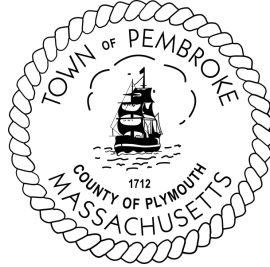


TOWN OF PEMBROKE, MASSACHUSETTS



ADVISORY COMMITTEE RECOMMENDATIONS

2021

ANNUAL TOWN MEETING WARRANT

**ATTEND THE ANNUAL TOWN MEETING
TUESDAY, JUNE 22, 2021
7:00 P.M.**

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

TERMS USED IN MUNICIPAL FINANCE

APPROPRIATION: An authorization granted by a town meeting, city council or other legislative body to expend money and incur obligations for specific public purposes.

AVAILABLE FUNDS: Balances in the various fund types that represent non-recurring revenue sources. As a matter of sound practice, they are frequently appropriated to meet unforeseen expenses, for capital expenditures or other onetime costs. Examples of available funds include free cash, stabilization funds, overlay surplus, water surplus and enterprise net assets unrestricted (formerly retained earnings).

BUDGET: A plan for allocating resources to support particular services, purposes and functions over a specified period of time.

DEBT AUTHORIZATION: Formal approval by a two-thirds vote of town meeting or city council to incur debt, in accordance with procedures stated in MGL Ch.44 §§ 1, 2, 3, 4a, 6-15.

FISCAL YEAR: Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. Since 1976, the federal government fiscal year has begun on October 1 and ended September 30.

FREE CASH: Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items.

LEVY (TAX LEVY) – The amount a community raises through the property tax. The levy can be any amount up to the levy limit, which is re-established every year in accordance with Proposition 2½ provisions.

LOCAL AID (CHERRY SHEET): Revenue allocated by the Commonwealth to cities, towns and regional school districts. Estimates of local aid are transmitted to cities, towns and districts annually by the “Cherry Sheets”. Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.

LOCAL RECEIPTS: Locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, investment income, meals tax, fees, rentals, and charges.

MAINTENANCE BUDGET: A no-growth budget that continues appropriations for programs and services at their current year levels. The actual appropriation to maintain programs and services may still increase due to inflation and other factors.

OVERRIDE: A vote by the community at an election to permanently increase the levy limit. An override vote may increase the levy limit no higher than the levy ceiling. The override question on the election ballot must state a purpose for the override and the dollar amount.

RAISE AND APPROPRIATE: A phrase used to identify a funding source for an expenditure or expenditures, which refers to money generated by the tax levy or other local receipt.

RESERVE FUND: An amount set aside annually within the budget to provide a funding source for extraordinary or unforeseen expenditures.

REVOLVING FUND: Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.

STABILIZATION FUND: A fund designed to accumulate amounts for capital and other spending purposes, although it may be appropriated for any lawful purpose (MGL Ch.40 §5B).

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 as may be required
2. Motion to take up articles out of order	yes	4/5ths
3. Motion to reconsider an article acted 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 quorum count to *open meeting	no	no vote
3. Question quorum count to **continue meeting	no	no vote
4. Fix time to (or at) which to adjourn	yes	majority

Article II

SECTION 10.

The number of voters necessary to constitute a quorum for the purposes of calling the meeting to order shall be ***one hundred and fifty (150)**. Thereafter, the quorum requirement shall be ****one hundred (100)** for the further transaction of business, including adjourned sessions and such parts of the meeting that are devoted exclusively to the election of officers. (Art.14 STM 11/15/2012)

TOWN OF PEMBROKE, MASSACHUSETTS

JUNE 22, 2021

CONSENT AGENDA

Warrant articles on a Consent Agenda are exceptions to the general process of Town Meeting. The Select Board, Moderator, and Advisory Committee identify, for Town Meeting consideration, those articles that they believe should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “hold” in a loud voice when the number is called. The article will be removed automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted under the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

THE CONSENT AGENDA WILL BE TAKEN UP AS THE SECOND ORDER OF BUSINESS AT THE COMMENCEMENT OF THE ANNUAL TOWN MEETING ON TUESDAY, JUNE 22, 2021, AFTER THE GENERAL BUDGET ARTICLE (Article 2).

Please review the list of articles and motions proposed for each Consent Item which follows:

MOTION: Moved that the Town take Articles 7, 8, 25 and 26 out of order and that they be “Passed by Consent” in accordance with the Motions shown on the Consent Agenda distributed this evening.

A SINGLE EXCEPTION WILL REMOVE ARTICLE FROM CONSENT AGENDA

ARTICLE 7 – COMMUNITY PRESERVATION FUND ALLOCATIONS

To see if the Town will vote to appropriate and/or reserve from the Community Preservation annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2022, with each item to be considered a separate appropriation:

Appropriations:

From FY22 estimated revenues for Historic Resources Reserves	\$ 40,000
From FY22 estimated revenues for Community Housing Reserves	\$ 40,000
From FY22 estimated revenues for Open Space Reserves	\$ 40,000
From FY22 estimated revenues for Committee Administrative Expenses	\$ 20,000

and further to appropriate any remaining balance of funds as of the termination of the 2021 Annual Town Meeting from Community Preservation Fund FY22 Annual Revenues to the Annual Budgeted Reserve, or take any other action relative thereto.

Submitted by the Community Preservation Committee

TOWN OF PEMBROKE, MASSACHUSETTS

ADVISORY COMMITTEE & SELECT BOARD'S RECOMMENDATION:

EXPLANATION: *This article satisfies a mandate by the State in the Community Preservation Act. As stated in the act, 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.*

Motion: Move that the Town appropriate and/or reserve from Community Preservation annual revenues the following amounts to be used for the Committee's administrative expenses, community preservation projects, and other expenses in Fiscal Year 2022:

Appropriations:

From FY22 estimated revenues for Historic Resources Reserve \$ 40,000
From FY22 estimated revenues for Community Housing Reserve \$ 40,000
From FY22 estimated revenues for Open Space Reserves \$ 40,000
From FY22 estimated revenues for Committee Admin. Expenses \$ 20,000

And further appropriate any remaining balance of funds as of the termination of the 2021 Annual Town Meeting from Community Preservation Fund FY22 Annual Revenues to the Annual Budgeted Reserve.

ARTICLE 8 – REVOLVING FUND LIMITS

To see if the Town will vote to set the FY2022 annual spending limits on the Revolving Funds set forth in Article X-A of the Town of Pembroke General Bylaws in accordance with Massachusetts General Laws Chapter 44, § 53E½ as follows, or take any other action relative thereto.

<u>Revolving Fund</u>	<u>Limit on Spending</u>
LIBRARY	\$25,000
TOWN LANDING	\$25,000
TREASURER/COLLECTOR	\$50,000
DPW CEMETERY	\$10,000
DPW TREE	\$20,000
CONSERVATION 3	\$20,000
COUNCIL ON AGING 1	\$110,000
BOARD OF HEALTH	\$5,000
HISTORIC DISTRICT COMMISSION	\$3,000
RECREATION COMMISSION	\$50,000
COUNCIL ON AGING 2	\$20,000
POLICE DEPARTMENT	\$20,000
TOWN CLERK	\$20,000

Submitted by the Town Clerk, Board of Health, Conservation Commission, Council on Aging, D.P.W., Historical District Commission, Library Trustees, Police Department, Recreation Commission and Town Landing Committee.

ADVISORY COMMITTEE & SELECT BOARD'S RECOMMENDATION:

EXPLANATION: *This article, which was authorized by the Municipal Modernization Act of 2016, sets the limits on revolving funds. These funds allow the above listed departments to retain certain revenues and use these receipts in support of the programs for which the fee was charged.*

TOWN OF PEMBROKE, MASSACHUSETTS

Motion: Move that the Town authorize FY22 spending limits on the revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E½ as printed in Article 8 of the Annual Town Meeting warrant.

ARTICLE 25 – ACCEPT TOWN REPORTS

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

Submitted by the Select Board

ADVISORY COMMITTEE & SELECT BOARD’S RECOMMENDATION: Favorable Action

EXPLANATION: *This article acknowledges all reports for the calendar year that were submitted by Department and Committee Heads for printing in the Annual Town Report.*

Motion: Move that the Town accept the reports of the Town Officers, Boards, Committees and Commissions.

ARTICLE 26 – ANNUAL TOWN ELECTION

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 Select Board for three years; one Assessor for three years; one Board of Health member for three years; two Library Trustees for three years; two Planning Board member for five years; one Planning Board member to fill a three year vacancy; one Planning Board member to fill a one year vacancy; one Constable for three years; two School Committee members for three years; one School Committee member to fill a two year vacancy; one DPW Commissioner for three years; or take any other action relative thereto.

