

**WARRANT
ANNUAL TOWN MEETING – APRIL 30, 2018
THE COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To any of the Constables of the Town of Carlisle in the County of Middlesex:

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 Town affairs, to meet at the Corey Building at 150 Church Street in said Carlisle on Monday, April 30th next, at seven o'clock in the evening, and thereafter continuing from day to day until completed, then and there to act on the following Articles:

CONSENT AGENDA

In an effort to streamline Town Meeting and therefore to make it more inviting to voters, the Board of Selectmen has decided to continue with the concept of the Consent Agenda. This agenda speeds the passage of Articles that the Selectmen anticipate, in consultation with the Moderator and Finance Committee, are likely to generate no controversy and can be properly voted on without debate. The purpose of the Consent Agenda is to allow these Articles to be acted upon pursuant to a single motion, and to be passed without debate.

THE TOWN WILL BE ASKED TO APPROVE THE USE OF A CONSENT AGENDA UNDER ARTICLE 1.

Should the Town approve the use of a CONSENT AGENDA, the Selectmen have voted to recommend that the following Articles be acted upon under the Consent Agenda: Articles 2, 3, 4, 5, 6, 7 and 8. The Articles to be taken up under the Consent Agenda are indicated by a double asterisk (**).

At the call of the Consent Agenda, the Moderator will call out the numbers of the Articles, one by one. If one or more voters object to any particular Article being included in the Consent Agenda, please say the word "Hold" in a loud voice when the number is called. The Article will then be removed from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of the individual Articles in the

Consent Agenda, the Moderator will entertain a SINGLE MOTION that all items remaining on the Consent Agenda be acted upon favorably by the voters.

Please carefully review the list of proposed Articles, which appears in the printed Warrant Book that is mailed to each home. If you have any questions about the Consent Agenda or procedure, please contact the Town Administrator at 978-371-6688 before Town Meeting.

ARTICLE 1 – Consent Agenda: To see if the Town will vote to adopt certain procedures to govern the conduct of the 2018 Annual Town Meeting, or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: The Selectmen have voted unanimously to support Article 1, the Consent Agenda procedure, inclusive of the main motions under Articles 2 through 8. The Consent Agenda is a procedure that bundles routine Articles under one motion for a single vote in order to save time for debate for other Articles.

Finance Committee: Recommends approval of the Consent Agenda procedure, inclusive of the main motions under Articles 2 through 8.

ARTICLE 2 - Town Reports:** To hear and act upon the reports of Town Officers, Boards, Committees, Commissioners, and Trustees, or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: M.G.L. c. 40, §49 requires that the Board of Selectmen publish an Annual Town Report containing reports and information from all Town Departments. Town Meeting is asked to accept the annual report as a routine matter.

ARTICLE 3 - Salaries of Elected Officials **: To see if the Town will vote to fix the salaries of the elected officers of the Town, as provided by M.G.L. c. 41, §108, as amended, for the Fiscal Year 2019, beginning July 1, 2018, or to take any other action related thereto.

	Voted FY'17	Voted FY'18	Recommended FY'19
	_____	_____	_____
Moderator	\$50	\$50	\$50
Town Clerk	\$60,734	\$61,949	\$63,188
Assessors - Chairman	\$100	\$100	\$100

Second Member	\$100	\$100	\$100
Third Member	\$100	\$100	\$100

(BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: M.G.L. c. 41, §108 requires that the salaries of all elected officials be set by Town Meeting. The Moderator and the members of the Board of Assessors receive a stipend; the Town Clerk is the only elected official that is paid a salary.

ARTICLE 4 – Actuarial Valuation of Post-Employment Benefits:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be spent by the Board of Selectmen for professional services in connection with GASB 45 actuarial valuation of post-employment benefits for the Town, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: This Article plans for and budgets a percentage of the cost of the actuarial valuation that the Treasurer must do every two years. Historically, we have appropriated \$3,000-4,000 annually. The Finance Committee recommends an appropriation of \$3,000 for FY2019.

ARTICLE 5 – Revaluation **: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be spent by the Board of Assessors for professional services and other related expenses in connection with revaluation of real estate and personal property in the Town, or take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: The Selectmen/Finance Committee annually recommend raising and appropriating \$5,000 to be spent by the Board of Assessors for professional services connected with the revaluation. The Assessors must revalue the real estate and personal property located in the Town every five years. This Article plans for and budgets a percentage of the cost of the revaluation, in each of the years leading up to the revaluation.

ARTICLE 6 – Real Estate Tax Exemption **: To see if the Town will vote to authorize the Board of Assessors, pursuant to M.G.L. c. 59, §5 (clause 41C), to grant an additional real estate tax exemption of up to one hundred percent (100 %) of the amount permitted by this statute, or to take any other action related thereto. (BOARD OF SELECTMEN/BOARD OF ASSESSORS)

Summary: Town Meeting is asked to annually reauthorize the Board of Assessors to grant the maximum real estate tax exemption allowable under statute to qualified applicants, e.g., seniors, veterans and the disabled.

ARTICLE 7 - FY 2019 Chapter 90 Authorization:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be used for reconstruction and improvements of public ways, as provided for under the provisions of M.G.L. c. 90, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: The Commonwealth of Massachusetts funds roadway repairs pursuant to M.G.L. c. 90. The DPW will expend FY19 Chapter 90 funds for roadway improvements on a portion of North Road, Patch Meadow Lane, and Pine Brook Road.

