

**SPECIAL TOWN MEETING WARRANT
TOWN OF AUBURN
COMMONWEALTH OF MASSACHUSETTS**

Meeting –October 27, 2015 at 7:00 P.M.

Worcester s.s. To any of the constables in the Town of Auburn, in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Auburn qualified to vote in Town affairs to meet in the High School Auditorium in Auburn, the 27th day of October 2015 at 7:00 o'clock in the evening, to act upon the following articles:

Article 1. To hear the report of the Finance Committee, other Town Officers and Committees; or act on anything relative thereto.

By the Moderator

Article 2. To see if the Town Meeting will vote to accept the provisions of M. G. L. Chapter 44, Section 53F½ so as to establish a separate account, to be classified as an “Enterprise Fund” for the Pakachoag Municipal Golf Course in Fiscal Year 2016; or act on anything relative thereto.

By Chief Financial Officer and
DPW Director

Article 3. To see if Town Meeting will vote to amend Article 2 of the May 5, 2015 Annual Town Meeting as follows: Increase line item #011992-5740 Insurance & Bonds from \$700,000.00 to \$730,000.00; Decrease line item #01302-5691 Bay Path from \$1,197,757.00 to \$1,193,752.00; Decrease line item #012211-511113 Firefighter from \$1,995,514.00 to \$1,961,014.00; Increase line item #012412-5241 MV Repair from \$0 to \$300.00; Increase line item #012922-5388 ACO-Veterinary Expenses from \$0.00 to \$1,500.00; Increase line item #012921-511127 ACO Backup Coverage from \$0.00 to \$4,000.00; Increase line item #014211-511103 Wages Fulltime from \$440,500.00 to \$463,114.00; Increase line item #016511-511221 Seasonal/Parks from \$21,120.00 to \$24,640.00; Increase line item #017522-591733 GOB \$12,044,500 from \$0 to \$221,042.00; Decrease line item #017522-591731 EST/GOB-\$5,090,922 from \$76,364.00 to \$0; Decrease line item #017522-591732 EST/GOB-\$4,990,000 (CIP) Southold from \$62,375.00 to \$0; Amend the Division of Parks, Recreation and Cemetery to include a 6-month operating budget for the Pakachoag Golf Course as follows: Add line item Superintendent for \$25,000.00, Add line item Groundskeeper for \$15,000.00, Add line item Seasonal Employees for \$30,000.00, Add line item Golf Course Maintenance for \$39,000.00, Add line item Fuel/Utilities for \$10,000.00, Add line item Building Maintenance for \$1,000.00, Add line item Miscellaneous Supplies for \$1,000.00; and to transfer from Available Funds the sum of \$4,386.00 from Dog Sales #262901 and the sum of \$1,114.00 from Dog Licenses #261018, and further to approve an amended FY2016 budget for the Town of Auburn of \$55,607,481.00; or act on anything relative thereto.

By the Town Manager

Article 4. To see if the Town Meeting will vote to appropriate, from General Fund Revenues, for the Pakachoag Golf Course Improvements: \$23,150.00 for the purchase of twenty-four (24) 2016 golf carts; \$65,000.00 for golf course maintenance equipment; \$15,000.00 to replace the electric service to the pump station and \$15,000.00 for well and pump replacement; or act on anything relative thereto.

By DPW Director

Article 5. To see if the Town Meeting will vote to appropriate \$12,327.00 from General Fund Revenues to the Auburn School Department Operating Budget for Fiscal Year 2016 to fund transportation costs for homeless and/or unanticipated transportation for other students to their educational programs; or act on anything relative thereto.

By the Auburn School Committee

Article 6. To see if the Town Meeting will vote to amend Article 12 of the May 5, 2015 Annual Town Meeting and amend the Medicaid Reimbursement amount from \$124,000.00 to \$110,000.00; or act on anything relative thereto.

By the Auburn School Committee

Article 7. To see if Town Meeting will vote to appropriate \$44,900.00 from general fund revenues for purposes of revaluation of real and personal property for FY17 Certification of Values; or act on anything relative thereto.

