

**TOWN of ROCKPORT
WARRANT for
ANNUAL TOWN MEETING**

Saturday, April 1, 2017
The Commonwealth of Massachusetts

Essex, ss. To: One of the Constables of the Town of Rockport, Massachusetts in
said County of Essex in the Commonwealth of Massachusetts.

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet and assemble at the Rockport High School at 24 Jerden's Lane in said Rockport on Saturday, the first day of April, 2017 A.D., at 9:00 o'clock in the morning, then and there to act on the following articles, to wit:

ARTICLES: Fiscal Year 2017

ARTICLE I. To see if the Town will vote to appropriate by transfer from available funds sums of money to be expended by various Town Departments to balance the FY17 budget; or act on anything relative thereto. *(Town Accountant) (requires majority vote)*

ARTICLE II. To see if the Town will vote to appropriate from free cash the sum of \$100,000 to the Finance Committee Reserve Fund; or act on anything relative thereto. *(Town Accountant) (requires majority vote)*

ARTICLE III. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to the SPED Stabilization fund to pay for future Special Education obligations; or act on anything relative thereto. *(School Committee) (requires majority vote)*

ARTICLE IV. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to fund the fiscal year 2017 cost items contained in the first year of the separate collective bargaining agreements between the Town of Rockport and the following unions: AFSCME Council 93, AFL-CIO Local 1679 Municipal Employees General Unit and AFSCME Council 93, AFL-CIO Local 1679 Supervisors and Foremen Unit, the Rockport Police Sergeants Association, Local 154A, and/or Rockport MassCoP, Local 154 Patrol Officers Unit; with each agreement covering the term of July 1, 2016 through June 30, 2019; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

ARTICLES: Fiscal Year 2018

ARTICLE 1. To choose an agent for the various trust funds of the Town and to choose all other necessary Town Officers in such a manner as the Town may direct; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

- ARTICLE 2. To see if the Town will vote to raise and appropriate a sum of money to pay unpaid bills and/or payroll of previous years; or act on anything relative thereto. *(Town Accountant) (requires 4/5 vote)*
- ARTICLE 3. To see if the Town will vote to rescind any one or more of the authorizations previously given to borrow funds for municipal purposes, excluding always, any and all authorizations that have been executed by a borrowing; or act on anything relative thereto. *(Town Treasurer) (requires majority vote)*
- ARTICLE 4. To see if the Town will vote to amend or revise certain compensation schedules as set forth by the Rockport Personnel Board and on file in the Town Clerk's Office, which are incorporated herein by reference, namely:
- A. Compensation Schedules A, B, D and H for salaried employees; and
 - B. Compensation Schedule C for elected officials;
- or act on anything relative thereto. *(Personnel Board) (requires majority vote)*
- ARTICLE 5. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any or all Town expenses and purposes, including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's departments and offices, and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2017 through June 30, 2018, inclusive; or act on anything relative thereto. *(Finance Committee) (requires majority vote)*
- 5A. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any and all Town expenses and purposes including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's Water Enterprise and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2017 through June 30, 2018, inclusive; or act on anything relative thereto. *(Finance Committee) (requires majority vote)*
 - 5B. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any and all Town expenses and purposes including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's Sewer Enterprise and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2017 through June 30, 2018, inclusive; or act on anything relative thereto. *(Finance Committee) (requires majority vote)*

5C. To see if the Town will vote to appropriate and transfer from the FY2018 Estimated Annual Revenue of the Community Preservation Fund the sum of \$27,290 for any and all necessary and proper expenses of the Community Preservation Committee, all for the Fiscal Year beginning on July 1, 2017 through June 30, 2018, inclusive; or act on anything relative thereto. *(Finance Committee)*
(requires majority vote)

ARTICLE 6. To see if the Town will vote to appropriate for Capital Outlay Items, such sums of money as set forth in the schedule prepared by the Finance Committee, or any other sum or sums, a copy of which schedule is on file in the Town Clerk's Office, and which is incorporated herein by reference, and determine whether such sums will be raised by fees, taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; or act on anything relative thereto. *(Finance Committee)*
(requires 2/3 vote if funded with borrowing)

6A. To see if the Town will vote to appropriate for Capital Outlay Items for the Water Enterprise, sums of money as set forth in the schedule prepared by the Finance Committee, or any other sum or sums, a copy of which schedule is on file in the Town Clerk's Office and which is incorporated herein by reference, and determine whether such sums will be raised by fees, taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; or act on anything relative thereto. *(Finance Committee)*
(requires majority vote)