ARTICLE 8- Department Revolving Funds Authorization:** To see if the Town will vote to amend Article XVI, of the Town Bylaw, Revolving Funds, in order to reauthorize certain revolving funds in accordance with M.G.L. c. 44, §53E1/2, as amended by Section 86 of Chapter 218 of the Acts of 2016, and to set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2019, or to take any other action in relation thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: M.G.L. c. 44, §53 E1/2 requires annual reauthorization of departmental revolving funds which are self-supporting and pay for departmental expenses from user fees and charges.

ARTICLE 9 – Fiscal Year 2018 Budget Transfers: To see if the Town will vote to transfer sums of money into various line items of the Fiscal Year 2018 operating budget from other line items of said budget, from unexpended funds in various accounts or from other available funds. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Transfer from:

01913 Unemployment Insurance	\$30,000
01129 Town Administrator Expense	6,531
01129 Town Administrator Housing Coord.	20,000
01950 Police Encumbrance	303
01950 Library Building Encumbrance	250
01950 Unemployment Encumbrance	1,980
Free Cash	<u>184,978</u>
Total	\$244,042

Transfer to:

01423 Snow and Ice	\$73,000
01919 Blanket Insurance	15,000
01920 Reserve Fund	98,550
01210 Police Salaries	25,000
01299 Communications Salaries	25,137
01207 Vocational School Transportation	<u>7,355</u>
Total	\$244,042

Summary: This Article would permit the Town to transfer funds from line items running a surplus this fiscal year to other line items currently running a deficit in order to balance the operating budget at Fiscal 2018 year end.

Finance Committee: Recommends approval

ARTICLE 10 – Rescind Authorized but Unissued Debt: To see if the Town will vote to rescind the following unissued debt authorizations, or to take any other action in relation thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: Passage of this Article would allow the Town to do some fiscal “housecleaning” by rescinding excess or unused debt authorizations for projects that are now completed or have been cancelled.

Finance Committee: Recommendation deferred until Town Meeting.

ARTICLE 11 – FY19 Operating Budget: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to fund the various departments, boards, commissions, and operating expenses of the Town for the Fiscal Year 2019, beginning July 1, 2018, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Article 11

	FY 2018 Budget	FY 2019 FinCom Recommended Budget
General Government	1,317,118	1,421,239
Protection of Persons & Property	2,612,045	2,747,506
Board of Health	108,537	108,030
Public Works	1,180,414	1,195,757
Public Assistance	227,879	234,250
Education	18,805,118	18,727,541
Library	619,898	626,269
Recreation	177,172	189,023
Insurance & Benefits	1,690,000	1,877,000
Unclassified	152,000	152,000
County Retirement	877,464	932,452
Long Term Debt	1,479,024	1,645,816

Total	<u>29,246,669</u>	<u>29,856,883</u>
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General Government

	FY 2018	FY 2019
	Budget	FinCom
	Budget	Recommended
	Budget	Budget
General Government		
General Expense & Town Hall	795,338	819,515
Citizen Recognition	275	275
Treasurer/Collector	177,993	237,805
Town Clerk	79,967	81,511
Registrars & Elections	19,479	19,784
Assessors	142,549	146,749
Planning Board	101,517	112,100
Energy Task Force	0	3,500
sub-total	<u>1,317,118</u>	<u>1,421,239</u>

Protection of Persons and Property

	FY 2018	FY 2019
	Budget	FinCom Recommended
	Budget	Budget
Protection of Persons & Property		
Police	1,559,997	1,607,315
Fire	517,460	547,152
Communications	351,986	399,983
Conservation	120,933	133,168
Dog & Animal Control	15,274	15,274
Inspectional Services	36,395	37,114
Street-Lighting	10,000	7,500

Sub-total

2,612,045

2,747,506

Board of Health

Board of Health

FY 2018 Budget	FY 2019 FinCom Recommended Budget
108,537	108,030

Public Works

Public Works
DPW (incl. trees)
Snow & Ice
Transfer Station
Road Maintenance
sub-total

FY 2018 Budget	FY 2019 FinCom Recommended Budget
761,529	776,872
65,785	65,785
264,684	264,684
88,416	88,416
1,180,414	1,195,757

Public Assistance

Public Assistance

Youth Commission
Council on Aging
Veteran's Agent and Benefits
sub-total

FY 2018 Budget	FY 2019 FinCom Recommended Budget
3,709	3,783
212,570	218,867
11,600	11,600
227,879	234,250

Education

	FY 2018 Budget	FY 2019 FinCom Recommended Budget
Education		
Carlisle Public Schools	10,946,247	11,209,266
CCRS	6,463,043	6,273,161
CCRS debt service	1,320,380	1,140,546
Vocational schools, including debt service	75,448	104,568
sub-total	18,805,118	18,727,541

Library

	FY 2018 Budget	FY 2019 FinCom Recommended Budget
Library	619,898	626,269

Recreation

	FY 2018 Budget	FY 2019 FinCom Recommended Budget
Recreation	177,172	189,023

Insurance & Benefits

	FY 2018	FY 2019 FinCom Recommended

	<u>Budget</u>	<u>Budget</u>
Insurance & Benefits		
Blanket Insurance	220,000	220,000
Group Insurance	1,120,000	1,232,000
Contribution to OPEB Trust	300,000	375,000
Unemployment Insurance	50,000	50,000
sub-total	<u>1,690,000</u>	<u>1,877,000</u>

Unclassified

	<u>FY 2018</u>	<u>FY 2019</u>
	<u>Budget</u>	<u>FinCom Recommended</u>
	<u>Budget</u>	<u>Budget</u>
Unclassified		
Interest, fees, & costs	1,000	1,000
Public Celebrations	1,000	1,000
Reserve Fund Balance	150,000	150,000
sub-total	<u>152,000</u>	<u>152,000</u>

