

ANNUAL TOWN MEETING - TOWN OF MARSHFIELD

MONDAY, APRIL 26, 2010 - MARSHFIELD HIGH SCHOOL GYMNASIUM

ARTICLE 1 The Town **VOTED** to receive the reports of the Town Officers and Committees and to act thereon.

PASSED BY MAJORITY VOTE

ARTICLE 2 The Town **VOTED** to establish the salaries and compensation of all elected Town Officers for fiscal year 2011 and raise and appropriate \$64,330 from the FY 2011 tax levy to pay the same.

Selectmen	\$3,417	(Chairman \$1,229, 2 members \$1,094)
Assessors	\$3,687	(Chairman \$1,363, 2 members \$1,162)
Public Works	\$2,180	(Chairman \$816, 2 members \$682)
Planning Board	\$1,120	(Chairman \$320, 4 members \$200)
Board of Health	\$1,460	
Town Clerk	\$52,374	
Moderator	<u>\$92</u>	
	\$64,330	

PASSED BY MAJORITY VOTE

ARTICLE 3 The Town **VOTED** to approve the capital projects set forth on the spreadsheet published as Article 3 in the 2010 Annual Town Meeting warrant and that said projects be funded by transfers from available funds in the amount of \$204,061.06 as indicated in that spreadsheet and borrowing in the amount of \$1,994,000 as indicated in that spreadsheet, and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$1,994,000 under Massachusetts General Laws, Chapter 44, Section 7 for the General, Water and Sewer Fund purposes set forth in the column of that spreadsheet entitled "Project/Program".

PASSED BY 2/3 VOTE

CAPITAL PROJECT RECOMMENDATIONS					
FISCAL YEAR 2011					
DEPARTMENT	PROJECT/PROGRAM	FY11 Request	FY 11 CBC Recommendation	Source	
School Department	Ventress Audio Visual (Shared with Selectmen)	\$62,000	\$62,000	Borrowing pursuant to MGL Chapter 44	
School Department	Replacement of Football Bleachers and Pressbox - MHS	\$750,000	\$50,000	Free Cash	
School Department	Replacement of Gymnasium Bleachers - FBMS, MES	\$100,000	\$0		
School Department	Replacement of Carpeting with Tile - FBMS	\$75,489	\$75,489	Transfer from these articles	
				STM 04/2006, Art 13	EMINENT DOMAIN TAKINGS \$8,315.57
				ATM 04/2006, Art 4	Police Station Roof \$198.83
				ATM 04/2004, Art 4	Flooring, DW, EW, GW & SR \$200.00
				ATM 04/2004, Art 4	Window Replacement SR \$0.62
				ATM 04/2005, Art 4	HVAC Replacement - GW \$61.88
				ATM 04/2005, Art 4	Roof Replacement - SR \$635.00
				ATM 04/2006, Art 4	Exterior Door Replacement \$2,500.00
				ATM 04/2009, Art 4	Classroom Furniture \$51.62
				ATM 4/1997, Art 6	Eng & Design School Additions \$3,321.23
				STM 04/2001, Art 1	Senior Center \$166.61
				STM 04/2008, Art 16	Library Roof Replacement \$22,047.64
				and borrow \$36,000 pursuant to MGL Chapter 44	
School Department	Voice over Internet Protocol Telephone System Upgrade - SW	\$220,185	\$220,185	Transfer from these articles	
				ATM 04/2007, Art 4	TELEGRAPH HILL DRAINAGE \$185.00
				and borrow \$220,000 pursuant to MGL Chapter 44	
SCHOOL DEPARTMENT SUB TOTAL		\$1,207,674	\$407,674		
Fire Department	Replace Station 1 - Ocean Bluff	\$1,200,000	\$0		
Fire Department	Refurbish Engine 5 - 1999 KME 1250 GPM Pumper	\$30,000	\$30,000	Transfer from these articles	
				STM 04/2006, Art 9	DESIGN OF DRAINAGE TRUNK-LINE \$34,204.24
				ATM 04/2007, Art 4	TELEGRAPH HILL DRAINAGE \$4,595.76
Fire Department	Corrosion Control/Refinish Engine 2 & Quint 1	\$89,042	\$89,042	Transfer from these articles	
				ATM 04/2004, Art 4	BRANT ROCK ESPLANADE TRAFFIC \$1,324.50
				ATM 04/2004, Art 4	SIDEWALK PLOW & SWEEPER \$2,000.00
				ATM 04/2006, Art 4	CHIPPER REPLACEMENT \$675.00
				ATM 04/2007, Art 4	LAWN MOWER \$217.34
				ATM 04/2008, Art 4	VEHICLE 160 REPLACEMENT \$61.00
				ATM 04/2008, Art 4	VEHICLE 37 REPLACEMENT \$2,801.00
				ATM 04/2008, Art 4	VEHICLE 101 REPLACEMENT \$3,375.50
				ATM 04/2008, Art 4	Paramedic Unit - Ambulance \$236.35
				ATM 04/2008, Art 4	Fire Engine 5 \$883.64
				ATM 04/2008, Art 4	Library Computers \$3.32
				ATM 04/2007, Art 4	TELEGRAPH HILL DRAINAGE \$101.35
				ATM 04/2004, Art 4	IRRIGATION SYSTEM POPWARNER \$4,633.04
				ATM 04/2005, Art 4	SKATEPARK ADA COMPLIANCE \$119.65
				STM 10/2003, Art 2	Running Track \$610.31
				and borrow \$72,000 pursuant to MGL Chapter 44	
FIRE DEPARTMENT SUB TOTAL		\$1,460,342	\$127,842		
Police Department	Replacement of 60 portable radios	\$132,858	\$132,858	Free Cash	
POLICE DEPARTMENT SUB TOTAL		\$192,858	\$132,858		
DPW - Cemetery	Couch Cemetery Expansion	\$30,000	\$30,000	Sale of Lots Trust	
	Replace Dump Truck 114	\$65,000	\$65,000	Borrowing pursuant to MGL Chapter 44	
DPW - CEMETERY SUB TOTAL		\$95,000	\$95,000		
DEPARTMENT	PROJECT/PROGRAM	FY11 Request	FY 11 CBC Recommendation	Source	
DPW - Engineering	Sea Walls & Rip Rap	\$1,000,000	\$250,000	Borrowing pursuant to MGL Chapter 44	
DPW - Engineering	Bass Creek Dredging	\$650,000	\$50,000	Borrowing pursuant to MGL Chapter 44	
DPW - Engineering	Brant Rock Esplanade Phase 3	\$150,000	\$0		
DPW - ENGINEERING SUB TOTAL		\$1,800,000	\$300,000		
DPW - Highway	Road Reconstruction	\$700,000	\$250,000	Borrowing pursuant to MGL Chapter 44	
DPW - Highway	Grading Private Unpaved Ways	\$35,000	\$0		
DPW - Highway	Emergency Repairs to Private Ways	\$35,000	\$0		
DPW - Highway	Street Sign Replacement	\$30,000	\$0		
DPW - Highway	Bob Cat Replacement	\$95,000	\$0		
DPW - Highway	Replace Bomber with New trackless or equivalent	\$125,000	\$0		
DPW - Highway	Purchase 360° wrist & Grapple Bucket for excavator	\$25,000	\$25,000	Free Cash	
DPW - Highway	Replace GMC PU #155	\$38,000	\$38,000	Borrowing pursuant to MGL Chapter 44	
DPW - Highway	Replace Chevy PU #189	\$38,000	\$0		
DPW - Highway	Salt Shelter Parsonage St' Cover All or equivalent	\$30,000	\$30,000	Transfer from these articles	
				ATM 04/2006, Art 4	Eames Way Roof \$15,409.52
				ATM 4/1998, Art 2	Renovation/Addition \$13,160.17
				ATM 4/1997, Art 6	Eng & Design School Additions \$1,430.31
DPW - HIGHWAY SUB TOTAL		\$1,141,000	\$343,000		
Information Technology	Online Permitting Application	\$39,100	\$39,100	Free Cash	
Information Technology	VM-Ware - Virtual Server Consolidation	\$125,000	\$0		
Information Technology	Wide Format Plotter/Scanner	\$27,000	\$27,000	Borrowing pursuant to MGL Chapter 44	
Information Technology	Server Replacement	\$48,000	\$0		
Information Technology	COA - Technology Update	\$25,000	\$0		
IT SUB TOTAL		\$264,100	\$66,100		
HARBORMASTER SUB TOTAL		\$0	\$0		
GRAND TOTAL GENERAL FUND		\$6,160,974	\$1,472,474		

