

Special Town Meeting, Monday, October 24, 2011  
Marshfield High School

Special Town Meeting was held at Marshfield High School on Monday, October 24, 2011 and called to order at 7:00 PM. Checkers included Charlotte Keith, Kay Ramsey, Susan Flynn, Terry Wening, Steve Barber, Barry Bartlett, Irene Carriere, Narice Casper, Madeleine Radley and Karen O'Donnell. Counters were Jim Haddad, Jim Creed, Ann Marie Sacchetti, Barry Bartlett, Jack Braithwaite, Barry Cornwall, Reed Stewart, Otis Carney Jack Cantwell and Madeleine McDonald. Articles 10,18,19,22,3,20,11,15, 8,1,7,9,21,6,16,14,2,12,5,4,13 and 17 were voted. Town meeting was dissolved at 9:25 PM.

ARTICLE 1 The Town **VOTED** to amend the vote of the Town taken under Article 4 of the Annual Town Meeting held on April 26, 2011 in order for the total amount of transfers from available funds and the total amount of bonds authorized to conform to the spreadsheet listing the capital project line items and sources of funds and to include the relevant borrowing authority, so that the first paragraph of the vote reads as follows:

"The Town **VOTED** to approve the capital projects set forth on the spreadsheet published as Article 4 in the 2011 Annual Town Meeting warrant, beginning on page 3, as modified by vote of the Town under this article, and that, said projects be funded by transfers from available funds in the amount of \$887,985 as indicated in that spreadsheet and borrowing in the amount of \$5,264,000 as indicated in that spreadsheet and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$5,264,000 under Massachusetts General Laws, Sections 7 and 8, or any other enabling authority, for the General, Water and Sewer Fund purposes set forth in the column of that spreadsheet entitled "Project/Program",

and that the lines following the spreadsheet are amended to read as follows:

"Free Cash	\$ 100,000.00
Waterways Fund	36,000.00
Transfer from other general fund articles	109,985.00
Borrowing supported by tax levy – does not factor in grants as yet to be received	2,764,000.00
Water Enterprise Retained Earnings	65,028.82
Wastewater (Sewer) Enterprise Retained Earnings	92,613.00
Transfer from other Enterprise Fund articles	484,358.18
Enterprise Fund Borrowing supported by user fees	2,500,000.00."

**PASSED BY 2/3rds vote**

ARTICLE 2 The Town **VOTED** to appropriate the sum of \$58,232.16 and to meet such appropriation transfer \$33,500 from Insurance Recovery Proceeds, \$4,140 from Wastewater Retained Earnings and \$20,592.16 from Free Cash for payment of unpaid bills incurred during the previous fiscal years.

DEPARTMENT	VENDOR	DATE	AMOUNT
HEALTH	Flow-Pro	1/1/2010	\$190.00
SCHOOL	North River Collaborative	6/2/2011	\$6,071.00
SCHOOL	Ellen McDonald	6/30/2011	\$6,468.00
SCHOOL	Derek Savage	06/28-06/30	\$127.08
SCHOOL	Kathryn Remillard	6/30/2011	\$27.00
SCHOOL	Judith Battaini	06/13-06/17/11	\$98.76
SCHOOL	Kim Williamson	06/13-06/17/11	\$82.30
SCHOOL	Jenna Madill	05/27-06/13	\$262.50
SCHOOL	Linda Ochiltree	04/28-06/30	\$247.74
SCHOOL	Commercial Boiler	3/16/2011	\$39,800.00
SCHOOL	Robert Garrett	10/13/2010	\$280.00
SELECTMEN	Town of Pembroke	3/15/2011	\$437.78
WASTEWATER	Hydro-Science Associates	4/20/2011	\$4,140.00
<b>TOTAL</b>			<b>\$58,232.16</b>

**PASSED BY 9/10ths vote**

ARTICLE 3 The Town **VOTED** to rescind its vote of October 25, 2010 to appropriate and fund by borrowing \$180,000 as its matching share of the cost of the U.S. Army Corp of Engineers Hurricane and Storm Damage Feasibility Study.

