

TOWN OF MARSHFIELD

SPECIAL TOWN MEETING

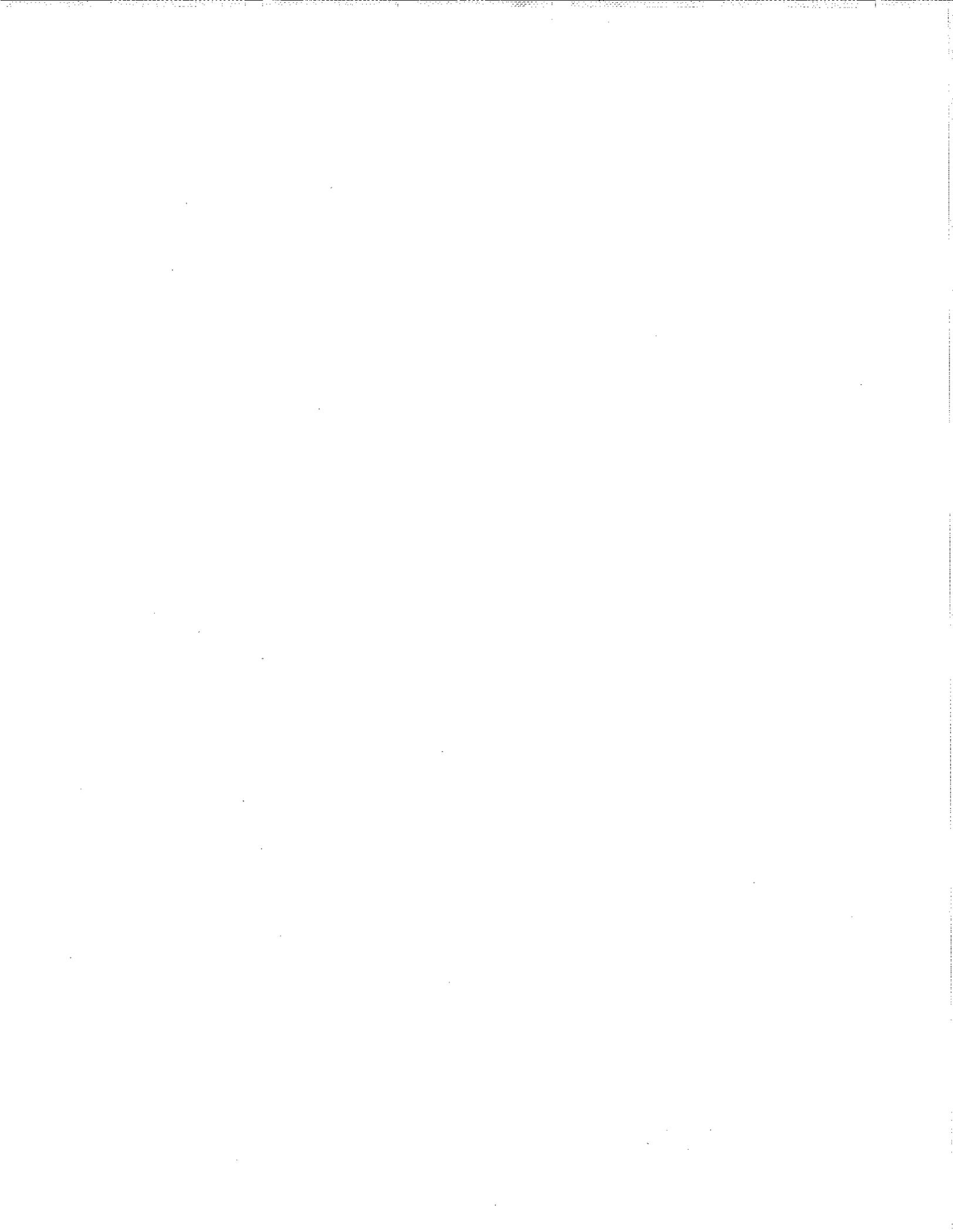
MONDAY, OCTOBER 22, 2012 at 7:00 P.M.

At

**FURNACE BROOK MIDDLE SCHOOL
AUDITORIUM**



Please bring this report to Town Meeting.



