on Article 20, by majority in favor

Article 20. As printed in the warrant

To see if the Town Meeting will vote to accept MGL Chapter 54 Section 16A as follows: “In any city or town which accepts this section, if the warden, clerk or inspector, or the deputy of any such officer, if any, is not present at the opening of the polls, the city or town clerk may appoint a person to fill such vacancy who shall be an enrolled voter of the same political party as the absent officer, if any competent person enrolled in such party is present and willing to serve.”; or act on anything relative thereto.

Article 21: I move that Town Meeting vote to approve Article 21 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Daniel J. Diamond

Seconded by Gregory A. Bohling

Vote on Article 21, by majority in favor

Article 21. As printed in the warrant

To see if the Town Meeting will vote to accept MGL Chapter 41, Section 110A, which states as follows: “Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.”; or act on anything relative thereto.

Article 22: I move that Town Meeting vote to approve Article 22 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Kenneth P. Frost

Seconded by Elizabeth D. Johnson

Vote on Article 22, by majority in favor

Article 22. As printed in the warrant

To see if the Town Meeting will vote to amend the General By-Laws of the Town of Auburn, Massachusetts by deleting Section 17.05(14)(B), and replacing it with the following language, in accordance with the authority granted to the Town of Auburn pursuant to Massachusetts General Laws, Chapter 89, Section 9, and Massachusetts General Laws, Chapter 85, Section 2. Section 17.05(14)B shall read as follows:

In accordance with the provisions of Massachusetts General Laws, Chapter 85, Section 2 and the provisions of Massachusetts General Laws, Chapter 89, Section 9, the erection and maintenance of any official stop sign within the Town of Auburn shall be authorized by the Board of Selectmen of the Town of Auburn. Each authorized stop sign currently in existence, and each stop sign hereafter authorized and erected, shall be itemized in a list maintained by the Board of Selectmen of the Town of Auburn.
;or act on anything relative thereto.

Article 23: I move that Town Meeting vote to approve Article 23 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Joe Martin

Seconded by Jeffrey Mitchell

Article 23 – Motion to Amend Article 23 Section 4.5.10.5 (d) to read:

(d). Any Off-Premise Signs constructed in accordance with this Subsection 4.5.10.5 shall not show any advertisement or other content containing the depiction or promotion of the use, distribution or sale of any marijuana, tobacco product, alcoholic beverage or any form of adult entertainment including, without limitation, any Adult Live Entertainment Establishment, Adult Bookstore, Adult Video Store, Adult Paraphernalia Store or Adult Motion Picture Theatre;

By Bruce Hopper

Seconded Melinda Kemp

Vote to Amend - not in favor – YES 32 – NO 55

Amendment failed to pass

Vote to move Article 23

By Norman Bergeron

Seconded by Gregory Bohling

Vote on Article 23, in favor YES 64, NO 26

Article 23. As printed in the warrant:

To see if the Town Meeting will vote:

1. To amend the Auburn Zoning By-Laws by revising Section 3.7.5 to insert “(except as provided in Section 4.5.10.5)” such that the Section reads as follows:

3.7.5 Billboards (except as provided in Section 4.5.10.5), trailer camps, mobile home sales, truck stops and all open air storage of junk, including inoperable automobiles and all uses which are excessively obnoxious or injurious to their neighborhood or to all property in the vicinity are expressly prohibited in all zoning districts in the Town.

2. To amend the Auburn Zoning By-Laws by revising Section 4.5.10 to add a new subsection 5 as follows:

4.5.10.5 A Regional Mall may have two (2) double-sided Off-Premise Signs (as such signs are defined in Section 7.1.3) located on the premises of the Regional Mall. Off-Premise Signs allowed under this Section 4.5.10.5 shall comply with the following conditions and requirements:

