

TOWN OF MARSHFIELD
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING WARRANT

Special Town Meeting, Monday, October 15, 2007

At 7:30 o'clock in the evening at Marshfield High 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 Marshfield High School Gymnasium on Monday, the 15th day of October 2007, at seven-thirty in the evening then and there to act on the following articles:

ARTICLE 1 Will the Town vote to increase the sum appropriated under Article 6, of the April 2007 Annual Town Meeting, by raising and appropriating from the FY2008 tax levy or transferring from available funds a sum of money, or take any other action relative thereto.

Department	Budget Line	Amount
Council on Aging	Salaries	\$801.00
Board of Health	Salaries	\$2,204.00

Board of Selectmen

Article 1 Explanation: The purpose of this article is to make necessary adjustments to the budget article voted in the spring.

ARTICLE 2 Will the Town vote to appropriate a sum of money to settle union contracts and pay all contractual obligations within those contracts by raising and appropriating from the FY2008 tax levy or transferring from available funds a sum of money, or take any other action relative thereto.

Board of Selectmen

ARTICLE 3 Will the Town vote to amend the Personnel Classification and Compensation Bylaws to provide the following compensation increases for the Beach Supervisor, Lifeguards, and Parking Attendants.

Beach Supervisor currently \$10.00 - \$11.50 to \$11.00 - \$12.50.
Lifeguards currently \$9.00 - \$10.50 to \$9.50 - \$11.00
Parking attendants currently \$8.00 - \$9.50 to \$8.50 - \$10.00.

Beach Administrator

Article 3 Explanation: The purpose of this article is to bring the salaries of the beach employees up to the same competitive level of surrounding towns. The above changes to classification and compensation to become effective July 1, 2007.

ARTICLE 4 Will the Town vote to transfer \$10,000 from Article 19 of the April 2004 Annual Town Meeting, Senior Sewer Work-off Program, to Article 25 of the April 2007 Annual Town Meeting, Senior Property Tax Work-off Program, or take any other action relative thereto.

Council on Aging

Article 4 Explanation: The purpose of this article is to make the funds available for the Senior Property Tax Work-off Program that was originally allocated for the Senior Sewer Work-off Program.

ARTICLE 5 Will the Town vote to amend the vote of the Town passed April 27, 2006 (Article 4) to reduce the appropriation and borrowing authorization of \$735,000 for the purpose of the Green Harbor Entrance and Narrows Dredging to \$136,000 and to change the purpose of the remaining \$599,000 of the original appropriation and borrowing authorization to the Dredging of the Inner Harbor; or take any other action relative thereto.

Board of Selectmen

Article 5 Explanation: The vote passed April 27, 2006 (Article 4) is hereby amended to provide that the \$735,000 appropriation and borrowing authorization for the purpose of the Green Harbor Entrance and Narrows Dredging to be reduced to \$136,000 and that the purpose of the remaining \$599,000 of the original appropriation and borrowing authorization be changed to Dredging of the Inner Harbor.

ARTICLE 6 Will the Town vote to raise and appropriate or transfer from available funds the sum of \$169.95 for payment of unpaid bills incurred during previous fiscal years or take any other action relative thereto.

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
DPW	Monticello Corporation	\$169.95

Board of Selectmen

Article 6 Explanation: The purpose of this article is to pay an unpaid invoice that was not processed in time for the close of the fiscal year.

ARTICLE 7 Will the Town vote to raise and appropriate or transfer from available funds the sum of \$91,680 for the police academy costs, equipment and supplies for eight police officers as well as the anticipated overtime replacements due to their attendance at the police academy or take any other action relative thereto.

Police Department Salaries	\$60,000
Police Department Expenses	\$31,680

Marshfield Police Department

Article 7 Explanation: Due to several retirements and resignations, the Police Department has replaced these positions for a total of eight (8) officers. The officers will have to attend a mandatory twenty-three week academy starting in December. This number represents almost 18% of the total compliment absent for an extended time, resulting in unusual overtime costs to maintain shift strength for public safety and officer safety. An unusually large expense for academy fees and equipment is also incurred.

ARTICLE 8 Will the Town vote to transfer the care, custody, management and control of a 1.39 acre parcel identified as assessor's parcel D16-02-42 located on Forest Street to the Board of Public Works and appropriate a sum of money from Water Enterprise Retained Earnings for the purpose of title search and related costs to establish clear title, or take any other action relative thereto.

Board of Public Works

Article 8 Explanation: This parcel is located adjacent to Town owned parcel D16-02-24 with an existing water storage tank. The 1.39 acre parcel may be a potential site for future water storage expansion. There is a claim that a portion of this parcel has been taken by adverse possession by an abutter that requires legal disposition.

ARTICLE 9 Will the Town vote to transfer the care, custody, management and control of a 27.7 acre parcel identified as a portion of assessor's parcel F08-02-10B purchased as authorized by Article 16 of Fall STM 10/06 and located on Plain Street to the Board of Public Works or take any other action relative thereto.

