

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF PEMBROKE, MASSACHUSETTS**



**2017**

**SPECIAL TOWN MEETING WARRANT**

**ATTEND THE SPECIAL TOWN MEETING  
TUESDAY, OCTOBER 24, 2017  
7:00 P.M.**

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

## **REPORT OF THE TOWN ACCOUNTANT**

I am pleased to report that the Department of Revenue has certified Pembroke's Fiscal Year 2017 Free Cash as \$1,822,341 as of June 30, 2017. This amount, which represents 3% of the operating budget, was derived from surplus revenues of 2.27%, principally past due real estate taxes and new motor vehicle excise taxes, and returned appropriations of .73% from a variety of departmental budgets.

The Town has historically underfunded its Snow and Ice budget and last year was no different. Before the Tax Rate for Fiscal Year 2018 can be set, the Fiscal Year 2017 deficit of \$423,678 must be funded and we plan to ask this Town Meeting to do that with Free Cash. This will result in a balanced budget for Fiscal Year 2018 and will leave the Free Cash balance at \$1,398,663. Funding the Firefighters Contract, the last remaining collective bargaining agreement, will require an additional \$173,191.

As we consider how to use this remaining balance of \$1,225,472 it is appropriate to talk about the budgetary issues that will challenge the Town in Fiscal Year 2019. Due to factors largely beyond the control of the Town, employee health insurance and pension expenses may consume all of the allowable increase in the tax levy. Subsequently, it will be very difficult to provide the same level of services and staffing in Fiscal Year 2019. Therefore, I am recommending that close to \$600,000 of the remaining Free Cash balance not be spent at this Town Meeting, and instead be reserved as a contingency for future issues.

This will leave a remaining balance of approximately \$625,472 for consideration at this town meeting. It is my recommendation that half of this should be directed toward savings accounts, leaving approximately \$300,295 to be appropriated toward requested capital outlays.

As in years past, the Town's department heads have been very reasonable with their capital requests. Unfortunately, this year many of those needs cannot be met. In particular, we are not able to fund the purchase of a new front line pumper engine for the Fire Department or needed updates to the "New Library". In addition to this accumulating backlog, the Central Fire Station, the Community Center, the DPW Garage and the Police Station have long outlived their useful lives while the number of residents demanding services has increased. Some of these issues will be addressed at the next Town Meeting in May and all will most likely require additional funding outside of our current means.



**TOWN OF PEMBROKE**  
**SPECIAL FALL TOWN MEETING WARRANT**  
**TUESDAY, OCTOBER 24, 2017**

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 TWENTY-FOURTH DAY OF OCTOBER, 2017 at SEVEN O'CLOCK in the evening, then and there to act on the following:

**ARTICLES 1 THROUGH 17**

**ARTICLE 1:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Treasurer, with the approval of the Board of Selectmen, to borrow, a sum or sums of money, pursuant to G.L. c. 44, §§7 or 8 or any other enabling authority to be expended for capital projects and/or equipment in accordance with the following capital budget schedule which is incorporated by reference herein, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs, or take any other action relative thereto.

DEPARTMENT	PROJECT	REQUEST	FUNDING
Assessors	GIS Digital Orthophoto Flyover	15,000	Overlay Surplus
Town Accountant	IT Conversion: Town/School Accounting Functions	150,000	Free Cash
Police Department	Portable Police Radio Replacement	37,100	Overlay Surplus
Police Department	Replacement of Ballistic Vests	10,400	Overlay Surplus
Police Department	Cruiser Ballistic Kit with Patrol Rifle	1,900	Free Cash
Police Department	Police Department Computer Server Replacement	4,000	Free Cash
Police Department	Police Station Exterior Improvements	4,000	Free Cash
Fire Department	Boat & Trailer for Dive Rescue and Operations	25,000	Free Cash
Fire Department	Extrication and Stabilization Equipment	70,000	Borrowing
Fire Department	Turnout Gear Replacement with Locker Storage	140,000	Borrowing
DPW Water Division	People GIS Work Order Asset Management System	35,000	Water Surplus
Council on Aging	Senior Center Heating System Repair/Upgrade	10,195	Free Cash
Council on Aging	Senior Center Pavement Extension	1,700	Free Cash
Library	Public Library Security Camera System Update	7,000	Free Cash
Library	Public Library Roof Repair	3,000	Free Cash
School Department	Phase One, Technology Improvements: Elementary	76,000	Free Cash