DEPARTMENT	PROJECT/PROGRAM	FY11 Request	FY 11 CBC Recommendation	Source	
Wastewater Enterprise	Paving & additional Parking	\$30,000	\$30,000	Wastewater Enterprise Retained Earnings	
Wastewater Enterprise	Aeration Tank Valve Rework	\$25,000	\$25,000	Wastewater Enterprise Retained Earnings	
Wastewater Enterprise	Collection System Repairs	\$150,000	\$150,000	Transfer from these articles	
				ATM 10/1998, Art 5	UV DISINFECTION & RM \$938.94
				and \$149,061.06 from Wastewater Enterprise Retained Earnings	
Wastewater Enterprise	Main Lift Station Pump upgrade design/construction	\$110,000	\$110,000	Transfer from these articles	
				ATM 04/2003, Art 4	Master Plan Update \$496.43
				ATM 10/1998, Art 5	UV DISINFECTION & RM \$1,461.07
				ATM 04/2004, Art 4	EMERGENCY PLANNING \$49,976.60
				ATM 04/2008, Art 4	REPLACE VEHICLE#168 \$66.00
				and borrow \$68,000 pursuant to MGL Chapter 44	
Wastewater Enterprise	WWTF Influent Screening	\$100,000	\$0		
TOTAL WASTEWATER ENTERPRISE FUND		\$415,000	\$315,000		
Water Enterprise	Pudding Hill Tank Design	\$150,000	\$150,000	Transfer from these articles	
				STM 10/2008, Art 9	FURNACE BROOK WELL #2 \$11,000.00
				and borrow \$139,000 pursuant to MGL Chapter 44	
Water Enterprise	Highland St. Water main	\$700,000	\$700,000	Borrowing pursuant to MGL Chapter 44	
Water Enterprise	Water Main Upgrades	\$120,000	\$120,000	Transfer from these articles	
				ATM 04/2005, Art 16	SOUTH RIVER ST WATER MAIN \$13,941.73
				ATM 04/1999, Art 28	AQUIFER STUDY \$15,126.74
				ATM 04/1990, Art 5	PUMP TEST FERRY ST \$13,718.30
				ATM 04/2000, Art 4	FERRY ST PUMP STATION \$19,983.35
				ATM 04/2005, Art 4	PUMP TEST FAIRCROUNDS \$1,501.88
				ATM 04/2006, Art 15	LAND ACQ FOR NEW WATER \$3,566.94
				ATM 04/2008, Art 4	PICKUP TRUCK REPLACE \$3,412.00
				ATM 04/2008, Art 4	VEHICLE REPLACEMENT #168 \$260.30
				STM 04/2005, Art 4	PUDDING HILL LAND TAKING \$25,000.00
				STM 04/2006, Art 3	OPEN SPACE ACQ \$8,583.00
				STM 10/2008, Art 9	FURNACE BROOK WELL #2 \$14,813.76
Water Enterprise	Planning, Design & Demo- Lime Storage Building at 318 Main St	\$25,000	\$25,000	Borrowing pursuant to MGL Chapter 44	
Water Enterprise	Replace Pickup Truck 73	\$38,000	\$38,000	Water Enterprise Retained Earnings	
Water Enterprise	Replace Pickup Truck 184	\$38,000	\$0		
Water Enterprise	Replace Pickup Truck 185	\$38,000	\$0		
Water Enterprise	Land Purchase for water resource protection	\$500,000	\$0		
Water Enterprise	Well Cleaning and rehabilitation	\$41,000	\$41,000	Water Enterprise Retained Earnings	
TOTAL WATER ENTERPRISE FUND		\$1,750,000	\$1,074,000		
GRAND TOTAL - ALL FUNDS		\$8,325,974	\$2,861,474		
Sources	Free Cash		\$246,958.00		
	Sale of Lots Trust		\$30,000.00		
	Transfer from other general fund articles		\$123,516.00		
	Borrowing supported by tax levy		\$1,072,000.00		
	Water Enterprise Retained Earnings		\$79,000.00		
	Wastewater (Sewer) Enterprise Retained Earnings		\$204,061.06		
	Transfer from other Enterprise Fund articles		\$183,938.94		
	Enterprise Fund Borrowing supported by user fees		\$922,000.00		
			\$2,861,474.00		

ARTICLE 4 The Town **VOTED** to transfer \$452,346.51 from Free Cash into the Stabilization Fund.

PASSED BY 2/3 VOTE

ARTICLE 5 The Town **VOTED** to raise and appropriate \$71,361,744 and to meet said appropriation raise \$70,333,744 from the FY 2011 tax levy, transfer \$35,000 from Cemetery Perpetual Care Interest, \$47,000 from Licensing & Keeping of Dogs, \$26,000 from Wetland Protection Fund, \$20,000 from Waterway Improvement Fund and \$900,000 from Free Cash to defray Town expenses, debts and other charges from July 1, 2010 to June 30, 2011 in the manner set forth in Article 5 of the warrant for the 2010 Annual Town Meeting

PASSED BY MAJORITY VOTE

	FY 2009	FY 2010	FY 2011
	Expended	Budget	Adv Board
Dept 122-SELECTMEN			
Salaries	229,329.32	253,819.00	246,694.00
Expense	210,277.87	212,000.00	217,000.00
Total	439,607.19	465,819.00	463,694.00
Dept 132-RESERVE FUND			
Expense	79,050.00	100,000.00	100,000.00
Total	79,050.00	100,000.00	100,000.00
Dept 135-TOWN ACCOUNTANT			
Salaries	155,092.22	164,875.00	166,784.00
Expense	14,388.45	4,550.00	3,975.00
Total	169,480.67	169,425.00	170,759.00
Dept 141-ASSESSORS			
Salaries	198,361.77	205,590.00	209,207.00
Expense	68,923.50	59,300.00	57,510.00
Total	267,285.27	264,890.00	266,717.00

	FY 2009 Expended	FY 2010 Budget	FY 2011 Adv Board
Dept 145-TREASURER/COLLECTOR			
Salaries	342,574.79	344,245.00	338,973.00
Expense	40,013.86	33,500.00	33,900.00
Total	382,588.65	377,745.00	372,873.00
Dept 149-ANNUAL AUDIT			
Expense	50,000.00	50,000.00	50,000.00
Total	50,000.00	50,000.00	50,000.00
Dept 151-LEGAL			
Expense	167,435.15	170,000.00	170,000.00
Total	167,435.15	170,000.00	170,000.00
Dept 155-INFO TECHNOLOGY			
Salaries	104,399.27	111,954.00	117,777.00
Expense	138,844.20	161,189.00	155,366.00
Total	243,243.47	273,143.00	273,143.00
Dept 161-TOWN CLERK			
Salaries	53,318.00	51,084.00	51,084.00
Expense	3,101.65	4,110.00	4,110.00
Total	56,419.65	55,194.00	55,194.00
Dept 162-ELECTIONS/REGISTRATION			
Expense	39,958.23	33,175.00	62,450.00
Total	39,958.23	33,175.00	62,450.00
Dept 171-CONSERVATION			
Salaries	94,950.68	97,834.00	98,809.00
Expense	10,553.07	9,555.00	8,580.00
Total	105,503.75	107,389.00	107,389.00
Dept 175-PLANNING BOARD			
Salaries	113,456.00	116,886.00	118,141.00
Expense	2,278.24	1,448.00	1,448.00
Total	115,734.24	118,334.00	119,589.00
Dept 176-ZONING BOARD OF APPEALS			
Salaries	26,968.80	27,286.00	27,569.00
Expense	1,746.02	2,000.00	1,900.00
Total	28,714.82	29,286.00	29,469.00