Submitted by the Town Clerk

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD’S RECOMMENDATION:

Favorable Action

EXPLANATION: *Meeting for the Election of Officers to be held on Saturday, June 26, 2021 at: Pembroke Town Hall, Veteran’s Hall (Precinct 1), Pembroke Community Middle School (Precinct 2 & 4), Bryantville Elementary School (Precinct 3) and North Pembroke Elementary School (Precinct 5).*

Motion: Move to bring to the Election Officers their vote, all on one ballot, for the officers and committees as printed in Article 26 of the annual town meeting warrant.

--End --

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF PEMBROKE
ANNUAL TOWN MEETING WARRANT
TUESDAY, JUNE 22, 2021**

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
80 LEARNING LANE, PEMBROKE, MASSACHUSETTS
ON TUESDAY, THE TWENTY-SECOND DAY OF JUNE, 2021
AT SEVEN O'CLOCK IN THE EVENING**

then and there to act on the following articles:

ARTICLES 1 - 27

ARTICLE 1 – WAGE & CLASSIFICATION PLAN

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 in **Appendix A** attached to this warrant and to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund any changes thereto, or take any action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

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, employment contract 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.*

Submitted by the Town Manager

Favorable Action

Favorable Action

ARTICLE 2 – OPERATING BUDGET

To see what sums the Town will raise by taxation or otherwise to pay Town Debts and for the purpose of funding personal services and expenses for Town operations as may be necessary for the ensuing Fiscal Year commencing July 1, 2021 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, as shown in **Appendix B attached to this warrant**, or take any action relative thereto.

Submitted by the Town Manager

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

EXPLANATION: *This article presents the Fiscal Year 2022 operating budget as prepared by the Town Manager. Included in the article are the department's requests and the Advisory Committee recommendations.*

Favorable Action

Favorable Action

ARTICLE 3 – WATER ENTERPRISE OPERATION BUDGET

To see if the town will vote to raise and appropriate and/or transfer from available funds a sum of money to operate the Water Enterprise Fund as shown in **Appendix C attached to this warrant**, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD’S RECOMMENDATION:

EXPLANATION: *This Article sets the Fiscal Year 2022 operating budget for the Water Division of the Department of Public Works.*

Submitted by the Town Manager

Favorable Action

Favorable Action

ARTICLE 4 – SOLID WASTE OPERATING BUDGET

To see if the town will vote to raise and appropriate and/or transfer from available funds a sum of money to operate the Solid Waste Enterprise Fund as shown in **Appendix D attached to this warrant**, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD’S RECOMMENDATION:

EXPLANATION: *This Article sets the Fiscal Year 2022 operating budget for the Town’s Solid Waste related operations.*

Submitted by the Town Manager

Favorable Action

Favorable Action

ARTICLE 5 – CAPITAL BUDGET

To see if the Town will raise and appropriate, transfer from the Water Enterprise Fund, the Stabilization Fund, or other available funds, or authorize borrowing or leasing, a sum or sums of money for capital projects and/or equipment in accordance with the following capital budget schedule, which is incorporated by reference herein, and further to authorize the Select Board, acting as Water Commissioners, to impose betterments pursuant to M.G.L. Chapters 80 and 83 (see **Appendix E** attached to this warrant - Capital Projects Requests to follow); further, any premium received upon the sale of any bonds or notes approved by this vote, less any such 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 M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any action in relation thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD’S RECOMMENDATION:

EXPLANATION: *This article presents the Fiscal Year 2022 **capital** budget as prepared by the Town Manager. Included in the article are the department’s requests and the Advisory Committee recommendations.*

Submitted by the Town Manager

Favorable Action

Favorable Action

ARTICLE 6 – TRUST FUND TRANSFERS

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, Workers’ Compensation Insurance Fund, Capital Stabilization Fund, Water Stabilization Fund and the Stabilization Fund, or take any other action relative thereto.

Submitted by the Town Accountant

ADVISORY'S RECOMMENDATION:

Favorable Action

SELECT BOARD'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 \$ 125,000 from Free Cash
* Separation Pay Benefits Fund:	Recommendation \$ 125,000 from Free Cash
Capital Stabilization Fund:	Recommendation \$ 30,000 from Free Cash
Stabilization Fund:	Recommendation \$ 25,000 from Free Cash
* <i>Authorized under Article 16 of the November 4, 2003 Special Town Meeting</i>	

ARTICLE 7 – COMMUNITY PRESERVATION FUND ALLOCATIONS

To see if the Town will vote to appropriate and/or reserve from the Community Preservation annual revenues the following amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2022, with each item to be considered a separate appropriation:

Appropriations:

From FY22 estimated revenues for Historic Resources Reserve	\$ 40,000
From FY22 estimated revenues for Community Housing Reserve	\$ 40,000
From FY22 estimated revenues for Open Space Reserves	\$ 40,000
From FY22 estimated revenues for Committee Administrative Expenses	\$ 20,000

and further to appropriate any remaining balance of funds as of the termination of the 2021 Annual Town Meeting from Community Preservation Fund FY22 Annual Revenues to the Annual Budgeted Reserve, or take any other action relative thereto.

Submitted by the Community Preservation Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

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 8 – REVOLVING FUND LIMITS

To see if the Town will vote to set the FY2022 annual spending limits on the Revolving Funds set forth in Article X-A of the Town of Pembroke General Bylaws in accordance with Massachusetts General Laws Chapter 44, § 53E½ as follows, or take any other action relative thereto.

<u>Revolving Fund</u>	<u>Limit on Spending</u>
LIBRARY	\$25,000
TOWN LANDING	\$25,000
TREASURER/COLLECTOR	\$50,000
DPW CEMETERY	\$10,000
DPW TREE	\$20,000

CONSERVATION 3	\$20,000
COUNCIL ON AGING 1	\$110,000
BOARD OF HEALTH	\$5,000
HISTORIC DISTRICT COMM.	\$3,000
RECREATION COMMISSION	\$50,000
COUNCIL ON AGING 2	\$20,000
POLICE DEPARTMENT	\$20,000
TOWN CLERK	\$20,000

Submitted by the Town Clerk, Board of Health, Conservation Commission, Council on Aging, D.P.W., Historical District Commission, Library Trustees, Police Department, Recreation Commission and Town Landing Committee.

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *This article, which was authorized by the Municipal Modernization Act of 2016, sets the limits on revolving funds. These funds 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 – FUND COLLECTIVE BARGAINING AGREEMENTS

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, Council 93, Local 1700 (Town Hall), Council 93, Local 1700 (Water Enterprise) and Council 93, Local 1700 (Public Works), or take any other action relative thereto.

Submitted by the Select Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

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

ARTICLE 10 – ENTER A PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT

To see if the Town will vote to authorize the Select Board to enter into an agreement for “payments in lieu of taxes” pursuant to G.L. c. 59, §5, Clause Forty-Fifth, or any other enabling authority, for taxes attributable to (i) a solar electric generation facility located (or to be located) at 0 Hobomock Street, Assessors Map D6, Lot 1 and, if under common ownership with such facility, (ii) the land upon which such facility is installed for a term of 20 or more years, and on such other terms and conditions as the Select Board deems in the best interests of the Town, or take any other action relative thereto.

Submitted by the Town Manager/Select Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article would allow the town to enter into an agreement for payments in lieu of taxes for taxes attributable to a solar electric generation facility to be located at 0 Hobomock Street.*

ARTICLE 11 – FUND PREPARATION OF UPDATED PEMBROKE MASTER PLAN

To see if the Town will vote to appropriate a sum of money for the purpose of funding the preparation of an updated Master Plan for the Town of Pembroke, or take any other action relative thereto.

Submitted by the Town Manager/Planning Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *A master plan is a dynamic long-term planning document that provides a conceptual layout to guide future growth and development, making the connection between buildings, social settings, and their surrounding environments. A master plan includes analysis, recommendations, and proposals for a site's population, economy, housing, transportation, community facilities, and land use based on public input, surveys, planning initiatives, existing development, physical characteristics, and social and economic condition. The projected cost is \$75,000.*

ARTICLE 12 – FUND PURCHASE OF OPEN SPACE MAINTENANCE EQUIPMENT

To see if the Town will vote to transfer the sum of \$2,583 from the Open Space Fund for the purchase of the equipment as listed to make improvements and aid in the upkeep of town open spaces and trails, or take any other action relative thereto.

1. well cover w/ access	\$ 250
2. brush mower	\$ 2,001
3. wheelbarrow	\$ 40
4. all terrain wagon	\$ 100
5. 2x loppers	\$ 39
6. 3x spade shovels	\$ 24
7. 3x iron rakes	\$ 54
8. 3x trail cameras	\$ 75

Submitted by the Open Space Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *This article funds the purchase of the necessary equipment to secure an open well and increase the efficiency of the Committee's trail cleanup days. The Open Space Committee was given the responsibility to maintain the town's conservation properties, trails, and trail heads that are not under the care of the DPW.*

ARTICLE 13 – AMEND TOWN BYLAWS: LEASH LAW VIOLATIONS

To see if the Town will vote to amend Article XX, Section 8 of the Bylaws of the Town of Pembroke, entitled "Police Regulations," by deleting the words shown in strikethrough and adding in place thereof the words shown in bold, as follows; or take any other action relative thereto.