Board of Public Works

Article 9 Explanation: This parcel formerly known as the "Ellis Property" was purchased by the Town with deeded restrictions. This parcel is located partially within a Watershed Protection District. The deed restrictions prohibit activities detrimental to

water quality and perpetually preserve the natural state of the property while providing public access to open space.

ARTICLE 10 Will the Town vote to transfer from available funds the sum of \$8,000 to cover emergency repairs to truck # 160 (Cemetery, Trees & Greens Division), or take any other action relative thereto.

Board of Public Works

Article 10 Explanation: Truck # 160 experienced engine failure damage beyond repair and the engine had to be replaced. The wear on the clutch and throw out bearing was such that it also needed replacement as well. Truck #160 is a 1983 Ford F-700 rack/dump unit with a 16 foot chipper body. It is used in conjunction with the CT&G brush chipper to clear tree debris along the roads of Marshfield after storms, wind damage or accidents as well as during routine trimming of roads and parks. With this truck out of service this work experienced additional labor effort as wood has to be transported to the brush yard, stock piled and chipped as opposed to chipping at the road way work site. Without the dump/box truck available such road side activity can not be performed safely as the chipping debris can miss/rebound from an open truck endangering the public and CT&G personnel.

ARTICLE 11 Will the Town vote to transfer from available funds or authorize borrowing of \$85,000 to fund replacement of truck # 160 (Cemetery, Trees & Greens Div.), or take any other action relative thereto.

Board of Public Works

Article 11 Explanation: Truck #160 is a 1983 Ford F-700 rack/dump unit with a 16 foot chipper body. It is used in conjunction with the CT&G brush chipper to clear tree debris along the roads of Marshfield after storms, wind damage or accidents as well as during routine trimming of roads and parks. The truck was bought used from the Portsmouth Navy Yard in the mid 1990s and has 72,464 miles on the odometer and at least 15,000 engine idle hours. A truck this age, subject to years of wear and tear can be expected to have continuing and increasing maintenance costs and should be replaced.

ARTICLE 12 Will the Town vote to act upon the recommendation of the Board of Public Works, to authorize the Board of Public Works, on behalf of and in the name of the Town, to acquire ownership in fee simple of the below described parcel of land for the purpose of protection of the Furnace Brook Aquifer well field drinking water source, and to raise certain sums of money for such acquisition by taxation, transfer from available funds or borrowing and to authorize the Treasurer, with approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose as authorized by M.G.L. c.44 or any other enabling authority, and/or to expend certain sums of money from the Water Enterprise Retained Earnings, and further to authorize the

Board of Selectmen, to grant a permanent deed restriction meeting the requirements of General Laws Chapter 184 limiting the property to the purpose for which it was acquired and that the Board of Selectmen and Board of Public Works be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments necessary to effectuate the purpose of this article. Said deed restrictions may be granted to any organization qualified and willing to hold such a restriction, or take any other action relative thereto. Said Parcel shall be subject to the provisions of Article 97 of the State Constitution. Further, will the Town authorize the Board of Public Works to accept a Drinking Water Supply Protection Grant from the State Executive Office of Environmental Affairs, The Proceeds of which shall be transferred into the Water Enterprise Retained Earnings account.

Lots F-10-03-50 and F10 -03-45, Main Street for a sum of money.

Board of Public Works

Article 12 Explanation: The property located on Main Street that is 3 acres more or less that the Town wishes to acquire for water protection purposes. The land is located within Zone 2 of the Furnace Brook Aquifer which feeds the well fields for the Furnace Brook 1&3 wells.

ARTICLE 13 Will the Town vote to act upon the recommendation of the Board of Public Works, to authorize the Board of Public Works, on behalf of and in the name of the Town, to acquire ownership in fee simple of the below described parcel of land for the purposes of protection of the Furnace Brook Aquifer well field drinking water source, and to raise certain sums of money for such acquisition by taxation, transfer from available funds or borrowing and to authorize the Treasurer, with approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose as authorized by M.G.L. c.44 or any other enabling authority, and/or to expend certain sums of money from the Water Enterprise Retained Earnings, and further to authorize the Board of Selectmen, to grant a permanent deed restriction meeting the requirements of General Laws Chapter 184 limiting the property to the purpose for which it was acquired and that the Board of Selectmen and Board of Public Works be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments necessary to effectuate the purpose of this article. Said deed restrictions may be granted to any organization qualified and willing to hold such a restriction, or take any other action relative thereto. Said Parcel shall be subject to the provisions of Article 97 of the State Constitution. Further, will the Town authorize the Board of Public Works to accept a Drinking Water Supply Protection Grant from the State Executive Office of Environmental Affairs, the proceeds of which shall be transferred into the Water Enterprise Retained Earnings account.

Portion of Lot C-11-02-10 at 70 Union Street, 10+- acre undeveloped portion of land for a purchase price of \$125,000.

Board of Public Works

Article 13 Explanation: The property located on 70 Union has a portion that is 10 acres more or less that the Town wishes to acquire for water protection purposes. The land is located within Zone 2 of the Magoun Pond Aquifer which feeds the well fields for the Union 1&2 wells.