Expense	0.00	0.00	0.00
Total	1,650.00	1,800.00	1,800.00
Dept 295-HARBORMASTER			
Salaries	97,185.00	93,000.00	93,000.00
Expense	43,849.73	50,500.00	50,500.00
Total	141,034.73	143,500.00	143,500.00
Dept 300-EDUCATION			
Department	39,814,678.16	39,835,066.00	40,216,264.00
Total	39,814,678.16	39,835,066.00	40,216,264.00
Dept 401-DPW			
Salaries	1,527,938.21	1,602,889.00	1,604,781.00
Expense	526,916.46	590,550.00	588,658.00
Total	2,054,854.67	2,193,439.00	2,193,439.00
Dept 423-SNOW AND ICE CONTROL			
Salaries	184,623.45	105,000.00	105,000.00
Expense	723,216.53	245,000.00	270,000.00
Total	907,839.98	350,000.00	375,000.00
Dept 424-AUTOMOTIVE FUEL			
Expense	339,923.18	405,374.00	405,374.00
Total	339,923.18	405,374.00	405,374.00
Dept 510-HEALTH			
Salaries	179,153.00	183,420.00	183,494.00
Expense	23,345.85	24,439.00	24,365.00
Total	202,498.85	207,859.00	207,859.00
Dept 541-COUNCIL ON AGING			
Salaries	159,255.00	169,227.00	164,679.00
Expense	43,096.65	35,829.00	40,377.00
Total	202,351.65	205,056.00	205,056.00
Dept 543-VETERANS			
Salaries	66,051.52	66,957.00	65,856.00

	FY 2009 Expended	FY 2010 Budget	FY 2011 Adv Board
Dept 401-DPW			
Salaries	1,527,938.21	1,602,889.00	1,604,781.00
Expense	526,916.46	590,550.00	588,658.00
Total	2,054,854.67	2,193,439.00	2,193,439.00
Dept 423-SNOW AND ICE CONTROL			
Salaries	184,623.45	105,000.00	105,000.00
Expense	723,216.53	245,000.00	270,000.00
Total	907,839.98	350,000.00	375,000.00
Dept 424-AUTOMOTIVE FUEL			
Expense	339,923.18	405,374.00	405,374.00
Total	339,923.18	405,374.00	405,374.00
Dept 510-HEALTH			
Salaries	179,153.00	183,420.00	183,494.00
Expense	23,345.85	24,439.00	24,365.00
Total	202,498.85	207,859.00	207,859.00
Dept 541-COUNCIL ON AGING			
Salaries	159,255.00	169,227.00	164,679.00
Expense	43,096.65	35,829.00	40,377.00
Total	202,351.65	205,056.00	205,056.00
Dept 543-VETERANS			
Salaries	66,051.52	66,957.00	65,856.00
Expense	398,274.26	374,344.00	393,667.00
Total	464,325.78	441,301.00	459,523.00
Dept 610-LIBRARY			
Salaries	521,542.00	499,746.00	503,771.00
Expense	141,018.35	152,325.00	148,300.00
Total	662,560.35	652,071.00	652,071.00
Dept 630-RECREATION			
Salaries	62,954.11	64,297.00	65,665.00
Expense	5,675.00	3,000.00	1,632.00
Total	68,629.11	67,297.00	67,297.00
Dept 660-TRUSTEES OF VET MEM			
Expense	9,580.00	9,580.00	9,580.00
Total	9,580.00	9,580.00	9,580.00

	FY 2009 Expended	FY 2010 Budget	FY 2011 Adv Board
Dept 691-HISTORICAL COMMISSION			
Expense	2,548.12	3,780.00	3,780.00
Total	2,548.12	3,780.00	3,780.00
Dept 693-CLAM FLATS			
Salaries	1,425.00	2,000.00	2,000.00
Expense	550.00	1,000.00	1,000.00
Total	1,975.00	3,000.00	3,000.00
Dept 705-715 DEBT SERVICES			
Expense	4,902,027.85	5,071,618.00	4,720,000.00
Total	4,902,027.85	5,071,618.00	4,720,000.00
Dept 910-GENERAL INSURANCE			
Expense	763,597.00	621,338.00	702,580.00
Total	763,597.00	621,338.00	702,580.00
Dept 911-RETIREMENT			
Expense	3,193,116.00	3,298,846.00	3,768,238.00
Total	3,193,116.00	3,298,846.00	3,768,238.00
Dept 912-EMPLOYEE BENEFITS			
Expense	4,622,030.95	5,028,718.00	5,431,015.00
Total	4,622,030.95	5,028,718.00	5,431,015.00
Dept 913-UNEMPLOYMENT			
Expense	59,968.60	400,000.00	243,000.00
Total	59,968.60	400,000.00	243,000.00
Dept 914-MEDICARE			
Expense	574,479.38	600,000.00	625,000.00
Total	574,479.38	600,000.00	625,000.00
Dept 940-UNCLASSIFIED			
Salaries	816.92	1,000.00	1,000.00
Expense	30,489.09	35,050.00	35,050.00
Total	31,306.01	36,050.00	36,050.00
Dept 942-UTILITIES			
Expense	474,919.35	472,164.00	472,164.00
Total	474,919.35	472,164.00	472,164.00
GENERAL FUNDTotal	69,647,352.63	70,431,900.00	71,361,744.00

ARTICLE 6 The Town **VOTED** to appropriate \$2,624,803 to defray Water direct costs and transfer \$545,477 of Water indirect costs to the General Fund, by raising \$3,120,280 of Water Receipts and using \$50,000 of Water Retained Earnings to fund the total costs of the Water Enterprise Fund as follows:

Water	Fiscal 2010 Budget	Fiscal 2011 Budget
Salaries	\$1,045,994	\$1,074,935
Expenses	\$848,550	\$855,500
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$622,400	\$594,368
Appropriated for Direct Cost	\$2,616,944	\$2,624,803
Indirect Costs	\$577,913	\$545,477
Total Cost Water	\$3,194,857	\$3,170,280

PASSED BY MAJORITY VOTE

ARTICLE 7 The Town **VOTED** to appropriate \$2,408,170 to defray Wastewater direct costs and transfer \$382,007 of Wastewater indirect costs to the General Fund, by raising \$2,690,177 of Wastewater Receipts and using \$100,000 of Wastewater Retained Earnings to fund the total costs of the Wastewater (Sewer) Enterprise Fund as follows:

Wastewater	Fiscal 2010 Budget	Fiscal 2011 Budget
Salaries	\$876,314	\$792,180
Expenses	\$1,003,950	\$1,008,500
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$544,365	\$507,490
Appropriated for Direct Cost	\$2,524,629	\$2,408,170
Indirect Costs	\$418,317	\$382,007
Total Cost Wastewater	\$2,942,946	\$2,790,177

PASSED BY MAJORITY VOTE

ARTICLE 8 The Town **VOTED** to appropriate \$3,114,896 to defray Solid Waste direct costs and transfer \$240,463 of Solid Waste indirect costs to the General Fund, by raising \$3,055,359 of Solid Waste Receipts and using \$300,000 of Solid Waste Retained Earnings to fund the total costs of the Solid Waste Enterprise Fund as follows:

Solid Waste	Fiscal 2010 Budget	Fiscal 2011 Budget
Salaries	\$482,334	\$515,996
Expenses	\$2,480,350	\$2,548,900
Emergency Reserve	\$50,000	\$50,000
Debt Service	\$ 0.00	\$0.00
Appropriated for Direct Cost	\$3,012,683	\$3,114,896
Indirect Costs	\$247,388	\$240,463
Total Cost Solid Waste	\$3,260,072	\$3,355,359

