

COMMONWEALTH OF MASSACHUSETTS



TOWN OF PEMBROKE
SPECIAL FALL TOWN MEETING WARRANT
TUESDAY, NOVEMBER 1, 2011

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, on TUESDAY, the FIRST DAY OF NOVEMBER, 2011 at SEVEN THIRTY O’CLOCK in the evening, then and there to act on the following:

Given under our hands and seals this 17th day of October 2011

PEMBROKE BOARD OF SELECTMEN

Daniel W. Trabucco, Chairman

Lewis W. Stone, Vice-Chairman

Gregory M. Hanley, Clerk

Arthur P. Boyle, Jr., Selectman

Willard J. Boulter Jr., Selectman

A TRUE COPY ATTEST: _____
Mary Ann Smith, Town Clerk

Pursuant to the Warrant for the Special Fall Town Meeting to be held on November 1, 2011, 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 October 18, 2011 By Arthur P. Boyle Jr., Constable

Moderator, Steven C Dodge Called the Special Fall Town Meeting to order at 8:15 P.M. at the Pembroke High School, Learning Lane Pembroke Ma on November 1, 2011, pursuant to a Warrant under the hands of the Selectmen, Chairman, Daniel Trabucco, Vice-Chairman , Lewis Stone, Clerk, Gregory Hanley, Selectmen Arthur P. Boyle Jr,

and Selectmen Willard J. Boulter Jr, Issued on the 18, day or October 2011 by Arthur P Boyle A constable showing the warrant had been posted at the Town Office Building, Pembroke Center Post Office, Pembroke Center Library, North Pembroke Post Office Bryantville Post Office and the Country Corner Store. Checkers appointed by the Selectmen were Stacey Curtin, Sandra Damon, Rosemarie Egerton, Carol Nourse and Mary Teevens, who reported 152 voters in attendance. Tellers sworn in by the Moderator were Patricia Cullity, Robert Graham, Cheryl Nogler and Gail Sim.

Pembroke High School Senior Class President Matt Winn led the body in the Pledge of Allegiance.

Moderator Stephen Dodge acknowledged new members of the press then gave a short Tutorial on Roberts Rules.

Acting on a motion made by Selectmen Boyle a vote was passed to give the Moderator authority to determine that a 2/3rds vote has been achieved.

A motion was made to allow the following non-residents and non-registered voters to enter and address the Town Meeting

- Edward Thorne, Town Administrator
- Michael Buckley, Town Accountant
- Joel Bard, Kopelmen and Page
- Miriam MacInnis, Advisory Committee Secretary
- Erin Obey, School Department
- Charles Matthews WATD
- Patrick Ronan, Press
- Kate Rowland, Press
- Campbell Cappa, Press
- Alanna Bibaud, Observer
- Sean Fitzgerald, Observer
- Haley Gillimac, Observer
- Bonnie Pajic, Observer
- Colton Cappa, Boy Scout
- Eric Frisbee, Boy Scout
- Justin McClarey, Boy Scout

ARTICLE	ACTION
1	14
2	17
3	16
4	7
5	3
6	1
7	13
8	15
9	8
10	4
11	6
12	10
13	5
14	9
15	2
16	11
17	12
18	18

ARTICLES 1 THROUGH 18

ARTICLE 1: ACTION 14: To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Treasurer to borrow, a sum or sums of money, to be expended for capital projects and/or equipment in accordance with the following capital budget schedule which is incorporated by reference herein, or take any other action relative thereto.

DEPARTMENT	PROJECT	REQUEST	FUNDING	RECOMMENDATION
Assessors	Server	\$ 5,050.00	Overlay Surplus	Favorable Action
DPW	1 Ton Dump Truck	\$ 50,000.00	Free Cash	Favorable Action
DPW	Asphalt Hot Box	\$ 29,900.00	Free Cash	
Police	Cruiser	\$ 36,000.00	Free Cash	Favorable Action
Police	Vests	\$ 20,440.00	Capital Fund	Favorable Action
Police	Radar Trailer	\$ 14,000.00	Capital Fund	Favorable Action
Recreation	Ball field Drainage	\$ 30,000.00	Capital Fund	
Water	Various Projects	\$ 40,000.00	Water Revenue	
Water	Various Projects	\$ 40,000.00	Water Revenue	
Water	Various Projects	\$168,750.00	Water Revenue	
Water	Various Projects	\$ 12,500.00	Water Revenue	
Water	Various Projects	\$ 60,000.00	Water Revenue	