County Retirement

	<u>FY 2018</u>	<u>FY 2019</u>
	<u>Budget</u>	<u>FinCom Recommended</u>
	<u>Budget</u>	<u>Budget</u>
County Retirement	<u>877,464</u>	<u>932,452</u>

Long Term Debt Service

	<u>FY 2018</u>	<u>FY 2019</u>
	<u>Budget</u>	<u>FinCom Recommended</u>
	<u>Budget</u>	<u>Budget</u>

Long Term Debt

1,479,024

1,645,816

Finance Committee: Recommends approval

ARTICLE 12 – CAPITAL EQUIPMENT: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum of money to be used for capital equipment, or take any other action related thereto. (LONG TERM CAPITAL REQUIREMENTS)

Long Term Capital Requirements

FY'19

Department	Project/Program	Amount	Appropriation Expires
Town Hall	Technology Upgrades	\$8,000	June 30, 2021
Carlisle Public School	Technology Replacement	\$80,000	June 30, 2021
Carlisle Public School	Annual Maintenance	\$25,000	June 30, 2021
Carlisle Public School	Safety/security improvements– Phase 2	\$21,000	June 30, 2021
Carlisle Public School	Wilkins Bldg bathroom floor tile	\$30,000	June 30, 2021
Gleason Library	Technology	\$4,000	June 30, 2021
Gleason Library	Repairs/Services	\$5,000	June 30, 2021
Police	Computer Replacement	\$8,000	June 30, 2021
Police	Cruiser	\$79,300	June 30, 2021
Police	Automated External Defibrillators (6)	\$13,800	June 30, 2021
DPW	New Generator	\$36,000	June 30, 2021
DPW	Solid Waste Compactor (2)	\$19,155	June 30, 2021
Fire	Station Maintenance	\$5,000	June 30, 2021
Fire	Computer Replacement	\$2,500	June 30, 2021
Fire	Car 2 Replacement (4WD SUV)	\$48,000	June 30, 2021

Fire	Ambulance Replacement	\$300,000	June 30, 2021
	TOTAL	\$684,755	

Summary: This Article provides for capital equipment/projects for the Town's Departments that are part of the Town's Capital Plan.

Finance Committee: Recommends approval

ARTICLE 13 - MUNICIPAL FACILITIES: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$387,111.00 for facilities maintenance and improvement projects to the: Town Hall, Public School facilities, Fire Station, Police Station, Gleason Public Library and Department of Public Works facilities, all such projects to be completed by June 30, 2021, said projects may include, but shall not be limited to the following: (BOARD OF SELECTMEN/MUNICIPAL FACILITIES COMMITTEE)

Project	Estimated	Site	Note
Repair or Replace - exterior wall/clapboard, insulation, eave, soffit, fascia, gas main lean-to, weather and draft proofing	19,277	TH	1, 2
Heat Cables to defer Ice Dams	10,000	TH	2
Reconfigure - roof drainage discharge	4,000	FS	1
Repair - basement wall spalling, block	1,500	FS	1
Repair - overhead door trim, seals	5,250	FS	1
Paint, Caulk, Repair - exterior doors, trim, block, retaining wall	5,098	FS	1
Replace - Carpet	4,447	FS	1
Expand or Upgrade - fire alarm system	2,500	FS	2
Remove or Address - underground fuel tanks	10,000	FS	1, 2, 4
Trailer for Growth/Accessibility	120,000	FS	1, 2, 4
Repair - cracking and corrosion in foundation wall	1,500	PS	1
Reconfigure - roof drainage	6,724	PS	1

Paint, Caulk, Repair, Replace - exterior doors, trim, windows, clapboard, screens	9,636	PS	1
Repair - air conditioning	1,000	PS	1
Replace - fan coil unit AC to handle E911	7,500	PS	4
Reconfigure - accessible parking and route to entry	2,500	PS	1
Design - reconfigured sally port, garage, booking area	27,833	PS	2, 3
Design - reconfigured public entry and secure perimeter	54,428	PS	2, 3
Replace - windows, caulking	2,861	DPW	1
Replace - garage bay ventilation	5,685	DPW	1
Replace - vehicle service bay exhaust system	24,879	DPW	1
New storage containers	10,000	DPW	2, 4
Contingency for all Projects (15%)	50,493	All	2
Total	\$387,111		
Notes/Sources			
1 - TBA Architects, Inc. Existing Conditions Report and Program Analysis, March 3, 2017			
2 - Municipal Facilities Committee, Discussion, Meetings, and Minutes, through March 30, 2018			
3 - TBA Architects, Inc. - Design Estimate - October 24, 2017			
4 - Industry Estimate			

Summary: This Article will be presented by the Municipal Facilities Committee which was formed this past year to investigate the Town's needs in terms of maintenance and repairs to the Town's major facilities. This Article seeks \$387,111 in funding for several projects, many of which have been long-deferred and are much needed.

Finance Committee: Recommendation deferred until Town Meeting.

ARTICLE 14 – Animal Control Bylaw – To see if the Town will vote to amend the General Bylaws by inserting a new Section 14.6, Animal Control Bylaw as follows:

TOWN OF CARLISLE

Section 14.6 Animal Control Bylaw

14.6.0 Purpose

Pursuant to the authority set forth in Chapter 140, Sections 136A through 174E of the General Laws and any other relevant statutes and regulations issues pursuant thereto, the following requirements are adopted for the regulation of dogs within the Town of Carlisle.