TOWN MEETING RULES
Adopted ATM 2006 – (Amended STM October 2009)

1. The conduct of Marshfield's Town Meeting is dictated by Federal and State law, the Town's Charter and By-Laws, local tradition, and then the publication entitled "Town Meeting Time".
2. The Moderator shall preside over Town Meeting, decide all questions of order and procedure, and announce the results of all votes.
3. The Moderator may call for a voice vote, standing vote, show of hands, roll-call vote or secret ballot. A motion for any of these voting methods may be made at any time during the discussion phase of an Article by a recognized voter. If the results of a voice vote or a show of hands vote are questioned by seven (7) voters standing immediately after the announced vote, a standing vote will be taken without debate. A majority of the voters must approve any motion for a roll call vote or a vote by secret ballot. No voter will be subject to declaring his vote before said vote is called.
4. All matters shall be decided by a majority vote unless a 2/3 or greater vote is required. If more than a majority vote is required, the Moderator shall announce the required percentage for passage before calling for the vote.
5. In order for Town Meeting to act on or discuss an Article, a motion must be made. The Moderator will call for a motion on each Article. If no motion is made after the second call, the Moderator will "pass over" the Article and move on to the next Article. In order to bring back a "passed over" Article for discussion, a motion for reconsideration must be approved by a majority vote.
6. A motion may be reconsidered once by a majority vote. No further reconsideration will be permitted unless the Moderator determines that there has been a significant procedural error or that there is new information likely to affect the vote. There will be no reconsideration of a vote either on a subsequent evening or after 10:30pm on the evening of the vote in question.
7. Articles may be postponed by a majority vote or advanced by approval of the Moderator and a 2/3 vote.
8. To address Town Meeting, a speaker must first be recognized by the Moderator then give his or her name and address for the record. No speaker will be recognized while another person is speaking except to raise "a point of order" which is used to question a ruling of the Moderator or the conduct of the Town Meeting. "Points of Order" are NOT to address the subject matter being discussed.
9. The Moderator may set time limits on all presentations and may terminate debate on a motion when he deems it appropriate. Debate on a motion may also be terminated by a recognized voter "moving the question" which, if accepted by the Moderator as not being premature, shall be voted on without discussion or debate. A motion to "move

the question” requires a 2/3 vote for passage. The Moderator may set limits on the number of times a voter can speak on an article.

10. Articles in the Warrant give notice of the subjects to be discussed at Town Meeting and establish the parameters of matters that can be debated and acted upon. Amendments, motions, and/or debate determined by the Moderator, with the advice of Town Counsel, to be “beyond the scope” of the Articles may not be permitted.
11. Only two (2) amendments to a motion may be on the floor at any particular time. Generally, amendments shall be voted on in the order made and prior to the vote on the motion to be amended. Amendments over ten (10) words must be submitted to the Moderator in writing and, if over fifty (50) words, sufficient copies must be available at the entrance of the hall before the start of that particular session.
12. Consideration of differing dollar amounts to be appropriated shall be voted on in descending order, the largest number first, until an amount gains approval.
13. Non-voters will be seated in a special section unless permission is granted by the Town Meeting to be seated elsewhere. Non-voters may be allowed to address the Town Meeting with permission of the Moderator unless a majority of voters choose to deny such a privilege.
14. A resolution is a non-debatable, non-binding motion on any matter calling for a consensus of the Town Meeting. If a resolution is over ten (10) words, it must be submitted to the Moderator in writing and, if over fifty (50) words, sufficient copies must be available at the entrance of the hall to those attending.
15. No new business will be taken up after 10:30pm on any evening.
16. When justice or order requires, the Moderator may make exceptions to these rules as he/she, in his/her discretion, deems it appropriate under the circumstances and with the concurrence of the majority of the voters.
17. The Town Clerk shall report to town meeting on signage.

Reminder – State Law prohibits SMOKING on school property.

MUNICIPAL FINANCE TERMS

APPROPRIATION – An authorization by the Town Meeting to make obligations and payments from the treasury for a specific purpose.

