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**Town of Phillipston**

**Commonwealth of Massachusetts**

**Special Town Meeting**

**Worcester, ss.**

To either Constable of the Town of Phillipston, Worcester County:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Phillipston qualified to vote in elections and town affairs to meet at the Phillipston Memorial School, 20 The Common, Phillipston, Massachusetts, on Wednesday, July 31, 2019 at 7:00 p.m. to act on the following articles:

**This hereby CERTIFIES the Special Town Meeting called to order by the Moderator, Kevin Flynn at 7:00 pm. Wednesday July 31, 2019, pursuant to a warrant duly posted and served.**

**Everyone was asked to stand for the pledge of alliance**

**A Motion was made and 2**

**to dispense with the reading of the warrant articles as they are all printed. 2nd - So Voted Unanimously**

**Article 1. TO AMEND THE NARRAGANSETT REGIONAL SCHOOL DISTRICT AGREEMENT**

To see if the Town will vote to authorize the Board of Selectmen to petition the Narragansett Regional School District to amend the Narragansett Regional School District Agreement by deleting the current Section XII, Assignment of Pupils, and replacing it with the following:

SECTION XII ASSIGNMENT OF PUPILS

Students in kindergarten through grade five (5) shall attend schools in their respective towns of residence, except as hereinafter provided. The School Committee may determine by a majority vote of the entire Committee to assign kindergarten through grade five (5) students to schools in a town other than their respective town of residence under the following circumstances: (1) in the event of an emergency which prevents use of a building in whole or part; or (2) a student requires specialized education or accommodation for a disability that cannot be provided by the school in the student’s town of residence and the parent or guardian of the student approves of the assignment.

Parents may request attendance in any of the Member Town schools through the so-called “school choice” program, subject to approval of the Superintendent.

or act in relation thereto.

**Motion made to move the article as written with the deletion of the words “or act in relation thereto.” 2nd - Passes by majority vote**

**Article 2. TO MAKE CERTAIN REVISED APPROPRIATIONS TO THE FY20 OPERATING FUNDS**

To see if the Town will vote to amend the vote taken under Article 8 of the May 8, 2019 Annual Town Meeting warrant for the purpose of adjusting line items in the FY2020 budget, and to raise and appropriate or transfer from available funds a sum of money to supplement departmental expenses as follows:

Article # Item As Voted Proposed Source

8 Highway Payroll $149,665 $159,665 Raise and Appropriate

8 Library Payroll $ 14,292 $ 16,057 Raise and Appropriate

or act in relation thereto.

**Motion made to amend the vote taken under Article 8 of the May 8, 2019 Annual Town Meeting for the purpose of adjusting line items in the FY2020 budget and Raise & Appropriate $16,420.00 to supplement departmental expenses**

**Highway Payroll - $149,665 to $159,665**

**Library Payroll - $14,292 to $16,057**

**Worcester Regional Retirement $131,977 to $136,632 for a total increase of $16,420 , 2nd**

**So Voted Unanimously**

**Article 3 TO LIMIT THE NUMBER OF MARIJUANA ESTABLISHMENTS IN THE TOWN**

To see if the Town will vote to amend the Town General By-Laws, **Article XXVI – Public Consumption or Use of Marijuana or Tetrahydrocannabinol** to rename Article XXVI **“Adult Use Marijuana”** and to insert the following language as Sections 6 and 7 within Article XXVI:

**Section 6 - Limitation on Adult Use Marijuana Retailers.** The number of Adult Use Marijuana Retailers, as defined in G.L. c.94G, §1 and 935 CMR 500.000, permitted to be located in the Town shall be limited to twenty percent (20%) of the number of year round licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold pursuant to G.L. c.138, §15.  In the event that 20% of said licenses is not a whole number, the limit shall be rounded up to the nearest whole number.

**Section 7 – Limitation on Adult Use Marijuana Establishments.** With the exception of Adult Use Marijuana Retailers, the number of licensed adult use Marijuana Establishments, as defined in 935 CMR 500.02, shall be limited as follows within the Town of Phillipston:

|  |  |
| --- | --- |
| **Type of Marijuana Establishment** | **Number Permitted** |
| Marijuana Cultivator | 1 |
| Marijuana Product Manufacturer | 1 |
| Independent Testing Laboratory | 1 |
| Marijuana Research Facility | 1 |
| Marijuana Transporter | 1 |

or act in relation thereto.