PASSED BY MAJORITY VOTE

ARTICLE 9 The Town **VOTED** to establish revolving funds for certain Town Departments under Massachusetts General Law, Chapter 44, Section 53E1/2 for the fiscal year beginning July 1, 2010, with the specific receipts credited to each fund the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

<u>Authorized to Spend</u>	<u>Revolving Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 2011 Spending Limit</u>

Beach Commission	Beaches	Fees charged for beach stickers, parking at public beach lots and snack bar operations.	Part-time salaries, supplies, other charges and expenses of the beach operations.	\$190,000
DPW	Playing Field Rentals	Fees charged for rental of playing fields.	Part-time salaries, supplies, other charges and expenses of the playing field operations.	\$50,000
DPW	Recycling Composting Program	Fees charged for the sale and recycling of composting equipment.	Recycling and composting equipment and educational materials.	\$0
School Committee	High School Graphic Arts Program	Fees charged for the graphic arts program.	Part-time staff, supplies and equipment for the program.	\$40,000
School Committee	High School Restaurant Program	Fees charged for the restaurant program.	Part-time staff, supplies and equipment for the program.	\$35,000
School Committee	Boat Building Program	Fees charged for the activities of the boat building program.	Part-time staff, supplies and equipment for the program.	\$8,000
School Committee	Integrated Pre-school Program	Fees charged for the activities of the integrated pre-school program.	Part-time staff, supplies and equipment for the program.	\$125,000
School Committee	Community Education Program Fund	Fees charged for summer school and adult education.	Services of the continuing education program staff, supplies and equipment.	\$50,000
School Committee	Driver Education Program Fund	Fees charged for Driver education program.	Driver education staff, supplies, and equipment.	\$90,000
School Committee	Student Parking Fund	Fees charged to students for parking.	Expenses associated with school parking lot maintenance and monitoring.	\$35,000

			TOTAL OF ALL FUNDS	\$623,000
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PASSED BY MAJORITY VOTE

ARTICLE 10 The Town **DEFEATED** appropriating \$7,000,000 for the purpose of making energy efficiency improvements to Town buildings, including the payment of all other costs incidental and related thereto pursuant to an Energy Management Services Contract under General Laws Chapter 25A between the Town of Marshfield and an energy management services contractor; and to meet said appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$7,000,000 under G.L. c.44, §7(3B) or any other enabling authority; that the \$62,240 sum previously appropriated from free cash under Article 1 of the warrant at the Special Town Meeting held on October 19, 2009 for an energy audit is hereby re-appropriated for the purpose of making said energy efficiency improvements to Town buildings; provided that the amount of the authorized borrowing shall be reduced by the amounts of any utility rebates or other rebates related to the project received prior to the issuance of bonds or notes under this vote; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this project.

**DEFEATED- REQUIRED 2/3 VOTE
YES 164 NO 85**

ARTICLE 11 The Town **VOTED** to appropriate \$20,000 and to fund such appropriation transfer \$4,500 from Article 4, ATM 10/2003 Beacon Litigation and transfer \$15,500 from Article 4, ATM 04/2001 Police Station ADA Changes to be used to pay employees amounts to which they are entitled under applicable collective bargaining agreements or personnel bylaws, for unused sick leave.

PASSED BY MAJORITY VOTE

ARTICLE 12 The Town **VOTED** to appropriate the sum of \$15,000 and to fund such appropriation transfer \$11,480.03 from Article 4, ATM 10/2003 Beacon Litigation and transfer \$3,519.97 from Article 18, STM 10/2008 Beacon Litigation for the purpose of providing Senior Citizen Real Estate Vouchers for services rendered pursuant to an agreement to be formulated between the Council on Aging and the Board of Selectmen.

PASSED BY MAJORITY VOTE

ARTICLE 13 The Town **VOTED** to appropriate the sum of \$10,000 and to fund such appropriation transfer \$10,000 from Article 5, STM 10/2003 Dredge South River, to be transferred to the Other Post Employment Benefits Liability Trust Fund as established at the April 2009 Special Town Meeting.

PASSED BY MAJORITY VOTE

ARTICLE 14 The Town **PASSED OVER** raising and appropriating \$35,000 from the FY 2011 tax levy to be used for the emergency repair of private ways. Said funds to be expended under the direction of the Superintendent of Public Works and the general supervision of the Board of Public Works.

ARTICLE 15 The Town **VOTED** to raise and appropriate \$35,000 from the FY 2011 tax levy to be used for grading of dirt roads. Said funds to be expended under the direction of the Superintendent of Public Works and the general supervision of the Board of Public Works.

PASSED BY MAJORITY VOTE

ARTICLE 16 The Town **VOTED** to appropriate \$585,065 from funds available to the Town under Massachusetts General Law Chapter 90, Section 34 (2)(a).

PASSED BY MAJORITY VOTE

ARTICLE 17 The Town **PASSED OVER** transferring a sum of money from Water Enterprise Retained Earnings, a sum of money from Wastewater (Sewer) Enterprise Retained Earnings and a sum of money from Solid Waste Enterprise Retained Earnings to the Other Post Employment Benefits Liability Trust Fund as established at the April 2009 Special Town Meeting.

ARTICLE 18 The Town **VOTED** to re-affirm the acceptance of the following streets which were originally approved as part of Article 21 of the Annual Town Meeting of April 22, 2002, all subdivision roads, as Town ways as laid out by the Board of Public Works according to plans and description on file in the Town Clerk's Office, and further authorize the Board of Public Works to take by eminent domain all necessary interests in real estate as shown on said plans, with no land damages to be paid by the Town.

Guidepost path (Loop of Valley Path) Redbrick Farm Road (Pilgrim Trail to dead end)

Stonybrook Road (East Section)

PASSED BY 2/3 VOTE

ARTICLE 19 The Town **VOTED** to modify General Bylaw Article Fifty-four Sewer Rules and Regulations

Article 3 – Building Sewers and Connections as follows:

Delete Part 2 and replace with the following:

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner(s) or his agent shall make application on a special form furnished by the DPW. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the DPW. A permit and inspection fee of fifty dollars (\$50.00) for a residential or commercial building sewer permit shall be paid to the Town at the time the application is filed. The permit and inspection fee for industrial service shall be set by the Board of Public Works and based on the actual cost to the Town but in no event shall said fee be less than fifty dollars (\$50.00). The Board of Public Works shall review and, if it deems appropriate, adjust the fees every three (3) years.

Article 6 – Charges for Sewer Service

Add the following:

Part 6. Sewer Connection Fee:

For residential and commercial services a sewer connection fee shall be paid to the Town at the time the application to connect to the Town sewer system is filed. The sewer connection fee shall be determined by the Board of Public Works and based on the net value of the sewer system, capacity of the Wastewater Facility, capital improvements, calculated fee per residential unit and average daily flow for proposed connection. Said fee shall be no less than \$1,000. The Board of Public Works shall review and, if it deems appropriate, adjust the fee every three (3) years. The sewer connection fee or portion thereof may be waived at the discretion of the Board of Public Works for applicants paying sewer betterments in sewerred areas developed subsequent to phase I.

PASSED BY MAJORITY VOTE

ARTICLE 20 The Town **PASSED** amending the Zoning Bylaw by inserting a new Section, 11.15 entitled Wind Energy Conversion Facilities, which will regulate wind turbines and other types of structures that capture wind energy and convert it to electricity.

Section

11.15 Wind Energy Conversion Facilities (WECF)

11.15 1. Purpose and Applicability

Wind energy is an abundant, renewable and nonpolluting energy resource; its conversion into electricity will reduce our dependency on nonrenewable energy resources that adversely impact our air and water quality.