ASSESSED VALUATION – A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

BETTERMENT – A betterment assessment is a charge for the cost of public improvements, which benefit a limited area, against real estate situated in such.

BOND – A loan, typically over a year in maturity.

BOND AUTHORIZATION – The amount of money the Town Meeting approves for borrowing for a specific purpose.

BOND ISSUE – Generally, the sale of a certain number of bonds at one time by a governmental unit.

CAPITAL BUDGET – A plan of proposed capital outlays and the means of financing them for the current fiscal period.

CAPITAL OUTLAY – An expenditure for the purchase of property or equipment and for the construction or renovation of a facility and infrastructure.

CHERRY SHEET – A form showing all state and county charges and reimbursements to the town as certified by the Massachusetts Department of Revenue.

DEBT SERVICE – Payment of interest and repayment of principal to holders of the town's debt instruments.

ENTERPRISE FUND – Financing of services where all or most of the costs are paid for by users.

ENTERPRISE RETAINED EARNINGS – If during a fiscal year an Enterprise fund produces a surplus, such surplus shall be kept in a separate account called "retained earnings". The Department of Revenue then certifies that surplus as an available fund which can be used for:

1. operating costs to offset the need to increase user charges,
2. to fund capital improvements,
3. to reimburse General Fund to the extent the General Fund has funded a particular service in prior years, or
4. to fund Enterprise Fund revenue deficits.

FISCAL YEAR - A 12 month period, commencing on July 1, to which the annual budget applies. (Abbreviated as "FY".)

FREE CASH - The excess of assets over liabilities, minus uncollected taxes of prior years, also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue. Free Cash may be appropriated by vote of a town meeting.

GENERAL FUND - The major town owned fund which is created with town receipts and which is charged with expenditures payable from such revenues.

GRANT - A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal government. Grants are usually made for specific purposes.

LEVY LIMIT - The amount of dollars a Town can raise by taxation under Proposition 2 1/2.

LINE-ITEM BUDGET - A format of budgeting which organizes costs by type of expenditure. Such as expenses, equipment, and salaries.

OVERLAY - The overlay is the amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's overlay account no longer required to cover property tax abatements.

PROPERTY TAX LEVY - The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

RESERVE FUND - Money set aside by Town Meeting to be allocated by the Advisory Board for extraordinary and unforeseen expenditures.

REVOLVING FUND (Ch.44, Sec. 53E 1/2) - A Town may annually authorize the use of a revolving fund by accounting for separately the receipts received from a particular service or program and expend from such fund for providing such service or program without appropriation.

STABILIZATION FUND - A special account which is invested until used and can only be utilized by town meeting appropriation.

TOWN OF MARSHFIELD
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING WARRANT

Special Town Meeting, Monday, October 22, 2012

At 7:00 o'clock in the evening at the Furnace Brook Middle School

Plymouth, SS: To either of the constables in the Town of Marshfield in the County of Plymouth.

Greetings: In the name of the Commonwealth of Massachusetts you are required to notify and warn the inhabitants of the Town of Marshfield qualified to vote in Town affairs to meet in the Furnace Brook Middle School Auditorium on Monday, the 22nd day of October 2012, at seven o'clock in the evening then and there to act on the following articles:

ARTICLE 1 Will the Town vote to raise and appropriate or transfer from available funds a sum of money for payment of unpaid bills incurred during the previous fiscal year or take any other action relative thereto.