By the Town Assessor

Article 8. To see if the Town Meeting will vote to appropriate \$46,000.00 from general fund revenues for the care and maintenance of the Mary D. Stone School building and the Julia Bancroft School building; or act an anything relative thereto.

By the Town Manager

Article 9. To see if the Town Meeting will vote to appropriate \$8,000.00 from general fund revenues for the replacement of the second and third floor 27 year-old sprinkler heads in the Town Hall; or act on anything relative thereto.

By the Town Manager

Article 10. To see if the Town Meeting will vote to appropriate a sum of money from general fund revenues to the Stabilization Fund; or act on anything relative thereto.

By the Town Manager

Article 11. To see if the Town Meeting will vote to appropriate \$2,500.00 from the Expendable Trust/Cemetery Perpetual Care Account for the purchase of a snowblower for the cemetery; or act on anything relative thereto.

By the DPW Director

Article 12. To see if the Town Meeting will vote to appropriate \$4,200.00 from the Expendable Trust/Cemetery Perpetual Care Account for the purchase of two granite benches to be placed in front of the cemetery columbarium, and constructing a brick area of approximately four feet around the columbarium and a brick sidewalk to the cemetery office from the parking lot; or act on anything relative thereto.

By the DPW Director

Article 13. To see if Town Meeting will vote to amend the Auburn Zoning Bylaw Section 9, "Administration", to include a "Planning Board" section as allowed under M.G.L. Ch. 40A § 5, to read as follows:

9.0 Planning Board

9.0.1 The Town of Auburn Planning Board shall have and exercise all powers granted to planning boards by the Massachusetts General Laws, including Chapters 40, 40A, and 41, and by this Zoning Bylaw, including but not limited to the following:

9.0.1.1 To hear and decide applications for special permits when designated as the special permit granting authority herein;

9.0.1.2 To review Site Plans pursuant to Section 9.4 of this bylaw;

9.0.1.3 To hear and decide applications relative to the Town of Auburn Subdivision Rules and Regulations and the Subdivision Control Law, Massachusetts General Laws, Chapter 41, Section 81K-81GG.

9.0.2 The Planning Board shall adopt rules and regulations not inconsistent with the provisions of the Auburn Zoning Bylaw for conduct of its business and otherwise carrying out the purposes of Massachusetts General Laws, Chapter 40A and this bylaw, and shall file a copy of such rules in the office of the Town Clerk.

9.0.3 The Planning Board may adopt reasonable administrative fees for petitions under its jurisdiction, as well as fees for employing outside consultants to assist the Board with its review of petitions.

9.0.4 In addition to the members established by the Town Charter, the Town of Auburn Planning Board may include one (1) associate member, appointed by the Town Manager, as provided under Massachusetts General Laws, Chapter 40A, Section 9.

9.0.5 The term of each associate member shall be determined by the Town Manager. or act on anything relative thereto.

By the Town Manager

Article 14. To see if Town Meeting will vote to accept Paul Revere Road as a public way from Barnes Street to the end of Paul Revere Road for a total distance of approximately 800 feet, as shown on a plan prepared by B&R Survey, Inc., entitled “Paul Revere Road, Auburn, MA” dated August 12, 2015; or act on anything relative thereto.

By the DPW Director

Article 15. To see if the Town Meeting will vote to amend the Town’s Zoning bylaw by adding a new section 9.3.13, TEMPORARY MORATORIUM ON REGISTERED MARIJUANA DISPENSARIES, that would provide as follows, and further to amend the Table of Contents to add Section 9.3.13, Temporary Moratorium on Registered Marijuana Dispensaries.