The purpose of this bylaw is to provide by Special Permit for the construction and operation of Wind Energy Conversion Facilities (WECF) or Facility and to provide standards for the placement, design, construction, monitoring, modification and removal of WECF. These regulations are intended to protect public health and safety, minimize impacts on scenic, natural and historic resources of the town, while allowing wind energy technology to exist. These regulations also provide adequate financial assurance for the decommissioning of WECF.

This Bylaw applies to: (1) Utility-Scale, (2) Building Mounted and (3) Small Scale Ground Mounted WECF proposed to be constructed after the effective date of this Bylaw. Any physical modifications made after the effective date of this Bylaw to existing WECF that materially alter the type or increases the size of such WECF or other equipment shall require a Special Permit.

11.15 2. General Requirements

No WECF shall be erected, constructed, installed or modified, as provided in this Section, without first obtaining a Special Permit from the Zoning Board of Appeals. The construction of a WECF shall be permitted, subject to the issuance of a Special Permit, in compliance with Sections 10.10 Special Permits, Section 12.02 Site Plan Approval and the requirements of Sections 5.04 Schedule of Use Regulations. WECF must comply with all requirements set forth in this Bylaw. All such WECF shall be constructed and operated in a manner that minimizes any adverse, safety and environmental impacts. No Special Permit shall be granted unless the Special Permit Granting Authority, the Zoning Board of Appeals, makes findings in writing that:

- (a) the specific site is an appropriate location for such use;
- (b) there is not expected to be any serious hazard to pedestrians, vehicles or abutting properties from the use;

- (c) adequate and appropriate facilities will be provided for the proper operation of the use.

The Special Permit decision from the Zoning Board of Appeals may impose reasonable conditions and safeguards that may require the applicant to implement measures to mitigate adverse impacts of the WECF, if it is determined by the ZBA that they are likely to occur.

Wind monitoring or Meteorological Towers shall be permitted in all zoning districts that allow for WECF, as listed in Sections 5.04 Schedule of Use Regulations. Wind monitoring towers are subject to the issuance of a building permit for a temporary structure and are also subject to reasonable regulations concerning the height of structures, lot area and setback requirements.

11.15 3. Compliance with All Laws, Bylaws and Regulations

The construction and operation of all WECF shall be in compliance with all applicable local, state and federal laws and regulations, including but not limited to all applicable safety, construction, environmental, electrical, communications and aviation requirements.

- 11.15 4. Proof of Liability Insurance
The applicant shall be required to provide evidence of liability insurance in an amount and for a duration of time sufficient to cover loss or damage to persons and structures occasioned by the failure of the Facility.
- 11.15 5. Site Control
At the time of an application for a Special Permit, the applicant shall submit documentation of actual or prospective control of the project site sufficient to allow for installation and use of the proposed Facility. Documentation shall also include proof of control over setback areas and access roads if required.
- 11.15. 6. General Siting Standards
- 11.15. 6.1. Height
WECF shall be no higher than 300 feet in elevation above the existing natural grade of the land. WECF may exceed 300 feet if:
- (a) the applicant demonstrates by substantial evidence that such height reflects industry standards for a similarly sited WECF;
 - (b) the additional benefits of a higher tower outweigh any increased adverse impacts;
 - (c) the Facility satisfies all other criteria for the granting of a Special Permit under the provisions of this Section;
 - (d) The height of the Facility is approved by the FAA and the MA DOT Aeronautics Division if required.
- 11.15. 6.2. Setbacks
WECF shall be set back a distance equal to the overall blade tip height plus the required setback in the applicable Zoning District. The Zoning Board of Appeals may allow reduced setbacks for municipally owned WECF if the abutting property is owned by another Town entity and that entity / agency agrees to allow the structure near property under their control. In no case will the setback be less than the height of the Facility to any existing structure.
- 11.15. 6.3. Setback Waiver
The Zoning Board of Appeals may reduce the minimum setback distance as appropriate based on site-specific considerations if the project satisfies all other criteria for the granting of a Special Permit under the provisions of this Section.
- 11.15.7 Design Standards
7. 1. Color and Finish
The Zoning Board of Appeals shall have discretion over the turbine color. A neutral, non-reflective exterior color designed to blend with the surrounding environment is encouraged. Color renderings of the proposed WECF shall be submitted to the Zoning Board of Appeals for review and approval.
7. 2. Lighting and Signage
- 7.2.1. Lighting
WECF shall be lighted only if required by the Federal Aviation Administration (FAA). Lighting of other parts of the WECF, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.
- 7.2.2 Signage

Signs on the WECF shall comply with the requirements of the Town's sign regulations contained in Article VII of this Bylaw, and shall be limited to:

- (a) those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger;
- (b) Educational signs providing information about the Facility and the benefits of renewable energy.

WECF shall not be used for displaying any advertising except for identification of the manufacturer or operator of the wind energy Facility.

11.15. 7.3. Utility Services

All utility transmission lines from the WECF shall be located underground. The Zoning Board of Appeals may waive this requirement depending on soil conditions and topography of the site and any requirements of the utility provider. Electrical transformers, substations and disconnect devices for utility interconnections may be above ground if required by the utility provider.

7.4. Appurtenant Structures

All appurtenant structures to a WECF shall be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations shall be architecturally compatible with each other. Structures shall only be used for housing of equipment for the subject property. Whenever feasible, structures should be screened from view by a solid fence, wall or evergreen vegetation and/or located in an underground vault and joined or clustered to avoid adverse visual impacts.

7.5. Support Towers

Monopole towers are the preferred type of support for the WECF.

7.6 Ground mounted WECF are not permitted to host telecommunication equipment.

11.15.8. Safety, Aesthetic and Environmental Standards

8.1. Emergency Services

The applicant shall provide a copy of the application package to the Department of Public Works, Fire and Police Departments. The applicant shall coordinate with those departments listed above in developing an emergency response plan.

8.2. Unauthorized Access

WECF and other appurtenant structures shall be designed with a security barrier, structure, wall or fence at least 6' in height to prevent unauthorized access. To prevent access to the support tower by unauthorized persons, climbing apparatus shall be no lower than ten feet from the ground or by placing secure shielding over the climbing apparatus.

8.3. Shadow/Flicker

WECF shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of proving that this effect will not have significant adverse impact on neighboring or adjacent uses through either siting or mitigation.

8.4. Noise

The WECF and associated equipment shall conform to the following requirements, whichever is more restrictive:

- (a) Article XII Special Regulations Section 12.01 (10) of this Bylaw; or

(b) The provisions of the State Department of Environmental Protection (DEP), Division of Air Quality Noise Regulations (310 CMR 7.10). A source of sound will be considered to be violating these regulations if the source:

(1) Increases the broadband sound level by more than 10 dB above ambient, or;

(2) Produces a "pure tone" condition – when an octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria shall be measured at both the property line and at the nearest inhabited residence.

11.15. 8.5. Land Clearing

Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the WECF. No site alteration, clearing activities or grading shall take place on the site prior to the issuance of a Special Permit, except for construction of a temporary Wind Monitoring Meteorological Tower.

11.15. 8.6. Monitoring and Maintenance

Facility Conditions

The applicant shall maintain the WECF in good condition in compliance with manufacturers' specifications, all state electric code requirements and the provisions of this Bylaw. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Police and Fire departments. The project owner shall be responsible for the cost of maintaining the WECF and any access road unless accepted as a public way, and for the cost of repairing any damage occurring to the access road as a result of construction and operation.

8.7. Modifications

All material modifications to a WECF made after issuance of the Special Permit shall require approval by the Zoning Board of Appeals as provided in this Section.

