

BOARD OF SELECTMEN
AGENDA
Monday, March 20, 2017

Regular Meeting –7:30 p.m.

Al Merritt Center, 600 Market Street

****NOTE****

This meeting is being recorded and transmitted via cable television.

7:00 p.m.

Pledge of Allegiance

Review of warrant articles

Discussion of Market Street, Planning Board zoning articles

Closing of annual town meeting warrant

Public comment

| | |
|---------------------------------|---|
| Use of Town facilities: | Festival of Colors, Jordan Park; Rotary Summer Concert Series |
| Minutes: | None |
| One-day liquor licenses: | None |
| Proclamations: | None |
| Administrative matters: | Signing of warrants |

LYNNFIELD TOWN WARRANT

THE COMMONWEALTH OF MASSACHUSETTS

ANNUAL TOWN ELECTION - APRIL 10, 2017
ANNUAL TOWN MEETING - APRIL 24, 2017

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 10, 2017 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 Board of Selectmen member for three years; one Town Moderator for one year; one Board of Assessors member for three years; one Board of Library Trustee member for three years; one Board of Library Trustees member for one year remaining on an unexpired three-year term; one School Committee member for three years; one Planning Board member for five years; and one Housing Authority member for five years.

The Polls in each precinct will open at 7:00 a.m., and will be closed at 8:00 p.m., on said April 10, 2017. 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 24, 2017 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 2017 Fiscal Year where balances are below projected expenditures for various reasons; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 5. 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 connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 6. To see if the Town will accept M.G.L. Chapter 44, Section 53F $\frac{3}{4}$, to establish, a special revenue fund known as the PEG Access and Cable Related Fund to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services, oversight, and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2018, which begins on July 1, 2017, or to take any other action in connection therewith.

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, or otherwise, a sum of money for the necessary Town charges and expenses; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 8. To see if the Town will vote to raise and appropriate, or 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 to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 9. To see if the Town will vote to raise and appropriate and/or appropriate by transfer from available funds a sum of money for the town's Stabilization Fund, or what action the Town will take thereon.

Submitted by BOARD OF SELECTMEN

ARTICLE 10. To see if the Town will vote to raise and appropriate and/or appropriate by transfer from available funds a sum of money for the town's Capital Facilities Fund, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 11. To see if the Town will vote to re-establish the following Revolving Funds as provided for in Massachusetts General Laws, Chapter 44, Section 53E1/2; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

| <u>Revolving Fund</u> | <u>Purpose</u> | <u>Revenue Source</u> | <u>Authorized to Expend Funds</u> | <u>Maximum Expenditure</u> |
|-----------------------|--|--|-----------------------------------|----------------------------|
| Council On Aging | To provide programs for Seniors | Fees Collected for Sr. Center Activities and Field trips | Council on Aging | 50,000.00 |
| Board of Health | To provide services to operate Flu Clinic | Flu Clinic Fees | Board Of Health | 15,000.00 |
| Library | To address replacement of lost library books. | Lost Book Fees | Library Trustees | 10,000.00 |
| Recreation | To provide recreation activities, field trips and field maintenance. | Fees Collected from programs | Recreation Commission | 250,000.00 |
| Public Works | To provide maintenance and upkeep of athletic fields | Athletic Field Maintenance Fees | Director of DPW | 60,000.00 |
| Public Works | To provide maintenance and upkeep of Merritt Center | Rental Fees from Merritt Cultural Center | Director of DPW | 10,000.00 |

ARTICLE 12. 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 2018 from persons using said service; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 13. 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 2018 from persons using the golf courses; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 14. To see if the Town will vote, pursuant to General Laws Chapter 39, Section 15, to amend the General Bylaws by adding the following as Section XX????:

If at any town meeting a two-thirds vote is required by statute, the moderator may declare the result on the basis of a voice vote without a count, unless the moderator's declaration is challenged by seven (7) or more voters before the meeting has proceeded to the next article;

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 15. To see if the Town will vote to amend the Zoning Bylaws by adding as Section 7.7 the following:

“7.7 Marijuana Establishments Forbidden

“The operation of any marijuana establishment, as defined in G.L. c. 94G, § 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, is prohibited in all zoning districts of the Town. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.”;

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 16. To see if the Town will vote to amend the General Bylaws by adding as Chapter 170, Section 170-1, the following:

“170-1. Marijuana Establishments Forbidden

“The operation of any marijuana establishment, as defined in G.L. c. 94G, § 1, including, without limitation, a marijuana cultivator, marijuana testing

facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.”

provided that the Lynnfield Town Meeting may reasonably vary the form of the said bylaws within the within the scope of the general public objectives of this authorization;

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 17. To see if the Town will vote to amend the Zoning Bylaws by adding the following:

“7.7 Temporary Moratorium on Marijuana Establishments

“7.7.1. Purpose

“At the Massachusetts election held on November 8, 2016, the voters of the Commonwealth approved a new law which, among other things, established G.L. c. 94G, entitled ‘Regulation of the Use and Distribution of Marijuana Not Medically Prescribed.’ That statute permits ‘marijuana establishments’ to be licensed by a new Cannabis Control Commission (the ‘Commission’) throughout Massachusetts for the cultivation, testing, manufacture and sale of marijuana products. The Commission was initially to promulgate regulations concerning marijuana establishments by September 15, 2017, which date has been extended to March 15, 2018 by Chapter 351 of the Acts of 2016. The regulation of recreational marijuana raises many complex questions concerning law, planning and public safety. The Town cannot adequately address those questions until the Commission issues its regulations. The purpose of this temporary moratorium is to provide the Town time for study, reflection and decision concerning the said regulations and the challenges posed by recreational marijuana.

“7.7.2. Temporary Moratorium

“For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaws to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a ‘marijuana establishment’ as defined in G.L. c. 94G, § 1. This moratorium shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012. The moratorium shall be in effect through June 30, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana on the Town, consider the regulations to be issued by the Commission, determine whether the Town should ban any or all types of marijuana establishments within the Town, decide whether

to prohibit on-site consumption of marijuana products at marijuana establishments, and otherwise weigh its options in addressing the issues raised by recreational marijuana.

“7.7.3. Severability

“The provisions of this Section are severable. If any provision, paragraph, subsection, sentence or clause hereof, or the application thereof to any person, establishment or circumstance, shall be held invalid or illegal, such invalidity or illegality shall not affect the other provisions hereof, or the application hereof to other persons, establishments or circumstances.”,

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 18. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, 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 BOARD OF SELECTMEN

ARTICLE 19. 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 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 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 to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 20. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, a sum of money for improvements to Jordan Park, or to take any other action in connection herewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 21. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, a sum of money for engineering, design, construction, site work and other improvements to Town athletic facilities, or to take any other action in connection herewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 22. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, a sum of money for engineering, design, construction, site work and other improvements to the Middle School field and track, or to take any other action in connection herewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 23. To see if the Town will vote to vote to amend the General Bylaws by deleting Chapter 115, Section 115-C, and replacing it with the following::

“115.3.c. No person shall permit a dog or other domesticated animal owned or kept by such person, his or her agent or servant on any artificial turf field or any other athletic playing surface within the Town.”

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 24. To determine if the Town will vote to authorize the Board of Selectmen, in the name and behalf of the Town, to execute a lease of up to 99 years with the Massachusetts Bay Transportation Authority (the “MBTA”) for all or any portion of the land, premises, easements, rights-of-way and other rights in Lynnfield comprising the former Newburyport Branch railroad right-of-way acquired by the MBTA by Order of Taking dated February 16, 1977, and recorded in the Essex South District Registry of Deeds at Book 6333, Page 298, and by Supplementary Order of the District Court of the United States for the District of Massachusetts Regarding First Step of The Trustees’ Plan of Reorganization dated November 30, 1976, and recorded with said Deeds at Book 6311, Page 392, and by Indenture dated December 24, 1976 and recorded with said Deeds at Book 6311, Page 396, and by Mortgage Deed dated December 24, 1976 and recorded with said Deeds at Book 6311, Page 506, for the purposes of establishing, constructing, operating and maintaining a multi-use Rail Trail, with related facilities and improvements, for non-motorized transportation, open space and recreation purposes including walking, running, road and mountain bicycling, wheelchairs, accessible cycling equipment, inline skating, scooters, tricycles, rolling backpacks, strollers, cross-country skiing, snow-shoeing, and other forms of active and passive recreation, and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, or to take any other action in connection therewith.

Submitted by PETITION

OTHERS

Market Street
Zoning articles

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 20th day of March in the year of our Lord two thousand and seventeen.

Philip B. Crawford, Chairman

Richard P. Dalton.,Selectman

Christopher J. Barrett, Selectman

A true copy

ATTEST: _____, Constable

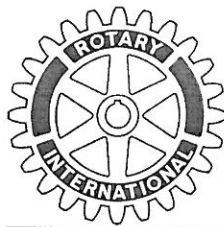
Date:

Pursuant to the within Warrant, I have this day notified and warned the inhabitants of the Town of Lynnfield as herein directed by posting nine attested copies of the Warrant in said Lynnfield seven (7) days before the time and calling of said election.