9.3.13 Temporary Moratorium on Registered Marijuana Dispensaries

9.3.13.0 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 became effective on January 1, 2013. The Massachusetts Department of Public Health (DPH) subsequently issued regulations regarding implementation of the law. In April of 2015, the DPH announced significant changes to the Commonwealth’s Medical Marijuana Dispensary program first authorized in 2012. The revised application process took effect on May 15, 2015 and applies only to new applications, not the additional RMDs that have been previously provisionally certified and are currently in the Inspection phase. The revised process licenses Registered Marijuana Dispensaries (RMD) in a format similar to other healthcare facilities, such as pharmacies, which DPH also administers. This process will phase out the current use of state procurement policies to register a dispensary. According to DPH, the new process for registering dispensaries will be a fairer, more efficient, market-driven licensure process that will result in more timely approvals.

In August 2015, the DPH updated their Guidance for Municipalities regarding the Medical Use of Marijuana. Since the process has been significantly changed, the Town of Auburn is proposing a temporary moratorium to provide time for the Town to develop a Bylaw for RMDs. Currently under the Town’s Zoning Bylaw, Registered Marijuana Dispensaries (known hereinafter as RMDs) are not a permitted use in the Town of Auburn. 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 RMDs 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 RMDs and any similar related uses thereto. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for RMDs 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.

9.3.13.1 Definition

“Registered Marijuana Dispensary (RMD)” – A not-for-profit entity registered under 105 CMR 725.100, to be known hereinafter as a RMD, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers to be conducted entirely within a secure facility with no drive-thru services. Unless otherwise specified, an RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

9.3.13.2 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 Registered Marijuana Dispensary (RMD). The moratorium shall be in effect through October 31, 2016. 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 RMDs and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of RMDs and related uses; or act on anything relative thereto.

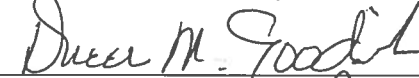
By the Planning Board

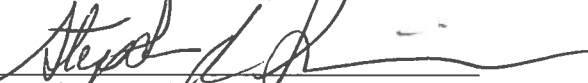
And you are directed to serve this Warrant by posting attested copies thereof at the Town Hall, the Auburn Free Public Library, Dooley's Store, Stoneville Heights, The Lorraine Gleick Nordgren Senior Center, Law Offices Philip D. O'Connell, Jr., Uncle Chuck's Pizza, Auburn Auto Body Shop, Park 'N Shop and Lan's Barber Shop, which shall constitute at least two conspicuous places in each precinct at least fourteen days before the time of said Special Town Meeting. Hereof fail not to make due return of this warrant with your doings thereon to the Town Clerk at the time and place of said meeting.


Given under our hands on this 28th day of September 2015.

The Auburn Board of Selectmen


Kenneth A. Holstrom, Chairman


Doreen M. Goodrich, Vice Chairman


Stephen R. Simonian


Denise A. Brotherton


Daniel S. Carpenter

Officers Return of Service

I hereby certify that I have served this Warrant by posting attested copies thereof at the Town Hall, the Auburn Free Public Library, Dooley's Store, Stoneville Heights, The Lorraine Gleick Nordgren Senior Center, Law Offices Philip D. O'Connell, Jr., Uncle Chuck's Pizza, Auburn Auto Body Shop, Park 'N Shop, and Lan's Barber Shop, which shall constitute at least two conspicuous places in each precinct at least fourteen days before the time of said Special Town Meeting.

Date

Attest _____
Constable of Auburn

Attest: _____
Town Clerk of Auburn

Town Meeting Members

The following is a summary of warrant articles for the October 27, 2015 Special Town Meeting.
*Please note that this summary is to provide a synopsis of the article. Please refer to the article itself for detail.
The Board of Selectmen will have recommendations at the town meeting.