DEPARTMENT	VENDOR	DATE	AMOUNT
HIGHWAY	LUCHETTIS	6/27/2012	29.00
HIGHWAY	JOHN FOSTER LUMBER	12/31/2010	33.90
HIGHWAY	JOHN FOSTER LUMBER	1/18/2011	493.17
HIGHWAY	JOHN FOSTER LUMBER	4/20/2011	12.98
HIGHWAY	JOHN FOSTER LUMBER	5/25/2011	15.56
HIGHWAY	JOHN FOSTER LUMBER	6/22/2012	58.19
HIGHWAY	JOHN FOSTER LUMBER	6/30/2010	3.89
HIGHWAY	JOHN FOSTER LUMBER	12/1/2010	34.18
HIGHWAY	JOHN FOSTER LUMBER	10/18/2011	23.95
HIGHWAY	JOHN FOSTER LUMBER	1/26/2012	5.18
HIGHWAY	ATLANTIC BROOM	6/13/2012	720.00
HIGHWAY	ATLANTIC BROOM	6/13/2012	500.00
SELECTMEN	COASTLINE PLUMBING/SEAN BOGNI	4/23/2012	378.96
FIRE	DANA UNANGST	05/01/2012	1,014.00
SELECTMEN	WILLIAM FORD CO.	1/5/2012	60.66
SELECTMEN	WILLIAM FORD CO.	3/15/2012	23.28
LEGAL	AMORY ENGINEERS	6/29/2012	1,178.75
CONSERVATION	TOWN OF PEMBROKE	FY 12	452.82
			5,038.47
WATER	NEW ENGLAND WATER WORKS	6/12/2012	150.00
WATER	NEW ENGLAND WATER WORKS	6/12/2012	150.00
WATER	THE APPRAISERS COLLABORATIVE	4/6/2012	1,375.00
			1,675.00
WASTEWATER	W B MASON	9/16/2010	199.60

Board of Selectmen

Recommendation: At Town Meeting.

Article 1 Explanation: These are unpaid invoices from the previous fiscal year that need to be paid.

ARTICLE 2 Will the Town vote to transfer from available funds a sum of money to fund collective bargaining agreements or other employee contracts with any one or more of the following organizations with respect to the fiscal year beginning July 1, 2011 and /or for prior fiscal years:

- Marshfield Firefighters, Local 2568, International Associations of Firefighters AFL – CIO
- American Federation of State County and Municipal Employees AFL – CIO State Council 93 Local 1700 (Clerical Employees Unit)
- American Federation of State County and Municipal Employees AFL – CIO State Council 93 Local 1700 (Department of Public Works employees)
- American Federation of State County and Municipal Employees AFL – CIO State Council 93 Local 1700 (Supervisory Employees)

or take any action relative thereto.

Board of Selectmen

Recommendation: At Town Meeting.

Article 2 Explanation: The Town is currently negotiating collective bargaining agreements with several unions above noted. Settlements are presented under MGL Chapter 150E for funding the first year of the settlement.

ARTICLE 3 Will the Town accept Massachusetts General Laws Chapter 40 §13D to establish a fund for future payment of accrued liabilities for compensated absences due employees and further to transfer \$20,000 into such fund by raising and appropriating \$20,000 from the FY 2013 tax levy to be used to pay employees amounts to which they are entitled under applicable collective bargaining agreements or personnel bylaws, for unused sick leave, or take any other action relative thereto.

Board of Selectmen

Recommendation: At Town Meeting.

Article 3 Explanation: Each year, employees of the Town are entitled to sick leave benefits due from union contracts or the Personnel Bylaw. Certain employees are entitled to buy back sick leave benefits and this article will fund those obligations.

ARTICLE 4 Will the Town vote to expend a sum of money for the Energy Services Contract (ESCO) upgrades to various municipal buildings including environmental remediation costs and to fund such appropriation transfer a sum of money from the investment income earned on the proceeds from the qualified energy conservation bond issued July 2, 2012 or transfer from available funds or take any other action relative thereto.

Board of Selectmen

Recommendation: At Town Meeting.

Article 4 Explanation: The Town previously approved \$5,000,000 for this project which was financed by a federally subsidized qualified energy conservation bond. The federal subsidy will pay the full interest due on the bond over the next ten years. The terms of the bond require that any investment income earned by the Town on the \$5,000,000 be applied to the project costs. At the time of the submission of this article, \$2,536.50 in investment income had been earned.

ARTICLE 5 Will the Town vote to make the following adjustments to the Fiscal Year 2013 General Fund budget line items voted as Article 5 at the April 2012 Annual Town Meeting by:

Decreasing the following FY 2013 budgets:

General Insurance:	\$101,000
Unemployment	\$30,000

And increasing the following FY 2013 budgets:

Building Department - Salaries (MHS inspections)	sum of money
Facilities – Expenses (DWS/EWS)	\$137,000
Education	\$180,805
Fire Department – Expenses (cardiac monitor)	\$34,210
Police Department – Expenses (cruiser)	\$27,000

And further to raise and appropriate \$125,152 from the FY 2013 tax levy and transfer a sum of money from Free Cash or take any other action on any other line item relative thereto.

