

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:

ARTICLES 1 THROUGH 18

ARTICLE 1: 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	
DPW	1 Ton Dump Truck	\$ 50,000.00	Free Cash	
DPW	Asphalt Hot Box	\$ 29,900.00	Free Cash	
Police	Cruiser	\$ 36,000.00	Free Cash	
Police	Vests	\$ 20,440.00	Capital Fund	
Police	Radar Trailer	\$ 14,000.00	Capital Fund	
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

SELECTMEN'S RECOMMENDATION:

Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *This article seeks approval and funding of the Town's Capital Plan for Fiscal Year 2012.*

ARTICLE 2: 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

SELECTMEN'S RECOMMENDATION:

Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *This article requests the transfer of funds to supplement the Town's operating budget that was voted at past April's Annual Town Meeting.*

ARTICLE 3: 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

SELECTMEN'S RECOMMENDATION:

Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *This article seeks to amend the Town By-Laws to change the reference in the following sentence to Town Meeting Time: “The duties of the Moderator and the government of the Town Meeting, not specifically provided for by law, or by foregoing rules shall be determined by the rules of practice contained in Robert’s Rules of Order...”* Town Meeting Time is a version of Robert’s Rules drafted solely to govern

Town Meetings and is used by a majority of towns in Massachusetts. In practice, Pembroke Town Meeting has been following Town Meeting Time procedures for many years.

ARTICLE 4: 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

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *This article is used to balance the current year budget by providing for last year's snow and ice deficit of \$545,218 and by providing for the transfer of \$20,241 from the Recreation Revolving Fund that was inadvertently not voted as part of the operating budget at the Annual Town Meeting.*

ARTICLE 5: 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

SELECTMEN'S RECOMMENDATION: Town Meeting Floor

ADVISORY'S RECOMMENDATION:

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. This article requires a 2/3rds vote.*

ARTICLE 6: 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

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *The Planning Board has approved the road as it meets the Subdivision Control Law.*

ARTICLE 7: 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

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION:
EXPLANATION: *This article extends the current lease at the cell tower at 380 Washington Street for an additional twenty (20) years. This article requires a 2/3rds vote.*

ARTICLE 8: 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

SELECTMEN'S RECOMMENDATION: Town Meeting Floor
ADVISORY'S RECOMMENDATION:
EXPLANATION: *This article funds (\$51,044.00) a new two year agreement between the Town and the Pembroke Police Union.*

ARTICLE 9: 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

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION:
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 10: 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

SELECTMEN’S RECOMMENDATION:

Indefinite Postponement

ADVISORY’S RECOMMENDATION:

EXPLANATION: The Board of Health had an assessment of our current filing system done, and it was determined to be severely inadequate. The Board of Health must maintain a file for every property in the town. All filing cabinets in the Board of Health were classified as overfilled, some to the point that no more could be added to any file. There is no more floor space in the board of health for additional cabinets; to add any more, the Board table would have to be removed, and the Board would have to hold meetings in another room. There would also be no more room for additional personnel. Replacing the current filing system would accomplish three goals. Correct misfiled paperwork, eliminate the file congestion and allow for space for growth, and take up less floor space in the Board of Health office, eliminating the need for expansion or removal of personnel or the Board meetings.

ARTICLE 11: 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

SELECTMEN’S RECOMMENDATION:

Indefinite Postponement

ADVISORY’S RECOMMENDATION:

EXPLANATION: King information systems have performed work at more than twenty town halls in Massachusetts, and are very knowledgeable about record retention times, rules, and regulations. This extra step would ensure room for growth as well as compliant destruction of unnecessary files.

ARTICLE 12: 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

SELECTMEN’S RECOMMENDATION: Indefinite Postponement
ADVISORY’S RECOMMENDATION:
EXPLANATION: *The archived files as they exist are disorganized and on the floor, with this new system, they would be cataloged, boxed, and have a computerized reference system to locate stored archives.*

ARTICLE 13: 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

SELECTMEN’S RECOMMENDATION: Indefinite Postponement
ADVISORY’S RECOMMENDATION:
EXPLANATION:

ARTICLE 14: 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

SELECTMEN’S RECOMMENDATION: Favorable Action
ADVISORY’S RECOMMENDATION:

EXPLANATION: *This will allow the DPW to replace the failing box culvert with 24" reinforced concrete pipe.*

ARTICLE 15: 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

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION:

EXPLANATION: *The purpose of this article is to allow the Town to address and correct the current drainage issues on Oldham Street in the Mackenzie Orchard/Pheasant Lane area. This article requires a 2/3rds vote.*

ARTICLE 16: 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.
Balance FY12 estimated revenues for Budgeted Reserve	\$ 69,500.

Submitted by Community Preservation Committee

SELECTMEN'S RECOMMENDATION: Town Meeting Floor

ADVISORY'S RECOMMENDATION:

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 17: 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.

Motion: Move 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.

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.

Motion: Move 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.

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.

Motion: Move 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.

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.

Motion: Move 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.

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.

Motion: Move 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

SELECTMEN'S RECOMMENDATION:
ADVISORY'S RECOMMENDATION:
EXPLANATION:

Town Meeting Floor

ARTICLE 18: 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.

Motion: Move 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.

Submitted by the Community Preservation Committee

SELECTMEN'S RECOMMENDATION:
ADVISORY'S RECOMMENDATION:
EXPLANATION

Favorable Action

Given under our hands and seals this __17__ day of _____ October _____

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