SECTION 8.

Whoever violates Section (7A) and/or (7C) of these Town of Pembroke Bylaws or **Massachusetts General Laws, Chapter 140, §§ 136A-174F, inclusive**, shall be liable to a **noncriminal** fine ~~of twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for the second offense and one hundred dollars (\$100.00) for all subsequent offenses~~ **of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense, and (\$300.00) for the third offense, including any other penalties provided for in the General Laws, Chapter 140, §§ 136A-174F, inclusive.** The enforcing person shall be the Animal Control Officer, or any member of the Health Department, or any member of the Police Department.

Submitted by the Town Manager

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article will update the Pembroke Leash Law violations to those required in the Acts of 2018 of the Commonwealth of Massachusetts.*

ARTICLE 14 – ACCEPT G.L. C.44, §55c: ESTABLISH AFFORDABLE HOUSING TRUST

To see if the Town will vote to accept the provisions of G.L. c. 44, Section 55C and establish a Municipal Affordable Housing Trust, for the preservation and creation of affordable housing in the Town of Pembroke for the benefit of low and moderate income households, or take any other action relative thereto.

Submitted by the Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article would allow the town to collect funds through inclusionary zoning payments to support local initiatives to create/preserve affordable housing, segregating them out of the general municipal budget into a trust fund. The Pembroke Housing Production Plan identifies this trust as Goal #2, behind meeting the 10% state standard for affordable housing.*

ARTICLE 15 – AMEND ZONING BYLAWS, DEFINITIONS

To see if the Town will vote to amend the Pembroke Zoning Bylaws, Section II – Definitions, by inserting, in alphabetical order, the underlined text as follows, or take any action relative thereto:

Residential Affordable Housing Development

A residential development of at least twenty-five (25) dwelling units, a percentage of which is designated as affordable housing units and restricted to low- or moderate-income households.
A residential development may consist of a mixture of detached one-family houses, detached two-family houses, multiunit dwellings, townhouses, and/or condominium units.

Submitted by the Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would create a definition for Residential Affordable Housing Developments. Passage requires a 2/3 vote.*

ARTICLE 16 – AMEND ZONING BYLAWS, INDUSTRIAL DISTRICT A

To see if the Town will vote to amend the Pembroke Zoning Bylaws, Section IV.5.B – Industrial District A – Uses Allowed by Special Permit, by inserting the underlined text as follows, or take any other action relative thereto:

6. Residential Affordable Housing Developments, pursuant to Section V.14.

Submitted by the Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD’S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would allow certain multifamily housing developments with affordable units, known as Residential Affordable Housing Developments, by special permit in Industrial District A. Passage requires a 2/3 vote.*

ARTICLE 17 – AMEND ZONING BYLAWS, INDUSTRIAL DISTRICT B

To see if the Town will vote to amend the Pembroke Zoning Bylaws, Section IV.5A.B – Industrial District B – Uses Allowed by Special Permit, by inserting the underlined text as follows, or take any other action relative thereto:

5. Residential Affordable Housing Developments, pursuant to Section V.14.

Submitted by the Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD’S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would allow certain multifamily housing developments with affordable units, known as Residential Affordable Housing Developments, by special permit in Industrial District B. Passage requires a 2/3 vote.*

ARTICLE 18 – AMEND ZONING BYLAWS

To see if the Town will vote to amend the Pembroke Zoning Bylaws, Section V – Special provisions, Standards and Procedures, by adding a new sub-section 14 - Residential Affordable Housing Development Special Permit, by inserting the text as follows, or take any other action relative act thereto:

14. RESIDENTIAL AFFORDABLE HOUSING SPECIAL PERMIT

A. **Purpose and Intent.** The purpose of this Residential Affordable Housing Development Bylaw is to create housing opportunities in Pembroke for people of varying ages and income levels; to increase the supply of affordable housing for eligible households with low and moderate income; to promote a mix of geographic distribution of affordable housing throughout the town; to provide housing options for people who work in Pembroke; and to create housing units eligible for listing in the Town of Pembroke’s Subsidized Housing Inventory (SHI), as maintained by the Department of Housing and Community Development (DHCD) pursuant to G.L. c.40B. Units created under this Section shall comply with the requirements of G.L. c. 40B and any regulations or guidelines issued by the Department of Housing and Community Development for the purpose of ensuring that such units qualify for inclusion on the Town’s Subsidized Housing Inventory. Units created hereunder may be submitted under the DHCD Local Initiative Program, as Local Action Units, or any other eligible program or procedure that will qualify the units for the Town’s SHI.

B. Special Permit Granting Authority

1. A residential affordable housing development may be allowed pursuant to the provisions of this Section through a special permit from the Planning Board, as the Special Permit Granting Authority.

C. Applicability.

1. This Section shall apply to residential affordable housing developments that results in the net increase of twenty-five (25) or more Dwelling Units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential structures and uses, whether on one or more contiguous parcels.
2. Residential affordable housing developments shall not be segmented to avoid compliance with this Section. Segmentation shall mean one or more divisions of land that cumulatively result in a net increase of twenty-five (25) or more lots or Dwelling Units that could have been developed but for the segmentation of lots over the previous eighteen (18) month period.

D. Definitions.

1. Affordable Housing Unit: A dwelling unit with an Affordability Deed Restriction that is occupied by or available to a Low or Moderate Income Household and is eligible for inclusion on the Town's Subsidized Housing Inventory as maintained by the Department of Housing and Community Development.
2. Affordable Deed Restriction: A covenant agreement, deed restriction, or other legal instrument, acceptable in form and substance to the Town, that effectively restricts occupancy of an affordable housing unit to a qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, so as to be binding on and enforceable against any person claiming an interest in the property. An affordable housing restriction shall be enforceable under the provisions of M.G.L. Chapter 184, Section 32, and be approved by the Department of Housing and Community Development.
3. Low- or Moderate-Income Household: A household with income at or below 80% of the Area Median Income, adjusted for household size.
4. Maximum Affordable Purchase Price or Rent: A selling price or monthly rent, exclusive of utilities, that meets the maximum purchase price or rent guidelines of the Massachusetts Department of Housing and Community Development for inclusion on the Subsidized Housing Inventory.
5. Area Median Income: The household income determined annually by the U.S. Department of Housing and Urban Development for the Town or the region that includes the Town.
6. Qualified Purchaser: A low- or moderate-income household that purchases and occupies an affordable housing unit as its principal residence.
7. Qualified Renter: A low- or moderate-income household that rents and occupies an affordable housing unit as its principal residence.
8. Regulatory Agreement: An agreement entered into by the Department of Housing and Community Development, the Town and a developer of a residential affordable housing development or between the Town and a developer of a residential affordable housing development that specifies the rights and responsibilities of the parties for the

term of affordability of a residential affordable housing development, including compliance monitoring, enforcement of the affordable housing deed restriction and compliance with an affirmative fair marketing plan.

9. Subsidized Housing Inventory: The Department of Housing and Community Development's Subsidized Housing Inventory as provided in 760 CMR 56.03(2).

E. Application; required submissions.

1. In addition to an application for a special permit, an applicant shall submit to the Planning Board the following documents:
 - a. A site plan, which complies with the requirements of Section V.7.D.
 - b. A Unit mix proposal, proposed rent or subsidy source, and proposed rent schedule.
2. Copies of the documents required by this subsection shall be forwarded to the Affordable Housing Committee for their comments and suggestions, to be reviewed by the Planning Board prior to rendering a decision on an application for a Special Permit under this Section.
3. Affirmative Fair Housing Marketing Plan: The Applicant shall select Qualified Purchases and renters via a lottery under an Affirmative Fair Housing Marketing Plan prepared and submitted by the Applicant and approved by the Affordable Housing Committee and incorporated into the special permit by the Planning Board. The Plan shall comply with DHCD LIP Guidelines and the regulatory agreement with DHCD.
4. Regulatory Agreement: For both ownership and rental units, the Applicant shall prepare the Regulatory Agreement for approval by the Town and DHCD. The Regulatory Agreement shall be executed by DHCD, the Town and the Applicant and shall be recorded at the appropriate Registry of Deeds or Registry District of the Land Court.
5. Affordable Housing Deed Restriction: The Applicant is required to submit an affordable housing deed restriction for each affordable unit that is consistent with that used in the Local Initiative Program and Regulatory Agreement approved by DHCD and shall be recorded in the appropriate Registry of Deeds or Registry District of the Land Court.