Submitted by Various Town Departments

Moved by Matthew McNeilly That the Town transfer sums of money for capital equipment and projects as printed.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 2: ACTION 17: To see if the Town will vote to raise and appropriate from taxation, and/ or transfer from available funds, to fund the below listed supplements to the amounts voted under Article 3 of the April 2011 Annual Town Meeting, or take any other action relative thereto:

<u>Transfer To</u>	<u>Amount</u>	<u>Transfer From</u>
Selectmen – Audit	\$ 5,000.00	Taxation
Accountant – Purchase of Services	\$ 750.00	Taxation
Town Hall – General Expenses	\$ 300.00	Taxation
Town Hall – General Expenses	\$ 8,000.00	Taxation
Veterans – Benefits and Medical	\$100,000.00	Free Cash
Conservation – Wages/Salaries	\$ 1,065.00	Taxation
Emergency Management –Wages/Salaries	\$ 36.00	Taxation
Water – General Expenses	\$ 3,153.00	Water Revenue
DPW – General Expenses	\$ 5,647.00	Taxation
Solid Waste – Disposal	\$ 35,569.00	Solid Waste Wages/Salaries
Solid Waste – Disposal	\$ 4,190.00	Solid Waste General Expense

Solid Waste – Disposal \$ 25,800.00 Solid Waste Landfill Costs
Solid Waste – Disposal \$ 49,551.00 Solid Waste Debt

Submitted by the Town Accountant

Moved by Anne Marie Stanton that the town vote to raise and appropriate from taxation, and/or transfer from available funds the funding of the above articles a printed

SECONDED AND SO VOTED

MAJORITY

ARTICLE 3: ACTION 16: To see if the Town will vote to amend the Town By-Laws in Article III –Procedure at Town Meetings, Section 10, by striking the words, “Robert’s Rules of Order” and inserting in place thereof the following words: “Town Meeting Time” or take any action relative thereto.

Submitted by the Town Moderator

Moved by Linda Peterson to amend Article III, Section 10, of the Town By-Laws, entitled Procedure at Town Meetings, by striking the words, “Roberts Rules of Order and inserting in place thereof the following words: “Town Meeting Time” Town Moderator Steven C Dodge spoke on Town Meeting floor in support of this article, Robert DeMarzo served as the temporary Moderator until the vote was taken.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 4: ACTION 7: To see if the Town will vote to transfer from surplus revenue and/or other available funds a sum of money to balance the budget and to reduce the tax rate for the Fiscal Year 2011, or take any other action relative thereto.

Submitted by the Town Accountant

Moved by Stephen Curley to appropriate and transfer from free cash the sum of \$545,218.00 to be expended to pay the outstanding balance due for snow and ice removal And to transfer the sum or \$20,241.00 from the Recreation Revolving Fund to offset the amount to be raised and appropriated for the Fiscal Year 2012 operating budget as voted in Article 3 of the April 27, 2011, annual town meeting.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 5: ACTION 3: 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

NO ACTION WAS TAKEN ON ARTICLE 5

ARTICLE 6: ACTION 1: To see if the Town will vote to accept as a Town Way, Erikson Lane as shown on the street layout plan entitled Erikson Way dated July 15, 2011 prepared by Keefe Associates, Inc., and to see if the Town will further vote to authorize the Board of Selectmen to accept any and all associated property interests and appurtenances to use said street for all purposes for which public ways are used in the Town; or take any other action relative thereto.