14.6.1 Definition of Terms

The definitions of words and terms set forth in Chapter 140, Section 136A of the General Laws are incorporated into this Section 14.6, Animal Control Bylaw, and shall be applicable to the interpretation thereof. In addition, unless context clearly indicates otherwise, the following words and terms, as used in this bylaw, shall have the following meanings:

- 14.6.1.1 DOGS: All animals of the canine species, both males and females, and of any age.
- 14.6.1.2 DOG UNDER CONTROL: A dog that is (1) physically controlled by a person by means of a leash, cord or chain held by the person, or (2) a dog that is contained within a physical or electric fence; or (3) a dog that is at all times within sight of their person, is actively monitored by that person, and that at all times immediately responds to a recall command by their person.
- 14.6.1.3 RUNNING AT LARGE: A dog is running at large if it is not on the private property of its owner or keeper, or on private property with the express permission of that property's owner, or is otherwise not a Dog Under Control as defined above.

14.6.2 Responsibility of Dog Owner or Keeper

- 14.6.2.1 No dog owner or keeper shall permit the dog to become or remain a nuisance dog or a dangerous dog, as those terms are defined and used in Chapter 140 Sections 136A and 157 of the General Laws.
- 14.6.2.2 Every dog owner or keeper shall be responsible for expeditiously removing any feces that the dog deposits anywhere except on its owner's or keeper's private property, or on other private property with the property owner's permission.
- 14.6.2.3 The owner or keeper shall annually license his/her dog in accordance with Section 14.6.3 of this bylaw.

14.6.2.4 Control Provisions

An owner or keeper of a dog within the territorial limits of the Town of Carlisle shall not allow such a dog to be Running at Large. When outside of the boundaries of the premises of the owner/keeper or the premises of another person with their express

knowledge and permission, the owner/keeper or their duly authorized agent of said dog shall ensure that the dog is a Dog Under Control using one of the methods described in Section 14.6.1.2 of this bylaw.

14.6.3 Licenses

14.6.3.1 In accordance with Chapter 140, Section 137 of the General Laws, the owner or keeper of a dog within the Town shall cause the dog to be initially licensed when it attains the age of six months and annually thereafter. Proof of a currently valid rabies vaccination shall be required prior to the issuance of any license.

14.6.3.2 The annual licensing date shall be January 1st of any year.

14.6.3.3 The Town Clerk shall, pursuant to Chapter 40, Section 22F of the General Laws, from time to time fix reasonable annual fees to be charged for the issuance of licenses for dogs. At the adoption of these bylaws, the annual licensing fee shall be fixed at \$15 for a spayed/neutered dog and \$20 for an intact dog. These fees shall not be increased without a majority vote of the voters present at a Town Meeting.

14.6.3.4 The Town Clerk shall, pursuant to Chapter 40, Section 22F of the General Laws, from time to time fix reasonable annual fees to be charged for the issuance of licenses for kennels.

14.6.3.5 The Town Clerk shall be responsible for the issuance of all licenses related to this bylaw.

14.6.3.6 Any person who is the owner or keeper of a dog in the Town of Carlisle, and who fails to license said dog by April 1st of any year, shall be subject to a late fee of twenty-five dollars (\$25.00) to be payable, in addition to the license fee. The license fee and the late fee(s) may be secured through the imposition of a municipal charges lien on any property standing in the name of the dog owner or keeper, pursuant to Chapter 40, Section 58 of the General Laws.

14.6.4 Commercial Dog Walkers

14.6.4.1 Except in accordance with an annual permit issued by the Board of Selectmen or its designee, no person shall act as a Commercial Dog Walker in the Town of Carlisle. For purposes of this section, a Commercial Dog Walker shall mean a person engaged in the business of exercising or handling dogs owned by another using public land, and who receives compensation for this work. Provided, however, that this definition shall exclude elementary, middle, high school and college students who are Carlisle residents providing dog walking services for a fee, but such persons shall be prohibited from exercising or handling more than two dogs simultaneously. The permit issued under the authority of this section shall be non-transferable and the fee therefor shall be non-refundable. The fee for such permit shall be established by the Board of Selectmen.

14.6.4.2 The permit issued under this section shall be comprised of two parts, a permit which the Commercial Dog Walker shall carry upon his or her person, and a placard that shall be

displayed in the Commercial Dog Walker's vehicle. The permit shall state the number of dogs that the Commercial Dog Walker is licensed to walk at any one time, provided, however, that such number shall not exceed five dogs. Permits shall not be granted under this section unless the Commercial Dog Walker agrees that he/she shall indemnify and hold harmless the Town of Carlisle from any and all loss, liability, damage or cost incurred related to the permit holder's activities or the activities of dogs under his/her care. No more than three commercial dog walker licenses will be issued to any one dog walking business.

14.6.4.3 In addition to any conditions imposed by the Board of Selectmen for use of a commercial dog walker permit, the following conditions shall apply:

14.6.4.3.1 All dog waste shall be cleaned up and properly disposed of.

14.6.4.3.2 All dogs walked shall wear a current license and rabies tag. If the dog is too young to be licensed, the Commercial Dog Walker shall provide, at the request of an enforcing authority, proof of vaccinations.

14.6.4.3.3 The Commercial Dog Walker shall carry one leash for each dog being walked.

14.6.4.3.4 Each coupler leash used by an owner or walker shall count as multiple leashes based on the number of clips attached to the dog collars.

14.6.4.3.5 All requirements of Sections 14.6.2.1, 14.6.2.2, and 14.6.2.4 shall apply to Commercial Dog Walkers.

14.6.4.4 The Board of Selectmen may adopt, and periodically amend, rules and regulations to effectuate the purposes of this Section 14.6.4 of the Animal Control Bylaw. Failure of the Board of Selectmen to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Section 14.6.4 of the Animal Control Bylaw.