**Motion made to pass over the article, 2nd - So Voted by majority**

**Article 4. TO PETITION THE GENERAL COURT FOR SPECIAL LEGISLATION PROVIDING FOR RECALL OF ELECTED MEMBERS OF THE NARRAGANSETT REGIONAL SCHOOL DISTRICT COMMITTEE**

To see if the Town will vote to authorize the Selectboard to petition the General Court for a special act providing for the recall of elected members of the Narragansett Regional School District School Committee, which act shall be prepared by the Selectboard and shall include but not be limited to the following: an affidavit to be signed under the penalty of perjury, setting forth the grounds for recall, to be signed by no less than 50 voters of each member town; a petition form including the grounds for recall as set forth in the affidavit, and listing the names of the first five voters who signed the affidavit from each member town, to be signed by no less than 10% of the voters in the district, with no more than 7.5% of such signatures to be from one member town, and which act authorizes the holding of a district election, to be paid for by the district, at which the question of recall and the election of a successor shall be acted upon; and further that a person who resigns following the submission of a recall petition, or who is recalled from office, shall be ineligible to be appointed to a position with the regional school district for a period of one year; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Selectboard approve amendments to the bill before enactment by the General Court; and, provided further that the Selectboard is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

or act in relation thereto.

**Motion made to move the article as written with the deletion of the words “or act in relation thereto.” 2nd - Moderator calls for a standing counted vote Yes - 29 No -37**

**The Motion Fails**

**Article 5. TO DIRECT THE SELECTBOARD TO OBTAIN AN AGREEMENT FROM TEMPLETON REGARDING PHILLIPSTON ELEMENTARY SCHOOL STUDENTS**

To see if the Town will direct the Selectboard to obtain the following as a signed agreement from the Selectboard of Templeton:

“The Town of Templeton swears that it will not seek or accept monetary payments from the Town of Phillipston to help pay for their new elementary school should Phillipston students be assigned there.”

And the Town further directs that no Phillipston students shall be allowed to attend the new elementary school in Templeton unless this agreement is signed by all Templeton selectmen and notarized;

or act in relation thereto.

**Motion made to move the article as written with the deletion of the works “or act in relation thereto.” 2nd**

**Motion made to amend the main motion by deleting the second paragraph** (And the Town further directs that no Phillipston students shall be allowed to attend the new elementary school in Templeton unless this agreement is signed by all Templeton selectmen and notarized) **2nd., - Amendment passes by majority vote**

**Main motion as amended**

**“The Town of Templeton swears that it will not seek or accept monetary payments from the Town of Phillipston to help pay for their new elementary school should Phillipston students be assigned there.” - Moderator calls for a standing counted vote Yes - 46 No - 24 Motion Passes**

**Article 6. TO CREATE A CABLE ACCESS RECEIPTS RESERVED FOR APPOPRIATION ACCOUNT**

To see if the Town will vote to accept M.G.L. Ch. 44 §53F1/2 and establish an receipts reserved for appropriation to separately account for all revenues and expenditures in connection with operating cable PEG access service for Town residents through the Phillipston Cable Committee (the “Committee”) and, upon such establishment transfer all funds now held for the benefit of the Committee to said fund;

or act in relation thereto.

**Motion made that the Town vote to accept General Law Chapter 44, Section 53F ¾, which establishes a separate revenue account 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 and oversight and renewal of cable franchise agreement, consistent with the franchise agreement between the Town and its cable television licensee, effective for Fiscal Year 2020; and further, to transfer to said PEG Access and Cable Related Fund any available balance currently held for PEG purposes, and to appropriate therefrom the sum of $27,000 for salaries and $27,000 for expenses for FY2020 for the purpose of providing PEG access services and oversight and renewal of the cable franchise agreement, 2nd**

**Motion made to amend the main motion to say $27,000 for salaries and expenses, 2nd**

**So Voted Unanimously to amend**

**Main motion as amended $27,000 total for salaries and expenses - So Voted Unanimously**

**Article 7. TO SET THE PHILLIPSTON CABLE TV COMMITTEE BUDGET**.

To see if the Town will vote to appropriate a sum of money for the salaries, benefits, committee stipends and other operating expenses for FY 20 and to meet said appropriation with the receipts and revenues of the Cable Enterprise Fund;

or act in relation thereto.

**Motion made to pass over the article - 2nd - So Voted Unanimously**

**oderator asks for a motion for dissolution.**

**Motion made to dissolve the Special Town Meeting, 2nd - So Voted Unanimously at 7:43pm**