Submitted by the Pembroke Planning Board

Moved by Paul Whitman to accept as a Town Way a road known as Erikson Lane as shone on a street layout plan entitled Erikson Way, dated July 15, 2011,. Prepared by Keefe Associates, Inc., and further To authorize the Board of Selectmen to accept any and all associated property interests and appurtenances needed to use said street for all purposes for which public ways are used in the Town.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 7: ACTION 13: To see if the Town will vote to transfer the care, custody and control of the property described below from the Board of Selectmen or other board or officer currently having custody of the same for fire department purposes to the Board of Selectmen for fire department purposes and for the purpose of leasing, and to authorize the Board of Selectmen to lease a portion or portions of the Pembroke Fire Station property located at 380 Washington Street, shown on Assessors Plan E12 as Lot 13A, and described in a deed recorded with the Plymouth Registry of Deeds in Book 2021, Page 398, for telecommunications purposes, on such terms and conditions and for such consideration as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty (20) years; and further to grant such access and utility easements on said property as the Board of Selectmen deems appropriate to serve the telecommunications tower and other facilities installed pursuant to said lease; or take any action relative thereto.

Submitted by the Town Administrator

Moved by James McCollum to transfer the care, custody and control of the property described below from the Board of Selectmen, or other board or officer currently having custody of the same for fire department purposes, to the Board of Selectmen for fire department purposes and for the purpose of leasing; and to Authorize the Board of Selectmen to lease a portion or portions of the Pembroke Fire Station property located at 380 Washington Street, shown on Assessors Plane E12 as Lot 13A, and described in a deed recorded with the Plymouth Registry of Deeds in Book 2021, Page 398, for telecommunications purposes, on such terms and conditions and for such consideration as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty (20) years, and further to grant such access and utility easements on said property as the Board of Selectmen deems appropriate to serve the telecommunications tower and other facilities installed pursuant to said lease.

SECONDED AND SO VOTED

2/3 MAJORITY

ARTICLE 8: ACTION 15: To see if the Town will vote to 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 Police Union, or take any other action relative thereto.

Submitted by the Board of Selectmen

Moved by Kathy Hassey to appropriate and transfer the sum of \$55,532.00 from free cash to be expended to fund new collective bargaining agreements between the Town of Pembroke and the Pembroke Police Union for FY 2011 and FY 2012.

After much discussion a standing vote was taken with the results being 25 YES 42 NO

SECONDED AND SO VOTED

MAJORITY

ARTICLE 9: ACTION 8: 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 Conservation Commission

Moved by Matthew McNeilly to appropriate and transfer the sum of \$12,800.00 from free cash to be expended for the purpose of continuing the hydrilla-control program in Hobomock Pond and under the direction of the Board of Selectmen and the management of the Pembroke Watershed Association.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 10: ACTION 4: To see if the Town will vote to raise and appropriate or transfer the sum of \$36,000 from available funds to replace the filing system in the Board of Health office, or take any other action thereto.

Board of Health - Street Files and General/Miscellaneous

- 1 Supplies: \$6,034.00.
- 2 Labor: Three people for an estimated 15-18 days/\$15,048.00, plus an *estimated* \$600.00 for expenses.
- 3 Equipment: \$12,624.00. (Filing cabinets and hardware)
- 4 General/Miscellaneous files supplies: \$886.00.

Total “estimated cost” including all above items is approximately \$35,192.00, plus tax and shipping.

Submitted by the Board of Health

NO ACTION WAS TAKEN ON ARTICLE 10

ARTICLE 11: ACTION 6: To see if the Town will vote to raise and appropriate or transfer the sum of \$7,000 from available funds to purge the filing system for the Board of Health, or take any other action thereto.

Submitted by the Board of Health

NO ACTION WAS TAKEN ON ARTICLE 11

ARTICLE 12: ACTION 10: To see if the Town will vote to raise and appropriate or transfer the sum of \$8,000 from available funds to create a filing system for the Board of Health archives, or take any other action thereto.

Board of Health - Archives

- 1 Supplies: \$930.00.
- 2 Labor: Two people for an estimated six days/\$4,278.00, plus an *estimated* \$180.00 for expenses.
- 3 Equipment: \$2,020.00.

Total “estimated cost” including all above items is approximately \$7,408.00, plus tax and shipping.