Board of Selectmen

Recommendation: At Town Meeting.

Article 5 Explanation: This article is needed to adjust certain fiscal 2013 General Fund budget line items.

ARTICLE 6 Will the Town vote to raise and appropriate, transfer from available funds or borrow, a sum of money for the following General Fund purpose, or take any other action relative thereto.

PROJECT/PROGRAM	FY13 Request	FY 13 CBC Recommend	Funding Source
Stainless steel sander & power angle plow	\$45,000	\$45,000	Borrowing \$45,000 pursuant to MGL Chapter 44

Capital Budget Committee

Recommendation: At Town Meeting.

Article 6 Explanation: The above listed sander was approved by the Capital Budget Committee but was inadvertently omitted from the April 2012 Annual Town Meeting article.

ARTICLE 7 Will the Town vote to rescind the following unused authorizations to borrow in accordance with MGL Chapter 44, Sections 7 and 8, the other provisions of such articles to remain in full force and effect or take any other action relative thereto.

Art 5, STM 10/2007	\$ 103,000	Inner Harbor Dredging
Art 4, ATM 04/2008	\$ 46,000	School Lunch Equipment
Art 20, ATM 04/2008	\$1,147 ,000	Governor Winslow School
Art 6, STM 10/2009	\$ 200,000	Massasoit Ave Fire Station
Art 4, ATM 04/2011	\$93,000	K-5 Mathematics Textbooks
		Treasurer/Collector

Recommendation: At Town Meeting.

Article 7 Explanation: This article rescinds borrowing approvals from earlier Town Meetings. The projects were completed without the need to borrow the full authorized amount, were contingent upon receiving grants that were not awarded or the project authorizations included amounts that were funded through grants (MSBA).

ARTICLE 8 Will the Town vote to raise and appropriate the sum of \$10,000 and to fund such appropriation raise and appropriate or transfer from available funds the sum of \$10,000, to be transferred to the Other Post Employment Benefits Liability Trust Fund as established at the April 2009 Special Town Meeting or take any other action relative thereto.

Treasurer/Collector

Recommendation: At Town Meeting.

Article 8 Explanation: This funding would demonstrate the Town's recognition of the liability and an ongoing attempt to address it.

ARTICLE 9 Will the Town vote to authorize the taking by eminent domain of a 4 acre Parcel of land located adjacent to the runway of the Marshfield Airport, identified on the Assessors Map as Lot K09-03-04 for open space purposes, with no damages to be paid therefor, or take any other action relative thereto.

Open Space Committee

Recommendation: At Town Meeting:

Article 9 Explanation: The parcel which is the subject of this article was identified as having unknown owners by a title report funded by the Open Space Committee's "Unknown Owners Project". The project was sponsored by the Open Space Committee in conjunction with Wildlands Trust of Southeastern Mass in 2008. The project identified 18 parcels totaling 203 acres of land for which no taxes have been paid for considerable lengths of time with no current owners indentified. The project provided funding obtained through CPC for title searches coordinated by Town Counsel. If title research indicates that no owners can be found, it is the intention for the town to obtain ownership by eminent domain to add to the inventory of open space or conservation land or for other public purposes.

ARTICLE 10 Will the Town vote to raise and appropriate, transfer from available funds or borrow pursuant to Massachusetts General Laws Chapter 44 §7 a sum of money to be used for the demolition of Fire Station 1 located at 21 Massasoit Avenue identified on the Assessors Map as Lot M08-06-03 and construction of a new fire station including all cost and expenses for bidding, demolition, disposal of materials, construction, temporary housing and finish work on the site at 21 Massasoit Avenue or take any other action relative thereto.

Fire Chief

Recommendation: At Town Meeting.

Article 10 Explanation: The Fire Station building committee worked with the architectural firm, HKT, until October 4, 2012 to create the building design and floor plan for both apparatus bay and living quarters. Following the completion of the part of the project the final design was used to create the cost estimate for the entire project. This cost estimate is being presented to the Fall Town Meeting to allow for bidding in early 2013 and construction beginning in the spring of 2013.