- (a) Any Off-Premise Sign(s) constructed within the Regional Mall Overlay District shall be constructed for the primary purpose of advertising to those travelling on the Massachusetts Turnpike and shall be constructed so as to minimize visibility from any other roadway to the extent reasonably feasible;
- (b) The construction of Off-Premise Signs shall be governed by this Subsection 4.5.10.5 and shall not be subject to the provisions of Section 7 of these By-Laws. In the event that the provisions of this Subsection 4.5.10.5 conflict with the provisions of any other section of these By-Laws, the provisions of this Subsection shall control;
- (c) Any Off-Premise Signs constructed in accordance with this Subsection 4.5.10.5 shall at all times be owned, operated, permitted and maintained in accordance with applicable state and federal laws and regulations, including, without limitation, those governing the control and restriction of billboards, signs and other advertising devices, and shall be subject to the authority of the Massachusetts Department of Transportation, Office of Outdoor Advertising or any successor thereof;
- (d) Any Off-Premise Signs constructed in accordance with this Subsection 4.5.10.5 shall not show any advertisement or other content containing the depiction or promotion of the use, distribution or sale of any marijuana or tobacco product or any form of adult entertainment including, without limitation, any Adult Live Entertainment Establishment, Adult Bookstore, Adult Video Store, Adult Paraphernalia Store or Adult Motion Picture Theatre;
- (e) The construction of Off-Premise Signs shall be subject to Site Plan Approval in accordance with Section 9.4;
- (f) The construction of Off-Premise Signs shall require a form of surety to be maintained, either through an escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the town must remove such Off-Premise Signs and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 150 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. A fully inclusive estimate of the costs associated with removal, prepared by a licensed professional engineer shall be submitted to the Town Engineer for review prior to the receipt of Site Plan Approval. The amount shall include a mechanism for calculating increased removal costs due to inflation. The owner shall increase or replenish the surety as necessary to maintain an adequate amount, as determined by the Planning Board;
- (g) Off-Premise Signs shall not exceed eighty (80) feet in height above the grade of the roadway nearest to such signs and shall not be located within three hundred (300) feet of any residence as measured from the base of any such Off-Premise Sign to the nearest lot line of a residential lot;

- (h) The face(s) of each Off-Premise Sign shall not exceed forty-eight (48) feet in width and fourteen (14) feet in height;
 - (i) Off-Premise Signs may be Electronic Message Signs and/or Changeable Signs (as such terms are defined in Section 7.1). Such signs shall not be subject to Section 7.6.7 but shall comply with the following standards:
 - i. Electronic Message Signs may display static images only and may change their static images no more than once every ten (10) seconds in accordance with the applicable provisions of the Massachusetts Department of Transportation Regulations (currently 700 CMR 3.11);
 - ii. Transitions from one static image to the next shall appear instantaneously without the appearance of flashing, animation or movement of any kind;
 - iii. Such signs shall come equipped with automatic dimming technology that automatically adjusts the signs' brightness based on ambient light conditions; and
 - iv. No such sign shall exceed a brightness level of 0.3 foot candles (or 2.23 nits) above ambient light as measured at a distance of 50 feet from the display.
3. To amend the Auburn Zoning By-Laws by revising Section 7.4.1 to insert "except as provided in Section 4.5.10.5" such that the Section reads as follows:
- 7.4.1 Except as provided in Section 4.5.10.5, all billboards, signs on utility poles, trees or fences and all signs not located on the same premises as the advertised activity, business product or person.
;or act on anything relative thereto.

Article 24: I move that Town Meeting vote to approve Article 24 as written in the Warrant for the October 24, 2017 Special Town Meeting.

By Carolyn Vangel Corriveau

Seconded by Charles A. Baker

Vote on Article 24, by majority in favor

Article 24. As printed in the warrant

To see if the Town Meeting will vote to authorize the Board of Selectmen to accept, as a gift, without monetary consideration and without reservation of any kind, a deed or deeds of land from Robert C. Post to the Town of Auburn conveying the following parcels of land:

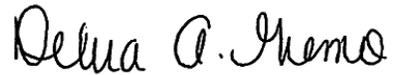
(1) 159 Southold Road, consisting of 1.41 acres of land with frontage on Southold Road, as further described in the records of the Town Assessor as Map 20, Lot 82.

(2) 160 Southold Road, consisting of 1.05 acres of land (backland) no frontage and further described in the records of the Town Assessor as Map 20, Lot 19.

(3) 161 Southold Road, consisting of 1.23 acres with frontage on Southold Road and further described in the records of the Town Assessor as Map 20, Lot 9.
;or act on anything relative thereto.

Meeting dissolved on a motion by Charles A. Baker and seconded by William Bylund at 9:43 PM.

A True Copy Attest:

A handwritten signature in cursive script that reads "Debra A. Gremo".

Debra A. Gremo, CMC
Town Clerk