11.15.9 Abandonment or Decommissioning

9.1. Removal Requirements

Any WECF which has reached the end of its useful life or has been abandoned shall be removed. When the WECF is scheduled to be decommissioned, the applicant shall notify the Town by certified mail of the proposed date of discontinued operations and plans for removal. The owner/operator shall physically remove the WECF no more than 150 days after the date that operations are discontinued. At the time of removal, the WECF site shall be restored to the state it was in before the Facility was constructed. More specifically, decommissioning shall consist of:

(a) Physical removal of all WECF structures, equipment, security barriers and transmission lines from the site;

(b) Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations;

(c) Stabilization or re-vegetation of the site as necessary to minimize erosion.

The Zoning Board of Appeals may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

9.2. Abandonment

Absent notice of a proposed date of decommissioning, the Facility shall be considered abandoned when the Facility fails to operate for more than one year without the written consent of the Zoning Board of Appeals. If the applicant fails to remove the WECF in accordance with the requirements of this Section within 150 days of abandonment or the proposed date of decommissioning, the Town shall have the authority to enter the property and physically remove the Facility.

9.3. Financial Surety

The Zoning Board of Appeals shall require the applicant for a Utility Scale WECF to provide a form of surety that will be available for use for the operating life of the WECF, either through escrow account, bond or other acceptable form of surety. The surety bond will be sufficient to cover the cost of removal in the event the Town or its contractor must remove the Facility, in an amount and form determined to be reasonable by the Zoning Board of Appeals. In no event shall the surety bond exceed more than 125 percent of the estimated cost of removal. Such surety will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal prepared by a qualified engineer. The amount shall include a mechanism for Cost of Living Adjustment.

9.4. Term of Special Permit

A Special Permit issued for a WECF shall be valid for 25 years, unless extended or renewed. The time period may be extended or the permit renewed by the Zoning Board of Appeals upon satisfactory operation of the Facility. Request for renewal must be submitted at least 180 days prior to expiration of the Special Permit. Submitting a renewal request shall allow for continued operation of the Facility until the Zoning Board of Appeals acts. At the end of the term (including extensions and renewals), the WECF shall be removed as required by this Section.

The applicant or Facility owner shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.

11.15.10 Application Process & Requirements

10.1. General

The application for a WECF shall be filed in accordance with the rules and regulations of the Zoning Board of Appeals concerning Special Permits, Article X Administration and Enforcement Section 10.10 and Article XII Special Regulations Section 12.02 Site Plan Approval. All applications for Special Permits shall be filed by the applicant with the Town Clerk pursuant to Chapter 40A Section 9 of the Massachusetts General Laws.

10.2. Required Information

The applicant shall provide the Zoning Board of Appeals with 16 copies of the application. All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts. The following information shall be included in the application:

- (a) Name, address, phone number and signature of the applicant, as well as all co-applicants and property owners;
- (b) The name, contact information and signature of any agents representing the applicant;
- (c) Documentation of the legal right to use the WECF property.

10.3. Siting and Design

The applicant shall provide the Zoning Board of Appeals with a description of the property which shall include a location map from a copy of a portion of the most recent USGS Quadrangle Map, at a scale of 1:25,000, showing the proposed WECF site and the area within a two mile radius from the proposed WECF.

10.4. Site Plan

Applicants shall submit a detailed site plan, stamped by a Massachusetts licensed professional engineer, showing the proposed WECF property and the following site features:

- (a) Property lines for the site parcel and adjacent parcels within 300 feet;
- (b) Outline of all existing buildings, identifying their use (e.g. residence, garage, etc.) on the subject property and all abutting properties;
- (c) Location of all existing and proposed access roads, public and private on the site and adjacent parcels within 300 feet and proposed roads or driveways either temporary or permanent;
- (d) Existing areas of tree cover, including the predominant height of trees, on the site parcel and adjacent parcels;
- (e) Proposed location and design of WECF, including all turbines, ground equipment, appurtenant structures, transmission infrastructure, access and fencing etc;
- (f) Location of all vantage points referenced below in Section 11.15.10.5.;
- (g) Location of all resource areas, wetlands, Natural Heritage and Endangered Species Estimated and Priority Habitat areas, migratory bird flyways, prominent and natural and historical site features;
- (h) All proposed grading shown in two-foot contour intervals;
- (i) All proposed lighting shall be shown on the site plan. All lighting shall be designed to minimize glare on abutting properties and be directed downward with full cut-off fixtures to reduce light pollution, except as required by the FAA and/or MA DOT Aeronautics Division;
- (j) Drainage calculations for the storm water management system for all proposed impervious surfaces;
- (k) Zoning District;
- (l) Existing site topography at two foot contour intervals.

11.15. 10.5. Visual Simulations

5.1. Photo Simulations

The Zoning Board of Appeals shall select between three and six sight lines, including from the nearest building with a view of the WECF, for pre- and post-construction view representations. Sites for the view representations shall be selected from populated areas or public ways within a 2-mile radius of the WECF. Computer generated photo simulations shall have the following requirements:

- (a) Photo simulations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the WECF;
- (b) All view representations shall include existing and proposed vantage points, distances and angles, WECF structures, buildings and tree coverage;
- (c) A description of the technical procedures used in producing the photo simulations vantage points, distances and angles.

5.2. Balloon Test

The applicant shall conduct a balloon test to help visualize the height of the proposed WECF. A large, brightly colored balloon that can be seen from a distance shall be raised to the same height as the

highest point of the blade of the proposed WECF. The time and date of the balloon test shall be determined at the first public hearing and advertised by the applicant in a newspaper of general circulation in Marshfield. A second date for the test shall be provided in the event of poor weather / visibility. Balloon tests shall be scheduled between the hours of 9:00 AM and 5:00 PM. All balloon tests shall be conducted during daylight hours and clear weather conditions.

11.15. 10.6. Landscape Plan

A landscape plan shall be provided that shows the location of all existing and proposed plantings. The landscape plan shall specify the size, type and location of all proposed plantings. The WECF shall be screened from adjacent properties by one or a combination of the following: (1) a minimum 6' high evergreen vegetative buffer, (2) a 6' high solid fence or (3) a 6' high wall.

10.7. Operation & Maintenance Plan

The applicant shall submit a plan for maintaining access roads and the storm water management system, as well as general procedures for operational maintenance of the WECF in accordance with manufacturer's specifications.

10.8. Compliance Documents

The applicant shall provide the following information as part of the Special Permit application:

- (a) A description of financial status of the owner of the proposed WECF;
- (b) Proof of liability insurance;
- (c) Certification of structure height approval from the FAA and from the MA DOT Aeronautics Division if required by applicable Federal regulations;
- (d) A statement certified by an acoustical engineer that demonstrates compliance with Section 11.15.8.4 of this Bylaw and provides the existing ambient sound levels and maximum projected noise levels from the WECF;
- (e) Design plans of the WECF foundation and manufacturers' design plans for the structure, stamped by a Massachusetts licensed professional engineer;
- (f) One or three line electrical diagram detailing the WECF components and electrical interconnection methods, including all National Electrical Code compliant disconnects and over current devices;
- (g) Documentation of the WECF manufacturer and model, rotor diameter, tower height and tower type.

11.15.11 Independent Consultants

Upon submission of an application for a Special Permit, the Zoning Board of Appeals will be authorized to hire outside consultants, as needed, to advise them on technical issues related to the WECF application, pursuant to Chapter 44 Section 53G of Massachusetts General Laws. The applicant will be required to pay this consultant's fees.

11.15.12 Building Mounted Wind Energy Conversion Facilities

12.1. Building Mounted

Building Mounted WECF are allowed subject to a building permit and a Special Permit issued by the Zoning Board of Appeals as an accessory use. Applications for a Building Mounted WECF shall comply with the requirements of Article X Section 10.10 Special Permits of this Bylaw.

12.2. Turbine Size

The blade tip of a Building Mounted WECF shall be no lower than 15' from the ground elevation and no higher than 20' above the ridge line of the roof.

12.3. Noise

The WECF shall comply with the noise regulations listed in Section 11.15.8.4 of this Bylaw.

12.4. Number Allowed

One WECF is allowed per building.

