

**Town of Canton
Commonwealth of Massachusetts**



Norfolk, ss

To the Constables of the Town of
Canton,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Canton to meet at Morse Auditorium, on the grounds of the Canton High School, 900 Washington Street in said town on;

**MONDAY, THE ELEVENTH DAY
OF MAY 2020**

At seven o'clock (7:00 P.M.) in the evening for the annual town meeting at which time and place the following articles are to be acted upon:

ELECT A MODERATOR

Article 1 To elect a Moderator to preside at this Town Meeting to serve until the commencement of Annual Town Meeting in 2021; or to take any other action related thereto.

Board of Selectmen

ADOPT RULES TO GOVERN TOWN MEETING

Article 2 To see if the Town will vote to adopt certain procedures to govern the conduct of the 2020 Annual Town Meeting; or to take any other action related thereto.

Board of Selectmen

HEAR REPORTS OF COMMITTEES APPOINTED AT PRIOR TOWN MEETINGS

Article 3 To hear the reports of all committees appointed at previous town meetings, which have not yet been discharged; or to take any other action related thereto.

Board of Selectmen

ACT ON "CONSENT AGENDA"

Article 4 To see if the Town will vote to dispose of certain articles in this warrant by a single vote, in accordance with a so-called "consent agenda" or to take any other action related thereto.

Board of Selectmen

COLLECTIVE BARGAINING AGREEMENTS UNDER THE BOARD OF SELECTMEN

Article 5 To see if the Town will vote to raise and appropriate, transfer from available funds, or transfer from Free Cash, a sum of money for the purpose of funding any new cost items contained in any collective bargaining agreements entered into by the Board of Selectmen, on behalf of the town, with any group of employees, serving under its jurisdiction; or to take any other action related thereto.

Board of Selectmen

PERSONAL SERVICE CONTRACTS UNDER THE BOARD OF SELECTMEN

Article 6 To see if the Town will vote to raise and appropriate, transfer from available funds, or transfer from Free Cash, such sums of money as may be necessary to fund new cost items contained in contracts for personal services with any individual employee; or take any action related thereto.

Board of Selectmen

SET SALARIES OF ELECTED OFFICERS

Article 7 To see if the Town will vote, in accordance with the provisions of section one hundred and eight of chapter forty-one (G. L. chapter 41, §108) to fix the salary and compensation of all elected officers of the town; or to take any other action related thereto.

Board of Selectmen

PAY BILLS OF PRIOR FISCAL YEAR

Article 8 To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from Free Cash, or borrow pursuant to any applicable statute, a sum or sums of money to pay any unpaid bills of any prior fiscal year; or to take any other action related thereto.

Board of Selectmen

ADJUST FISCAL '20 ACCOUNTS

Article 9 To see if the Town will vote to increase/decrease or otherwise adjust the appropriations heretofore made for the Fiscal Year 2020 beginning on July 1, 2019 and ending on June 30, 2020 and the revenues sources to meet those appropriations, as voted pursuant to Article 64 of the warrant for the 2018 Annual Town Meeting, and to raise and appropriate, transfer from available funds or transfer from Free Cash to meet any such increases or adjustments; or to take any other action related thereto.

Board of Selectmen

TRANSFER UNEXPENDED PRIOR YEAR APPROPRIATIONS

Article 10 To see if the Town will vote to transfer the unexpended balance of certain appropriations made under various articles in the warrants applicable to prior town meetings, to new purposes and uses; or to take any other action related thereto.

Board of Selectmen

AUTHORIZE CERTAIN REVOLVING FUNDS

Article 11 To see what new or additional revolving funds, pursuant to c. 44, section 53E ½ of the General Laws of the Commonwealth, the Town may establish by amendment to Article VII (“Financial Regulations”), Section 16 (“Departmental Revolving Funds”) of the General Bylaws of the Town and to see what amendments if any the town may vote to existing revolving funds contained in the Town’s Bylaw, and to determine the limit on total amount that may be expended from the Town’s revolving accounts, for various boards, commissions or departments of the town, for the fiscal year beginning July 1, 2020 and ending June 30, 2021; or to take any other action related thereto.