14.6.5 Violations and Penalties

14.6.5.1 The failure of the owner or keeper of any dog or pet to comply with this bylaw or with any order of the Animal Control Officer or the Board of Selectmen shall be a violation of this bylaw.

14.6.5.2 The failure of the owner or keeper of any dog to comply with the registration and license requirements provided in this Section 14.6 of the bylaws and in Chapter 140, Sections 136A through 174E of the General Laws shall be a violation of this bylaw.

14.6.5.3 The failure of a Commercial Dog Walker to comply with the requirements of Section 14.6.4 shall be a violation of this bylaw. In addition to any other remedy provided herein, the Board of Selectmen, or its designee, may for cause suspend for a period of time or revoke a permit issued under Section 14.6.4 following a hearing.

14.6.5.4 In addition to any other remedy provided by law, this Section 14.6 of the bylaws may be enforced by the Animal Control Officer, or any police officer of the Town, or the Board

of Selectmen, through any means available in law or equity, including but not limited to criminal indictment in accordance with Chapter 40, Section 21 of the General Laws, noncriminal disposition in accordance with Chapter 40, Section 21D of the General Laws and Section 1.4.2 of these bylaws entitled “Non-criminal Disposition”, and, in instances of a violation of a nuisance dog or dangerous dog order issued pursuant to Chapter 140, Section 157 of the General Laws, in accordance with Chapter 140, Section 157A of the General Laws, as may be amended from time to time.

14.6.5.4.1 When enforced in accordance with Chapter 40, Section 21 of the General Laws, the maximum penalty shall be \$300 and each day a violation exists shall constitute a separate violation.

14.6.5.4.2 When enforced by the Animal Control Officer or the police officer of the Town through non-criminal disposition, the penalties shall be as follows:

First Offense:	\$50
Second Offense:	\$150
Third and subsequent offense:	\$300

14.6.5.4.3 Violation of Nuisance Dog or Dangerous Dog Order.

An owner or keeper of a dog who fails to comply with an order of the Selectmen or district court issued pursuant to Chapter 140, Section 157A of the General Laws shall be punished as provided in that statute.

14.6.6 Animal Control Officer

14.6.6.1 The Board of Selectmen shall appoint an Animal Control Officer pursuant to Chapter 140, Sections 151 and 151A of the General Laws. The Animal Control Officer’s duties shall include the enforcement of the Town of Carlisle’s Animal Control Bylaw, Section 14.6, and all applicable provisions of Chapter 140, Sections 136A through 174E of the General Laws.

14.6.6.2 The Animal Control Officer shall make a written record of and investigate all complaints arising within the Town pertaining to violations of any provision of this bylaw, Section 14.6, or to violations pertaining to Chapter 140, Sections 136A through 174 of the General Laws and any relevant State or local regulations. The Animal Control Officer shall report his or her findings to the Board of Selectmen.

14.6.6.3 Record Keeping

The Animal Control Officer shall keep accurate, detailed records of the confinement and disposition of all dogs held in custody, all bite cases reported, and the results of investigations. The Animal Control Officer shall maintain a telephone log of all calls received regarding dogs and submit a quarterly report summarizing the log to the Board of Selectmen.

14.6.6.4 Issuance of Temporary Restraint Orders

The Animal Control Officer may issue a Temporary Restraint Order to the owner or keeper of any dog that is alleged to be a nuisance dog or a dangerous dog and is awaiting a decision under Section 14.6.7. A Temporary Restraint Order shall be in force for no more than thirty (30) days unless the Animal Control Officer renews it in writing for subsequent thirty (30) day periods. The Animal Control Officer may rescind or stop renewing the order when, in the Animal Control Officer's judgment, restraint is no longer required. The Animal Control Officer's order shall expire upon receipt of a decision from the Board of Selectmen on the nuisance dog or dangerous dog hearing.

14.6.6.5 Issuance of a Temporary Confinement Order

The Animal Control Officer may make arrangements for the temporary housing of any dog that requires such temporary housing, and may issue an Order of Temporary Confinement authorizing such temporary housing. The housing may be at local veterinary clinics, or at dog kennels within the Town or neighboring towns, and shall be at the dog owner's or keeper's expense.

14.6.6.6 Impoundment

It shall be the duty of the Animal Control Officer to apprehend any dog found to be in violation of Section 14.6.2.4 of this bylaw and to impound such dog in a suitable place or to order the owner or keeper thereof to restrain such dog.

14.6.6.7 Charges for Confinement and Impounding

If the Animal Control Officer impounds a dog found in violation of Section 14.6.2.4 or issues a Order of Temporary Confinement pursuant to Section 14.6.6.5 and the dog owner or keeper does not pay all fees directly to the kennel, veterinary clinic, or dog boarding facility, then the dog's owner or keeper shall be required to reimburse the Town for any expenses incurred in housing that dog. If the dog has not been licensed as required pursuant to this bylaw, the owner or keeper shall immediately apply to the Town Clerk to obtain a license, submit payment for the license fee, and pay any applicable late fees, and said dog shall not be released from confinement unless and until the issuance of a valid license, which shall not be unreasonably delayed or withheld.

14.6.6.8 Notice to Owner and Redemption

The Animal Control Officer shall, in matters of impoundment or confinement, impoundment or confinement fees, and redemption of impounded or confined animals,

carry out his/her duties in accordance with Chapter 140, Sections 151 and 151A of the General Laws, and any amendments thereto.