12.5. Additional submission requirements

Applicants shall submit architectural elevation drawings of the building showing the proposed WECF. Detailed manufacturer's specifications for the WECF shall be submitted.

12.6. Shadow/Flicker

Building Mounted WECF shall comply with Section 11.15.8.3 Shadow/Flicker of this Bylaw.

12.7. Discontinuance

WECF that are not functionally operating for more than one year or have been determined to be a safety hazard by the Building Commissioner shall be removed within 30 days of an order from the Building Commissioner to remove the WECF.

12.8. Setbacks

Building Mounted WECF shall be set back from the property line a distance equal to the length of the turbine blades plus the minimum setback required in the applicable Zoning District.

11.15.13 Small Scale Ground Mounted Wind Energy Conversion Facilities

13.1 Small Scale Ground Mounted WECF are allowed as an accessory use subject to a building permit and a Special Permit issued by the Zoning Board of Appeals. Applications for a Small Scale Ground Mounted WECF shall comply with the requirements of Article X Section 10.10 Special Permits and Article XII Special Regulations Section 12.02 Site Plan Approval of this Bylaw.

13.2. Turbine Size

The blade tip of the WECF shall be no lower than 15' from the existing ground elevation. The maximum height of a Small Scale WECF is 150' above the existing ground elevation.

13.3. Noise

The WECF shall comply with the noise regulations listed in Section 11.15.8.4 of this Bylaw.

13.4. Additional submission requirements

Applicants shall submit an elevation drawing of the proposed WECF that illustrates the ground mounted WECF on the property in relation to existing buildings, landscaping and other prominent site features. Detailed manufacturer's specifications for the WECF shall be submitted.

13.5. Shadow/Flicker

Building Mounted WECF shall comply with Section 11.15.8.3 Shadow/Flicker of this Bylaw.

13.6. Discontinuance

Ground mounted WECF that are not functionally operating for more than one year or have been determined to be a safety hazard by the Building Commissioner shall be removed within 30 days of an order from the Building Commissioner to remove the WECF.

13.7. Location

Ground mounted turbines are not permitted within the front setback area of the lot, facing a public or private way.

13.8. Setbacks

Ground mounted WECF shall comply with the setback requirements for the Zoning District, as required in Article VI Dimensional and Density Regulations Section 6.10. The setback distance shall be measured from the tip of the blade to the lot line.

13.9. Security

All ground mounted WECF shall comply with the requirements of Section 11.15.8.2 of this Bylaw.

STANDING VOTE YES 178 NO 40 PASSED BY 2/3 VOTE

ARTICLE 21 The Town **VOTED** to amend the Zoning Bylaw, Article II Definitions, by inserting the following new defined terms, in alphabetical order, that relate to Wind Energy Conversion Facilities.

Article II Definitions

Ambient Sound Level: The background A-weighted sound level that is exceeded 90% of the time, measured during operation of equipment.

Building Mounted WECF: A device that is mounted on a building that converts kinetic wind energy into rotational energy that drives an electrical generator.

Height: The height of a WECF measured from natural grade to the tip of the rotor blade at its highest point, or blade-tip height.

Municipal Wind Energy Conversion Facility: A Wind Energy Conversion Facility constructed by the Town. The primary purpose of the Municipal Wind Energy Conversion Facility is to provide power for municipal uses or to sell electricity to wholesale markets.

Small Scale Ground Mounted Wind Energy Conversion Facilities:

A device that is mounted on the ground, supported by a monopole type tower, that converts kinetic wind energy into rotational energy, which drives an electrical generator. Small Scale Ground Mounted WECF are not intended for commercial sale of electricity. Energy generated from a Small Scale Ground Mounted WECF is primarily for the principal use structure on the same property. Any surplus electricity not used on the property can be sold back to the electric utility. Small Scale Ground Mounted Wind Energy Conversion Facilities are accessory uses and are limited in height to a maximum of 150 feet above the existing ground elevation.

Special Permit Granting Authority: The Special Permit Granting Authority shall be the Zoning Board of Appeals as designated by the Zoning Bylaw for the issuance of Special Permits and Site Plan Approval for the construction and operation of all Wind Energy Conversion Facilities.

Substantial Evidence: Such evidence as a reasonable mind might accept as adequate to support a conclusion.

Utility-Scale Wind Energy Conversion Facility: A device that is mounted on a monopole structure that converts kinetic wind energy into rotational energy that drives an electrical generator. Utility-Scale Wind Energy Conversion Facilities are for commercial electricity production, where the primary use of the Facility is electricity generation to be sold to the wholesale electricity markets.

Wind Energy Conversion Facility or Facilities (WECF): A device that converts kinetic wind energy into rotational energy that drives an electrical generator. Wind Energy Conversion Facilities include all equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to: transmission, storage, collection and supply equipment, substations, transformers, service and access roads.

Wind Monitoring or Meteorological Tower: A temporary tower equipped with devices to measure wind speeds and direction, used to predict the amount of electricity a site can be expected to generate through wind energy production.

PASSED BY 2/3 VOTE

ARTICLE 22 The Town **VOTED** to amend the Zoning Bylaw Article V. Use Regulations, Section 5.04 Table of Use Regulations, by inserting the following new uses related to Wind Energy Conversion Facilities.

Section 5.04

TABLE OF USE REGULATIONS

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRP D
<u>RESIDENTIAL</u>													
4. Small Scale Ground Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S
5. Building Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRP D
<u>COMMUNITY FACILITIES</u>													
18. Municipal Utility-Scale Wind Energy Conversion Facility	S	S	S	S	S	S	S	S	S	S	-	S	S
19. Municipal Building Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S
20. Municipal Small Scale Ground Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S

Key

S = Special Permit Required

P = Use Permitted

- = Prohibited Use

Principal Uses	Residential	Business	Industrial	Overlay
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	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRP D
<u>WHOLESALE, TRANSPORTATION AND INDUSTRIAL</u>													
17. Utility Scale Wind Energy Conversion Facility	S	S	S	S	S	S	S	S	S	S	-	S	S
19. Building Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S
20. Small Scale Ground Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S

Principal Uses	Residential				Business					Industrial		Overlay	
	R-1	R-2	R-3	RB	B-1	B-2	B-3	B-4	OP	I-1	A	PMUD	WRP D
<u>ACCESSORY USES</u>													
27. Small-Scale Wind Energy Conversion Facility	S	S	S	S	S	S	S	S	S	S	-	S	S
28. Building Mounted Wind Energy Conversion Facilities	S	S	S	S	S	S	S	S	S	S	-	S	S

Key

S = Special Permit Required

P = Use Permitted

- = Prohibited Use

PASSED BY 2/3 VOTE

ARTICLE 23 **Item 1 - Community Housing - Affordable Housing Coordinator:** The Community Preservation Committee moves that the Town appropriate \$65,000 from FY2011 Community Preservation Fund revenues to fund the compensation of a Housing Coordinator to support and implement the Affordable Housing Plan submitted by the Housing Partnership. – **PASSED BY MAJORITY VOTE**

Item 2 - Community Housing - Expenses for Conversion: The Community Preservation Committee moves that the Town appropriate \$67,278. from FY2011 Community Preservation Fund revenues to fund expenses related to the conversion of existing market rate housing to affordable housing. – **PASSED BY MAJORITY VOTE**

Item 3 - Community Housing: The Community Preservation Committee moves that the Town reserve \$0. from FY2011 Community Preservation Fund revenues for Community Housing Reserve. – **PASSED OVER**

Item 4 – Open Space: The Community Preservation Committee moves that the Town reserve \$132,278 from FY2011 Community Preservation Fund revenues for Open Space Reserve. – **PASSED BY MAJORITY VOTE**

Item 5 – Historic Resources: The Community Preservation Committee moves that the Town reserve \$132,278 from FY2011 Community Preservation Fund revenues for Historic Resources Reserve. – **PASSED BY MAJORITY VOTE**

Item 6 – Administration: The Community Preservation Committee moves that the Town appropriate \$66,114 from FY2011 Community Preservation Fund revenues for CPA Administrative Operating Expenses. – **PASSED BY MAJORITY VOTE**

Item 7 – Budgeted Reserve: The Community Preservation Committee moves that the Town reserve \$859,827 from FY2011 Community Preservation Fund revenues for the Budgeted Reserve. – **PASSED BY MAJORITY VOTE**

ARTICLE 24 The Town **PASSED OVER** authorizing the Trustees of the Ventress Memorial Library to apply for a construction grant sponsored by the Massachusetts Board of Library Commissioners.

