

# TOWN OF PEMBROKE, MASSACHUSETTS



## **ADVISORY COMMITTEE ANNUAL REPORT AND RECOMMENDATIONS**

**2012**

## **ANNUAL TOWN MEETING WARRANT**

**ATTEND THE ANNUAL TOWN MEETING  
TUESDAY, APRIL 24, 2012  
7:30 P.M.**

**PEMBROKE HIGH SCHOOL  
LEARNING LANE  
PEMBROKE, MA**

## A BRIEF GUIDE TO PEMBROKE TOWN MEETING PROCEDURES

### ***If you wish to speak:***

The proper procedure is to stand at the microphone until the moderator has recognized you or someone else. Wait for the microphone and give your name and address before you proceed. You should not interrupt the speaker except in an extreme case to raise a point of order.

Any person must cease and yield the floor at the moderator's request. During debate, the speaker is required to address the moderator. Questions may be asked only through the moderator.

### ***Asking Questions about Procedure:***

The voter can always ask the moderator about questions of procedure. If the voter is not clear as to what he is voting on, or what the effect of the passage of the pending motion will be, he should ask the moderator for clarification.

### ***Advice on Preparing Motions or Amendments:***

The Town Counsel is available for consultation concerning wording and procedure for making motions or amendments from the floor.

### ***Main Motions:***

A main motion proposes action under the article of the warrant being considered. Main motions may be made only when no other business is pending. They are the basic motions, and others revolve around them.

### ***Motions to Amend:***

A proposal to change the main motion before the meeting is made by a motion to amend. It may itself be amended. The first amendment is called the primary amendment and an amendment to the primary amendment is called the secondary amendment. No further amendments are permitted to keep matters from getting too complicated. (In other words – only three motions are allowed on the floor).

### ***Other Motions and Points of Order:***

A motion to adjourn may be made at anytime. Adjournment must be to a scheduled time and place. When all articles in the warrant have been disposed of, a motion to dissolve is in order.

If you wish to terminate debate on a motion and call for an immediate vote, you can “move the previous question”. This motion is not debatable and requires a two-thirds vote.

A Point of Order is a question. On a point of order a voter may raise one or more of the following questions and no others:

1. Is the speaker entitled to the floor?
2. Is what the speaker is saying or proposing indecorous, frivolous, irrelevant, illegal or contrary to proper procedure?
3. Is pending action frivolous, irrelevant, illegal or contrary to proper procedure?

## SUMMARY OF MOTIONS

### Name of Motion

| <u>Main Motions</u>  | <u>Debatable</u> | <u>Votes Required</u>                    |
|--|------------------|--|
| 1. Motion to take action under article                           | yes              | Majority or 2/3rds<br>as may be required |
| 2. Motion to take up articles out of order                       | yes              | 4/5ths                                   |
| 3. Motion to reconsider an article acted<br>upon and disposed of | yes              | majority                                 |
| 4. Motion to Indefinitely Postpone                               | yes              | majority                                 |

### Subsidiary Motions

|  |     |          |
|--|-----|----------|
| 1. Previous question (which ends debate) | no  | 2/3rds   |
| 2. Motion to amend main motion           | yes | majority |

### Privileged Motions

|   |     |          |
|---|-----|----------|
| 1. To adjourn to a fixed time or recess | no  | majority |
| 2. Question the quorum of 150           | no  | no vote  |
| 4. Fix time to (or at) which to adjourn | yes | majority |

## ANNUAL REPORT OF THE ADVISORY COMMITTEE

To the Honorable Board of Selectmen and Citizens of the Town of Pembroke

The Advisory Committee's major task is to submit a balanced budget at the annual town meeting in the spring for the following fiscal year. The Committee also makes recommendations on every article at town meeting whether for or against. This year's fiscal budget was 53,185,158 dollars. The Committee made recommendations on 30 articles at the annual town meeting and 18 recommendations at the special town meeting in the fall. The Chairman would like to thank Ed Thorne and Mike Buckley for their assistance in supplying information for the town budget. The following is a list of supplemental transfers made by the Committee from its Reserve Fund:

|             |                           |                                    |               | <b>150,000.00</b> |
|-------------|---------------------------|------------------------------------|---------------|-------------------|
| <b>DATE</b> | <b>REQUEST</b>            | <b>PURPOSE</b>                     | <b>AMOUNT</b> | <b>BALANCE</b>    |
| <b>2010</b> |                           |                                    |               |                   |
| 4-Oct       | Town Administrator        | Lower Chandler Dam Inspection      | 618.50        | 149,381.50        |
|             | Town Administrator        | Lower Chandler Dam Repair          | 155.00        | 149,226.50        |
| 18-Oct      | Town Administrator        | Weed Harvester Repair              | 62.50         | 149,164.00        |
| 15-Nov      | Town Administrator        | Lower Chandler Dam Repair          | 430.00        | 148,734.00        |
|             | Town Administrator        | Unemployment Claims                | 1,750.31      | 146,983.69        |
| 29-Nov      | Town Administrator        | Unemployment Claims                | 1,420.00      | 145,563.69        |
| 13-Dec      | DPW                       | Vacation Buyback                   | 1,992.86      | 143,570.83        |
| 20-Dec      | Town Administrator        | Unemployment Claims                | 1,500.00      | 142,070.83        |
|             | Building Inspector        | Longevity                          | 146.57        | 141,924.26        |
|             | Community Center          | Burner Replacement                 | 7,908.52      | 134,015.74        |
| <b>2011</b> |                           |                                    |               |                   |
| 18-Jan      | ZBA                       | Office Supplies                    | 200.00        | 133,815.74        |
| 24-Jan      | Town Administrator        | Drainage Repair @ Town Hall        | 1,625.00      | 132,190.74        |
| 31-Jan      | Animal Control            | Longevity                          | 150.00        | 132,040.74        |
| 15-Feb      | Police Department         | Septic Repairs                     | 1,275.00      | 130,765.74        |
| 22-Feb      | Town Administrator        | Elevator Repair                    | 535.00        | 130,230.74        |
|             | Town Administrator        | Custodian Clothing Allowance       | 300.00        | 129,930.74        |
|             | Town Administrator        | Unemployment Claims Consultant     | 450.00        | 129,480.74        |
|             | Town Administrator        | Unemployment Claims - Jan          | 1,040.00      | 128,440.74        |
|             | Town Administrator        | Unemployment Claims - Feb          | 1,040.00      | 127,400.74        |
| 28-Feb      | Community Center          | Repair from flooding               | 1,490.00      | 125,910.74        |
| 7-Mar       | Town Administrator        | Drainage Repair @ Town Hall        | 1,626.56      | 124,284.18        |
|             | Town Administrator        | Service Air Conditioning @ Tn Hall | 579.35        | 123,704.83        |
| 14-Mar      | Town Administrator        | Unemployment Claims - March        | 21.00         | 123,683.83        |
|             | Veterans' Service Officer | Mandatory Training                 | 219.94        | 123,463.89        |
| 4-Apr       | Town Administrator        | Elevator Repair                    | 535.00        | 122,928.89        |
|             | Town Administrator        | Unemployment Claims Consultant     | 450.00        | 122,478.89        |
| 11-Apr      | Board of Selectmen        | Vacation Buyback                   | 1,907.06      | 120,571.83        |
|             | Wiring Inspector          | Longevity                          | 146.67        | 120,425.16        |
| 25-Apr      | Town Administrator        | Town Hall Electric Service         | 1,216.41      | 119,208.75        |
| 23-May      | Assessors                 | Performance Pay                    | 150.00        | 119,058.75        |
|             | Wiring Inspector          | Longevity                          | 160.00        | 118,898.75        |
|             | Disabilities              |                                    |               |                   |
| 20-Jun      | Commission                | Telephone Service - May & June     | 225.00        | 118,673.75        |
|             | Council on Aging          | Building Repair                    | 215.59        | 118,458.16        |
|             | Town Clerk                | Vacation Buyback                   | 1,517.40      | 116,940.76        |
| 5-Jul       | Town Administrator        | Town Hall Electric Service         | 1,604.26      | 115,336.50        |

|        |                     |                            |                  |            |
|--------|---------------------|----------------------------|------------------|------------|
| 5-Jul  | Town Administrator  | Town Hall Electric Service | 1,821.64         | 113,514.86 |
|        | Board of Assessors  | Vacation Buyback           | 666.75           | 112,848.11 |
| 18-Jul | Town Administrator  | Medicare;                  | 6,842.00         | 106,006.11 |
|        | Town Administrator  | Unemployment               | 3,161.00         | 102,845.11 |
|        | Disabilities        |                            |                  |            |
|        | Commission          | Telephone                  | 40.00            | 102,805.11 |
|        | Animal Control      | Gasoline                   | 672.00           | 102,133.11 |
|        | Building Department | Clerical salaries          | 5,881.00         | 96,252.11  |
|        | Police Department   | Gasoline                   | 18,000.00        | 78,252.11  |
|        | Town Administrator  | Postage                    | 4,327.00         | 73,925.11  |
|        | Data Processing     | Maintenance                | 177.00           | 73,748.11  |
|        | Town Administrator  | Legal services             | 1,417.00         | 72,331.11  |
|        | Town Accountant     | Longevity                  | 130.00           | 72,201.11  |
|        | Selectmen           | Longevity                  | 50.00            | 72,151.11  |
|        | Total transfers     |                            | <b>77,848.89</b> |            |

|                   |
|-------------------|
| <b>Closed Out</b> |
|-------------------|

|                  |
|------------------|
| <b>72,151.11</b> |
|------------------|

Respectfully submitted,

Matthew D. McNeilly II Chairman, Anne Marie Stanton Clerk, Linda Peterson, Marie Peeler, Kathy Hassey, Steve Curley, Gary Fine and James McCollum, members.



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF PEMBROKE  
ANNUAL TOWN MEETING WARRANT  
TUESDAY, APRIL 24, 2012**

PLYMOUTH, ss.

To either of the Constables of the Town of Pembroke in the County aforesaid.

Greeting: In the name of the Commonwealth of Massachusetts, you are hereby required and directed to notify and warn the inhabitants of the Town of Pembroke who are qualified to vote on Town affairs and Elections therein to meet at the

**PEMBROKE HIGH SCHOOL  
LEARNING LANE, PEMBROKE, MASSACHUSETTS  
ON  
TUESDAY, THE TWENTY-FOURTH DAY OF APRIL 2012  
AT SEVEN THIRTY O'CLOCK IN THE EVENING**

then and there to act on the following articles:

**ARTICLES 1 - 25**

**ARTICLE 1:** To hear and act on the Reports of the Town Officers and Committees, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *This article allows any standing Board or Committee the opportunity to inform the Town of any important developments. All reports for the calendar year that were submitted by Department and Committee Heads are printed in the Annual Town Report.*

**ARTICLE 2:** To see if the Town will vote to amend schedules A, B and C of the Classification and Compensation By-laws according to the schedules listed below and to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund any changes:

**SCHEDULE A  
CLASSIFICATION OF POSITIONS**

*ALL DEPARTMENTS*

| <u>Title</u>                                 | <u>Compensation Schedule</u> |
|--|------------------------------|
| Police Chief                                 | SA-2                         |
| Fire Chief & Forest Warden                   | SA-3                         |
| Lieutenant (Fire) Captain (Fire) –Call Dept. | SA-5                         |
| Call Firefighters                            | SA-6                         |
| DPW Director                                 | SA-7                         |
| Treasurer/Collector                          | SA-8                         |
| Youth Services Librarian                     | SA-11                        |
| Assistant Librarian                          | SA-12                        |
| Associate Librarian II                       | SA-13                        |
| Associate Librarian I                        | SA-14                        |
| Coordinator/Director of Recreation           | SA-15                        |
| Building Inspector/Zoning Agent              | SA-16                        |
| Deputy Fire Chief                            | SA-17                        |
| Animal Control Officer                       | SA-18                        |
| Executive Assistant                          | SA-19                        |
| Lieutenant/Assistant to Police Chief         | SA-20                        |
| Chief Assessor/Appraiser                     | SA-21                        |
| Director of Planning & Community Development | SA-22                        |
| Planning Board Assistant                     | SA-23                        |
| Assistant DPW Superintendent                 | SA-24                        |
| Library Director                             | SA-27                        |
| Health Agent                                 | SA-28                        |
| Council on Aging Director                    | SA-29                        |
| Town Clerk                                   | SA-30                        |

**ANNUAL SALARY SCHEDULE A  
EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013**

|    | MINIMUM        | 2 <sup>ND</sup> YEAR | MAXIMUM        |
|----|----------------|----------------------|----------------|
| SA | <i>Current</i> | <i>Current</i>       | <i>Current</i> |
| 2  | 88,064         | 93,301               | 98,849         |
| 3  | 88,064         | 93,301               | 98,949         |
| 5  |                |                      | 474            |
| 6  |                |                      | 360            |
| 7  | 88,312         | 90,745               | 95,282         |
| 8  | 72,352         | 75,970               | 79,816         |
| 11 | 41,899         | 45,955               | 50,061         |
| 12 | 13,212         | 13,547               | 15,661         |
| 13 | 36,343         | 38,155               | 39,955         |
| 14 | 31,989         | 34,002               | 35,283         |
| 15 | 46,125         | 48,731               | 51,166         |
| 16 | 58,917         | 61,436               | 62,971         |
| 17 | 73,232         | 77,579               | 82,568         |
| 18 | 33,330         | 37,174               | 40,910         |
| 19 | 46,232         | 48,158               | 50,774         |
| 20 | 73,596         | 77,924               | 82,974         |
| 21 | 72,352         | 75,970               | 79,816         |
| 22 | 55,540         | 59,762               | 63,895         |
| 23 | 42,876         | 45,011               | 47,178         |
| 24 | 59,684         | 63,846               | 67,315         |
| 27 | 58,409         | 65,443               | 69,000         |
| 28 | 51,361         | 52,945               | 55,737         |
| 29 | 47,628         | 50,010               | 52,511         |
| 30 |                |                      | 65,908         |



**ANNUAL SALARY SCHEDULE B  
APPOINTED PART TIME OFFICERS AND EMPLOYEES  
ANNUAL SALARY EFFECTIVE  
JULY 1, 2012 THROUGH JUNE 30, 2013**

| <b>POSITION</b>                      | <b>CURRENT SALARY</b> |
|--------------------------------------|-----------------------|
| Town Accountant                      | \$42,165              |
| Assistant Town Accountant            | 35,087                |
| Conservation Agent                   | 30,387                |
| Wiring Inspector                     | 24,880                |
| Veterans' Agent                      | 14,853                |
| Plumbing Inspector                   | 12,230                |
| Gas Inspector                        | 12,230                |
| Animal Inspector                     | 6,321                 |
| Summer Playground Director           | 6,184                 |
| Inspector of Weights & Measures      | 5,755                 |
| Assistant Wiring Inspector           | 4,690                 |
| Assistant Summer Playground Director | 4,197                 |
| Herring Fisheries Superintendent     | 2,443                 |
| Civil Defense Director               | 2,444                 |
| Town Landing Administrator           | 1,955                 |

**SCHEDULE C**  
**FULL TIME/PART TIME HOURLY WAGE SCHEDULE**  
**EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013**

| <u>Title</u>   | <u>Compensation Schedule</u> |
|--|------------------------------|
| Matron   | SC-1                         |
| Patrolman - Permanent Intermittent   | SC-1                         |
| Patrolman - Special  | SC-2                         |
| Summer Playground Counselor (Recreation Dept.)   | SC-3                         |
| After School Counselor (Recreation Dept.)  | SC-3                         |
| Basic Recycling Attendant  | SC-3                         |
| Part-time Laborer  | SC-4                         |
| Call Firefighter   | SC-5                         |
| Diver  | SC-6                         |
| Landfill Manager   | SC-7                         |
| Building Committee Assistant (Part-time)   | SC-8                         |
| Custodian  | SC-9                         |
| Election Workers, Census Workers and Board of Registrars                                     | SC-10                        |
| Senior Clerk   | SC-11                        |
| Junior Clerk   | SC-12                        |
| Typist - part-time   | SC-13                        |
| Council on Aging Drivers   | SC-13                        |
| Maintenance Person (Part-time)   | SC-13                        |
| Library Aide   | SC-14                        |
| Lifeguard  | SC-15                        |
| Water Safety/Lifeguard Training Instructor   | SC-16                        |
| Director/Water Safety Instructor   | SC-17                        |
| Head Life Guard/Water Safety Instructor  | SC-18                        |
| Extra Help – Assessors Measurer  | SC-19                        |
| Summer Head Counselor (Recreation Dept.)   | SC-19                        |
| After School Head Counselor (Recreation Dept.)   | SC-19                        |
| Extra Help – Assessors Lister  | SC-20                        |
| Water Safety Instructor Aide   | SC-21                        |
| Alternate Building Inspector   | SC-22                        |
| Program Instructor   | SC-23*                       |
| Library Page   | SC-24                        |
| Recycling Attendant  | SC-25                        |
| Zoning Board Assistant   | SC-27                        |
| Recycling Supervisor   | SC-28                        |
| Principal Clerk  | SC-29                        |
| Senior Aide – Council on Aging   | SC-29                        |
| Assistant to the Conservation Commission   | SC-30                        |
| *SC 23 is a flexible rate based on approval by the Wage & Personnel Board (Art #37 ATM 4/01) |                              |