6B. To see if the Town will vote to appropriate for Capital Outlay Items for the Sewer Enterprise, sums of money as set forth in the schedule prepared by the Finance Committee, or any other sum or sums, a copy of which schedule is on file in the Town Clerk's Office and which is incorporated herein by reference, and determine whether such sums will be raised by fees, taxation, transferred from available funds, provided by borrowing, or by any combination of the foregoing; or act on anything relative thereto. *(Finance Committee)* *(requires 2/3 vote if funded with borrowing)*

ARTICLES: Lottery System

ARTICLE A. To see if the Town will vote to expend a sum of money allocated to the Town under the provisions of Section 34(2)(a) of M.G.L. Ch. 90 or otherwise, so-called "Chapter 90 monies"; or act on anything relative thereto. *(Department of Public Works)* *(requires majority vote)*

ARTICLE B. To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$4,000 or any other sum, for Action, Inc.; or act on anything relative thereto. *(Board of Selectmen)* *(requires majority vote)*

- ARTICLE C. To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,000 or any other sum, for Healing Abuse Working for Change (HAWC); or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*
- ARTICLE D. To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$3,100 or any other sum, for SeniorCare, Inc.; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*
- ARTICLE E. To see if the Town will vote to raise and appropriate or appropriate and transfer from Free Cash the sum of \$5,000 or any other sum, for The Open Door; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*
- ARTICLE F. To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash the sum of \$30,000 to pay for state mandated real and personal property revaluations; or act on anything relative thereto. *(Board of Assessors) (requires majority vote)*
- ARTICLE G. To see if the Town will vote pursuant to the provisions of General Laws, Chapter 44, Section 53E½, as most recently amended, to (1) establish the following revolving funds and spending limits for FY18 as set forth below, and further (2) to amend Chapter 7 of the Rockport Code of By-Laws by inserting a new Section 10 entitled “Establishment of Revolving Accounts”; establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

Revolving Funds

There are hereby established in the Town of Rockport pursuant to the provisions of General Laws, Chapter 44, section 53E½, the following Revolving Funds:

PROGRAM or PURPOSE	DEPARTMENT RECEIPTS	REPRESENTATIVE or BOARD AUTHORIZED TO SPEND
Community House (building maintenance purposes)	Received in connection with use of the Community House	Director of Public Works
Council on Aging (paying senior class teachers & related expenses)	Received in connection with Council on Aging Senior classes	Council on Aging

Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting, or any increase therein, all as may be authorized in accordance with G.L. c.44, §53E½.

And to set fiscal year spending limits for such revolving funds as follows:

Program or Purpose	FY Spending Limit
Community House (building maintenance purposes)	\$28,000
Council on Aging (paying Senior class teachers & related expenses)	\$30,000

; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

ARTICLE H. To see if the Town will vote to establish a Parking Benefit District in accordance with General Laws Chapter 40, section 22A½, which would establish a “parking benefit district” in which the parking revenues collected therein will be segregated, in whole or in part, in a special fund and designated for use in the Rockport Cultural District, which location is depicted on a map entitled “Rockport Cultural District” and dated March 7, 2017 and on file with the Town Clerk, for the purposes listed in G.L. c40, §22A; and that 12% of parking meter revenue collected therein shall be designated to the Parking Benefit District; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

ARTICLE I. To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash a sum of money to the General Stabilization fund to pay for future capital expenditures; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

ARTICLE J. To see if the Town will vote to raise and appropriate or appropriate by transfer from Free Cash a sum of money to the Capital Reserve Stabilization fund to pay for future capital expenditures; or act on anything relative thereto. *(Board of Selectmen) (requires majority vote)*

ARTICLE K. To see if the Town will vote to accept the provisions of General Laws Chapter 200A, Section 9A providing a statutory procedure for providing notice and disposing of abandoned funds in the custody of the Town; or act on anything relative thereto. *(Town Treasurer) (requires majority vote)*

ARTICLE L. To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects provided that, in accordance with General Laws Chapter 44, section 20, 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 bond 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. *(Town Treasurer) (requires majority vote)*

ARTICLE M. To see if the Town will vote to raise the allowable amount of property tax liability reduction in exchange for volunteer services by persons over the age of 60 from \$750 per annum to \$1,500 per annum pursuant to General Laws Chapter 59, section 5K; or act on anything relative thereto. *(Board of Assessors) (requires majority vote)*