Board of Selectmen

“OMNIBUS” CAPITAL OUTLAY PROGRAM

Article 12 To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from Free Cash, or to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow (and to issue bonds or notes therefore) any sum or sums of money, or by any combination of these methods of financing, as may be necessary or desirable, make available funds for the purpose of purchasing, leasing, re-conditioning, improving or replacing any motor vehicles or other items of equipment or machinery or other items of personal property for any town agency, or for the purpose of contracting for any service, or for the design, repair, acquisition, construction, replacement or relocation or improvement to any town building or other structure, public works facility (including highway needs and traffic safety items), any other town owned facility or real property, or for any other purposes for which borrowing may be authorized, to purchase, or to take by eminent domain, any land or easements necessary for any such purposes and, where applicable, to authorize the trade-in of any presently owned motor vehicles, equipment or machinery to reduce the purchase or acquisition cost of any item to be acquired, and to include in any new capital project borrowing authorization and/or to amend such borrowing authorizations from prior years town meeting to provide for the application of any bond premiums to reduce the cost of such borrowings or to apply same to payment of project costs; or to take any other action related thereto.

Board of Selectmen for Capital Planning Committee

ACCEPT GENERAL OR SESSION LAWS ENACTED BY THE GENERAL COURT

Article 13 To see if the Town will vote to accept any general or session laws enacted by the General Court for the benefit of cities or towns or of benefit to the Town of Canton; or to take any other action related thereto.

Board of Selectmen

APPROVAL OF FUNDING FOR THE ANNUAL 4TH OF JULY COMMUNITY CELEBRATION

Article 14 To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, transfer from available funds or transfer from Free Cash, a sum of money to be expended by the Director of Parks and Recreation, with the approval of the Board of Selectmen, for the purpose of funding the annual July 4th community celebration in 2020; or to take any other action related thereto with the intent these funds be available in FY20 in anticipation of July 4, 2020.

Board of Selectmen for the Canton Recreation Commission

INSURANCE PROCEEDS

Article 15 To see whether the Town will vote to appropriate all sums over \$150,000 recovered under the terms of any insurance policy and any other insurance proceeds paid to the Town in connection with any losses suffered by the Town; or to take any other action related thereto.

Board of Selectmen

VOTE TO RESCIND UNUSED BORROWING AUTHORIZATIONS

Article 16 To see if the Town will vote to rescind unused borrowing authorizations previously voted by the Town; or to take any other action related thereto.

Board of Selectmen

APPROPRIATION TO INCREASE STABILIZATION FUND

Article 17 To see what sums of money the Town will vote to raise and appropriate or transfer from any available funds or borrow pursuant to any applicable statute, in order to increase any Stabilization Fund of the Town established pursuant to MGL Chapter 40, section 5B; or to take any other action related thereto.

Board of Selectmen for the Finance Director

APPROPRIATION TO INCREASE SPECIAL EDUCATION RESERVE ACCOUNT (SCHOOLS)

Article 18 To see what sums of money the Town will vote to raise and appropriate or transfer from any available funds or borrow pursuant to any applicable statute, in order to increase the Special Education Reserve Account; or to take any other action related thereto.

Board of Selectmen for the School Committee

***APPROPRIATION TO SUPPLEMENT THE COMMONWEALTH'S
CHAPTER 90 PROGRAM***

Article 19 To see if the Town will vote to raise and appropriate, transfer from Free Cash, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be spent by the Board of Selectmen acting as the Board of Public Works to supplement the amount received from the Commonwealth for Chapter 90 Roads Program with improvements done in accordance with improvement specifications as determined by and subject to, the approval of the Department of Public Works and consistent with locations identified in the Town's Pavement Management System; or to take any other action related thereto.