Submitted by Various Town Departments

**ADVISORY'S RECOMMENDATION:**

**Favorable Action**

**SELECTMEN'S RECOMMENDATION:**

**Favorable Action**

**EXPLANATION:** *This article seeks approval and funding of the Town's Capital Plan for Fiscal Year 2018. Borrowing requires a 2/3 vote.*

**ARTICLE 2:** To see if the Town will vote to appropriate or transfer from available funds a sum of money to authorize the below listed transfers to supplement Fiscal Year 2018 appropriations, and to authorize the below listed reductions in Fiscal Year 2018 appropriations, or take any other action relative thereto:

Transfer to the following:

Inspectional Services – Wages & Salaries	\$ 122,740
Inspectional Services – Wages & Salaries	\$ 58,398
Inspectional Services – Wages & Salaries	\$ 195,614
Inspectional Services – Wages & Salaries	\$ 25,443

Funding Source:

Board of Health Salaries
Conservation Salaries
Building Dept. Salaries
Zoning Board Salaries

or take any other action relative thereto.

Submitted by the Town Administrator

ADVISORY COMMITTEE RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *These transfers complete the consolidation of the Department of Municipal Inspections as authorized by Article 11 at annual town meeting May 9, 2017.*

**ARTICLE 3:** 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 2018, or take any other action relative thereto.

Submitted by the Town Accountant

ADVISORY'S RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *This article is used to balance the current year budget by providing for last year's snow and ice deficit of \$423,678 and any other shortfall as may become necessary.*

**ARTICLE 4:** To see if the Town will vote to accept Massachusetts G.L. Chapter 40, Section 13A "Workers' Compensation Insurance Funds", and further, to raise and appropriate and/or transfer from available funds the sum of \$25,000 to be added to the Worker's Compensation Fund, or take any other action relative thereto.

Submitted by the Town Accountant

ADVISORY'S RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *This article would allow the Town to begin to set aside funds to provide for the costs associated with on the job injuries to non-public safety employees. The goal is to reserve sufficient funds over a period of time so that the purchase of insurance to cover the town's liability to pay workers' compensation is reduced.*

**ARTICLE 5:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited into the OPEB Trust Fund, Separation Pay Fund, Special Injury Leave Fund and the Stabilization Fund, or take any other action relative thereto.

Submitted by the Town Accountant

ADVISORY'S RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *This article proposes to appropriate funds available from free cash and places them into the following funds:*

OPEB Trust Fund:	Recommendation \$100,000 from Free Cash
* Separation Pay Benefits Fund:	Recommendation \$125,000 from Free Cash
Special Injury Leave Fund:	Recommendation \$ 25,000 from Free Cash
Stabilization Fund:	Recommendation \$ 25,000 from Free Cash

*\* Authorized under Article 16 of the November 4, 2003 Special Town Meeting*

**ARTICLE 6:** 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 the cost of items of the first year of any new collective bargaining agreements between the Town and the Pembroke Permanent Firefighters Association, or take any other action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

**Town Meeting Floor**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *This article allows the Town to fund collective bargaining agreements negotiated between the Board of Selectmen and the Firefighters Union. The estimated value of this contract for FY17 and FY18 is \$173,191.*

**ARTICLE 7:** To see if the Town will vote to amend the Town of Pembroke By-laws, Article XX – Police Regulations by adding a new Section 15A – Special Events to read as follows:

The intention of this by-law is to define the application procedures necessary to ensure a safe and streamlined method of communication when a special event is to occur on a public way or on public property, or when the special event is on private property and may generate impacts subject to Town of Pembroke By-laws, Article XX, Section 15 “Anti-Noise By-law” or Section 16 “Unauthorized Parking of Motor Vehicles”, or the special event is on private property and open to the general public and may affect public safety through obstructions, traffic flow or significant rise in public interest. For purposes of this by-law, such events are defined as and collectively referred to as “special events.”

Special events on town property include, but are not limited to: road races; bicycle races; weddings or parties; sporting events; scouting or group events such as award ceremonies, crossovers or campouts; live entertainment; antique, hotrod, motorcycle or other vehicle shows or displays; Special events on private property that may require an application: events with a live band or DJ; block parties and neighborhood parties requiring road closure, events requiring street parking such as air shows and/or displays, fireworks, festivals, and events open to the general public.