Submitted by the Board of Health

NO ACTION WAS TAKEN ON ARTICLE 12

ARTICLE 13: ACTION 9: To see if the Town will vote to raise and appropriate or transfer the sum of \$19,000 from available funds to create a filing system for the other departments archives, excluding the Board of Health or take any other action thereto.

Central Archives (excluding Board of Health)

- 1 Supplies: \$1,451.00.
- 2 Labor: Three people for an estimated 10 days/\$9,760.00, plus an *estimated* \$400.00 for expenses.
- 3 Equipment: \$6,464.00.

Total “estimated cost” including all above items is approximately \$18,075.00, plus tax and shipping.

Submitted by the Board of Health

NO ACTION WAS TAKEN ON ARTICLE 13

ARTICLE 14: ACTION 11: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$25,000 to replace the failing culvert on Monroe Street by Tubbs Meadow.

Submitted by the DPW Commissioners

Moved by Gary Fine to appropriate and transfer from free cash the sum of \$25,000.00 to be expended by the DPW Commissioners for the replacement of a culvert on Monroe Street by Tubbs Meadow.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 15: ACTION 12: To see if the Town will vote to appropriate the sum of \$60,000, to be added to the amount voted under Article 12 of the April 26, 2011 Annual Town Meeting, to be expended to make improvements to drainage on Oldham Street, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$60,000 and to issue bonds or notes therefor in accordance with Massachusetts General Laws, Chapter 44 Section 7(1), or enabling statute; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this vote, or take any other action relative thereto

Submitted by the DPW Commissioners

Moved by Kathy Hassey to appropriate the sum of \$60,000.00 to be added to the amount voted under Article 12 of the April 26, 2011 annual town meeting to be expended to make improvements to drainage on Oldham Street, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is here by authorized to borrow the sum of \$60,000.00 and to issue bonds or notes therefore in accordance with Massachusetts General Laws, Chapter 44, Section 7(1), or any other enabling statute; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this vote.

SECONDED AND SO VOTED

2/3 MAJORITY

ARTICLE 16: ACTION 18: To see if the Town will vote to 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 2012, with each item to be considered a separate appropriation:

Appropriations:

From FY12 estimated revenues for Committee Administrative Expenses (5%)\$ 14,000.

Reserves:

From FY12 estimated revenues for Historic Resources Reserve (10%)	\$ 28,000.
From FY12 estimated revenues for Community Housing Reserve (10%)	\$ 28,000.
From FY12 estimated revenues for Open Space Reserves (10%)	\$ 28,000.

Submitted by Community Preservation Committee

Moved by Brian Vanriper to authorize the Community Preservation Committee to reserve \$14,000., being 5 percent of the Fy12 estimated revenues, for the committee's administrative expenses; and further to reserve \$28,000., being 10 percent of the FY12 estimated revenues, for the Committee's Historic Resources Reserve; and to reserve \$28,000., being 10 per cent of the FY 12 estimated revenues, for the Committee's Community Housing Reserve; and to reserve \$28,000. and to reserve \$28,000. being 10 percent of the FY12 estimated revenues, for the Committee's Open Space Reserve.

SECONDED AND SO VOTED

MAJORITY

ARTICLE 17: ACTION 18: To see if the Town will vote to adopt and approve the following recommendations of the Community Preservation Committee for Fiscal Year 2012, 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. Each recommendation is to be voted on individually.

Recommendation A: To appropriate/transfer \$26,000.00 from Community Preservation Fund Historic Resources Reserve to Lydia Drake Library Association to replace clapboard and siding on the Lydia Drake Library located on High Street, or take any other action relative thereto.

Moved by Brian Vanriper to appropriate and transfer \$26,000.00 from Community Preservation Fund Historic Resources Reserve and grant the same to Lydia Drake Library Association to replace clapboard and siding on the Lydia Drake Library located on High Street and perform other work related to the historic preservation and/or restoration of said Library, and further to authorize the Board of Selectmen to enter into an agreement with the Lydia Drake Library Association setting forth the terms and conditions of the grant, which agreement shall include the requirement that the Town be provided with a historic preservation restriction on said property, and to authorize the Board of Selectmen to accept such restriction.