**SCHEDULE C**  
**FULL TIME/PART TIME HOURLY WAGE SCHEDULE**  
**EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013**

| SC | Minimum        | 2 <sup>nd</sup> Year | Maximum        |
|----|----------------|----------------------|----------------|
| SC | <i>Current</i> | <i>Current</i>       | <i>Current</i> |
| 1  | 21.80          | 24.07                | 27.25          |
| 2  | 21.80          | 24.07                | 27.25          |
| 3  | 9.01           | 9.46                 | 9.92           |
| 4  | 16.58          | 17.66                | 18.77          |
| 5  | 18.74          | 18.74                | 18.74          |
| 6  |                |                      | 25.37          |
| 7  |                |                      | 37.75          |
| 8  |                |                      | 19.32          |
| 9  | 16.55          | 18.40                | 19.94          |
| 10 |                |                      | 12.19          |
| 11 | 15.76          | 16.79                | 17.83          |
| 12 | 12.55          | 13.64                | 14.69          |
| 13 | 12.06          | 12.61                | 13.17          |
| 14 | 12.55          | 13.56                | 14.70          |
| 15 |                |                      | 11.49          |
| 16 |                |                      | 12.87          |
| 17 |                |                      | 14.24          |
| 18 |                |                      | 13.42          |
| 19 |                |                      | 10.77          |
| 20 |                |                      | 14.34          |
| 21 |                |                      | 11.28          |
| 22 |                |                      | 23.08          |
| 23 |                |                      | 16.79          |
| 24 | 9.63           | 10.11                | 10.63          |
| 25 | 10.15          | 10.64                | 11.18          |
| 27 | 19.56          | 20.59                | 21.55          |
| 28 | 13.07          | 13.71                | 14.38          |
| 29 | 15.87          | 16.80                | 17.77          |
| 30 | 19.19          | 20.19                | 21.13          |

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *This article allows the Town to set the salaries and wages of Town employees that are not employed under the conditions of a collective bargaining agreement or employed by the School Committee. It is generally the vehicle used to grant cost of living increases and may be amended from time to time either within this article or through a separate Town Meeting action.*

**ARTICLE 3:** To see what sums the Town will raise by taxation or otherwise to pay Town Debts and charges for the ensuing fiscal year and to fix the salary and compensation of all elective officers and employees of the Town, as provided by Section 108 and 108A of Chapter 41, Mass. General Laws, and applicable amendments thereto, and appropriate the same, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Town Meeting Floor

EXPLANATION: *This article presents the Fiscal Year 2013 operating budget as prepared by the Town Administrator. Included in the article are the department's requests and the Advisory Committee recommendations.*

**ARTICLE 4:** To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2012, in accordance with the provisions of the General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *State law requires Town Meeting approval to authorize the Treasurer, with the approval of the Selectmen, to borrow money during the course of the fiscal year. This article allows the Town to issue short-term notes to meet its cash flow needs.*

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the purpose of funding any new collective bargaining agreements between the Town and the Pembroke Patrolmen's Association, Pembroke Permanent Firefighters Association, Council 93, Local 1700 (Town Hall), and Council 93, Local 1700 (Public Works), or take any other action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Town Meeting Floor

EXPLANATION: *This article allows the Town to fund collective bargaining agreements negotiated between the Board of Selectmen and the listed Town Unions.*

**ARTICLE 6:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Stabilization Fund, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Town Meeting Floor

EXPLANATION: *This article authorizes the Town Meeting to set aside a sum of money to be placed into the Town's Stabilization Fund to be used for future purposes. Requires 2/3 majority vote.*

**ARTICLE 7:** To see if the Town will vote to authorize the Board of Selectmen to make application for and to accept federal or state grants for assistance pertaining to community development projects or programs, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *This article authorizes the Selectmen to apply for and to accept any federal or state grants on behalf of the Town.*