Board of Selectmen

COMMUNITY RECOGNITION SUPPLEMENTAL FUNDING

Article 20 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 in order to increase the appropriation voted in Article 32 of the 2017 Annual Town meeting for the purposes named in said article for community recognition for present or former town employees and town officials, subject to all the terms and conditions set forth in that 2017 appropriation, or to take any other action related thereto.

Board of Selectmen

***APPROPRIATION TO INCREASE THE SOLAR FACILITY STABILIZATION
FUND***

Article 21 To see if the town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or by transfer from Free Cash, a sum of money for the Solar Facility Stabilization Fund; or to take any action related thereto.

Board of Selectmen

***RECOMMENDATIONS OF THE COMMUNITY PRESERVATION
COMMITTEE***

Article 22 To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2021 and to see if the Town will vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, or otherwise to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for such purposes; to authorize the Board of Selectmen, with the approval of the Community Preservation Committee, to acquire by purchase, gift or eminent domain such real property and property interests in the name of, or enforceable by the Town, including perpetual affordable housing restrictions, conservation restrictions and historical preservation restrictions, and to dispose of Town property or portions thereof or interests therein, all as may be required by the Community Preservation Act and Chapter 184 of the General Laws and as may be necessary or appropriate to carry out the recommendations of the Community Preservation Committee; or to take any other action related thereto.

Board of Selectmen for the Community Preservation Committee

***APPROPRIATION OF PROCEEDS FROM THE TNC PER RIDE
ASSESSMENT FUNDS***

Article 23 To see if the Town will vote to appropriate proceeds from the TNC Per Ride Assessment funds; or to take any other action related thereto.

Board of Selectmen

HOME RULE PETITION RELATIVE TO RETIRED POLICE OFFICERS

Article 24 To see if the Town will authorize the Board of Selectmen to petition the General Court for special legislation to amend Chapter 394 of the Acts of 2004 as amended by the Chapter 87 of the Acts of 2017 as set forth below by striking the word Canton in front of the words Police Officers; provided, however, that the General Court may with the approval of the Board of Selectmen, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage; or take any other action related thereto.

The text of the act below is for Town Meeting information.

An Act Relative to the Appointment of Retired Police Officers in the Town of Canton.

Section 1. The Police Chief of Canton may appoint, as he deems necessary, retired ~~Canton~~ police officers as special police officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The retired police officers must have been regular ~~Canton~~ police officers and retired based upon superannuation. The special police officers shall be subject to the same maximum age restriction as applied to regular police officers under chapter 32 of the General Laws. A special police officer must pass a medical examination, by a physician or other certified professional chosen by the Town, to determine that the retired police officer is capable of performing the essential duties of a special police officer, the cost of which medical examination shall be borne by the special police officer, prior to performing police details.

Section 2. Special police officers appointed under this Act shall not be subject to chapter 31 of the General Laws or to section 99A of chapter 41 of the General Laws.

Section 3. Special police officers shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the Town of Canton.

Section 4. Special police officers shall be appointed for an indefinite term, subject to removal by the Police Chief with approval of the Board of Selectmen at any time with 14 days written notice. Upon request, the Police Chief shall provide the reasons for removal in writing.

Section 5. Special police officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Chief of Police of the Town of Canton, including restrictions on the type of detail assignments, requirements regarding medical

examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. Special police officers shall not be subject to section 96B of chapter 41 of the General Laws.

Section 6. Special police officers shall be sworn before the Town Clerk of the Town of Canton who shall keep a record of all such appointments.

Section 7. Special police officers appointed under this Act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a special police officer reaches the age of 70. In the event the age limitation applicable to regular police officers serving the Town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided herein to special police officers, shall terminate at such a higher age limit, but in no event shall the benefits extend beyond the age of 70 for any special police officer. Special police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

Section 8. Appointment as a special police officer shall entitle any individual appointed as such to assignment to any detail.

