

2013 Annual Warrant

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LYNNFIELD TOWN WARRANT

THE COMMONWEALTH OF MASSACHUSETTS

ANNUAL TOWN ELECTION - APRIL 8, 2013

ANNUAL TOWN MEETING - APRIL 29, 2013

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 in their respective polling places in said Lynnfield, on Monday, April 8, 2013 at 7:00 a.m., then and there to bring in their votes on one ballot for the choice of all necessary Town Officers for the ensuing year, chosen in this manner, viz.: one Assessor for three years; one Library Trustee for three years; one Moderator for one year; one Planning Board member for five years; one Housing Authority member for five years; two School Committee members for three years; one Selectman for three years; one Selectman for an unexpired term of one year.

The Polls in each precinct will open at 7:00 a.m., and will be closed at 8:00 p.m., on said April 8, 2013. The polling places for voters in Precincts 1, 2, 3 and 4 will be at Lynnfield High School, Essex Street, all in said Lynnfield.

And you are further directed to notify and warn the inhabitants of the Town of Lynnfield qualified to vote in elections and Town affairs, to meet in the Middle School Auditorium, Cafeteria, and the Gymnasium, if necessary, on Monday, April 29, 2013 at 7:30 p.m., then and there to act on the following articles:

ARTICLE 1. To act on reports of town officers and special committees as published.

Submitted by BOARD OF SELECTMEN

ARTICLE 2. To choose all Town officers not required to be chosen by ballot: viz.; three field drivers, one pound keeper and three wood measurers.

Submitted by BOARD OF SELECTMEN

ARTICLE 3. To see if the Town will vote to FIX THE COMPENSATION of each of the Elective Officers of the Town as required by General Laws, Chapter 41, Section 108, as amended.

Submitted by BOARD OF SELECTMEN

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds, sums of money to supplement certain accounts in the current 2013 Fiscal Year where balances are below projected expenditures for various reasons; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 5. To see if the Town will vote to appropriate a sum of money from Emergency Medical Service Enterprise Retained Earnings to defray the costs of the Emergency Medical Service Enterprise in the current Fiscal Year 2013; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 6. To see if the Town will vote to appropriate a sum of money from Golf Enterprise Retained Earnings to defray the costs of the Golf Enterprise in the current Fiscal Year 2013; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 7. 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 what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 8. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or otherwise, a sum of money for the necessary Town charges and expenses; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 9. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds or by borrowing, or from any or all such sources, sums of money for the purchase of various equipment and items in the nature of capital expenditure and to give authority to credit the value of the various old equipment to be turned in toward the purchase price of said items, said sums of money to be expended under the direction of various Town boards, committees, or officers; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 10. To see if the Town will vote to establish in its treasury a special fund in which shall be deposited such sum as may be appropriated under the provisions of G.L. c. 40, § 5H and/or c. 44, § 53I to celebrate the 200th anniversary of the incorporation of the Town of Lynnfield and the 300th anniversary of the Town of Lynnfield Meeting House and any and all sums received from the sale of commemorative items or from admission charges for commemorative ceremonies or events in connection therewith, the principal and interest of such fund to be expended upon the authorization of the Board of Selectmen pursuant to the said statutes, and further to raise and appropriate a sum of money to be deposited in such fund; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 11. To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Council on Aging, limited to a certain amount, without further appropriation during Fiscal Year 2014, to pay expenses and contractual services required to operate Senior Center Activities and field trips; said fund to be credited with all fees and charges received during Fiscal Year 2014 from persons taking part in said activities and field trips; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 12. To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Board of Health, limited to a certain amount, without further appropriation during Fiscal Year 2014, to pay expenses and contractual services required to operate the Flu Clinic; said fund to be credited with all fees and charges received, and with recovery through third party billing received, during Fiscal Year 2014 from or in connection with persons taking part in said activities; or what action it will take thereon.

Submitted by BOARD OF HEALTH

ARTICLE 13. To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Board of Library Trustees, limited to a certain amount, without further appropriation during Fiscal Year 2014, to pay expenses related to book replacement and new book acquisitions, said fund to be credited with all fines collected for the loss of library books received during Fiscal Year 2014 from persons paying such fines; or what action it will take thereon.

Submitted by BOARD OF LIBRARY TRUSTEES

ARTICLE 14. To see if the Town will vote to reauthorize the establishment of a Revolving Fund under the provisions of Chapter 44, Section 53 E-1/2, to be spent by the Recreation Commission, limited to a certain amount, without further appropriation during Fiscal Year 2014, to pay expenses and contractual services required to operate Recreation Activities and field trips; said fund to be credited with all fees and charges received during Fiscal Year 2014 from persons taking part in said activities and field trips; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 15. To see if the Town will vote to appropriate a sum of money from Emergency Medical Service Enterprise receipts to pay expenses and contractual services required to operate the emergency medical service in the Town of Lynnfield, said Enterprise Fund to be credited with all fees and charges received during Fiscal Year 2014 from persons using said service; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 16. To see if the Town will vote to appropriate a sum of money from Golf Enterprise receipts and or Golf Enterprise Retained Earnings to pay expenses and contractual services required to operate the Reedy Meadow Golf Course and King Rail Golf Course, said Enterprise Fund to be credited with all fees and charges received during Fiscal Year 2014 from persons using the golf course; or what action it will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 17. To see if the Town will vote to accept the provisions of G.L. c. 60A, § 1, ¶ 8, authorizing the Town to exempt from motor vehicle excise tax certain residents who are on active military duty outside of the country; or what action it will take thereon.

Submitted by BOARD of SELECTMEN

ARTICLE 18. To see if the Town will vote to amend the Town's Zoning Bylaws by adding a new Section 7.7 entitled "Temporary Moratorium on Medical Marijuana Treatment Centers," that would provide as follows:

7.7.1: Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana

Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Medical Marijuana Treatment Centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

7.7.2: Definition

“Medical Marijuana Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

7.7.3: Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

or what action it will take thereon.

Submitted by PLANNING BOARD

And you are further directed to serve this warrant, by posting up attested copies thereof, in at least six public places in said Town of Lynnfield, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, or before hand as aforesaid.

Given under our hands this 25th day of March in the year of our Lord two thousand and thirteen.

Robert P. MacKendrick, Chairman

David M. Nelson, Selectman