SECONDED AND SO VOTED

MAJORITY

Recommendation B: To appropriate/transfer \$15,000.00 from Community Preservation Fund Historic Resources Reserve be granted to the Pembroke Historical Commission to restore the front door, door jam & frame, replace corner board & fascia, replace entry & front clapboards, relocate the electrical service, paint the front of the building and apply insect control on the Bethel Chapel located at 155 Washington Street, or take any other action relative thereto.

Moved by Brian Vanriper to appropriate and transfer \$15,000.00 from Community Preservation Fund Historic Resources Reserve to restore the front door, door jam & frame, replace corner board & fascia, replace entry & front clapboards, relocate the electrical service, paint the building, apply insect control and perform other work related to the historic preservation and/or restoration of the Bethel Chapel located at 155 Washington Street, with such funds to be expended under the direction of the Pembroke Historical Commission, and further to authorize the Board of Selectmen to enter into an agreement setting forth the terms and conditions of the grant, which agreement shall include the requirement that the Town be provided with a historic preservation restriction on said property, and to authorize the Board of Selectmen to accept such restriction.

SECONDED AND SO VOTED

MAJORITY

Recommendation C: To appropriate/transfer \$20,000.00 from Community Preservation Fund Historic Resources Reserve to the Pembroke Town Clerk to preserve old town records; including birth, marriage, death & town reports, or take any other action relative thereto.

Moved by Brian Vanriper to appropriate and transfer \$20,000.00 from Community Preservation Fund Historic Resources Reserve to preserve historical town records, including, without limitation, birth, marriage, death & town reports, with such funds to be expended under the direction of the Town Clerk.

SECONDED AND SO VOTED

MAJORITY

Recommendation D: To appropriate the sum of \$82,500.00 from FY12 Community Preservation Fund Annual Revenues and that said funds be granted to the Pembroke Town Energy Committee to repair brick pointing & panels and repair window & roof trim on the Pembroke Community Center Building located at 128 Center Street, or take any other action relative thereto.

Moved by Brian Vanriper to appropriate and transfer the sum of \$82,500.00 from FY12 Community Preservation Fund Annual Revenues to repair brick pointing & panels and repair window & roof trim of the Pembroke Community Center Building located at 128 Center Street, and perform other work related to the historic preservation and/or restoration of said Community Building, with such funds to be expended under the direction of the Pembroke Town Energy Committee.

SECONDED AND SO VOTED

MAJORITY

Recommendation E: To appropriate the sum of \$25,000.00 from FY12 Community Preservation Fund Annual Revenues and that said funds be granted to the East Pembroke Community Club to restore twelve windows and twelve shutter sets on the East Pembroke Community Club Schoolhouse #7 located at 27 Taylor Street, or take any other action relative thereto.

Moved by Brian Vanriper to appropriate and transfer the sum of \$25,000.00 from FY12 Community Preservation Fund Annual Revenues and grant the same to the East Pembroke Community Club to restore twelve windows and twelve shutter sets of the East Pembroke Community Club Schoolhouse #7 located at 27 Taylor Street, and perform other work related to the historic preservation and/or restoration of said Schoolhouse, and further to authorize the Board of Selectmen to enter into an agreement with the East Pembroke Community Club setting forth the terms and conditions of the grant, which agreement shall include the requirement that the Town be provided with a historic preservation restriction in said property, and to authorize the Board of Selectmen to accept such restriction.

Submitted by the Community Preservation Committee

SECONDED AND SO VOTED

MAJORITY

ARTICLE 18: ACTION 14: To appropriate the sum of \$70,000.00 or any remaining balance of funds, from Community Preservation Fund FY12 Annual Revenues to the Annual Budget Reserve, or take any other action relative thereto.

Move by Marie Peeler appropriate the sum of \$70,000.00, or any remaining balance of funds, from Community Preservation Fund FY12 Annual Revenues to the Annual Budget Reserve, or take any other action relative thereto.

Submitted by the Community Preservation Committee

SECONDED AND SO VOTED

MAJORITY

SPECIAL FALL TOWN MEETING WAS ADJOURNED AT 9:30 P.M.