F. Mandatory Provision of Affordable Housing Units.

1. In any development subject to this Section, the percentage of Affordable Housing Units required shall be 25% percent of the total number of proposed dwelling units.
2. A fractional Affordable Housing Unit of 0.5 or higher shall be rounded up to the next whole number. Fractional housing units of less than 0.5 shall require be rounded down to the next whole number.
3. An affordable housing unit created in accordance with this bylaw shall be subject to an affordable housing deed restriction and regulatory agreement that contains limitations on use, resale and rents.
 - a. The affordable housing restriction shall be enforceable under the provisions of M.G.L. Chapter 184.
 - b. The Planning Board shall require that the applicant comply with the mandatory provisions of affordable housing units and accompanying restrictions on affordability, including the execution of the affordable housing restriction and regulatory agreement.
 - c. All documents necessary to ensure compliance with this bylaw shall be subject to review and approval of the Planning Board and review as to form by Town Counsel.

G. Adjustment of Dimensional Requirements.

- a. Residential Affordable Housing Developments shall comply with all Dimensional Requirements in Industrial A or Industrial B with the exception of 5.F #11, Building Floor Area and 5A.D.#11 Building Floor Area.

H. Location and Comparability of Affordable Housing Units.

- a. The permit application for the proposed development shall include a plan showing the proposed locations of the Affordable Housing Units.
- b. Affordable Housing Units shall be distributed throughout a development.
- c. Affordable Housing Units shall be conveniently located to the development's common amenities as the market rate units.
- d. Affordable Housing Units shall be indistinguishable from market-rate units as viewed from the exterior.
- e. Affordable Housing Units shall:
 1. Be equivalent to the market-rate units in terms of design, quality of construction, workmanships, mechanical, plumbing, heating and cooling systems, roofing, insulation, windows and energy efficiency.
 2. The Building Inspector may inspect the premises to ensure that the developer has complied with these requirements and if necessary, require reasonable changes to achieve compliance.

I. Timing of Construction of Affordable Housing Units.

- a. Affordable Housing Units shall be constructed in accordance with the schedule approved by the Planning Board, and shall be determined by the number of building permits issued for affordable and market-rate units.
- b. If the development is to be constructed in phases, each phase of construction shall include affordable units in proportion to the completed project.
- c. Affordable Housing Units shall not be the last units to be built in any development that is subject to this Section.

Submitted by the Affordable Housing Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would specify the requirements, procedures and standards for certain multifamily housing developments with affordable units, defined as Residential Affordable Housing Developments. Passage requires a 2/3 vote.*

ARTICLE 19 – AMEND ZONING BYLAW TO CREATE NEW FLOODPLAIN PROTECTION OVERLAY DISTRICT

To see if the Town will vote to amend the Pembroke Zoning Bylaw by deleting Sections III.6 and Section V.2 and replacing Section V.2 with a new Section V.2 as follows:

2. Floodplain Protection Overlay District (FPOD).

A. Purpose.

The purpose of the Floodplain Protection Overlay District is to:

1. Ensure public safety through reducing the threats to life and personal injury.
2. Eliminate new hazards to emergency response officials.
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.

4. Avoid the loss of utility services, which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
5. Eliminate costs associated with the response and cleanup of flooding conditions.
6. Reduce damage to public and private property resulting from flooding waters.

B. Definitions.

For the purposes of this section of the zoning bylaw, the following definitions shall be applied:

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY - The channel of the river, creek 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 more than a designated height. [Base Massachusetts Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE - A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE - Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior in states without approved programs.
- [US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION - Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction. New construction includes work determined by the Building Inspector and Zoning Enforcement Officer to be substantial improvement. [Referenced Standard ASCE 24-14].

RECREATIONAL VEHICLE - A vehicle that is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA - The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Massachusetts Code, Chapter 2, Section 202]

START OF CONSTRUCTION - The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE - For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION - When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE - A grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION - The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in US Code of Federal Regulations, Title 44, Part 60, §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

C. Scope, Authority and Delineation of District.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within Pembroke designated as Zone A, AE, AH, AO, A99, V, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) dated July 6, 2021 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 6, 2021. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

Any Use, Structure or Development permitted in the portions of the Districts so overlaid shall be permitted subject to the provisions of this District, as well as those of the Massachusetts State Building Code, 780 CMR and the State Wetland Protection Act, G.L. c. 131, § 40 and its implementing Regulations, 310 CMR 10.00 et seq. dealing with construction in floodplains. The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes

D. District Administration.

1. Floodplain Administrator - The Town of Pembroke hereby designates the position of Building Inspector and Zoning Enforcement Officer to be the official floodplain administrator for the Town.
2. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114

E. Development Regulations.

The following requirements apply in the Floodplain District:

1. In Zones VE all new construction shall be located landward of the reach of mean high tide.
2. The placement of mobile homes in the Floodplain District is prohibited.
3. Reference to Existing Regulations. The Floodplain 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 full

compliance with G. L. c. 131, §40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code, 780 CMR which addresses floodplain and coastal high hazard;
 - Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
 - Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
 - Minimum Requirements for Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5)
4. Unnumbered A Zones. In A Zones, in the absence of FEMA Base Flood Elevation (BFE) data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
5. Floodway encroachment. In Zones A, A1-30, 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 unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's 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.

6. Watercourse alterations or relocations in riverine areas. In a riverine situation, the Building Inspector and Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:
- Adjacent Communities, especially upstream and downstream
 - Bordering States, if affected
 - NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, 8th floor
Boston, MA 02114
 - NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

7. Protection of dunes. Alteration of sand dunes is prohibited when the alteration would increase potential flood damage.

F. Other Regulations.

1. All subdivision and development proposals in the floodplain overlay district shall be reviewed 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.
2. Base flood elevation data for subdivision proposals. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
3. AO and AH zones drainage requirements. Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
4. Recreational vehicles. In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

G. Permitting required for Floodplain Overlay District.

1. Building Permits.

The following uses are permitted by right since they create a minimal risk of damage due to flooding and will not constitute obstructions to flood flow, provided that they are permitted in the underlying district and that they do not require structures, fill or storage of materials or equipment:

- a. Agricultural uses such as farming, grazing, truck farming, and horticulture.
- b. Forestry and nursery uses.
- c. Outdoor recreational uses, including fishing, boating and play areas.
- d. Conservation of water, plants and wildlife.
- e. Wildlife management areas; foot, bicycle and horse paths.
- f. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- g. Buildings lawfully existing prior to the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction.

In the case of minor changes (300 SF or less) to existing buildings, placement of facilities that the Building Inspector and Zoning Enforcement Officer determines are directly associated with an agricultural activity, fences, sheds, drilling, mining, paving or any other minor development that might increase flooding or adversely impact flood risks to other properties the Building Inspector and Zoning Enforcement Officer shall determine if said activity increases flooding or will adversely impact flood risks to other

properties and require that a special permit be issued by the Zoning Board of Appeals for such activities.

2. Special Permits. A special permit issued by the Zoning Board of Appeals is required for major construction (greater than 301 SF), including new construction, changes to existing buildings, placement of manufactured homes and large storage facilities. A Special Permit may be granted within the reasonable discretion of the Zoning Board of Appeals and subject to such conditions and safeguards as the Zoning Board of Appeals deems necessary to fulfill the purposes of this Section, the requirements of this overlay District may be varied. When reviewing such Special Permit applications, the Board shall consider:
 - a. The susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property.
 - b. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion.
 - c. The necessity to the facility of a waterfront location, where applicable.
 - d. A determination that the relief requested is the minimum necessary
3. Commonwealth of Massachusetts Variances to Building Code. The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

4. Pembroke Zoning Bylaw Variances. A variance from these floodplain bylaws must meet the requirements set out in SECTION VI(E) and in addition, may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

H. Enforcement. (See Bylaw SECTION VI(A))

- I. **Assurance that all necessary permits are obtained.** Prior to the issuance of a permit under this section, the property owner or his/her representative must certify that all local, state and federal permits necessary in order to carry out the proposed development in the floodplain overlay district have been obtained including but not limited to (*identify each item as approved or not applicable*):
 - Order of Conditions pursuant to the Town of Pembroke General Bylaws, Article XXXVI
 - Order of Conditions pursuant to G.L. c. 131, § 40

- Massachusetts Department of Environment Protection Chapter 91 License
- Select Board Public Access License
- 401 Water Quality Certificate issued by Massachusetts Department of Environment Protection
- Board of Health Disposal System Construction Permit
- Board of Health Well Permit
- U.S. Army Corps Programmatic General Permit
- U.S. Army Corps Individual Permit
- Commonwealth of Massachusetts Chapter 253 Dam Safety Permit

J. Disclaimer of liability. The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

K. Severability. If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

Submitted by the Planning Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would update the Zoning Bylaw's text and map references for the Floodplain Protection Overlay District (previously known as the Flood Plain and Watershed Protection District) to be in accordance with the new requirements of the Federal Emergency Management Agency ("FEMA") and the Massachusetts Department of Conservation and Recreation ("DCR"). Passage requires a 2/3 vote.*

ARTICLE 20 – AMEND ZONING BYLAWS, INDUSTRIAL DISTRICT A

To see if the Town will vote to amend the Pembroke Zoning Bylaws Section IV.5.A.6 – Industrial District A, Uses Allowed, by inserting the underlined text as follows, or take any action relative thereto:

6. Any used allowed in Business District B except #10 and detached one-family houses and detached two-family houses, which are not allowed in the Industrial District A.