14.6.7 Board of Selectmen to Serve as the Hearing Authority

Any person may file a complaint in writing to the Board of Selectmen that a dog owned or kept in the Town is a nuisance dog or a dangerous dog. All such complaints shall be investigated and addressed in accordance with Chapter 140, Section 157 of the General Laws.

14.6.8 Disposition of Funds

The sums collected pursuant to this bylaw shall be accounted for and paid over to the Town Treasurer.

14.6.9 Severability

In the event that the Massachusetts Attorney General or a court of competent jurisdiction deems any provision or section of this bylaw invalid or unenforceable, all other provisions shall remain in full force and effect. (BOARD OF SELECTMEN)

Summary: Last year, the Board of Selectmen appointed an ad hoc committee to investigate various dog issues. This Article, which is a proposed new general bylaw, is the product of that ad hoc committee's efforts. The proposed new Animal Control Bylaw would place the Animal Control Officer (an existing position) under the jurisdiction of the Selectmen rather than the Police.

ARTICLE 15 – Special Appropriations: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be expended by the Board of Selectmen to conduct studies, provide services and facilitate projects for the following departments:

<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
Council on Aging	\$6,500	Social Worker
Assessors	\$5,000	Assessors' Maps updates
Treasurer/Accountant	\$3,500	Financial Consulting

or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: This Article would permit special appropriations outside of the Town operating budget for consultants' services.

Finance Committee: Recommends approval

ARTICLE 16 – PEG (Public, Educational, Government) Local Access Appropriation: To see if the Town will vote to appropriate the sum of \$125,000.00 from the (Public, Educational, Governmental) PEG Local Access Receipts reserved for appropriation special revenue account for the purpose of providing local cable access services, equipment and programming for the Town of Carlisle, or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: The General Laws require us to deposit all revenue we receive under the subscriber provisions of our license agreement with Comcast into a special revenue fund for PEG Local Access and then withdraw funds as necessary at a Town Meeting. Historically, the Town has contracted for local cable access programming with Concord-Carlisle Community Television (CCTV). There have been discussions of possibly using a different provider but nevertheless, any funds to be used for local access programming can only be accessed at a Town Meeting.

Finance Committee: Recommends approval

ARTICLE 17 – Approve/Fund Collective Bargaining Agreements: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund a successor collective bargaining agreement between the Town of Carlisle and the Carlisle teachers' collective bargaining unit, or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: Town Meeting must approve the funding of all collective bargaining agreements and this Article would do so for an agreement between the CPS Teachers and the Carlisle School Committee in the event that there is a tentative agreement prior to Town Meeting.

Finance Committee: Recommendation deferred until Town Meeting.

ARTICLE 18 – Accept M.G.L. c.90, § 17C (Speed Limits): To see if the Town will vote to accept M.G.L. c.90, §§ 17C and 18B (Speed Limits), or to take any other action in relation thereto. (BOARD OF SELECTMEN)

Summary: This Article would accept State enabling legislation under the Municipal Modernization Act that would allow the Board of Selectmen to set speed limits in certain designated areas. Passage of this Article would not change any current speed limits – it would only give the Selectmen the authority to do so. The Board would not make any changes to current speed limits without a public hearing.

ARTICLE 19 – Capital Funding - Technology: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, the sum of \$25,000.00 to fund technology capital projects, or to take any other action related thereto. (BOARD OF SELECTMEN)

Summary: This Article would continue funding technology capital projects at the Town Hall which in recent years have included: relocation of the Town Hall data center, a new web site design, a new email/calendaring platform and a public GIS viewer in the Assessors Department.

Finance Committee: Recommends approval

ARTICLE 20 – CPA Annual Recommendations: To see if the Town will vote to act on the report of the Community Preservation Committee and to appropriate or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds and to authorize the Board of Selectmen and Conservation Commission to enter into all agreements and execute any and all instruments necessary to acquire, convey, or accept as the case may be, appropriate historic preservation restrictions for historic resources and conservation restrictions for open space, in accordance with Chapter 184 of the General Laws, to be in compliance with the requirements of Chapter 44B, Section 12 of the General Laws of the Commonwealth, and to take any other action related thereto. (COMMUNITY PRESERVATION COMMITTEE)

I move that the Community Preservation Committee recommendations for transfers and expenditures for Fiscal Year 2019 be approved as follows:

Motion 1 - FY '19 CPA APPROPRIATIONS:

That the following amounts be appropriated from the Fiscal Year 2019 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

- a. Fifty-Five Thousand Nine Hundred Dollars (\$55,900) be appropriated to the Community Housing Reserve Fund.
- b. Fifty-Five Thousand Nine Hundred Dollars (\$55,900) be appropriated to the Historic Reserve Fund.
- c. Fifty-Five Thousand Nine Hundred Dollars (\$55,900) be appropriated to the Open Space Reserve Fund
- d. Two Thousand Five Hundred Dollars (\$2,500) be appropriated for Administrative Expenses
- e. Three Hundred Eighty-Eight Thousand Eight Hundred Dollars (\$388,800) be appropriated to the fiscal year 2019 Community Preservation Budget Reserve account.

Motion 2 – (FYs '11, '15, and '16):

That the Town extend the expiration dates in the appropriations made in three prior Town Meeting votes as follows:

- a. from June 30, 2018 to June 30, 2020, in the appropriation approved by Article 21, Motion 4 of the 2011 Annual Town Meeting to the Carlisle Trails Committee.
- b. from June 30, 2018 to June 30, 2020 in the appropriation approved by Article 14, Motion 7 of the 2015 Annual Town Meeting to the Carlisle Affordable Housing Trust.