Section 9. Retired ~~Canton~~ police officers, serving as special police officers under this Act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

Section 10. This Act shall take effect upon its passage;
Board of Selectmen

APPROVAL OF LEASE OF LAND BEHIND POLICE STATION (CELL TOWER SITE)

Article 25 To see if the Town will vote to authorize the Board of Selectmen to lease to others certain Town property located behind 1492 Washington Street, known as the Police Station, Canton Tax Assessor Map 46 Parcels 89 and 91, for the purposes of wireless communications facilities and related equipment, pursuant to Massachusetts G.L. c. 30B, the term of such lease, with all applicable extensions thereof, may, if deemed by the Board of Selectmen to be in the best interests of the Town, extend for a period in excess of ten years, and to vote to determine the length of such period beyond ten years; or to take any other action related thereto.

Board of Selectmen

AMEND PRESERVATION RESTRICTION ON THE FIRST PARISH UNITARIAN UNIVERSALIST CHURCH STEEPLE

Article 26 To see if the Town will vote to authorize the Board of Selectmen to undertake to amend the Preservation Restriction on the First Parish Unitarian Universalist Church Steeple authorized by Article 19 Motion 8 of the 2017 Annual Town Meeting by considering a proposal of a project to install telecommunications antenna within the steeple located at First Parish Unitarian Universalist Church, 1508 Washington Street, Canton, MA; or to take any other action related thereto.

Board of Selectmen

ACQUIRE PERMANENT EASEMENT OVER 145 SHERMAN STREET FOR DRAINAGE AND DRAINAGE MAINTENANCE PURPOSES

Article 27 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain a twenty (20) foot wide permanent easement over and under the parcel of real property at 145 Sherman Street, Assessors Map 43 Parcel 141, for the purpose of the construction, operation and maintenance of storm water drainage to flow between Sherman Street and that portion of Canton Tax Assessor Map 43, Parcel 141 as is depicted on Exhibit ‘A’, “Stormwater Management Plan, 145 Sherman Street in Canton, MA” prepared by Site Design Professionals, LLC, scale 1” =10’, as revised November 12, 2019 on file with the Town Engineer; and further to see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, a sum of money for such purposes; or to take any other action related thereto.

Board of Selectmen

ACQUIRE PERMANENT EASEMENT OVER 293 YORK STREET FOR THE CONSTRUCTION OF A DRAINAGE SYSTEM

Article 28 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain a 15-foot-wide permanent easement over and under the real property at 293 York Street Assessors Map 103, Parcel 30, for the purpose of the construction, operation and maintenance of a storm water drainage system for such water to flow from York Street onto the property identified as 293 York Street, Map 103 Parcel 30, depicted in Exhibit ‘A’ “Easement Plan of Land 293 York Street in Canton, MA” prepared by Site Design Professionals LLC, as revised November 12, 2019 on file with the Town Engineer; and further to see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, a sum of money for such purposes; or to take any other action related thereto.

Board of Selectmen

ACQUIRE PERMANENT EASEMENT FOR DRINKING WATER WELL 9A AND DRINKING WATER WELL 16

Article 29 To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or easements or conservation restrictions for all or any portions of the property known as Brookmeadow Country Club, 100 Everendon Road, being Tax

Assessors Map 5 Parcel 27, in perpetuity for public water supply protection for Well 9A and Well 16; and further, 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 carry out the foregoing; or to take any other action thereto.

Board of Selectmen

APPROPRIATION FOR THE ACQUISITION OF A RIGHT OF WAY EASEMENT AND ASSOCIATED TAKING OF LAND OFF PLEASANT STREET NEAR RESERVOIR POND

Article 30 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, or eminent domain certain easements for a right of way at 110 Pleasant Street, being Tax Assessors Map 44 Parcel 35; to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to carry out the foregoing; or to take any action related thereto.