This need for replacement of Station 1 has been in the town meeting warrant in some form every year since 2004 the project being presented is the result of a year of planning and committee work to create a building that will fit on the lot and in the neighborhood while addressing the fire rescue and emergency medical needs of district 1.

ARTICLE 11 Will the Town vote to appropriate \$20,567.15 for the purchase of bullet proof vests and to fund such appropriation transfer \$20,567.15 from ATM 04/2011, Article 4 – Police Handguns or take any other action relative thereto.

Marshfield Police Department

Recommendation: At Town Meeting.

Article 11 Explanation: This article will enable the Department to purchase bullet proof vests for the officers.

ARTICLE 12 Will the Town vote to raise and appropriate, borrow or transfer, from the Waterways Fund and/or from any other available funds the sum of \$96,668.00 for the purpose of funding the Town's 25% share of a Department of Homeland Security (DHS), Port Security Grant Award for the purchase of a new Harbormaster Vessel and further that any proceeds from the sale of a current Harbormaster vessels/equipment be used to offset such appropriation or take any other action relative thereto.

Harbormaster

Recommendation: At Town Meeting.

Article 12 Explanation: The Marshfield Harbormaster/Police Department was awarded a 75% grant of \$290,006 from the Department of Homeland Security (DHS) to offset the cost of a new Harbormaster vessel valued at \$386,675.00. This was a very competitive grant to obtain. The Town is responsible for the remaining 25% of the purchase price- \$96,668.00. This vessel, 75% funded by the DHS grant, ultimately enhances our operational capabilities and postures us for future natural disasters and force multiplier missions.

ARTICLE 13 Will the Town vote to use \$40,000 of retained earnings from Solid Waste Enterprise Account for the purpose of repairing trench drains at the Transfer Station or take any action relative thereto.

Board of Public Works

Recommendation: At Town Meeting.

Article 13 Explanation: The concrete trench drains at the Transfer Station building have deteriorated and require repair.

ARTICLE 14 Will the Town vote to act upon the recommendation of the Board of Public Works to authorize the acquisition of certain parcel of land shown on the Marshfield Assessors Map as lot H12-01-04A containing 2.18 acres more or less, located at 534 Ferry Street for the purpose of protection of the groundwater and water supply of the Ferry Street and Church Street municipal well fields, a sum of money of retained earnings from the Water Enterprise Fund or take any action relative thereto.

Board of Public Works

Recommendation: At Town Meeting.

Article 14 Explanation: The property is located on Ferry Street; the location is within the WRPD of the Ferry and Church Streets municipal well fields. The purpose of the acquisition is to protect the integrity of the groundwater and water supply to the wells.

ARTICLE 15 Will the Town vote to act upon the recommendation of the Community Preservation Committee for the fiscal year which began July 1, 2012, to expend, or set aside for later expenditure, a sum of money from the Community Preservation Fund established pursuant to Massachusetts General Laws Chapter 44B as follows:

Item	Fund Category	Project	Amount	Department/Applicant
1	Community Housing	Expenses related to conversion of six existing market rate housing units to affordable housing; amount to be provided from FY2013 CPA revenues	\$426,360	Community Housing Partnership
2	Open Space	Pratt Property purchase	\$327,330.78	Open Space Committee
3	Open Space	Salvetti Property purchase	\$68,500	Open Space Committee
4	Open Space	Drew Property purchase	Sum of Money	Open Space Committee
5	Historic	Winslow Family Tomb	\$8,000	Department of Public Works

It is further stipulated that:

The department named in each specified project shall assume the responsibility to fully execute the project.

Any un-used funds will be returned to the appropriating Community Preservation Act Fund.