Submitted by the Planning Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would prohibit single-family houses and two-family houses in Industrial District A. Passage requires a 2/3 vote.*

ARTICLE 21 – AMEND ZONING BYLAWS, INDUSTRIAL DISTRICT B

To see if the Town will vote to amend the Pembroke Zoning Bylaws Section IV.5A.A – Industrial District B, Uses Allowed, by inserting the underlined text as follows, or take any action relative thereto:

7. Any use allowed in Business District B except #10 and detached one-family houses and detached two-family houses, which are not allowed in the Industrial District B.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would prohibit single-family houses and two-family houses in Industrial District B. Passage requires a 2/3 vote.*

Submitted by the Planning Board

Favorable Action

Favorable Action

ARTICLE 22 – AMEND ZONING BYLAWS.

To see if the Town will vote to amend the Pembroke Zoning Bylaws Section IV.8.E.6 – Water Resource and Groundwater Protection District, Prohibitions, by inserting the underlined text as follows, or take any action relative thereto:

6. Cluster Subdivisions, and land designated in Cluster Subdivisions for dwellings, accessory buildings, driveways, roadways, septic systems, and sewerage systems, shall not be allowed in the Water Resource Protection District, except for the portion of land in a Cluster Subdivision designated as “Open Land,” which may be allowed in the Water Resource Protection District. For the purposes of this Section, “Open Land” is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private, and reserved for open space, conservation, agriculture, recreation park purposes, or some combination of the foregoing.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

EXPLANATION: **Planning Board recommends Favorable Action.** *Passage of this article would allow certain portions of a Cluster Subdivision designated as “Open Land” in the Water Resource and Groundwater Protection District. Passage requires a 2/3 vote.*

Submitted by the Planning Board

Favorable Action

Favorable Action

ARTICLE 23 – AMEND ZONING BYLAWS, KENNELS AND OTHER PET SERVICES

To see if the Town will vote to amend the Pembroke Zoning Bylaws Section II, Definitions, and Section IV, Use and Dimensional Regulations, by deleting the strikethrough text and inserting the underlined text as follows, or take any action relative thereto:

SECTION II. DEFINITIONS

Commercial Kennel

An establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that "commercial kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

Hobby Kennel

A kennel maintained for a collection of six to ten dogs or for breeding dogs for show or sport, or which sells dogs from less than four litters per year, not to exceed ten dogs on the premises over the age of three months.

Kennels

Various types of kennels shall be defined as follows:

- ~~a. Kennel: One pack or collection of four or more dogs over the age of three months kept on a single premises, not to exceed six dogs.~~
 - ~~b. Hobby Kennel: A kennel maintained for a collection of six to ten dogs or for breeding dogs for show or sport, or which sells dogs from less than four litters per year, not to exceed ten dogs on the premises over the age of three months.~~
 - ~~c. Commercial Kennel: A kennel maintained as a business for the boarding or grooming of dogs, or which sells dogs born and raised on the premises from more than four litters per year.~~
- ~~For purposes of this bylaw, commercial kennels shall not be an allowed or permitted use in any zoning district within the town.~~

Pet Services Facility

A business establishment that provides one or more of the following services in exchange for monetary consideration:

- a. Pet Grooming: The bathing, cleaning and grooming of dogs or other pets not owned by the owner of the business establishment.
- b. Pet Training: The training and behavioral modification of dogs or other pets not owned by the owner of the business establishment.
- c. Pet Daycare: The on-site daily care and boarding of dogs or other pets not owned by the owner of the business establishment, solely on a daily basis and excluding any overnight stays or boarding.

No pet services facility shall include an animal shelter, an animal control facility, a pet shop licensed under M.G.L. Chapter 129, Section 39A, or any overnight stays or boarding of pets. Pet services facilities are intended for animals typically regarded as domesticated pets. Pet services facilities shall not serve large animals such as horses, ponies, cattle or other animals of comparable size, animals typically regarded as livestock rather than pets, dangerous animals, wild animals, or other animals not typically regarded as domesticated pets.

SECTION IV.1.B. (RESIDENCE DISTRICT A, USES PERMITTED BY SPECIAL PERMIT)

- 3. A commercial riding stable, ~~a kennel or hobby kennel~~, subject to all limitations, restrictions, safeguards, or conditions which may be imposed by the board of appeals. For purposes of this bylaw, commercial kennels and pet services facilities shall not be an allowed or permitted use in Residence District A ~~any zoning district within the town.~~

SECTION IV.2.B. (RESIDENTIAL-COMMERCIAL DISTRICT, USES PERMITTED BY SPECIAL PERMIT)

- 5. Hobby kennels, pet services facilities or commercial kennels.

SECTION IV.3.B. (BUSINESS DISTRICT A, USES PERMITTED BY SPECIAL PERMIT)

- 8. Hobby kennels, pet services facilities or commercial kennels.

SECTION IV.4.B. (BUSINESS DISTRICT B, USES PERMITTED BY SPECIAL PERMIT)

- 7. Hobby kennels, pet services facilities or commercial kennels.

SECTION IV.5.B. (INDUSTRIAL DISTRICT A, USES PERMITTED BY SPECIAL PERMIT)

6. Hobby kennels, pet services facilities or commercial kennels.

SECTION IV.5A.B. (INDUSTRIAL DISTRICT B, USES PERMITTED BY SPECIAL PERMIT)

5. Hobby kennels, pet services facilities or commercial kennels.

SECTION IV.7.B. (CENTER PROTECTION DISTRICT, USES ALLOWED BY SPECIAL PERMIT)

5. Hobby kennels, pet services facilities or commercial kennels.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

EXPLANATION: **Planning Board recommends Favorable Action.** Passage of this article would update the definitions for kennels and other pet services, allow a wider variety of such facilities by special permit, and specify where they are allowed. Passage requires a 2/3 vote.

Submitted by the Planning Board

Favorable Action

Town Meeting Floor

ARTICLE 24 – COMMUNITY PRESERVATION FUNDED PROJECT PROPOSALS

To see if the town will vote to adopt and approve the following recommendations of the Pembroke Community Preservation Committee for fiscal year 2022, 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.

Submitted by the Pembroke Community Preservation Committee

Recommendation A: To appropriate the sum of \$50,000.00 from the open space fund reserve and that said funds be granted to the Open Space Committee for the preparation of an existing conditions and master concept plan to include the demolition of the existing house on the Arthur and Michelle Lage Property located at 190 Barker Street for the acquisition, creation and preservation of open space, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

Favorable Action

Favorable Action

Recommendation B: To appropriate the sum of \$5,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for technical assistance for a feasibility study for historical preservation purposes, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

Favorable Action

Favorable Action

Recommendation C: To appropriate the sum of \$50,000.00 from the undesignated reserve fund, and that said funds be granted to the Pembroke Historical Society for repairing of the stone wall and removal of poison ivy from the Friends Meeting House for historical preservation purposes, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

Favorable Action

Favorable Action

Recommendation D: To appropriate the sum of \$12,536.00 from the open space reserve fund, and that said funds be granted to the Pembroke Recreation Department for installation of safety rails behind dugouts and audience bleachers at the Mattakeesett Street ballfields for recreational purposes, or take any other action relative thereto.

ADVISORY COMMITTEE RECOMMENDATION:
SELECT BOARD'S RECOMMENDATION:

Favorable Action
Favorable Action

ARTICLE 25 – ACCEPT TOWN REPORTS

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

Submitted by the Select Board

ADVISORY COMMITTEE RECOMMENDATION:
SELECT BOARD'S RECOMMENDATION:

Favorable Action
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 26 – ANNUAL TOWN ELECTION

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 Select Board for three years; one Assessor for three years; one Board of Health member for three years; two Library Trustees for three years; two Planning Board member for five years; one Planning Board member to fill a three year vacancy; one Planning Board member to fill a one year vacancy; one Constable for three years; two School Committee members for three years; one School Committee member to fill a two year vacancy; one DPW Commissioner for three years; or take any other action relative thereto.

Submitted by the Town Clerk

ADVISORY COMMITTEE RECOMMENDATION:
SELECT BOARD'S RECOMMENDATION:

Favorable Action
Favorable Action

EXPLANATION: *Meeting for the Election of Officers to be held on Saturday, June 26, 2021 at: Pembroke Town Hall, Veteran's Hall (Precinct 1), Pembroke Community Middle School (Precinct 2 & 4), Bryantville Elementary School (Precinct 3) and North Pembroke Elementary School (Precinct 5).*

ARTICLE 27 – COMMUNITY CENTER BUILDING PROJECT

To see if the town will appropriate a sum of money for the purpose of designing and constructing a Community Center, including all costs incidental thereto, and to authorize the Treasurer, with the approval of the Select Board, to borrow said amount **pursuant to M.G.L. c. 44 or any other enabling authority and to** issue bonds or notes of the Town that may be necessary for that purpose, and to apply the premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, to pay project costs and reduce the amount authorized to be borrowed by the amount of the premium so applied, or take any other action relative thereto.