Board of Selectmen

APPROPRIATION FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT PLEASANT/SHERMAN/ANGELA INTERSECTION WITH ASSOCIATED EASEMENT AND EMINENT DOMAIN AUTHORITY

Article 31 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, or eminent domain certain easements at the intersection of Pleasant, Sherman and Angela Streets, being Tax Assessors Map 42 Parcels 180, 193 & 194, Map 43 Parcels 33, 91, 92, 93, & 150, Map 59 Parcel 127, Map 60 Parcels 80, 89, 90 & 91 for roadway purposes and for the installation of a traffic signal; and further 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 carry out the foregoing; or to take any action related thereto.

Board of Selectmen

APPROPRIATION FOR REMOVAL OF WEEDS AND NUISANCE VEGETATION AT OLD SHEPHERD'S POND

Article 32 To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or by transfer from Free Cash, a sum of money for the Canton Conservation Commission to expend for the removal of weeds and nuisance vegetation at Old Shepherd's Pond; or to take any action related thereto.

Board of Selectmen

APPROPRIATION FOR EARL NEWHOUSE WATERFRONT IMPROVEMENTS

Article 33 To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds, a sum of money for the Board of Selectmen to expend for the purpose of funding a portion of Earl Newhouse property improvements including but not limited to an expanded and improved trail network that connects to adjacent facilities and includes signage; Portions of this trail network will also be made accessible to people with mobility difficulties (ADA); a designated ADA accessible fishing area with signage,

tables, and trash receptacles; a flexible “beach” area that can be used for wading or small sailboat launching with Invasive species cleared along the shoreline; an ADA accessible car-top boat launch/dock with adjacent storage for canoes and kayaks; picnic tables, trash and recycling bins, education area, dog waste station, shade tree planting, native plant landscaping, benches along trails, tables for fishermen, and a bike rack; stormwater drainage improvements consisting of swales and bio retention areas; signage; electrical power conduit to allow for future permanent bathrooms to be constructed; a widened, paved, and striped entry drive and parking area with accessible parking spaces; a split rail fence will separate the access drive from the open lawn area; or take any action related thereto.

Board of Selectmen

GRANT OF UTILITY EASEMENT TO VERIZON AT JOHN F. KENNEDY ELEMENTARY SCHOOL

Article 34 To see if the Town will vote to authorize the Board of Selectmen with the approval of the Canton School Committee or both the Board and Committee acting together, to lease or grant an easement across certain land located at 100 Dedham Street, known as the John F. Kennedy Elementary School, being Tax Assessor’s Map 30, Parcel 191, for Verizon to construct, operate and maintain utility facilities; or to take any action related thereto.

Board of Selectmen

AMEND GENERAL BY-LAWS BY ADDING SIDEWALK BETTERMENT ASSESSMENT BY-LAW

Article 35 To see if the Town will amend the General By-laws by adding a new By-law entitled “Sidewalk Betterment Assessments” as new By-law Article XXIV as follows; or to take any action related thereto:

ARTICLE XXIV SIDEWALKS BETTERMENT ASSESSMENTS.

The following procedures shall govern the construction of new sidewalks or the reconstruction of a sidewalk with material of more permanent character than that with which it was originally constructed:

Section 1. Initial Steps:

Step 1: Resident submits a formal request to the Board of Selectmen office requesting a sidewalk. Request should identify the street and the cross streets where the sidewalk would start and end. The request should include signatures from at least 50% of the land owners in the target area.

Step 2: The Town Engineer determines the following:

If the section of road is considered a “Major Road / Collector” (MassDOT definition) or if the section of road is identified in Canton’s Complete Streets Prioritization Plan. Any material issues related to steep grades, site constraints, lack of use, inadequate width of the public way right-of-way or public safety reasons

If the street is a public way
The most appropriate side to install the sidewalk
An estimate of the cost to design and construct the sidewalk.

