

LYNNFIELD TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
FALL TOWN MEETING – OCTOBER 16, 2023

Essex, ss.

To the Constable of the Town of Lynnfield in the County of Essex, 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 elections and in Town affairs, to meet at the Lynnfield Middle School auditorium, and in the Cafeteria and Gymnasium, if necessary, on Monday, October 16, 2023 at 7:00 p.m. then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, sums of money to pay overdue bills of a prior fiscal year; or to take any other action in relation thereto.

Submitted by SELECT BOARD

ARTICLE 2. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, sums of money to supplement certain accounts in the current 2024 Fiscal Year for various purposes; or to take any other action in relation thereto.

Submitted by SELECT BOARD

ARTICLE 3. To see if the Town will vote to appropriate a sum of money from Free Cash to be expended in accordance with the Massachusetts State-Subdivision Agreement for Statewide Opioid Settlement, such funds to be used to supplement and strengthen resources available to communities and families for substance use disorder prevention, harm reduction, treatment and recovery; or to take any other action in relation thereto.

Submitted by SELECT BOARD

ARTICLE 4. To see if the Town will vote to amend § 58-3 of the General Bylaws, concerning noncriminal disposition of violations, by deleting from the “Schedule of Violations, Fines and Enforcing Officers” all references to the Board of Health, its regulations and enforcement agents, and replacing them with the following:

“Section	Offense	Fine	Enforcement Agent
Board of Health Regulations	First violation	Written warning	Health Agent
	Second violation	\$100	
	Third violation	\$200	
	Fourth and subsequent		

violations \$300”;

or to take any other action in connection therewith.

Submitted by BOARD OF HEALTH

ARTICLE 5. To see if the Town will vote to accept the provisions of G.L. c. 32, § 4(2)(b), allowing reserve, permanent-intermittent or call fire fighters who are later appointed as permanent members of the fire department to receive credit for retirement purposes for their service as such reserve, permanent-intermittent or call fire fighters; or to take any other action in connection therewith.

Submitted by SELECT BOARD

ARTICLE 6. To see if the Town will vote to authorize the Select Board to file with the General Court a petition for special legislation to allow Fire Chief Glenn Davis to work past the mandatory retirement age of 65, substantially as follows:

“Section 1. Notwithstanding any general or special law to the contrary, Glenn Davis, Fire Chief of the Town of Lynnfield, may continue to serve in that position until reaching age 70, the date of his retirement or the date he is relieved of his duties by the Lynnfield Select Board at its discretion, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Select Board may, at the Town’s expense, require that Glenn Davis be examined annually by a physician designated by the Select Board to determine such physical and mental capability to perform the duties of his office.

“Section 2. No further deductions shall be made from the regular compensation of Glenn Davis pursuant to Chapter 32 of the General Laws for service subsequent to his reaching age 65. Upon his retirement for superannuation, Glenn Davis shall receive a superannuation retirement allowance equal to the allowance that he would have been entitled to receive had he retired upon reaching age 65.

“Section 3. This act shall take effect upon its passage.”

provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court, the Select Board being hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action in relation thereto.

Submitted by SELECT BOARD

ARTICLE 7: To see if the Town will vote to amend the Zoning Bylaws by:

- (a) deleting § 10.6.1 and replacing it with the following:

“10.6.1 Applicability. In residential districts, no nonconforming, non-residential building shall be externally enlarged or changed, and no non-residential use shall be expanded or changed, except in conformity with a site plan approval issued by the Board of Appeals. In all other districts, no non-residential building shall be constructed, externally enlarged, or changed, and no non-residential use shall be established or expanded, except in conformity with a site plan approval issued by the Board of Appeals. For the purpose of this section, the following uses shall be considered non-residential: uses B.3, B.4, B.5, B.6, B.7, B.9, B.10, C.1, C.2, D.17 and D.20, as set forth in the Table of Use Regulations.”

(b) deleting from § 10.6.8 the words “granted be” and replacing them with the words “be granted”, and

(c) deleting from § 10.7.2 the term “B.3” and replacing it with “B.8”;

or to take any other action in connection therewith.

Submitted by PLANNING BOARD

ARTICLE 8. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds, or from any or all such sources, a sum of money for the design, construction, furnishing and equipping of a clubhouse at the King Rail Reserve Golf Course and site work at that location; or to take any other action in connection therewith.

Submitted by SELECT BOARD

ARTICLE 9. To see if the Town will vote to authorize the Select Board, pursuant to G.L. c. 40, § 14, to purchase and record an historic preservation restriction under G.L. c. 184, §§ 31-33 with respect to the real property at 618 Main Street, Lynnfield, Massachusetts; to appropriate a sufficient sum of money for such acquisition; and to determine whether to fund said appropriation by borrowing or transferring from any available funds, which may include the sale of real estate account; or to take any other action in connection therewith.

Submitted by SELECT BOARD

ARTICLE 10. To see if the Town will vote to appropriate a sum of money for the purposes of designing, constructing, furnishing and equipping a new library and the payment of costs incidental or related thereto including, without limitation, the cost of relocating the existing library, and the costs of engineering, architectural and other services for plans and specifications, landscaping, paving and performing other site improvements incidental or directly related to such new construction; and to undertake Town commitments and pay costs incurred by the Town that are related to the library project including, but not limited to, structure demolitions, remediation of hazardous materials at various locations, relocation of one or more fuel storage tanks, construction of an alternative storage structure for golf operations, creation of a parking lot and parking spaces connected to the library parking lot, repair and deferred maintenance of the existing library structure to preserve it (but not to repurpose it for a specific

occupant), restoration of golf operations, site cleanup and preparation, and establishment of an unassigned contingency fund; and to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Submitted by BOARD OF LIBRARY TRUSTEES

ARTICLE 11. To see if the Town will vote, pursuant to G.L. c. 40, § 15A and all other applicable legal authority, to transfer from the Select Board to the Board of Library Trustees the care, custody, management and control of the land on Summer Street shown on that certain plan of land entitled “Plan of Land 175 Summer Street Lynnfield, MA” and dated July 8, 2016, a copy of which is on file in the Town Clerk’s office, consisting of 149,146 square feet, more or less, according to such plan, the Select Board having determined that such land is no longer needed for golf course purposes, provided that the Board of Library Trustees shall hold and use such land for the purpose of constructing and operating a new library building for and on behalf of the Town, and provided also that such transfer shall not take effect until (a) the Town votes to exempt from the limitation on total taxes imposed by G.L. c. 59, § 21C (Proposition 2 ½) amounts required to pay the principal of and interest on the borrowing authorized for such new library building, and (b) the Massachusetts Board of Library Commissioners provides notice of final grant approval with respect to the said project and notice of state reimbursement of eligible costs of such project; or to take any other action in connection therewith.

Submitted by BOARD OF LIBRARY TRUSTEES

ARTICLE 12: To see if the Town will vote to authorize the Select Board, pursuant to G.L. c. 40, § 14, to acquire by purchase the real property located at 1005 Summer Street, Lynnfield, Massachusetts for the purpose of expanding the Willow Cemetery; to appropriate a sufficient sum of money for such acquisition and for the purpose of incorporating such property into the cemetery, including the demolition and removal of structures; and to determine whether to fund said appropriation by borrowing or transferring from any available funds, which may include the sale of real estate account; or to take any other action in connection therewith.

Submitted by SELECT BOARD