- c. from June 30, 2018 to June 30, 2020 in the appropriation approved by Article 19, Motion 4 of the 2016 Annual Town Meeting to the Carlisle Conservation Commission.

Motion 3 - (FY '18):

That Fourteen Thousand (\$14,000) be appropriated effective immediately after Town Meeting vote from the Historic Reserve Fund to the Carlisle Historical Society for the installation of a heat pump system to serve the exhibit rooms and conference room on the first floor, allowing the Society to display and store all artifacts entrusted to the Society in a controlled environment generally meeting modern museum standards, and that such sums may be expended by the Carlisle Historical Society pursuant to the terms of the Town of Carlisle Community Preservation Grant Agreement #2018-001, and further that any portion of such sums not expended by June 30, 2020, shall be returned to the Community Preservation Historic Reserve Fund.

Motion 4 - (FY '18):

That Sixteen Thousand (\$16,000) be appropriated effective immediately after Town Meeting vote from the Historic Reserve Fund to the Carlisle Conservation Commission for the drilling of a modern well to serve the 100-year-old Bog House, including well casing, pump, power and water conduit to the Bog House, and pressure tank connecting to the existing plumbing in the house, and that such sums may be expended by the Carlisle Conservation Commission pursuant to the terms of the Town of Carlisle Community Preservation Grant Agreement #2018-002, and further that any portion of such sums not expended by June 30, 2020, shall be returned to the Community Preservation Historic Reserve Fund.

Summary: This Article authorizes the appropriation of funds from the Community Preservation Fund as recommended by the Community Preservation Committee. State law requires that a minimum of 10% of the annual revenues of the Community Preservation Fund be either appropriated to or reserved for future spending for each of three categories: Community Housing, Historic Preservation and Open Space purposes. The first motion allocates 10% of the expected annual revenues for next fiscal year to Reserve Funds for future projects in each of the State-mandated categories, plus \$2,500 for Administrative Expenses. The balance of the expected revenues is allocated to a general Budget Reserve for Community Preservation purposes. The remaining motions allocate monies from the various Reserve Funds for the completion of specific projects as listed in each Motion and allowed under the Community Preservation Act. The proposed project appropriations will be subject to grant agreements. Summaries of those grant agreements can be found immediately following the Annual Town Meeting Warrant. The complete text of the grant agreements can be found on the Town Meeting page of the Town's website at: www.carlislema.gov. Under State Law, Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Community Preservation Committee.

Finance Committee: The Finance Committee takes no position on Article 20.

ARTICLE 21 – Amend Section 5.11 of the Carlisle Zoning Bylaws, entitled Temporary Moratorium on Marijuana Establishments, to read as follows:

5.11 Temporary Moratorium on Marijuana Establishments

5.11.1 Purpose. By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, manufacture, processing, distribution, sale, possession, testing and use of marijuana. The law provides that it is effective on December 15, 2016, and that a new State agency, the Cannabis Control Commission (CCC), is required to issue regulations regarding implementation by March 15, 2018.

The regulation of such Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to consider and address these issues, as well as the potential impact of the forthcoming Cannabis Control Commission regulations, by means of a comprehensive planning process to consider amending the Zoning Bylaw to regulate Marijuana Establishments. The temporary moratorium provided in Section 5.11.3 is intended to allow sufficient time for the Town to engage in such a planning process and to adopt suitable Zoning Bylaw provisions in a manner consistent with sound land-use planning objectives.

5.11.2 Definition. As used in Section 5.11.3, the term “Marijuana Establishment” shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a “Medical Marijuana Treatment Center” or “RMD” shall not be deemed to be a Marijuana Establishment.

5.11.3 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 as a Marijuana Establishment. The moratorium shall be in effect through June 30, 2019, unless extended, continued, or modified at a subsequent Town Meeting. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Marijuana Establishments and other related land uses and structures, consider the Cannabis Control Commission regulations regarding Marijuana Establishments when they are issued, and shall consider adopting new provisions of the Zoning Bylaw governing the location, operation and effects of Marijuana Establishments for consideration by the 2018 Annual Town Meeting. (BOARD OF SELECTMEN)

Summary: The Governor has appointed a Cannabis Control Commission (CCC) to begin to establish rules and regulations for retail facilities to sell recreational marijuana. These efforts are ongoing. The Planning Board has asked the Selectmen to sponsor this Article which would extend our current moratorium from December 31, 2018 to June 30, 2019 to give Carlisle an opportunity to understand the marijuana regulations more thoroughly before deciding on any public policy changes.

ARTICLE 22 – Amend Town Bylaws, Section 3.9, Finance Committee:

To see if the Town will vote to amend Section 3.9.2 of the Town Bylaws as follows (new language in *bold italics*):

3.9 Finance Committee

3.9.1 The Finance Committee was established under Article 17 of the Warrant for the Annual Town Meeting held February 13, 1933, and further amended under Article 19 of the Warrant for the Annual Town Meeting held March 10, 1969.

3.9.2 There shall be a Finance Committee which shall consider all fiscal questions and may consider municipal questions at their discretion for the purpose of making reports or recommendations to the Town. This committee shall consist of seven (7) voters who shall serve without pay, and members may hold no other elective or appointive Town positions involving expenditure of Town money during their terms of office *except that they may serve as members of the Long Term Capital Requirements Committee*. Members shall be appointed by the Board of Selectmen with consideration for the demographic composition of the Town. Appointments shall be for terms of three (3) years, expiring on the dissolution of the Annual Town Meeting held for the final year of the term. Within thirty (30) days after the dissolution of each Annual Town Meeting, the Board of Selectmen shall reappoint(or appoint successors to) members whose terms have expired, except that no one shall serve more than three (3) consecutive terms. Within thirty (30) days after the Board of Selectmen has been notified of a vacancy occurring in the committee other than by expiration of term of office, the Board of Selectmen shall fill this vacancy for the unexpired term. The Board of Selectmen may revoke an appointment to the committee if the appointee has failed to attend one half of its regular meetings, or for other cause. Or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Summary: The purpose of this Article is to amend the bylaw regarding the Finance Committee to permit members to also serve on the Long Term Capital Requirements Committee since the operating and capital budgets are so closely connected in the budget development process.