**ARTICLE 8:** To see if the Town will vote to authorize the following revolving accounts pursuant to M.G.L. c. 44, s.53E½ :

| NO. | DEPARTMENT                                      | RECEIPTS  | EXPENDITURES   |
|-----|---|---|--|
| 1   | Selectmen's Printing and Advertising            | Hearing fees, sale of printed materials and parking fines not to exceed the cost of tickets | Advertising hearings, bids and employment; printing by-laws, contracts, regulations and parking tickets, total expenditures not to exceed \$10,000             |
| 2   | Pembroke School Department Building Utilization | Rents and custodial fees received from school facilities                                    | Maintenance and repairs of school buildings, facilities wages, custodial overtime, utilities at the Hatch building, total expenditures not to exceed \$100,000 |
| 3   | Zoning Board of Appeals Advertising             | Advertising fees for hearings   | Advertising hearings, total expenditures not to exceed \$5,000   |

|    |                                       |   |  |
|----|---------------------------------------|---|--|
| 4  | Police Department Copy Machine        | Sale of photo copies of police reports  | Copy machine equipment and supplies, total expenditures not to exceed \$3,500  |
| 5  | Police Warrant                        | Fees for service of warrants            | Labor and materials furnished in the service of warrants, total expenditures not to exceed \$2,000   |
| 6  | Library Fines                         | Library fines and lost or damaged books | Books and non-print materials, total expenditures not to exceed \$25,000   |
| 7  | Town Landing Activities               | Activity fees and contributions         | Upkeep and maintenance of Town Beaches, total expenditures not to exceed \$20,000  |
| 8  | DPW Vehicle Operation and Maintenance | Fuels used by other departments         | Fuel, oil, maintenance and parts for equipment repair and upgrading, total expenditures not to exceed \$200,000  |
| 9  | Board of Selectmen                    | Earth Removal Permits, Deposits/Bonds   | Hiring engineers or surveyors to report to Board of Selectmen – not to exceed \$10,000   |
| 10 | Pembroke Public Schools               | School Bus Fees                         | Contracted services and wages for student transportation, total expenditures not to exceed \$350,000   |
| 11 | Pembroke Public Schools               | Tuition and Fees                        | Wages, stipends, supplies, and other expenses directly related to the operation of the Pembroke Pre-School Program, Kindergarten Program, Summer Reading |

|     |   |   |   |
|-----|---|---|---|
|     |   |   | Program and/or other tuition based programs – not to exceed \$100,000   |
| 12  | Planning Board                                  | Fees from the Sale of Zoning Bylaw Books  | Printing of the Zoning Bylaw Books, total expenditures not to exceed \$5,000  |
| 13  | Conservation Commission                         | Filing Fees   | For use only for wetlands protection activities, not to exceed \$15,000   |
| 14  | Pembroke School Dept<br>School fees and revenue | Fines, Fees, Deposits, Contributions, and Other Revenues received by individual school administrators in the ordinary course of school administration which do not fall within the statutory scope of Athletic/Extra-Curricular Revolving accounts, and/or student activity accounts. | Incidental school level expenses necessary to further the educational interests of the students, total expenditures not to exceed \$100,000 |
| 15. | Affordable Housing Committee                    | Fees and Gifts  | Expenses related to providing affordable housing to Pembroke residents – Not to exceed \$50,000   |
| 16. | Conservation Commission                         | Local Filing Fees<br>Donations<br>Fines   | Salaries, Workshops, Conferences, Dues, Advertising, Property Maintenance<br>Not to exceed \$30,000 per year                                |
| 17. | Treasurer/Collector                             | Tax Title Legal Fees  | Tax Title legal costs<br>\$30,000   |

|     |  |                                   |   |
|-----|--|-----------------------------------|---|
| 18. | DPW – Cemetery                                 | Fees charged                      | To pay overtime from weekend burials and to pay for foundation. Total expenditures not to exceed \$10,000   |
| 19  | DPW - Tree                                     | Sale of Firewood<br>Fees charged  | To replace equipment and beautification to supply trees, shrubs, flowers, mulch, etc. for all public areas in town, total expenditures not to exceed \$20,000 |
| 20  | Conservation Commission/ Town Forest Committee | Fees from logging in Town Forests | Expenses related to the care and maintenance of town forests. Not to exceed \$20,000  |
| 21  | Council on Aging                               | GATRA Reimbursements              | Expenses related to providing transportation to Pembroke residents. Not to exceed \$50,000  |
| 22  | Board of Health                                | Nursing Services Reimbursements   | Expenses related to medical related supplies or health services. Not to exceed \$5,000  |

or take any action relative thereto.

Submitted by Board of Selectmen, D.P.W., Board of Health, Historical Commission, Town Landing Committee, Library Trustees, Police Dept., Zoning Board of Appeals, Pembroke School Dept., Planning Board, Conservation Commission, Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION: *This article will allow the above listed departments to retain certain revenues and use these receipts in support of the programs for which the fee was charged.*

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money for State Aid construction of public highways and other accepted local roads of Pembroke in accordance with the provision of Section 34, M.G.L. Ch. 90 and any other applicable statute, said sum to be expended in FY'2013-2014 in



conjunction with the available State Funds, and further to authorize the Town Treasurer to meet said appropriation whether by taxation, transfer, borrowing or otherwise, or take any action relative thereto.

Submitted by the DPW Commissioners

ADVISORY COMMITTEE RECOMMENDATION: Favorable Action

SELECTMEN RECOMMENDATION: Favorable Action

EXPLANATION: *This is a routine article. The purpose of this article is to request the Town Meeting to authorize the Town Treasurer to borrow funds in anticipation of reimbursement from the Massachusetts Highway Department from the Chapter 90 Program.*

**ARTICLE 10:** To see if the Town will vote to authorize the Board of Selectmen to enter into contracts with Massachusetts Highway Department for the construction and maintenance of public highways for the ensuing year, or take any action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION: Favorable Action

SELECTMEN RECOMMENDATION: Favorable Action

EXPLANATION: *This article allows the Selectmen to contract with the State for improvements to public roads within the Town.*

**ARTICLE 11:** To see if the Town will vote to establish an Other Post Employment Benefits Liability Fund ("OPEB Fund") and to **provide for the** transfer of funds into said OPEB Fund, by taking the following actions:

-vote to accept G.L. c. 32B, s.20 and authorize the Board of Selectmen to take such actions as are necessary to establish an Other Post Employment Benefits Liability Fund meeting the requirements of GASB Statement 45; and further

-vote to authorize the Board of Selectmen to file a petition with the General Court seeking special legislation authorizing the automatic transfer of remaining funds from the Town's Health Insurance line item as of June 30<sup>th</sup> of each year into the Town's OPEB Fund, unless Town Meeting votes in any year to otherwise appropriate such funds or direct that such funds close out to free cash;

or take any other action related thereto.