**PASSED BY Majority vote**

ARTICLE 4 The Town **VOTED** to amend Article 7 of the 2011 Annual Town meeting by changing the amount to be raised from Waste Water Receipts from \$2,578,789 to \$2,533,912 and by changing the amount used from Retained Earnings from \$190,262 to \$235,139.

**PASSED BY Majority vote**

ARTICLE 5 The Town **VOTED** to amend Article 8 of the 2011 Annual Town meeting by changing the amount to be raised from Water Receipts from \$3,377,322 to \$3,240,840, and by changing the amount used from Retained Earnings from \$0 to \$136,482, said amount be added in the said Article 8 after the phrase "and using \$113,518 in bond premiums for debt service".

**PASSED BY Majority vote**

ARTICLE 6 The Town **VOTED** to amend Article 9 of the 2011 Annual Town meeting by changing the amount to be raised from Solid Waste Receipts from \$2,446,866 to \$2,396,866, and by changing the amount used from Retained Earnings from \$300,000 to \$350,000.

**PASSED BY Majority vote**

ARTICLE 7 The Town **PASSED OVER** authorizing the purchase of a new excavator and procure spare rubber tracks by utilizing \$150,000 of retained earnings to replace the current Link Belt 130 excavator used exclusively by Solid Waste Enterprise for material handling at the Solid Waste Transfer Station.

**PASSED OVER**

ARTICLE 8 The Town **VOTED** to amend Article 4 of the April 2011 Annual Town Meeting, as previously amended by Article 1 of the October, 2011 Special Town Meeting, with respect to the following Capital Budget line items:

Water Enterprise: Pudding Hill New Tank

Under the spreadsheet heading "Funding Source" change to "\$500,000 from Water Retained Earnings and \$2,000,000 from borrowing pursuant to G.L. c.44".

**PASSED BY Majority vote**

ARTICLE 9 The Town **VOTED** to appropriate \$1,650,000 for the design and/or construction of the Main Lift Station Upgrade at the Waste Water Treatment Facility; and to meet said appropriation transfer \$400,000 from Waste Water Retained Earnings and borrow \$1,250,000 from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the Massachusetts General Laws or otherwise; and authorize the Board of Public Works, Board of Selectmen and/or Treasurer to take any actions necessary to carry out the said projects.

**PASSED BY 2/3rds vote**

ARTICLE 10 The Town **PASSED OVER** amending the vote of the April 2011 Annual Town Meeting in Article 4, entitled "Capital Project Recommendations", as previously amended by Article 1 of the October, 2011 Special Town Meeting, by increasing the approved amount of funding for the category entitled "Seawalls and Rip rap" from \$150,000 to \$1,250,000, said increased appropriation to be funded by borrowing pursuant to G.L. c.44 or any other statute thereto enabling.

**PASSED OVER**

ARTICLE 11 The Town **PASSED OVER** transferring from available funds a sum of money for the purpose of purchasing of a vehicle for use by the Superintendent of Public Works.

**PASSED OVER**

ARTICLE 12 The Town **VOTED** to appropriate \$200,000 and to meet said appropriation borrow \$200,000 as the Town's local share of the Airport Safety Improvement Project at George Harlow Field. Provided however, that such appropriation shall be contingent upon the receipt by the Airport Commission, on behalf of the Town, of Federal and/or State grants totaling at least \$400,000 for the dredging of Bass Creek as part of the environmental mitigation associated with the Project, which grant funds shall be applied to defray the cost of the said dredging, and which grant funds the Airport Commission actually commits to such dredging.