Step 3: If sidewalk construction is deemed feasible, and the road is a minor street not on the Complete Streets Prioritization Plan, *a strong majority, 75% or more of the owners must represent to the Town in writing that they support the project and will assume a share of the costs and obligations related to the layout and construction of the sidewalks. One way to accomplish this is to request each property owner to sign and return the sample outline attached as Exhibit 1.*

Step 4: Depending on the classification of the road, the Board of Selectmen may take action to require benefited owners to pay either 100% or 50% of the cost of the project. *The Board may order a betterment (i.e., a special tax) to be assessed equally against each of the benefited property owners for 50% share of the costs for the sidewalk. As part of this By-Law, the Board may determine that the property owners' share will be paid as (i) a 100% full sum payment per agreement with the Board paid to the Town before the Board instructs the DPW to move forward with the project, (ii) a betterment assessment of 50%, or (iii) some combination thereof, as determined by the Board in the Board's sole discretion, based upon any relevant factors and all applicable laws, regulations and bylaws. The duration of any betterment assessment is not to exceed 10 years or other period allowed by law or otherwise advisable based upon available rates, terms and conditions for any borrowings by the Town.*

Section 2. Determination of Priorities:

In the event that multiple requests for sidewalks come forth in the same year, staff time and potential funding will be dictated by the following priority list:

- A. *First priority:* Requests for sidewalk construction (new sidewalk)
On any arterial or collector roadway where there are not existing sidewalks; or
A minor roadway listed on the Complete Streets Prioritization Plan; or
At any location that may be deemed by the Superintendent of Public Works or the Chief of Police to be a potentially serious safety hazard for pedestrians; or
On any public way which is being resurfaced or reconstructed, or coordinated with utility upgrades; or
On an established pedestrian route within ½ mile to a heavily used destination such as a commercial center, school, bus stop, train station, or recreation area.
- B. *Second priority:* Requests for sidewalk construction at locations where sidewalks already exist on approximately 50% or more of the same side of the public way;
- C. *Third priority:* All other requests for sidewalk construction

Section 3. Determination of Funding:

Sidewalks on roads not designated as Major Road / Collectors (MassDOT classification) or included in Canton's Complete Streets Prioritization Plan shall not be recommended to town meeting by the Board of Selectmen for funding from public sources. Private ways, regardless of

classification, shall not be recommended to Town Meeting by the Board of Selectmen for funding from public sources.

For sidewalk requests on roads with these designations, the Board of Selectmen will make best efforts to request funding at least 50% of the total cost with a combination of applying for grants and a request for Town Meeting appropriations. For requests for Town Meeting funding, Steps 1 – 3 must be completed no later than 120 days before the start of Annual Town Meeting. Proposed funding sources for Town funding as proposed by the Board of Selectmen are to be from cash reserves and not from borrowing. If cash reserves do not exceed 13% of the operating budget, sidewalk projects will not be recommended by the Board of Selectmen to Town Meeting for funding. If funding is not provided by Town Meeting or by grants, residents have the option to continue but all funding will be provided by private sources, or through a Town of Canton betterment upon benefited residents as described in Step 4 of Section 1 of this By-Law.

Section 4. Sidewalk Design:

All new sidewalks constructed under this By-Law will be of standard size (5 ft) and meet all Americans with Disability Act (“ADA”) standards. Sidewalks will use granite curbing.

Section 5. Additional requirements:

A. Easements

If there is inadequate width of the public right-of-way to accommodate a new sidewalk, all affected property owners will be asked by the Board of Selectmen as a condition of the Board of Selectmen requesting action by Town Meeting, to grant to the Town an easement for the Town to use their properties for public way purposes, including any rights reasonably necessary for sloping, sidewalks or drainage that might be located outside the paved portion of the street, based upon the Town’s standard form easement. A sample standard form easement (with exhibits for a plan and mortgage assent) is attached as Exhibit 2. If all affected property owners do not agree to grant easements, the Board of Selectman shall not recommend action by Town Meeting.

B. Exemptions

Properties owned by governmental entities for public purposes are exempt from betterments and special assessments, but individuals, and charitable, religious or other organizations, benefiting from a sidewalk construction, otherwise ordinarily eligible for full or partial exemptions from annual property taxes, are not exempt.

Board of Selectmen