Submitted by the Town Accountant

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION: Favorable Action

EXPLANATION: *The Governmental Accounting Standards Board has set forth standards by which every municipality must conduct a bi-annual actuarial study to*

*determine the actuarial cost of its obligation to employees for post-employment health and life insurance benefits.*

**ARTICLE 12:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of \$6,000.00 to add to the Town Clerk's salary, or take any other action relative thereto.

Submitted by the Town Clerk

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *This would bring the Town Clerk's salary in line with other Town Clerk's salaries.*

**ARTICLE 13:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of \$12,800.00 or any other sum, to be expended under the direction of the Board of Selectmen and managed by the Pembroke Watershed Association, for the purposes of continuing the hydrilla control program in Hobomock Pond.

Submitted by the Conservation Commission

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION: *The aquatic vegetation control program performed at Hobomock Pond has been very effective at controlling the hydrilla infestation. However, continued management of this invasive species is necessary to prevent additional spread and to achieve a level of sustainable long-term control.*

**ARTICLE 14:** To see if the Town will vote to amend the Town of Pembroke Bylaws, Article XX – Police Regulations, Section 7 A. to read:

SECTION 7.

- A. Every owner or keeper of a dog who is three (3) months old or over shall license it with the Town Clerk between the first (1st) day of January and the twenty-eighth (28th) day of February of each year. Every owner or keeper of a dog which becomes three (3) months old subsequent to the first (1st) day of January of any year shall license it with the Town Clerk when it becomes three (3) months old. The license fee shall be twelve dollars (\$12.00) for female and male dogs and nine dollars (\$9.00) for altered male and spayed female dogs. All licenses must be renewed by the twenty-eighth (28th) day of February or be subject to a late fee charge of fifteen dollars (\$15.00). The owner or keeper of every dog which is so licensed shall cause it to wear at all times a metal license tag issued for this purpose by the Town Clerk. No person shall own or keep in the Town any dog which by biting, barking or howling, or in any other manner disturbs the peace or quiet of any neighborhood or endangers the safety of any person.

Submitted by the Town Clerk

ADVISORY COMMITTEE RECOMMENDATION: Favorable Action  
SELECTMEN'S RECOMMENDATION: Favorable Action  
EXPLANATION: *The Town Clerk is proposing two changes; first is a date change from July 1<sup>st</sup> to January 1<sup>st</sup> because this is the date that the census asks if residents have a dog and will remember that licenses are due. The second change is a reduction in the late fee from the current \$25.00 late fee to a \$15.00 late fee that is consistent with surrounding towns.*

**ARTICLE 15:** To see if the Town will vote to appropriate a sum of money for the implementation of the Stormwater Management Plan; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; and to take any other action relative thereto.

Submitted by the Town Administrator

ADVISORY'S RECOMMENDATION:  
SELECTMEN'S RECOMMENDATION: Favorable Action  
EXPLANATION: *This Article asks that the Town vote to authorize the borrowing of a sum of money to be used to implement the Stormwater Management Plan developed by The Environmental Partners Group and the Department of Public Works. This work will reduce the amount of pollutants that flow in to our ponds, lake, rivers and streams. The Commonwealth has awarded the Town a low interest loan of \$340,000 to finance the project. Borrowing will require a 2/3rds vote.*

**ARTICLE 16:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$ 492,992.00 for the purpose of hiring eight (8) additional full time firefighter/paramedics for the Fire Department, or take any action relative thereto.

Submitted by Fire Chief James A. Neenan

ADVISORY COMMITTEE RECOMMENDATION: Unfavorable Action  
SELECTMEN RECOMMENDATION: Town Meeting Floor  
EXPLANATION:

**ARTICLE 17:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$ 246,496.00 for the purpose of hiring four (4) additional full time firefighter/paramedics for the Fire Department, or take any action relative thereto.

Submitted by Fire Chief James A. Neenan

ADVISORY COMMITTEE RECOMMENDATION: Unfavorable Action  
SELECTMEN RECOMMENDATION: Town Meeting Floor  
EXPLANATION:

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$30,874 to fund a line item for Town Hall Information Technology Support or take any other action relative thereto.

Submitted by the Town Hall IT Support Review Committee

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN'S RECOMMENDATION:

Town Meeting Floor

EXPLANATION: *The start up costs of servers, software, licensing, installation, etc is \$12,874 and the annual support service is \$18,000.*

**ARTICLE 19:** To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain the fee to and/or permanent and temporary easements in certain parcels of land, or a modification of said parcels and easements or other parcels and easements, for public way purposes, including without limitation, drainage, utility, sidewalk, slope, grading, rounding, construction and other related easements, which will enable the Town to undertake the Route 14 project roadway construction and roadway safety improvements;

Permanent Easements: 5 Parcels Area (Square Feet)+ : 445

Temporary Easements: 108 Parcels Area (Square Feet)+ : 61,525

and to see if the Town will vote to authorize the Board of Selectmen to dispose of any excess land located outside the altered layout of Route 14 on such terms and conditions and for such consideration as the Selectmen deem appropriate; said parcels of land and easement areas to be acquired and conveyed are listed on a sheet entitled "Parcel Summary Sheet" and/or shown more particularly on plans entitled "Route 14 Preliminary Right-of-Way Plans in the Town of Pembroke, Plymouth County," prepared by Massachusetts Highway Department, which sheet and plans are on file with the Town Clerk; and, further, to see if the Town will vote to raise, appropriate, transfer from available funds, accept gifts or borrow a sum of money to defray any and all right-of-way costs related to the Route 14 project, including, without limitation, acquisition costs, payments of damages, where necessary, and incidental legal expenses, and authorize the Board of Selectmen to enter into all agreements and take all related actions necessary and appropriate to carry out such acquisitions and conveyances; or take any other action relative thereto.