**PASSED BY 2/3rds vote**  
**YES - 179 NO - 74**

ARTICLE 13 The Town **VOTED** to amend the Zoning Bylaw, Section 6.06 by striking out the word "Reserved" and inserting the following new section in place thereof:

"Where any interest in a lot of land adjacent to the existing public way of Plain Street (State Route 139), between School Street and Furnace Street, is taken by eminent domain by the Town or the Commonwealth in connection with the widening of Plain Street, the remainder of the lot outside of the area subject to the taking shall be treated for purposes of dimensional and density requirements as though the portion of the lot acquired by eminent domain were still included as part of the original lot."

**PASSED BY 2/3rds vote**

ARTICLE\_14 The Town **VOTED** to expend \$33,500 from Insurance Recovery Proceeds for boiler replacement at the Furnace Brook Middle School.

**PASSED BY Majority vote**

ARTICLE 15

Community Housing – Expenses for Conversions:

The Town **VOTED** to appropriate \$152,425 from the Community Housing Reserve to fund expenses related to the conversion of existing market rate housing to affordable housing.

**PASSED BY Majority vote**

ARTICLE 16 The Town **VOTED** to appropriate the sum of \$115,000 to fund a collective bargaining agreement between the Town and the Marshfield Fire Fighters Local 2568 International Association of Fire Fighters AFL-CIO and to meet said appropriation transfer \$115,000 from Free Cash for the fiscal year beginning July 1, 2011.

**PASSED BY Majority vote**

ARTICLE 17 The Town **VOTED** to appropriate \$5,000 to pay for the services of a consultant to revise and update the Town's Personnel Bylaw and to meet said appropriation transfer \$5,000 from Free Cash.

**PASSED BY Majority vote**

ARTICLE 18 The Town **VOTED** to amend Article 13 of the April, 2010 Special Town Meeting by striking out the words, "Board of Public Works" and substituting therefor the words "Conservation Commission", and by adding the words "for conservation purposes and" after the words "Eames Way". After such amendment the amended Article 13 will read as follows:

"The Town **VOTED** to authorize the Conservation Commission, on behalf of and in the name of the Town, to take by eminent domain from owners unknown the parcel of land shown on the Marshfield Assessors Map as Lot F14-02-03 containing 6.4 acres more or less, located off the unconstructed portion of Eames Way, for conservation purposes and for purposes of protection of the groundwater and water supply of the Ferry Street and Church Street municipal well fields, with no land damages to be paid by the Town."

**PASSED BY Majority vote**

ARTICLE 19 The Town **VOTED** to authorize the Board of Selectmen to petition the Massachusetts General Court (State Legislature) pursuant to Article 89 of the Amendments to the Massachusetts Constitution (Home Rule Amendment) for the passage of a special act authorizing, pursuant to Article 97 of the Amendments to the Massachusetts Constitution, the transfer of an approximately two acre portion of

the parcel of land shown on the Marshfield Assessors Maps as Lot F12-01-02 from the care and custody of the Marshfield Conservation Commission, which holds it for conservation purposes, to the care and custody of the Marshfield Board of Selectmen which will hold it for use as the site of a wind turbine electricity generation facility. The land to be transferred is shown as "Proposed Land Exchange Parcel" on a sketch plan on file with the Marshfield Town Clerk.

**PASSED BY Majority vote**

ARTICLE 20 The Town **VOTED** to authorize the Board of Selectmen to sign a deed to Mark Zych and Kasey Zych releasing any interest the Town has in a certain parcel of land on Forest Street, on which land the home of Mr. and Ms. Zych is located.

**PASSED BY Majority vote**

ARTICLE 21 The Town **PASSED OVER** accepting Chapter 64L Section 2 of the Massachusetts General Laws, which provides for an excise tax of .75% of the gross receipts of the vendor from the sale of restaurant meals within the Town.

**PASSED OVER**

ARTICLE 22 The Town **VOTED** to authorize the transfer of \$5,500 from Free Cash to provide the required matching portion for a grant from the Massachusetts Clean Energy Center for the Wind Turbine Feasibility Study.

**PASSED BY Majority vote**