Submitted by the Community Center Task Force

ADVISORY COMMITTEE RECOMMENDATION:

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article will authorize the town to borrow the funds necessary to construct a new community center, improve the foliage and landscape in the center of town and provide a place for multigenerational use. Both the Recreation Department and Senior Center require expansion and the shared services enjoyed by both departments in a combined facility reduce the scope of the project and the cost to the town. The Town's project team including architect Bargmann Hendrie & Archetype, Inc. have estimated a current project cost to construct this facility of \$19,000,000.*

APPENDIX A

Wage Classification Plan, Article 1

COMPENSATION SCHEDULES

ANNUAL SALARY SCHEDULE A

FULL TIME OFFICERS AND EMPLOYEES

EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022

<u>Title</u>	<u>SA</u>	<u>Minimum</u>	<u>Proposed Minimum</u>	<u>2nd Year</u>	<u>Proposed 2nd Year</u>	<u>Maximum</u>	<u>Proposed Maximum</u>
Lieutenant (Fire) Captain (Fire)	SA-5	n.a.	n.a.	n.a.	n.a.	552	563
Call Firefighters	SA-6	n.a.	n.a.	n.a.	n.a.	419	428
Youth Services Librarian	SA-11	52,523	53,048	57,607	58,183	62,754	63,382
Assistant Librarian	SA-12	15,478	15,632	15,872	16,030	18,347	18,531
Associate Librarian II	SA-13	46,410	46,874	48,724	49,211	51,062	51,572
Associate Librarian I	SA-14	40,851	41,259	43,421	43,855	45,057	45,508
Coordinator/Dir. of Recreation	SA-15	57,748	58,325	61,010	61,620	64,057	64,698
Building Inspector/Zoning Agent	SA-16	69,026	69,716	71,977	72,697	73,775	74,513
Animal Control Officer	SA-17	44,542	44,988	49,046	49,537	52,036	52,556
Dir. of Planning & Comm. Dev.	SA-22	65,069	65,720	70,015	70,715	74,858	75,606
Library Director	SA-27	74,589	75,335	83,571	84,407	95,334	96,287
Health Agent	SA-28	65,482	66,137	67,502	68,177	71,062	71,772
Council on Aging Director	SA-29	55,799	56,357	58,590	59,176	61,520	62,135
Library Assistant Director	SA-31	52,237	52,759	56,415	56,979	61,563	62,179
Generalist Reference Librarian	SA-32	49,339	49,832	53,406	53,940	58,976	59,566

ANNUAL SALARY SCHEDULE B

APPOINTED PART TIME OFFICERS AND EMPLOYEES

EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022

<u>Title</u>	<u>Annual Salary</u>	<u>Proposed Annual Salary</u>
Conservation Agent Field Agent	35,601	35,957
Wiring Inspector	29,149	29,440
Veterans Agent	18,596	18,782
Plumbing Inspector	14,328	14,471
Gas Inspector	14,328	14,471
Animal Inspector	7,405	7,479
Summer Playground Director	7,245	7,317
Inspector of Weights & Measures	6,741	6,809
Assistant Wiring Inspector	5,496	5,550
Assist. Summer Playground Director	4,917	4,967
Herring Fisheries Superintendent	2,863	2,892
Civil Defense Director	2,863	2,892

APPENDIX A

Wage Classification Plan, Article 1

COMPENSATION SCHEDULES

HOURLY WAGE SCHEDULE C

FULL TIME/PART TIME EMPLOYEES

EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022

<u>Department</u>	<u>SC</u>	<u>Minimum</u>	<u>Proposed Minimum</u>	<u>2nd Year</u>	<u>Proposed 2nd Year</u>	<u>Maximum</u>	<u>Proposed Maximum</u>
Matron	SC-1	25.57	25.83	28.21	28.50	31.94	32.26
Patrolman-Permanent Intermittent	SC-1	25.57	25.83	28.21	28.50	31.94	32.26
Patrolman-Special	SC-2	25.57	25.83	28.21	28.50	31.94	32.26
Summer Playground Counselor (Rec)	SC-3	n.a.	n.a.	n.a.	n.a.	13.50	14.25
After School Counselor (Rec)	SC-3	n.a.	n.a.	n.a.	n.a.	13.50	14.25
Basic Recycling Attendant	SC-3	n.a.	n.a.	n.a.	n.a.	13.50	14.25
Part Time Laborer	SC-4	19.45	19.65	20.69	20.89	22.01	22.23
Call Firefighter	SC-5	21.97	22.19	21.97	22.19	21.97	22.19
Diver	SC-6	n.a.	n.a.	n.a.	n.a.	29.73	30.03
Building Committee Assistant (PT)	SC-8	n.a.	n.a.	n.a.	n.a.	22.64	22.87
Custodians	SC-9	19.41	19.60	21.57	21.79	23.38	23.61
Election&Census Workers, Registrars	SC-10	n.a.	n.a.	n.a.	n.a.	14.30	14.44
Senior Clerk	SC-11	18.48	18.66	19.68	19.87	20.90	21.11
Junior Clerk	SC-12	14.72	14.87	15.98	16.14	17.23	17.40
Typist-Part Time	SC-13	14.14	14.28	15.00	15.15	15.44	15.60
Maintenance Person (PT)	SC-13	14.14	14.28	15.00	15.15	15.44	15.60
Council on Aging Van Drivers	SC-13	16.20	16.36	16.81	16.98	17.50	17.68
Library Aide	SC-14	17.37	17.55	18.58	18.77	19.88	20.08
Lifeguard	SC-15	n.a.	n.a.	n.a.	n.a.	13.50	14.25
Water Safety/Lifeguard Train. Inst.	SC-16	n.a.	n.a.	n.a.	n.a.	15.10	15.25
Head Lifeguard/Water Safety Inst.	SC-18	n.a.	n.a.	n.a.	n.a.	15.74	15.90
Summer Head Counselor (Rec)	SC-19	n.a.	n.a.	n.a.	n.a.	14.48	14.63
After School Head Counselor (Rec)	SC-19	n.a.	n.a.	n.a.	n.a.	14.48	14.63
Summer Head Counselor (Rec)	SC-20	n.a.	n.a.	n.a.	n.a.	16.82	16.99
After School Head Counselor (Rec)	SC-20	n.a.	n.a.	n.a.	n.a.	16.82	16.99
Water Safety Instructor Aide	SC-21	n.a.	n.a.	n.a.	n.a.	13.50	14.25
Alternate Inspector, Building Dept.	SC-22	n.a.	n.a.	n.a.	n.a.	27.06	27.33
Dir.,Water Safety/Program Instructor	SC-23	n.a.	n.a.	n.a.	n.a.	19.69	19.88
Library Page	SC-24	n.a.	n.a.	n.a.	n.a.	14.04	14.25
Recycling Attendant	SC-25	13.50	14.25	14.21	14.35	14.76	14.91
Recycling Supervisor	SC-28	15.33	15.48	16.27	16.43	16.86	17.03
Principal Clerk	SC-29	18.61	18.79	19.70	19.89	20.84	21.05
Senior Aide - Council on Aging	SC-29	18.61	18.79	19.70	19.89	20.84	21.05
Conservation Comm. Admin. Agent	SC-30	22.50	22.73	23.65	23.89	24.78	25.02

APPENDIX A
Wage Classification Plan, Article 1

COMPENSATION SCHEDULES
ANNUAL SALARY SCHEDULE D
ELECTED FULL TIME/PART TIME OFFICIALS
EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022

<u>Department</u>	<u>Annual Salary</u>	<u>Proposed Annual Salary</u>
Moderator	100	100
Selectman	1,800	1,800
Assessor	1,800	1,800
Town Clerk	89,842	90,740