- ARTICLE N. To see if the Town will vote to amend Chapter 7, Section 12 of the Rockport Code of By-Laws by deleting the words “date of mailing” and replacing it with the words “due date” for the purpose of changing the date from which interest can be calculated on water and sewer bills from the mail date to the due date to be consistent with sections 138, 140-141, and 248 of the Municipal Modernization Act; or act on anything relative thereto. (*Collector*) (*requires majority vote*)
- ARTICLE O. To see if the Town will vote to accept the provisions of General Laws Chapter 44, section 55C, and to establish a trust to be known as the Rockport Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Rockport for the benefit of low and moderate income households, and in implementation thereof will vote to amend the Rockport Code of By-Laws by adding a General Bylaw for these purposes which will include the establishment of a Board of Trustees to govern said trust; or act on anything relative thereto. (*Community Development*) (*requires majority vote*)
- ARTICLE P. To see if the Town will vote to authorize the Board of Selectmen to grant, on behalf of the Town, on such terms and conditions as it deems appropriate, a permanent easement in, on and/or over a portion of Bearskin Neck road, a public way, which portion is shown more particularly on a plan entitled “Mortgage Inspection Plan Located at 11 Bearskin Neck, Rockport” prepared by North Shore Survey Corp, dated February 4, 2017, and on file with the Town Clerk, to the owners of the property located at 11 Bearskin Neck, which benefited property is shown on Assessors Map 36 as Lot 51 and described in deeds recorded with the Essex South District Registry of Deeds in Book 8694 on Page 330, said easement to be granted for the purpose of allowing said owners to retain the overhanging bay window and stairs and landing located over and on the Town property; or act on anything relative thereto. (*Board of Selectmen*) (*2/3 vote*)
- ARTICLE Q. To see if the Town will vote to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, and/or eminent domain and on such terms and conditions as the Selectmen deem appropriate, permanent easements in, on and under portions of the property located at 69-71 Broadway, which portions are shown as “Wall Maintenance Easement Area A” and “Construction Access Easement Area B” on a plan entitled “Parker St. Retaining Wall Easement Plan” prepared by Gateway Consultants, Inc., dated November 1, 2016, and on file with the Town Clerk, for the purpose of allowing the Town to construct, improve, inspect, maintain, repair and/or replace the Parker Street retaining wall; or act on anything relative thereto. (*Department of Public Works*) (*2/3 vote*)
- ARTICLE R. To see if the Town will vote to authorize the Board of Selectmen to grant easements without further Town Meeting approval to the record owners of real property on and over town-owned property

upon such terms and conditions as it may deem appropriate, provided however that prior to making a grant of such easement the Board of Selectmen shall determine the easement to be of an “inconsequential” or “de minimis” nature meaning (1) there is a currently existing encroachment onto town-owned property, (2) there are no negative financial impacts to the town as determined by vote of the Finance Committee, and (3) there are no foreseeable long range planning impacts as a result of granting such easements as determined by vote of the Planning Board, and to authorize the Board of Selectmen to execute instruments or take such other action as may be necessary to effectuate the vote taken hereunder; or act on anything relative thereto. (*Town Moderator*) (*requires 2/3 vote*)

ARTICLE S. To see if the Town will vote to authorize the Board of Selectmen to initiate, research, develop, and participate in a contract, or contracts, to aggregate the electricity and natural gas load of the residents and businesses in Rockport and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation and to authorize the Board of Selectmen to execute such instruments; or act on anything relative thereto. (*Department of Public Works*) (*requires majority vote*)

ARTICLE T. To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, for general municipal purposes, a parcel of land known as Woodland Acres, containing 45 acres, more or less, shown more particularly on a plan entitled “Woodland Acres”, prepared by Hayes Engineering, Inc., dated April 15, 1994, a copy of which is on file with the Town Clerk, and identified on Assessors Map 2A as Lots #1-70, and to raise and appropriate, transfer from available funds, and/or borrow a sum not to exceed \$1,440,000 to fund said acquisition and costs related or incidental thereto, and if funds are borrowed for such purposes, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum under General Laws Chapter 44, Section 7 or any other enabling authority; provided, however, that if borrowing is authorized, the appropriation authorized under this article shall be contingent upon voters’ approval of a so-called Proposition 2½ debt exclusion, as provided in G.L. Chapter 59, Section 21C(k); or act on anything relative thereto. (*Citizen Petition*) (*requires 2/3 vote*)

ARTICLE U. Proposal for a conservation resolution to be included in the Town of Rockport Warrant to be voted on April 1 2017. Text of Conservation Resolution: We recognize as a principle of law the intrinsic value of natural lands in their natural historic estate, including all topography, hydraulic equilibrium, and dynamic flow, flora, fauna, avian and all native inhabitants, to thereby preserve in perpetuity the sacred natural source of the bio genetic indigenous inheritance native to this geographic region. (*Citizen Petition*) (*requires majority vote*)