Finance Committee: Recommends approval

ARTICLE 23 – Personnel Bylaw: To see if the Town will vote to amend Article XV of the Town of Carlisle General Bylaws, Personnel Board, Composition, by deleting the language indicated below by a strikethrough; or take any other action related thereto. (BOARD OF SELECTMEN)

15.3.2.1 *Composition:* The Personnel Board shall consist of five (5) members. One (1) member shall be appointed for a term of one (1) year, two (2) members for terms of two (2) years, and two (2) members for terms of three (3) years. All subsequent

appointments shall be made for three (3) years and vacancies shall be filled by the Board of Selectmen. No member of the Personnel Board shall be an employee under the jurisdiction of the Personnel Board, ~~or an appointed or elected official of the Town.~~ Like all Town employees and board/committee members, the Personnel Board is subject to and shall abide by the provisions of the Conflict of Interest Law, MGL, Chapter 268A. Members shall serve without compensation. The Personnel Administrator shall serve as an advisor to the Personnel Board.

Summary: The Town has had difficulty in recent years attracting applicants to the Town's Personnel Board, which consists (ideally) of five members. By the proposed elimination of the prohibition on appointed or elected officials serving it is hoped that the pool of potential candidates will increase.

Finance Committee: Recommends approval.

ARTICLE 24 – Land Transfer (Parcels 4-23A-1 and 4-23A-3) to Conservation Commission:

To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land from the Board of Selectmen for municipal purposes to the Conservation Commission for open space purposes: (A) that parcel of land located on Hartwell Road, containing 1.97 acres of land, and shown on Carlisle Assessors Maps as Map 4, Block 23A, Lot 1; and (B) that parcel of land located near Hartwell Road and adjacent to the Lot described above, containing 4.98 acres of land, and shown on Carlisle Assessors Maps as Map 4, Block 23A, Lot 3, or to take any other action in relation thereto.

Summary: This Article would transfer two parcels of land taken several years ago for non-payment of taxes to the care and custody of the Conservation Commission since the parcels about other properties held in conservation use by the Town and by the Concord Land Conservation Trust.

ARTICLE 25 – CCRSD CAPITAL PROJECT \$1,000,000: To determine whether the Town will vote to approve \$1,000,000, or any other sum, of debt authorized by the Concord-Carlisle Regional School Committee for paving campus entrance roads and improving external lighting; provided, however, that this approval shall be contingent upon passage of a Proposition 2 1/2, debt exclusion referendum under M.G.L. c.59, §21C(k); to exempt the Town's allocable share of the amounts required for the payment of interest and principal on said borrowing; or take any other action related thereto. (BOARD OF SELECTMEN)

Summary: This Article would provide Carlisle's share of the cost for paving campus entrance roads and improving external lighting on Concord-Carlisle Regional School District property. These costs will be assessed annually over a period of years consistent with the term of the bonds to be issued by the District with debt service expected to commence in Fiscal Year 2019. As a matter of policy regarding major capital projects, the Selectmen will require a debt exclusion

question on the May 8th Town Election ballot which must pass by a simple majority in order to be approved.

Finance Committee: Recommendation deferred until Town Meeting.

And in the name of the Commonwealth of Massachusetts you are hereby further required to notify and warn the inhabitants of the Town of Carlisle, qualified as aforesaid, to go to Carlisle Town Hall at 66 Westford Street in said Carlisle on Tuesday, the 8th day of May, 2017 between the hours of seven o'clock forenoon and eight o'clock in the afternoon and there to vote on the following:

TOWN ELECTION

7:00 A.M. TO 8:00 P.M.

ELECTION OF OFFICERS – To see if the Town will vote on the election of the following Town Officers:

Moderator	one for a term of one year
Town Clerk	one for a term of three years
Selectmen	one for a term of three years
Board of Assessors	one for a term of three years
Board of Health	two for a term of three years
Library Trustees	one for a term of three years
Planning Board	two for a term of three years
School Committee	one for a term of three years
Housing Authority	one for a term of three years

DEBT EXCLUSION QUESTION

M.G.L. C. 59, §21C(k)

Question 1: Shall the Town of Carlisle be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town's allocable share of the bond issued by the Concord-Carlisle Regional School District for improvements including paving campus entrance roads and improving external lighting?

YES _____ NO _____

And you are directed to serve this Warrant by posting a true and attested copy thereof at the Town Hall and at the Post Office in said Town of Carlisle at least seven days prior to the time of holding said Meeting.

THEREOF FAIL NOT and make return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the Meeting aforesaid.

Given under our hands this 27th day of March in the Year of Our Lord 2018.

BOARD OF SELECTMEN

Luke Ascolillo, Chairman

Kerry Kissinger, Vice Chairman

Kate Reid, Clerk

Nathan C. Brown

Claude von Roesgen

A True Copy Attest:

_____, Constable

Middlesex, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Carlisle by posting up attested copies of the same at the United States Post Office and on the Town Bulletin Board in said Town at least seven (7) days before the date of the Meeting, as within directed.

Constable of Carlisle

Date Posted: _____