APPENDIX B

Operating Budget, Article 2

TOWN OF PEMBROKE

FISCAL YEAR 2022 RECOMMENDED BUDGET

	FY2019 Budget	FY2020 Budget	FY2021 Budget	FY2022 Request
MODERATOR-114				
Personal Services - Elected	\$ 100	\$ 100	\$ 100	\$ 100
SELECT BOARD-122				
Personal Services - Elected	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000
Personal Services	\$ 160,242	\$ 166,513	\$ 147,787	\$ 178,227
General Expenses	\$ 13,450	\$ 10,000	\$ 10,400	\$ 10,400
Purchase of Services	\$ 134,465	\$ 124,465	\$ 100,100	\$ 102,000
TOWN MANAGER-129				
Personal Services	\$ 144,291	\$ 147,483	\$ 154,900	\$ 154,900
General Expenses	\$ 3,750	\$ 2,800	\$ 3,150	\$ 3,350
ADVISORY COMMITTEE-131				
Personal Services	\$ 6,973	\$ 7,112	\$ 5,000	\$ 6,000
General Expenses	\$ 581	\$ 545	\$ 545	\$ 500
RESERVE FUND-133	\$ 50,000	\$ 50,000	\$ 25,000	\$ 66,350
TOWN ACCOUNTANT-135				
Personal Services	\$ 127,211	\$ 139,947	\$ 141,522	\$ 157,951
General Expenses	\$ 51,800	\$ 51,800	\$ 39,800	\$ 50,000
BOARD OF ASSESSORS-141				
Personal Services - Elected	\$ 5,400	\$ 5,400	\$ 5,400	\$ 5,400
Personal Services	\$ 250,948	\$ 258,834	\$ 258,833	\$ 265,687
General Expenses	\$ 37,150	\$ 37,500	\$ 37,500	\$ 43,600
TREASURER/COLLECTOR-145				
Personal Services	\$ 361,466	\$ 361,795	\$ 367,224	\$ 388,036
General Expenses	\$ 79,885	\$ 79,185	\$ 72,800	\$ 79,700
LEGAL-151				
Purchase of Services	\$ 115,000	\$ 115,000	\$ 110,000	\$ 115,000
INFORMATION TECHNOOGY-155				
Personal Services	\$ -	\$ -	\$ -	\$ -
General Expenses	\$ 64,475	\$ 58,075	\$ 69,000	\$ 97,900
TOWN CLERK-161				
Personal Services - Elected	\$ 86,353	\$ 88,080	\$ 88,961	\$ 88,961
Personal Services	\$ 50,399	\$ 53,288	\$ 51,882	\$ 51,882
General Expenses	\$ 12,320	\$ 12,320	\$ 11,440	\$ 10,600
ELECTIONS-162				
Personal Services	\$ 50,000	\$ 33,493	\$ 48,000	\$ 18,000
General Expenses	\$ 23,000	\$ 21,465	\$ 13,000	\$ 15,000

APPENDIX B

Operating Budget, Article 2

TOWN OF PEMBROKE

FISCAL YEAR 2022 RECOMMENDED BUDGET

	FY2019 Budget	FY2020 Budget	FY2021 Budget	FY2022 Request
REGISTRATIONS-163				
Personal Services	\$ 7,600	\$ 7,600	\$ 7,600	\$ 7,600
General Expenses	\$ 8,700	\$ 8,700	\$ 8,700	\$ 5,200
CONSERVATION COMMISSION-171				
General Expenses	\$ 935	\$ 910	\$ 900	\$ 900
PLANNING BOARD-175				
Personal Services	\$ 50,082	\$ 50,320	\$ -	\$ -
General Expenses	\$ 2,240	\$ 1,840	\$ 2,750	\$ 2,750
ZONING BOARD OF APPEALS-176				
General Expenses	\$ 2,600	\$ 2,300	\$ 2,300	\$ 2,500
TOWN BUILDING MAINTENANCE-192				
Personal Services	\$ 91,060	\$ 193,726	\$ 146,628	\$ 192,959
General Expenses	\$ 108,742	\$ 91,342	\$ 95,392	\$ 95,505
POLICE DEPARTMENT-210				
Personal Services	\$ 3,645,056	\$ 3,645,343	\$ 3,769,394	\$ 3,754,369
General Expenses	\$ 287,902	\$ 263,607	\$ 288,610	\$ 303,610
FIRE DEPARTMENT-220				
Personal Services	\$ 3,207,316	\$ 3,327,457	\$ 3,262,095	\$ 3,686,439
General Expenses	\$ 156,000	\$ 143,000	\$ 143,000	\$ 152,000
INSPECTIONAL SERVICES-241				
Personal Services	\$ 417,027	\$ 415,985	\$ 438,987	\$ 454,547
General Expenses	\$ 12,400	\$ 14,371	\$ 12,200	\$ 17,450
EMERGENCY MANAGEMENT-291				
Personal Services	\$ 2,753	\$ 2,808	\$ 4,212	\$ 4,250
General Expenses	\$ 9,511	\$ 9,511	\$ 8,023	\$ 10,001
ANIMAL CONTROL OFFICER-292				
Personal Services	\$ 52,490	\$ 49,969	\$ 48,084	\$ 52,036
General Expenses	\$ 6,750	\$ 9,101	\$ 9,550	\$ 10,000
PUBLIC WORKS-422				
Personal Services	\$ 942,032	\$ 919,872	\$ 943,192	\$ 959,712
General Expenses	\$ 262,788	\$ 402,910	\$ 248,432	\$ 290,525
SNOW & ICE-423				
Snow & Sanding	\$ 125,000	\$ 248,534	\$ 150,000	\$ 175,000
TOWN WIDE UTILITIES - 424				
General Expenses	223,277	194,077	194,077	197,950

APPENDIX B

Operating Budget, Article 2

TOWN OF PEMBROKE

FISCAL YEAR 2022 RECOMMENDED BUDGET

	FY2019 Budget	FY2020 Budget	FY2021 Budget	FY2022 Request
BOARD OF HEALTH-510				
General Expenses	\$ 27,610	\$ 23,950	\$ 23,800	\$ 25,000
COUNCIL ON AGING-541				
Personal Services	\$ 193,299	\$ 183,802	\$ 164,109	\$ 225,751
General Expenses	\$ 44,733	\$ 49,733	\$ 43,342	\$ 40,675
Senior Tax Program	\$ 5,000	\$ 5,000	\$ 3,000	\$ 5,000
VETERANS' SERVICES-543				
Personal Services	\$ 72,560	\$ 74,346	\$ 74,002	\$ 74,002
General Expenses	\$ 2,100	\$ 1,900	\$ 1,900	\$ 1,950
General Relief	\$ 150,000	\$ 74,656	\$ 115,000	\$ 115,000
COMMISSION ON DISABILITIES-599				
General Expenses	\$ 705	\$ 620	\$ 500	\$ 500
LIBRARY-610				
Personal Services	\$ 575,775	\$ 582,680	\$ 579,330	\$ 591,053
General Expenses	\$ 59,800	\$ 64,788	\$ 59,800	\$ 65,900
Books	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000
LYDIA DRAKE LIBRARY				
General Expenses	\$ 5,000	\$ 5,000	\$ 4,500	\$ 5,000
RECREATION COMMISSION-630				
Personal Services	\$ 97,924	\$ 115,031	\$ 110,073	\$ 112,689
General Expenses	\$ 12,080	\$ 12,080	\$ 9,720	\$ 9,220
COMMUNITY CENTER-631				
General Expenses	\$ 47,850	\$ 43,136	\$ 42,636	\$ 42,550
HERRING FISHERIES-632				
General Expenses	\$ 1,800	\$ 1,800	\$ 1,600	\$ 1,800
TOWN LANDING-634				
Personal Services	\$ 44,974	\$ 42,000	\$ 32,000	\$ 40,000
General Expenses	\$ 1,600	\$ 1,600	\$ 1,510	\$ 1,500
TOWN CLOCK WINDER-638				
Personal Services	\$ 1,517	\$ 1,517	\$ 1,517	\$ 1,525
TOWN MEMORIAL COMMITTEE-670				
General Expenses	\$ 5,910	\$ 5,000	\$ 4,000	\$ 4,000
PLYMOUTH COUNTY COOPERATIVE				
General Expenses	\$ 107	\$ 107	\$ 107	\$ 107

APPENDIX B

Operating Budget, Article 2

TOWN OF PEMBROKE

FISCAL YEAR 2022 RECOMMENDED BUDGET

	FY2019 Budget	FY2020 Budget	FY2021 Budget	FY2022 Request
HISTORICAL COMMISSION-691				
General Expenses	\$ 2,000	\$ 2,000	\$ 1,000	\$ 1,000
MATURING DEBT PRINCIPAL-710				
General Expenses	\$ 843,502	\$ 932,019	\$ 868,079	\$ 835,980
MATURING DEBT EXCLUDED - 712				
General Expenses	\$ 1,555,000	\$ 1,489,331	\$ 1,485,000	\$ 1,470,000
MATURING DEBT INTEREST-720				
General Expenses	\$ 208,201	\$ 287,088	\$ 225,432	\$ 197,676
MATURING DEBT INTEREST-722				
General Expenses	\$ 581,875	\$ 493,506	\$ 424,751	\$ 356,350
SHORT TERM INTEREST-730				
General Expenses	\$ 45,500	\$ 11,966	\$ 27,000	\$ 25,000
RETIREMENT-911				
General Expenses	\$ 3,252,447	\$ 3,370,446	\$ 3,699,885	\$ 3,990,309
UNEMPLOYMENT COMPENSATION - 913				
General Expenses	\$ 100,000	\$ 150,000	\$ 150,000	\$ 120,000
HEALTH INSURANCE-914				
General Expenses	\$ 8,694,543	\$ 8,439,639	\$ 8,691,840	\$ 8,806,968
LIFE INSURANCE-915				
General Expenses	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
MEDICARE TAX-916				
General Expenses	525,000	551,250	551,250	545,000
PROPERTY & LIABILITY INSURANCE - 945				
General Expenses	\$ 718,500	\$ 610,000	\$ 660,000	\$ 690,380
School General Fund Totals	\$ 33,259,352	\$ 36,113,258	\$ 34,300,000	\$ 35,500,000
Total	\$ 62,706,784	\$ 65,686,730	\$ 64,022,153	\$ 66,305,732