Submitted by the DPW Commissioners

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION: *This requires a majority vote (unless borrowing, in which case 2/3rds vote).*

**ARTICLE 20:** To see if the town will vote to amend Schedule A, Classification and Compensation By-law by adding the position of Generalist Reference Librarian, Schedule SA-31 at the rate of:

Min.: \$41,074      2<sup>nd</sup>: \$45,726      max.: \$48,811

and to see if the town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$41,074 to be added to the amount voted under the Library Personal Services in the annual town meeting warrants or take any action relative thereto.

Submitted by Library Trustees

ADVISORY COMMITTEE RECOMMENDATION: Unfavorable Action  
SELECTMEN'S RECOMMENDATION: Town Meeting Floor  
EXPLANATION: *This article seeks to fulfill a need identified in the FY12 long range plan of the library to increase services to the residents of Pembroke, and adds a position that will provide outreach and programming support for all ages. The reference librarian will support the Youth Services Librarian and the Director and provide programming for adults such as computer training, and research assistance as well as other educational and recreational programs. They would enhance residents' ability to find, understand and evaluate information and provide one-on-one reference services.*

**ARTICLE 21:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Pembroke Section II "Definitions", to add the following two new definitions:

**Base Flood**

The flood having a one percent chance of being equaled or exceeded in any given year.

**Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation.

And further, to amend the Zoning Bylaw, Section III "Establishments of Districts" a new section 6. Flood Plain and Watershed Protection District A. to read as follows:

**6. Flood Plain and Watershed Protection District**

**A. Flood Plain District**

The Flood Plain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Pembroke designated as Zones A and AE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Pembroke are panel numbers 25023C0201J, 25023C0202J, 25023C0203J,

25023C0204J, 25023C0206J, 25023C0207J, 25023C0208J, 25023C0209J, 25023C0211J, 25023C0212J, 25023C0214J, 25023C0216J, 25023C0217J, 25023C0218J, 25023C0219J, and 25023C0226J, dated July 17, 2012. The exact boundaries of the District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance study report dated July 17, 2012. The FIRM and Flood Insurance Study report are incorporated herein by reference and are on file with the Town Clerk and the Building Inspector.

And further, to amend the Zoning Bylaws Section V “Special Provisions, Standards and Procedures 2. Flood Plain and Watershed Protection District A. to read as follows:

**2. FLOOD PLAIN AND WATERSHED PROTECTION DISTRICT**

**A. Flood Plain District**

**1. Purpose**

The purpose of this Flood Plain District is to protect the health and safety of persons against the hazards of flooding, to conserve the value of land and buildings, to facilitate the adequate provision of a water supply through preservation and of the ground water table, to protect and preserve the marshes, bogs, ponds and watercourses and their adjoining wetlands, to protect the town's significant environmental features by reducing the sources and possibilities of pollution, sedimentation and destruction of water bodies, to encourage the most appropriate use of land, and to preserve and increase the amenities of the town. This section does not grant any property rights, it does not authorize any person to trespass, infringe upon or injure the property of another; and it does not excuse any persons of the necessity of complying with other sections of this bylaw or other applicable laws, regulations or bylaws.

**2. Jurisdiction**

The Flood Plain District shall be considered to be superimposed over any other district established by this bylaw.

**3. Use Regulations**

**a. Uses Permitted:**

1. Land in the Flood Plain District may be used for any purpose otherwise permitted in the underlying district except that no building or other structure shall be constructed except duck blinds or structures necessary for the cultivation of cranberry bogs or for the propagation of fish.
- 2.. Land in the Flood Plain District may be used to meet the lot area requirements in Residence District A, provided:
  - (a). The portion of the lot outside the Flood Plain District contains at least 25,000 square feet of the

minimum applicable lot area requirement and the lot is developed for residential use only.

(b). Land in the Flood Plain District may not be used to meet the lot area requirements in Business, Residential-Commercial and Industrial District.

b. Prohibited Uses: No dumping, filling, storage, transfer, dredging or removal of any material, which will reduce the natural water storage capacity of the land or will interfere with the natural flow of water, shall be permitted.

c. Uses Allowed by Special Permit: Where a specific area or parcel of land, shown on the FIRM and FEMA maps as listed in Section III.6 of this bylaw falling within the limits of the Flood Plain District, is proven by competent engineering and surveying evidence to the satisfaction of the Board of Appeals to be above the Flood Plain District elevation shown on the referenced maps, and where proposed use of such land will not increase flood level, increase the danger of flood damage or reduce water storage capacity, and where proposed use of such land is not unsuitable because of drainage conditions, the Board of Appeals may, by special permit, authorize the proposed use of such land and exempt it from some or all of the restrictions of this section, provided that such use will not endanger the health or safety of the occupants thereof.