Finance Committee
Recommendations

<u>Article No.</u>	<u>Purpose</u>	
1.	Hear reports of committees.	
2.	Accepts the provisions of M. G. L. Chapter 44, Section 53F½ so as to establish a separate account, to be classified as an "Enterprise Fund" for the Pakachoag Municipal Golf Course in Fiscal Year 2016.	Yes
3.	Amends Article 2 of the May 5, 2015 Annual Town Meeting (operating budget for FY2016).	Yes
4.	Appropriates, from General Fund Revenues, for the Pakachoag Golf Course Improvements: \$23,150.00 for the purchase of twenty-four (24) 2016 golf carts; \$65,000.00 for golf course maintenance equipment; \$15,000.00 to replace the electric service to the pump station and \$15,000.00 for well and pump replacement.	Yes
5.	Appropriates \$12,327.00 from General Fund Revenues to the Auburn School Department Operating Budget for Fiscal Year 2016 to fund transportation costs for homeless and/or unanticipated transportation for other students to their educational programs.	Yes
6.	Amends Article 12 of the May 5, 2015 Annual Town Meeting and amends the Medicaid Reimbursement amount from <u>\$124,000.00</u> to <u>\$110,000.00</u> .	Yes
7.	Appropriates \$44,900.00 from general fund revenues for purposes of revaluation of real and personal property for FY17 Certification of Values.	Yes

<u>Article No.</u>	<u>Purpose</u>	<u>Finance Committee Recommends</u>
8.	Appropriates \$46,000.00 from general fund revenues for the care and maintenance of the Mary D. Stone School building and the Julia Bancroft School building.	Yes
9.	Appropriates \$8,000.00 from general fund revenues for the replacement of the second and third floor 27 year-old sprinkler heads in the Town Hall.	Yes
10.	Appropriates a sum of money from general fund revenues to the Stabilization Fund.	Yes
11.	Appropriates \$2,500.00 from the Expendable Trust/Cemetery Perpetual Care Account for the purchase of a snowblower for the cemetery.	Yes
12.	Appropriates \$4,200.00 from the Expendable Trust/Cemetery Perpetual Care Account for the purchase of two granite benches to be placed in front of the cemetery columbarium, and constructing a brick area of approximately four feet around the columbarium and a brick sidewalk to the cemetery office from the parking lot.	Yes
13.	Amends the Auburn Zoning Bylaw Section 9, "Administration", to include a "Planning Board" section as allowed under M.G.L. Ch. 40A § 5.	Defer
14.	Accepts Paul Revere Road as a public way.	Defer
15.	Amends the Town's Zoning bylaw by adding a new section 9.3.13, TEMPORARY MORATORIUM ON REGISTERED MARIJUANA DISPENSARIES, and further to amends the Table of Contents to add Section 9.3.13, Temporary Moratorium on Registered Marijuana Dispensaries.	Defer
Defer	Defers to the petitioner of the article	
	No position at this time. Will make a recommendation at the town meeting.	

**AUBURN PUBLIC SCHOOLS
TOWN OF AUBURN ANNUAL SPECIAL FALL TOWN MEETING, OCTOBER 27, 2015
WARRANT ARTICLES**

Article 5. To see if Town Meeting will vote to appropriate \$12,327.00 from General Fund Revenues to the Auburn School Department Operating Budget for Fiscal Year 2016 to fund transportation costs for homeless and/or unanticipated transportation for other students to their educational programs or act on anything relative thereto.

By the Auburn School Committee

The District spends funds each year transporting homeless students, either to their home district (we share in the cost with the receiving district, 50%-50%) or paying half the cost to have another district transport a student who had previously attended one of our schools prior to becoming homeless and moving into temporary housing out of Town, to the Auburn Public Schools. For homeless transportation in FY15 the Town was reimbursed for \$12,327.00 from the State. However, these funds were not received by the Town until after the fiscal year closed. Since these funds are in reimbursement for transportation already provided, we respectfully request your approval of this Article.

Article 6. To see if Town Meeting will vote to amend the Medicaid Reimbursement amount approved at the May 2015 Annual Town Meeting from \$124,000.00 to \$110,000.00

By the Auburn School Committee

Following a thorough review of Medicaid funds received in FY 2015 and based on projections of student needs and eligible reimbursable expenses in FY 2106, the School Committee wishes to reduce its request to better align line with those anticipated receipts.

On behalf of the Auburn School Committee and the entire Auburn Public Schools, I respectfully request your approval of the above articles.

Thank you for your continued support of the Auburn Public Schools.

Yours in Education,



**Maryellen Brunelle, Ed.D.
Superintendent of Schools**