ARTICLE V. To see if the Town, in consideration of the current and increasing role of money in politics which threatens the democratic ideals upon which our republic was founded and in an effort to restore confidence in our democracy, will vote to pass a resolution that it is the position of the Town of Rockport that, in order to ensure that our elected officials represent us, tough new anti-corruption laws, such as the “American Anti-Corruption Act” being put forth by a grassroots, non-partisan movement known as “Represent Us,” must be enacted by Congress and the Massachusetts General Court, including legislation to prohibit politicians from taking campaign money from industries they regulate; put limits on unregulated SuperPACs and other groups; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; empower all voters through a \$100 or more tax rebate to contribute to the candidates they support; and strengthen agencies and ethics committees to enforce the rules against politicians and special interests that break campaign finance laws. And to see if the Town will further resolve to request our elected leaders US Senator Elizabeth Warren, Congressman Seth Moulton, State Senator Bruce Tarr and State Representative Ann-Margaret Ferrante to lead the effort to enact these initiatives in their respective legislative bodies and to provide each of them with a copy of this resolution; or act on anything relative thereto. *(Citizen Petition) (requires majority vote)*

ARTICLE W. To see if the Town will vote to affirm our community’s continued commitment to equity for all residents and visitors alike, regardless of immigration status, in order to preserve our historic tradition as a welcoming community and, additionally, to consider formulating a municipal policy regarding sanctuary for undocumented immigrants; or act on anything relative thereto. *(Citizen Petition) (requires majority vote)*

ARTICLE X. To see if the Town will vote to resolve that the People of the Town of Rockport declare that access to clean and affordable water is essential for life, liberty and the pursuit of happiness, both for the health of the people and for the ecological systems which support human and natural communities, and therefore, that it is the right belonging to the people of the Town of Rockport whose rights are threatened when public water systems which guarantee that access is controlled by a corporate few rather than as is currently the case that the water supply is controlled by our community itself; and further declare that privatization of the public water infrastructure constitutes a usurpation of our democratic right to make decisions about that infrastructure and that we are duty bound under the Massachusetts Constitution to prohibit such action in that public water systems and the infrastructure necessary for distribution of public water supplies within the Town of Rockport shall be owned by the Town or a municipal authority of the Town, held as part of

the public trust for the residents of Rockport and the ecosystems within the Town of Rockport; and that it shall be unlawful for public water systems and/or public water system infrastructures within Rockport to be owned by any entity other than the Town unless a proposed transfer of ownership or other financial interest in that system or infrastructure is submitted to a referendum vote and approved by Town Meeting; or act on anything relative thereto. (*Ad Hoc Water Committee*) (*requires majority vote*)

ARTICLE Y. To see if the Town will hear, receive and act upon the report of the Ad Hoc Committee on Town Water Supply appointed pursuant to the vote of the 1980 Annual Town Meeting under Warrant Article 16 and extended by votes of successive Annual Town Meetings through and including the 2016 Annual Town Meeting under Warrant Article P, and extend the term of the Committee; or act on anything relative thereto. (*Town Moderator*) (*requires majority vote*)

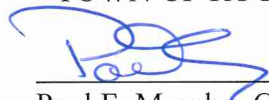
ARTICLE Z. To see if the Town will vote to accept the reports of its officers, boards, departments, committees and commissions, as printed in the 2016 Annual Town Report or as otherwise submitted to Town Meeting; or act on anything relative thereto. (*Town Moderator*) (*requires majority vote*)

And you are directed to serve this Warrant by posting attested copies of the same at each of the Post Offices, and in other public places in each village of the Town, seven days at least before the day of the holding of said ANNUAL TOWN MEETING.

Hereof fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk, three days at least before Saturday, April 1, 2017.

Given under our hands and seal of the Town this 7th day of March 2017, A.D.

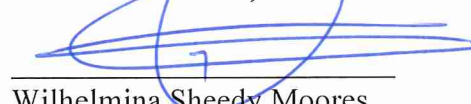
BOARD OF SELECTMEN
TOWN OF ROCKPORT



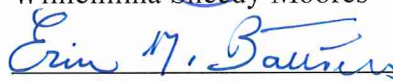
Paul F. Murphy, Chairperson



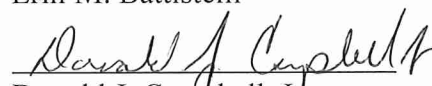
Sarah J. Wilkinson, Vice Chair



Wilhelmina Sheedy Moores



Erin M. Battistelli



Donald J. Campbell, Jr.