ARTICLE 25 The Town **VOTED** to appropriate \$16,104.28 and to fund such appropriation transfer \$12,539.30 from Article 4, ATM 10/2003 Beacon Litigation, transfer \$503.04 from Article 4, ATM 04/2001 Police Station ADA Changes, transfer \$38.12 from Article 8, STM 10/2003 Downtown Analysis, transfer \$.54 from Article 2, STM 04/2008 Contract Settlement, transfer \$3.06 from Article 5, STM 10/2008 Unpaid Bills, transfer \$320.22 from Article 9, ATM 04/2008 Sick Leave buyback, transfer \$1,000 from Article 41, ATM 04/2008 Non-Profit Organizations and transfer \$1,700 from Article 30, ATM 04/2007 Non-Profit Organizations for furnishings of the second floor auditorium of the newly renovated Seth Ventress Building.

PASSED BY MAJORITY VOTE

ARTICLE 26 The Town **DEFEATED** a vote that in the event that a Special Town Meeting falls on the same date as Annual Town Meeting all Annual Town Meeting business will be conducted before opening the Special Town Meeting.

DEFEATED
YES 64 NO 181

ARTICLE 27 The Town **DEFEATED** reducing the percentage of taxation of the Community Preservation Act from 3% to .5% (one half of one percent).

DEFEATED BY MAJORITY VOTE

ARTICLE 28 The Town **DEFEATED** that the Annual Town Meeting warrant shall prominently list in booklet Appendix the total dollar amount of all raises in salary for school administrators, teachers, librarians and guidance counselors during previous three years.

DEFEATED BY MAJORITY VOTE

ARTICLE 29 The Town **VOTED** to raise and appropriate the sum of \$1,700 from the FY 2011 tax levy for the support of the Clift Rodgers Free Library and the YWCA, Marshfield Branch, the sum to be divided equally.

PASSED BY MAJORITY VOTE

ARTICLE 30 The Town **DEFEATED** adopting a new by-law to provide to the taxpayers of the Town of Marshfield who have exhausted the governmental process a sum of money for the purpose of retaining outside council for and opinion or action. Said funds to be issued upon the submission of the signature of ten Town of Marshfield taxpayers. This action is warranted by the Town Council's recent decision that he no longer advises the town selectmen, boards and committees that he will now rule on all legal matters for the town. I cannot see how we as a people can be represented fully without the protection of legal council if we wish to object to said rulings. As these are the people's tax funds and as we as individuals cannot afford an outside council we as a group of tax payers would request such funds as may be required to attain legal representation.

DEFEATED BY MAJORITY VOTE

ARTICLE 31 The Petitioner **WITHDREW** that the Town re-affirm Town Meeting's approval and acceptance of the following streets as Town ways identified in Article 21 of the Annual Town Meeting of April 22, 2002 and instruct the Board of Public Works and the Department of Public Works to accomplish the necessary order of taking pursuant to MGL Chapter 82 Sections 21 thru 25 and record forthwith in the required statutory time frames at the registry of deeds.

<u>Street</u>		<u>LF</u>
Guidepost Path (Loop off Valley Path) *	365'	
Redbrick Farm Road (Pilgrim Trail to Dead End) *	595'	
Stonybrook Road (East Section)	*	<u>1,500'</u>
*Subdivision Roads	Total	2460'

WITHDRAWN BY MAJORITY VOTE

ARTICLE 32 The Town **DEFEATED** amending the General bylaws:

Article Thirty-Two – Waterways

SECTION 11: HARBORMASTER REQUIREMENTS AND SALARY

1. The Marshfield Harbormaster shall receive a set pay of \$40,000.00 per year for the position of Harbormaster.
2. The funds for this salary shall come from the Harbormaster's budget.
3. The Harbormaster shall hold no other Municipal job in the town except that of Harbormaster and Clam Warden.
4. The Harbormaster shall be a resident of the Town of Marshfield and domiciled within the town.
5. The Harbormaster shall be a vested member of the community and maintain order and safety on the waterways and shores of Marshfield without undue hindrance to the users and residents.
6. The Harbormasters shall conduct themselves as Marshfield's Ambassadors at Sea. They shall be helpful to users and nearby residents who live in close proximity of our waterways and not cause them to be subject to any undue expense, disruption or variance from local traditional maritime standards on or about our waterways.

DEFEATED BY MAJORITY VOTE

ARTICLE 33 The Town **DEFEATED** amending the General bylaws by deleting the position known in the Waterways by-laws as "Captain of the Port" and removing any reference to such a position from all sections and adding to Article Thirty Two – Waterways, the following Section:

SECTION 12: General

The town shall not make payment and/or any contractual agreements to make payments to any employee of the Town of Marshfield to oversee the Harbormaster's Department. The Harbormaster's Department shall be an autonomous agency that answers directly to the Board of Selectmen.

DEFEATED BY MAJORITY VOTE

ARTICLE 34 The Town **DEFEATED** amending the General bylaws by adding the following:

Article Thirty Two – Waterways

SECTION 4: CARE AND MAINTENANCE OF GROUND TACKLE

- (6) Mooring Servicing companies or individuals shall be registered each year with the Harbormasters Department. The criteria for being an Commercially "approved certified mooring servicing inspector or

company” as needed to sell, set or certify compliance of new or existing moorings as described in the towns bylaw is as follows: Copy of an Insurance policy for the vessel being used with a minimum P&I coverage of \$500,000.00. A letter to the Harbormaster’s department stating under the pains and penalties of perjury they have indeed inspected and or set moorings and tackle in a designated area in compliance with Marshfield’s mooring regulations. Mooring holders who wish to purchase and set their own ground tackle (not for hire) may do so. The Harbormaster’s Department shall inspect before installation and or give guidance as to the weight, and size of moorings and tackle as needed by the mooring holders of the town who wish to purchase and set their own moorings and who are not conducting a commercial or for hire mooring service.

DEFEATED BY MAJORITY VOTE

ARTICLE 35 The Town **DEFEATED** amending the General bylaws by adding the following:

Article Thirty Two – Waterways

SECTION 2: DEFINITIONS-

Harbormaster Residency Requirement:

The Harbormaster in the Town of Marshfield shall be a resident of the Town of Marshfield. The Harbormaster’s most frequent domicile shall be located in the Town of Marshfield.

DEFEATED BY MAJORITY VOTE

ARTICLE 36 The Town **VOTED** to raise and appropriate the sum of \$850.00 from the FY 2011 tax levy to contract with South Shore Women’s Resource Center for domestic violence intervention and prevention services for its residents.

PASSED BY MAJORITY VOTE

ARTICLE 37 The Town **DEFEATED** amending its bylaws through the addition of the following.

During any Annual or Special Town Meeting, at any time during the discussion of any warrant article or amendment thereto, any one or more of the registered Marshfield voters (The ‘voters’.) in attendance may make a motion for the vote on the article or amendment to be conducted by secret ballot. Upon the expression of the motion, the moderator or acting moderator must then put the motion for secret ballot vote to Town Meeting for a vote. If 40% or greater of the voters vote in the affirmative, the vote on the cited article or amendment shall be conducted by secret ballot procedure conducted by the Town Clerk.

DEFEATED YES 64 NO 157 DEFEATED BY MAJORITY VOTE