In order to ensure public safety on the roadways and neighboring properties and to ensure that Pembroke residents are made aware of a special event that could cause an increase of pedestrian traffic, vehicle traffic or vehicle parking, noise or otherwise raise matters of public safety, the Town of Pembroke requires the host or manager of a Special Event to seek a permit from the Board of Selectmen, in a form approved by the Board of Selectmen, as follows:

- 1) The Requestor of a special event shall apply in writing to the Board of Selectmen a minimum of thirty (30) days prior to the event for a permit to conduct the special event. Said request shall include a description of the special event with the host/property owner, manager, responsible party organizing the special event, date, time, location, route (if any), expected number of guests, expected impact on neighborhood, expected impact on Town services, parking provisions (if any) and method of notification to abutters (if any).

- 2) Selectmen will forward the application to the following Town Departments: Police, Fire, DPW School, Municipal Inspections or Recreation for approval and their assessment of needed services (if any).
- 3) These Departments will submit their approval and their assessment of needed services, questions or concerns for further clarification, or disapproval to the Board of Selectmen within two (2) weeks of receipt from the Selectmen.
- 4) Following receipt of comments from by each Department, the Board of Selectmen will decide whether to issue a permit with or without any conditions deemed necessary to meet any public safety concerns. Said permit shall set forth any obligations and responsibilities, the date, location, hours of event and/or other limitations as the Board deems in the best interests of the residents of Pembroke.

Or take any other action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

**Town Meeting Floor**

SELECTMEN RECOMMENDATION:

**Favorable Action**

EXPLANATION: *Passage of this article will formalize procedures that are currently in place today.*

**ARTICLE 8:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money 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 Board of Selectmen

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. Estimated cost of treatment is \$8,000.*

**ARTICLE 9:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to be expended under the direction of the Board of Selectmen and managed by the Pembroke Watershed Association, for the purposes of continuing the algae control program at Oldham Pond.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *The green-blue algae control program performed at Oldham Pond has been ongoing; continued management is necessary to prevent additional spread and to achieve a level of sustainable long-term control. Estimated cost of treatment is \$47,500.*

**ARTICLE 10:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to be expended under the direction of the Board of Selectmen and managed by the Pembroke Watershed Association, for the purposes of continuing the algae control program at Furnace Pond.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *The green-blue algae control program performed at Furnace Pond has proven effective at controlling the algae infestation; however, continued management is necessary to prevent additional spread and to achieve a level of sustainable long-term control. Estimated cost of treatment is \$12,000.*

**ARTICLE 11:** To see if the Town will vote to amend Schedule A, Classification and Compensation By-Laws, as adopted by the May 9, 2017 Annual Town Meeting by deleting the position of Executive Assistant, SA-19 and replacing it with the position of Assistant to the Town Administrator, SA-24 at the rate of:

Step One: \$67,597  
Step Two: \$71,155  
Step Three: \$74,900

or take any other action relative thereto.

Submitted by the Board of Selectmen

ADVISORY COMMITTEE RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

EXPLANATION: *This article amends the Classification and Compensation By-Laws to reclassify a position and allow for necessary reorganization within the administrative office. Sufficient funding exists from revenues derived from departmental activities.*

**ARTICLE 12:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Treasurer with the approval of the Board of Selectmen to borrow pursuant to G.L. c. 44, §7 or 8 or any enabling authority the sum of \$10,000,000 to be used for the construction, equipping and furnishing of a new DPW facility, and any and all incidental and related costs, including but not limited to site evaluation, engineering and design services and project management services for the design, bidding and construction, and issue bonds or notes therefor, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs, or take any other action relative thereto.

Submitted by the DPW Commissioners

ADVISORY COMMITTEE RECOMMENDATION:

**Town Meeting Floor**

SELECTMEN'S RECOMMENDATION:

**Town Meeting Floor**

EXPLANATION: *This article will allow the Department of Public Works to construct a new DPW facility. This is a result of a DPW Feasibility Space Needs Study that was conducted.*

**ARTICLE 13:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to be expended for the purpose of hiring two (2) full-time police officers, or take any other action relative thereto.

Submitted by the Police Chief

ADVISORY COMMITTEE RECOMMENDATION:

**Favorable Action**

SELECTMEN'S RECOMMENDATION:

**Favorable Action**

**EXPLANATION:** *This article seeks to bring the Police Department closer to the recommended staffing level of thirty-six (36) officers to adequately provide patrol, detective, and community services necessary to maintain a safe town for Pembroke residents and to provide a safer working environment for the current twenty-nine (29) officers.*

**ARTICLE 14:** To see if the Town will vote to amend Schedule C of the Classification and Compensation By-Laws, as adopted by the May 9, 2017 Annual Town Meeting by deleting the position of Part-time Laborer, SC-4 and replacing it with the position of Laborer, or take any other action relative thereto.