APPENDIX C

Water Budget, Article 3

WATER	FISCAL 2019 BUDGET	FISCAL 2020 BUDGET	FISCAL 2021 BUDGET	FISCAL 2022 REQUEST
Salaries	622,536	650,739	724,335	735,736
Expenses	626,179	632,259	612,031	605,928
Debt Service	571,002	618,289	670,591	719,153
Capital	210,000	195,000	245,000	265,000
Reserve Fund	0	0	0	100,000
Total Cost Water	2,029,717	2,096,287	2,251,957	2,425,817

APPENDIX D

Solid Waste Budget, Article 4

SOLID WASTE	FISCAL 2019 BUDGET	FISCAL 2020 BUDGET	FISCAL 2021 REQUEST	FISCAL 2022 REQUEST
Salaries	83,782	83,510	79,554	81,792
Expenses	1,581,456	1,584,853	1,812,221	1,879,331
Debt Service	260,395	254,005	233,798	239,637
Total Cost Solid Waste	1,925,633	1,922,368	2,125,573	2,200,760

APPENDIX E Capital Budget, Article 5

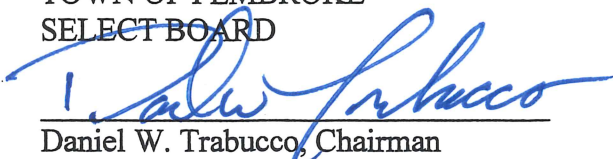
TOWN OF PEMBROKE FISCAL YEAR 2022 CAPITAL PLAN BUDGET

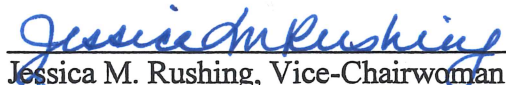
<u>Department</u>	<u>Requested Items for FY2022</u>	<u>Funding Request</u>	<u>Free Cash</u>	<u>General Fund Borrowing</u>	<u>Water Ent. Borrowing</u>	<u>Ambulance Borrowing</u>	<u>Solid Waste Ent. Borrowing</u>	<u>Re-Appropriate</u>
Police Department	Police Cruiser Replacement (2)	107,500		107,500				
Police Department	Ballistic Vest Replacement (22)	26,400	26,400					
Police Department	Dispatcher Radios & Digital Repeater	15,000	15,000					
Police Department	Storage Unit	5,000	5,000					
Police Department	Police Boat Replacement	35,000		35,000				
Fire Department	Command Vehicle Replacement	65,000		65,000				
Fire Department	Ambulance Replacement	255,000				255,000		
Fire Department	SCBA Equipment Replacement	132,000		132,000				
Fire Department	Firefighting Gear Replacement	99,000		99,000				
Fire Department	Ladder Truck Refurbishment	100,000		100,000				
Public Works	New Dump Body and Lift Set Up	20,000	20,000					
Water Enterprise	Elevated Tank Maintenance	1,000,000			1,000,000			
Water Enterprise	Water Division Utility Service Vehicle	200,000			200,000			
Solid Waste Enterprise	Toter Bins	37,500					37,500	
DPW/Town Manager	Pavement Management Ch 90 Supplement	100,000		100,000				
DPW/Town Manager	Herring Run Culvert Replacement	405,000		405,000				
DPW/Town Manager	Pavement Mgmt Inspection/Update	27,500	27,500					
DPW/Town Manager	ADA Public ROW 504 Transition Plan	14,500	14,500					
DPW/Town Manager	Engineering Services	67,200	67,200					
DPW/Town Manager	Route 36 Easements (TIP)	335,000		335,000				
DMI/Town Manager	SWM's Gas Trailer Repairs	6,000	6,000					
Town Manager	Building Repairs	40,000	40,000					
Town Manager	Police Civil Service Assessment Center	12,500	12,500					
Town Manager	Public Safety Building Design	150,000		150,000				
Pembroke Public Schools	Security Cameras	25,000						25,000
Pembroke Public Schools	High School HVAC Replacement (1)	90,000		90,000				
Pembroke Public Schools	Teacher Laptops	105,000		105,000				
Pembroke Public Schools	7D Van purchase	45,000		45,000				
Pembroke Public Schools	PHS Curbing and Paving	25,000	25,000					
Pembroke Public Schools	HVAC/Hot Water/Boiler Replacement	125,000		125,000				
Library	Repair/Replace Front Sidewalk Pavement	35,000		35,000				
Library	Technology Equipment	10,000	10,000					
Recreation	Libby Short Memorial Courts	7,500	7,500					
Recreation	Maguan Fields - Ball Field Refurbishment	4,000	4,000					
Police/Animal Control	Facility Updates	7,500	7,500					
		\$3,734,100	\$288,100	\$1,928,500	\$1,200,000	\$255,000	\$37,500	\$25,000

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 2nd day in June in the year of our Lord Two Thousand and Twenty-One,

TOWN OF PEMBROKE
SELECT BOARD


Daniel W. Trabucco, Chairman


Jessica M. Rushing, Vice-Chairwoman


John G. Brown, Jr., Clerk


Rebecca Coletta, Selectwoman


Tracy Marino, Selectwoman

A true copy, ATTEST: _____
Margaret Struzik, Town Clerk

PURSUANT TO THE WARRANT, for the Annual Town Meeting to be held on Tuesday, June 22, 2021, 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: _____

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF PEMBROKE
SPECIAL TOWN MEETING WARRANT
WITHIN THE ANNUAL TOWN MEETING
TUESDAY, JUNE 22, 2021**

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-SECOND DAY OF JUNE, 2021 at SEVEN THIRTY O'CLOCK in the evening, then and there to act on the following:

ARTICLES 1 THROUGH 3

ARTICLE 1 – DEPARTMENTAL TRANSFERS

To see if the Town will vote to authorize the below listed transfers to supplement Fiscal Year 2021 appropriations, and to authorize the below listed reductions in Fiscal Year 2021 appropriations, or take any other action relative thereto:

<u>To</u>		<u>From</u>
Assessor's General Expenses	\$ 7,032	Assessor's Wages and Salaries
Elections	\$20,000	Free Cash
Data Processing	\$25,000	Free Cash
DPW General Expenses	\$25,000	DPW Wages and Salaries
Water Enterprise Capital	\$50,000	Water Enterprise Fund Wages and Salaries

Submitted by the Town Accountant & Department Heads

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *These transfers are requested to meet shortfalls in the current budget.*

ARTICLE 2 – FUND COLLECTIVE BARGAINING AGREEMENTS

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, Council 93, Local 1700 (Town Hall), Council 93, Local 1700 (Water Enterprise) and Council 93, Local 1700 (Public Works), or take any other action relative thereto.

Submitted by the Select Board

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

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

ARTICLE 3 - CHANGE TOWN MODERATOR'S TERM TO THREE YEARS

To see if the town will vote to change the term of the elected position of the Town Moderator from the current one-year term to that of a three-year term, to take effect at the 2022 Town Election, or take any other action relative thereto.

Submitted by the Town Clerk

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECT BOARD'S RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article would be published on the 2022 ballot to take effect at the town election of 2022.*

And you are directed to serve this Warrant by posting attested copies thereof at the Town Office Building, Pembroke Center Post Office, North Pembroke Post Office, Bryantville Post Office, Pembroke Center Library and the Country Corner Store.

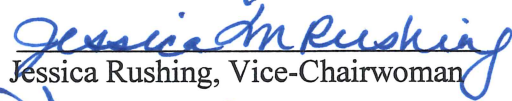
Hereof, fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meetings as aforesaid.

Given under our hands and seals this 7th day of June, 2021.

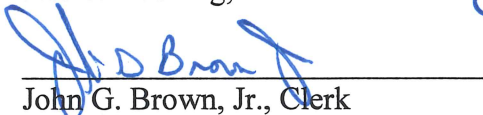
PEMBROKE SELECT BOARD



Daniel W. Trabucco, Chairman



Jessica Rushing, Vice-Chairwoman



John G. Brown, Jr., Clerk



Rebecca Coletta, Selectwoman



Tracy Marino, Selectwoman

A TRUE COPY ATTEST: _____
Margaret Struzik, Town Clerk

Pursuant to the Warrant for the Special Town Meeting to be held on June 22, 2021, 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 Constable