1. *The department named in each specified project shall assume the responsibility to fully execute the project.*
2. *Any un-used funds will be returned to the appropriating Community Preservation Act Fund.*
3. *CPA funds can be used for the purpose of matching grants from other sources.*
4. *As per Chapter 44B, the State match for Community Preservation Act funds is accumulated from fees at the Registries of Deeds across the Commonwealth. The State Legislature cannot allocate the funds for any other purpose.*

The Town Accountant is instructed to defray the aforesaid expenditures in the following manner:

Item 1 - Affordable Housing – To appropriate \$426,360 from FY2013 Community Preservation Fund revenues to further fund the Conversion Grant program. The goal of this application is to continue providing affordable housing opportunities with six additional grants to income qualified households at an average grant amount of \$71,060.

Item 2 - Open Space - To appropriate \$327,330.78 from FY2013 Community Preservation Fund revenues to fund the purchase of the Pratt property, located at 172 South River Street, parcels H08-02-01, H08-02-03 and H08-04-01. The Pratt property is comprised of 37 acres with 2,860 feet of frontage on the South River. The goals of this purchase are to prevent further development of the site and protect the wetland resources and critical mapped habitat; to create linkage to the abutting Bridal Trail and future South River Greenway and Walking Trail and create ADA access to the South River and ADA accessible Nature Sanctuary; and to preserve a historic and uniquely undisturbed natural landscape in South Marshfield.

Item 3 - Open Space. To appropriate \$68,500 from FY2013 Community Preservation Fund revenues to purchase the Salvetti property, 175R Pleasant Street, parcels F15-02-12, 8.3 acres to be subdivided from 11.53 acre lot. The goals of this purchase are to prevent further development of the site to protect critical upland habitat and prevent the fragmentation of open space; to add 8.3 acres of land to the needed 25 acres required for permitting playing field construction for Enterprise Drive site; and to provide public access to existing walking paths that link with trails on town owned land.

Item 4 - Open Space - To appropriate a sum of money from FY2013 Community Preservation Fund revenues to purchase the Drew property, approximately one acre on Eames Way, parcel F14-02-11. The goals of this purchase are to prevent residential development of the site, to protect critical upland habitat and prevent the fragmentation of open space; and/or to add to the acreage needed to mitigate the construction of athletic fields on Enterprise Drive.

Item 5 – Historic - To appropriate \$8,000 from FY2013 Community Preservation Fund revenues to restore the historic Winslow Family Tomb to its original condition and appearance. The original tomb rested on a brownstone base, with six granite posts supporting the main stone, another massive piece of brownstone with slate panels. The restoration will also remove the existing brick foundation which was constructed in 1903, is in poor condition, and unstable. The slate “Winslow Code of Arms” set into the brownstone is not original to the tomb. The original was removed in 1898 to prevent further damage from vandalism and is on display at Pilgrim Hall, Plymouth. Winslow family members were among the most important early settlers of Marshfield and governed 17th century Plymouth Bay Colony for many years. Several family members are buried here including Governor Josiah Winslow and Isaac Winslow.

Community Preservation Committee

Recommendation: At Town Meeting.

ARTICLE 16 Will the Town vote to raise and appropriate or transfer from available funds \$34,000 for the replacement of the existing Vertical Platform Lift at Marshfield Town Hall located at with a new Vertical Platform Lift or take any other action relative thereto.

ADA Committee

Recommendation: At Town Meeting.

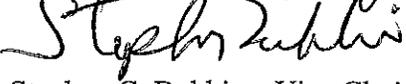
Article 16 Explanation: The existing Vertical Platform Lift is outdated, has required significant maintenance to remain useful, and should be replaced with a new Vertical Platform Lift and/or similar lift/elevator which utilizes current technologies and will improve the quality of access in the Town Hall.

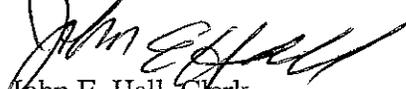
You are directed to serve this warrant by posting attested copies thereof at ten public places in different parts of the Town not less than fourteen days before the holding of said meeting. Hereof fail not to make the due return of this Warrant with our doings thereon to the Town Clerk at the time and place of the meeting aforesaid:

Given under our hands this 20th day of September 2012.

BOARD OF SELECTMEN


Matthew J. McDonough, Chairman


Stephen G. Robbins, Vice Chair


John E. Hall, Clerk

A true copy, ATTEST:
Constable