4. Nonconforming Uses

The provisions of this Section shall not apply to any building or structure in a Flood Plain District in existence or for which building permits had been issued prior to the date of adoption of this section, and such buildings, structures may be repaired, altered, enlarged or rebuilt in compliance with all other sections of this bylaw and applicable state and town laws and regulations, provided that any such enlarged or rebuilt structure shall not affect the natural flow patterns of any watercourse, or endanger the health and safety of the occupants thereof.

5. In Zone AE along watercourses that have a regulatory floodway designated on the Plymouth County FIRM encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. In Zone A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. Base flood elevation data is required for subdivision proposals or other developments

greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones

6. All subdivision proposals must be designed to assure that:
  - a. such proposals minimize flood damage;
  - b. all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
  - c. adequate drainage is provided to reduce exposure to flood hazards.
7. In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:
  - Adjacent Communities
  - NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104
  - NFIP Program Specialist  
Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110
8. The Flood Plain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:
  - Sections of the Massachusetts State Building Code (780 CMR) which address floodplain areas;
  - Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
  - Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
  - Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

Or take any other action relative thereto.

Submitted by the Planning Board



ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION:

**ARTICLE 22:** To see if the Town will vote to appropriate and/or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2013, with each item to be considered a separate appropriation:

**Appropriations:**

From FY 2013 estimated revenues: Committee Administrative Expenses (5%) \$ 14,000

**Reserves:**

|  |           |
|--|-----------|
| From FY 2013 estimated revenues for Historic Resources Reserve (10%) | \$ 28,000 |
| From FY 2013 estimated revenues for Community Housing Reserve (10%)  | \$ 28,000 |
| From FY 2013 estimated revenues for Open Space Reserves (10%)        | \$ 28,000 |
| Balance FY 2013 estimated revenues for Budgeted Reserve              | \$ 69,500 |

Submitted by the Community Preservation Committee

ADVISORY RECOMMENDATION:

SELECTMEN'S RECOMMENDATION:

Town Meeting Floor

EXPLANATION: *This article satisfies a mandate by the State in the Community Preservation Act. It is stated in the act that each year the Town must reserve a minimum of 10% for each category from the projected combined income from our 1% surcharge and funding from the State.*

**ARTICLE 23:** To ask the Town of Pembroke to vote to raise or appropriate or transfer from available funds, the sum of \$3,500 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents, or take any other action relative thereto.

Submitted by Petition of Carolyn F. Bell and others

ADVISORY COMMITTEE RECOMMENDATION:

Unfavorable Action

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION: *This article is submitted by Petition and therefore obligated to be included on the warrant. However, this item is already included in the budget for FY13 in the amount of \$3414.*

**ARTICLE 24:** To see if the Town will raise and appropriate or transfer from available funds, the sum of \$3,000 or any other sum, to be expended under the direction of the Board of Selectmen and managed by the Pembroke Watershed Association for the purpose of Water Quality testing of Furnace Pond, Oldham Pond, Stetson Pond, Little Sandy Bottom Pond, and Hobomock Pond as part of the Association's Water Quality Initiative, or take any action thereon.

Submitted by Petition of Patricia McCabe and others

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN'S RECOMMENDATION:

Favorable Action

EXPLANATION: *The Pembroke Watershed Association has provided water quality testing for 8 years through qualified volunteers. Chemical testing is required for any remediation of the ponds, and long term monitoring is essential for ongoing grant applications for assessment and treatment. This is valuable data for the town and state. Volunteer sampling has saved the town thousands of dollars and PWA meets state standards for water quality sampling. \$3,000.00 will cover standard testing costs as well as testing required for treatment.*

**Subsequent Meeting for the  
ELECTION OF OFFICERS  
to be held on  
Saturday, April 28, 2012**

|   |                |
|---|----------------|
| Pembroke Town Hall – Veteran's Hall         | Precinct 1     |
| Pembroke Community Middle School            | Precinct 2 & 4 |
| Bryantville Elementary School Auditorium    | Precinct 3     |
| North Pembroke Elementary School Auditorium | Precinct 5     |

Then and there to act on the following article:

**ARTICLE 25:** To bring to the Election Officers their vote, all on one ballot, for the following named Officers and Committees, to Wit:

One Moderator for one year; two Selectman for three years; two Assessors, one for one year and one for three years; one Board of Health Member for three years; one Housing Authority member for five years; one Library Trustee for three years; two Planning Board Members for five years; one Constable for three years; two School Committee Members for three years; one DPW Commissioner for three years; or take any other action relative thereto.

Submitted by the Town Clerk

Hereof, fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meetings as aforesaid.

Given under our hands this 26<sup>th</sup> day of March in the year of our Lord Two Thousand and Twelve

TOWN OF PEMBROKE  
BOARD OF SELECTMEN

\_\_\_\_\_  
Daniel W. Trabucco, Chairman

\_\_\_\_\_  
Lewis W. Stone, Vice-Chairman

\_\_\_\_\_  
Gregory M. Hanley, Clerk

\_\_\_\_\_  
Willard J. Boulter, Jr., Selectman

\_\_\_\_\_  
Arthur P. Boyle, Jr., Selectman

A true copy, ATTEST: \_\_\_\_\_  
Mary Ann Smith, Town Clerk

PURSUANT TO THE WARRANT, for the Annual Town Meeting to be held on Tuesday, April 24, 2012, I have notified and warned the inhabitants of the Town of Pembroke by posting up attested copies of the same at the Town Office Building, Pembroke Center Library, Pembroke Center Post Office, North Pembroke Post Office, Bryantville Post Office, and the Country Corner Store.

POSTED: Date: \_\_\_\_\_ By: \_\_\_\_\_