Paul Minsky
Constable

Posted at:
Center Post Office
Center Market
Lynnfield Water District
Library
Pump 'n Pantry
Senior Center
South Post Office
South Fire Station
Town Hall

c:\Lynnfield\2016ATMWarrant3.16.16



LYNNFIELD ROTARY CLUB
SINCE 1963

March 15, 2017

Mr. Phil Crawford, Chairman
Mr. Ricjard Dalton, Selectman
Mr. Chris Barrett, Selectman
Lynnfield Town Hall 55 Summer St.
Lynnfield, MA 01940

Att: James Boudreau, Town Administrator

Dear Mr. Boudreau,

As you are aware, The Lynnfield Rotary Club sponsors the long standing traditional Summer Concert Series. By all accounts, the series is very successful and entertains hundreds of local citizen each week with a variety of live musical entertainment. We look forward to continuing this Lynnfield tradition and have already confirmed our 2017 entertainment lineup. We also successfully work together with the Lynnfield Recreation Commission, who is instrumental in providing weekly entertainment for the children. With that is mind, we respectfully requests your permission to reserve the Lynnfield Common for the following Concert Series dates:

July 5 and 6*, 2017
July 12 and 13*, 2017
July 19 and 20*, 2017
July 26 and 27*, 2017

* Please note that the second date each week is listed in the event that a rain date is necessary that week.

We will require the following:

- 1) Barriers to block off the South Common Street side of the road from 5:00-8:30 p.m.
- 2) Access to outdoor electricity at the Common
- 3) Extra trash cans.

We also request permission for the following;

- 1) Posting signs at the Common's three corners and at Post Office Square advertising the concert series (we will install and remove them at the end of the series)
- 2) Hang a Banner on the Common advertising the event from the last week of June until July 31.

We will coordinate all details respectively with Chief Breen, Chief Tetreault and John Tomasz

Please feel free to contact me at 781-334-0001 or bob@thepriestleys.org with any questions. Thank you.

Sincerely,

Bob Priestley
Chairperson, Lynnfield Rotary Club Concerts on the Common Committee

Cc: Julie Mallett (Lynnfield Recreation) by email
John Tomasz (Lynnfield DPW) by email
Police Chief Breen (via email)
Fire Chief Tetreault (via email)
Luke Kimball, President, Lynnfield Rotary Club (via email)

TOWN OF LYNNFIELD PUBLIC PARKS/ GROUNDS
 FACILITIES USE PERMIT APPLICATION

LYNNFIELD COMMONS _____ JORDAN PARK _____ NEWHALL PARK _____ GLEN MEADOW PARK _____ PILLINGS POND PARK _____

Use of Town Hall Parking lot _____ cars
 Electricity _____ outlets _____ Tot lot _____ cars
 Need to block off _____
 S. Common St. _____
 Trash barrels needed _____

Parking lot for _____ cars
 Tot lot _____ cars
 Baseball field1 _____
 Baseball field2 _____
 Soccer field _____
 Tennis court1 _____
 Tennis court2 _____
 Tennis court3 _____

Use of canoe landing _____
 List of chemicals, fuels, or other potentially harmful materials to be used for this event _____

ONLY THOSE FACILITIES OR EQUIPMENT REQUESTED ON THIS APPLICATION MAY BE USED

DATE(S) WANTED 03/17/2017 4/2/17 TIME IN & OUT of Event Noon - 5 PM

ORGANIZATION Lynnfield Indian Association PURPOSE (Explain fully) A social gathering of families of Indian origin to celebrate the festival of colors (A Spring celebration)

We will _____ will not _____ be providing food/ beverages _____ We will need _____ dumpster * We expect _____ people We will need _____ hours before and _____ after event for setup and cleanup _____ We _____ will _____ will not charge admission _____ We will _____ will not _____ be providing Port-a-Potty** _____ We will _____ will not _____ need traffic barrels/signs
 * fee of \$100 per dumpster
 **to be supplied by organization

PLEASE BE AWARE OF THE FOLLOWING RULES AND REGULATIONS FOR USE OF ANY LYNNFIELD PUBLIC PROPERTY: NO USE OF TOBACCO PRODUCTS, NO ALCOHOLIC BEVERAGES ON PREMISES, AT ANY TIME. WE ASK YOU TO ANNOUNCE THESE RULES TO YOUR PATRONS EITHER ORALLY OR IN WRITING. Please initial that you have read the attached Rules & Regulations with this permit ks

USER'S PRINTED NAME SANJAY KUDRIMOTI DATE 03 09 / 2017
 ORGANIZATION Lynnfield Indian Association DAYTIME PHONE# 781-990-3525
 ORGANIZATIONS AUTHORIZED SIGNATURE K. Seay CELL PHONE# 407-342-3697
 ADDRESS (For Billing Purposes) 2 EVANS RD Town: LYNNFIELD State: MA DATE 03 / 09 / 2017
 DIRECTOR OF PUBLIC WORKS SIGNATURE _____ Zip: 01940 DATE _____ / _____ / _____

Note: All Rental Applications must be approved by the Recreation Committee before submitting to the Director of Public Work's Office.

05/07 REQUESTS MUST BE MADE AT LEAST ONE WEEK PRIOR TO THE EVENT

Note: There will be a minimum three hour charge if a DPW employee is required