Submitted by the Recreation Commission

**ADVISORY COMMITTEE RECOMMENDATION:**

**Favorable Action**

**SELECTMEN'S RECOMMENDATION:**

**Favorable Action**

**EXPLANATION:** *This article amends the Classification and Compensation By-Laws to allow for either full time or part time laborers.*

**ARTICLE 15:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of \$5,000 to be added to the Open Space Fund, or take any other action relative thereto.

Submitted by the Conservation Commission

**ADVISORY COMMITTEE RECOMMENDATION:**

**Favorable Action**

**SELECTMEN'S RECOMMENDATION:**

**Favorable Action**

**EXPLANATION:** *This article is to reimburse the final amount of \$5,000 to the Conservation Commission for the purchase of the Gary Thorpe property located off Oldham Street, shown on Assessor's Map C9, Lot 50, consisting of approximately 22+/- acres. The property was purchased on behalf of the Town of Pembroke – DPW for drainage purposes. At the time of the purchase, it was understood that the monies provided from the Open Space Fund were a temporary loan and were to be reimbursed.*

**ARTICLE 16:** To see if the Town will vote to amend Section 34, Part-Time Step Increase, of the Town of Pembroke Classification and Compensation By-laws by deleting the existing language and replacing it with the following new language: "Part-time personnel may be eligible for a step increase after one year", or take any other action relative thereto.

Submitted by the Library Director

**ADVISORY COMMITTEE RECOMMENDATION:**

**Favorable Action**

**SELECTMEN'S RECOMMENDATION:**

**Favorable Action**

**EXPLANATION:** *Passage of this article would amend Section 34 to allow part-time personnel to be eligible for a step increase after one year as opposed to two years as currently written.*

**ARTICLE 17:** To see if the Town will vote to adopt and approve the following recommendations of the Community Preservation Committee for FY 2018, 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 the sum of \$25,000.00 from FY18 Annual Revenue for the preservation and rehabilitation of the cannons located at Memorial Park, and that said funds be expended by the Town Administrator for the removal of the cracked concrete cannon supports, installation of granite platforms, sandblasting and resurfacing the cannons, and/or remounting of cannons to newly installed platforms, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:  
SELECTMEN'S RECOMMENDATION:

**Favorable Action**  
**Favorable Action**

**Recommendation B:** To appropriate the sum of \$25,000.00 from the FY18 Open Space Fund for the preservation and/or rehabilitation of Luddam's Ford Park on Elm Street, and that said funds be expended by the Pembroke Department of Public Works (DPW) for the replacement of the fence thereon, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:  
SELECTMEN'S RECOMMENDATION:

**Favorable Action**  
**Favorable Action**

**Recommendation C:** To appropriate the sum of \$5,000.00 from the FY18 Open Space Fund for the preservation and/or rehabilitation of Luddam's Ford Park on Elm Street, and that said funds be expended by the Town Administrator for the installation of loam and 4 recreational tables (1 being ADA compliant), 4 benches, and/or signage thereon, or take any other action relative thereto.

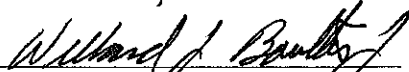
ADVISORY COMMITTEE RECOMMENDATION:  
SELECTMEN'S RECOMMENDATION:

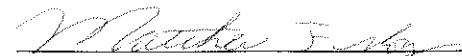
**Favorable Action**  
**Favorable Action**

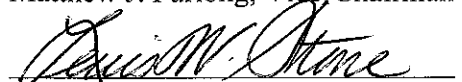
Submitted by the Community Preservation Committee

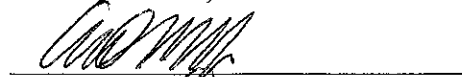
Given under our hands and seals this 2<sup>nd</sup> day of October, 2017.

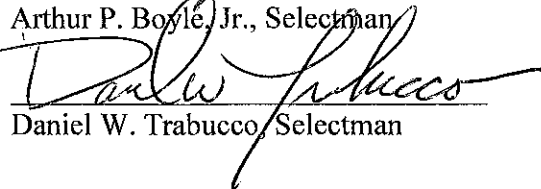
PEMBROKE BOARD OF SELECTMEN

  
Willard J. Boulter Jr., Chairman

  
Matthew J. Furlong, Vice-Chairman

  
Lewis W. Stone, Clerk

  
Arthur P. Boyle, Jr., Selectman

  
Daniel W. Trabucco, Selectman

A TRUE COPY ATTEST:

\_\_\_\_\_  
Mary Ann Smith, Town Clerk

Pursuant to the Warrant for the Special Fall Town Meeting to be held on October 24, 2017, 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