ARTICLE 14 Will the Town vote to act upon the recommendation of the Community Preservation Committee and the Board of Public Works, to authorize the Board of Public Works, on behalf of and in the name of the Town, to acquire ownership in fee simple of the below described parcel of land for the purposes of creation of open space and protection of the Webster well field drinking water source, and to raise certain sums of money for such acquisition by taxation, transfer from available funds or borrowing and to authorize the Treasurer, with approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose as authorized by M.G.L. c.44 or any other enabling authority, and/or to expend certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and reserved for Open Space and if such funds are insufficient then from other unallocated funds in the Community Preservation Fund, and further to authorize the Board of Selectmen, to grant a permanent deed restriction meeting the requirements of General Laws Chapter 184 limiting the property to the purpose for which it was acquired and that the Board of Selectmen and Board of Public Works be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments necessary to effectuate the purpose of this article. Said deed restrictions may be granted to any organization qualified and willing to hold such a restriction, or take any other action relative thereto. Said Parcel shall be subject to the provisions of Article 97 of the State Constitution.

41 acre parcel (s) located off Webster St. identified as Parcel K05-01-06E & K5-01-39A for a purchase price of a SUM OF MONEY.

Board of Public Works

Article 14 Explanation: The referenced property contains 14.25 more or less acres that lie within the Zone 2 of the Webster 1&2 Well fields therefore providing water protection. It also contains 26.75 more or less acres of upland that will be available for conservation land and possibly for recreation.

ARTICLE 15 Will the Town vote to raise and appropriate, transfer from available funds or borrow for a capital budget request of \$50,000 for a High School Capital Needs Assessment or take any other action relative thereto.

School Committee

Article 15 Explanation: Marshfield High School has been placed on warning status by the New England Association of Schools and Colleges (NEASC) Commission on Public

Secondary Schools. A capital needs assessment is required to address and formulate an action plan regarding the findings in the NEASC report.

The objectives of the High School capital needs assessment are:

- 1. Evaluate the current facilities and equipment.*
- 2. Provide recommendations to remedy the deficiencies found with regard to space, ADA compliance and health and safety issues as noted in the NEASC report.*
- 3. Develop a long range plan for the optimal use and maintenance of school facilities and equipment at Marshfield High School.*
- 4. Serve as required support documentation for the submission of a Statement of Interest with the Massachusetts School Building Authority for Fiscal Year 2009.*

ARTICLE 16 The Community Preservation Committee moves that the Town act upon the recommendation of the Committee to expend 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	Open Space	Owners Unknown Appraisals	\$30,000	Open Space Committee & Wildlands Trust
2	Open Space	Land Purchase	\$142,000	Open Space Committee & Wildlands Trust
3	Historic Preservation	Webster Estate -	\$107,500	Daniel Webster Preservation Trust (Town Owned)

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.

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

Item 1 – Title Searches for owners’ unknown parcels: \$30,000 appropriated from FY2008 Community Preservation Fund Open Space reserve, budgeted CPA Town Meeting Reserve or from unreserved funds to research titles for 18 owner’s unknown parcels of land.

Explanation: The project has the potential to provide an additional 203 acres of protected open space to the town. Currently the town receives neither taxes nor use of the parcels. If no owner is identified, the Town will claim ownership and add the parcel to its conservation land.

Item 2 – Acquisition of open space: \$142,000 appropriated from FY2008 Community Preservation Open Space reserve, budgeted CPA Town Meeting Reserve or from Unreserved funds for purchase of a 0.179 acre parcel of land located on 2154 Ocean Street, parcel number G08-05-03.

Explanation: Price includes purchase of property, a 21E assessment, demolition of existing dwelling on property, leveling, landscaping, ancillary cost such as legal expenses.

Item 3 –Preservation of Historic Resources: \$107,500 appropriated from FY2008 Community Preservation Historic Preservation reserve, budgeted CPA Town Meeting Reserve or unreserved funds for protecting of the town owned historic property the Webster Estate.

Explanation: Repairs to the main house include; insulating the 3rd floor; painting/preserving exterior of building to prevent deterioration; restoring grounds; installing storm windows over existing single-pane windows to retain architectural integrity and protect building. Repairs to the “laundry building” include restoring the chimney and the roof.

Community Preservation Committee

ARTICLE 17 Will the Town vote to raise and appropriate, transfer from available funds or borrow the sum of \$30,000 for the purposes of conducting a Phase II feasibility study of the proposed renovation and expansion of the Ventress Memorial Library and for costs associated with the transmittal of information to the public relative to same, and other associated expenses or take any other action relative thereto.

Ventress Memorial Library Building Committee

Article 17 Explanation: This money is needed to complete the Building Committee's obligation to present the voters with a building project proposal that will meet the library needs of the community for the next 20 years.

ARTICLE 18 Will the Town vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of retaining the services of a roofing company to replace the roof of the Ventress Memorial Library or take any other action relative thereto.

Library Board of Trustees

Article 18 Explanation: The Library roof is 24 years old and out of warranty. The roof has a chronic history of leaking over the last 5 years. In March 2007, severe rains caused extensive leaking; the building was closed for four days and sustained over \$12,000 worth of property damages. The Library Building Committee's architect's engineer found the roof failing and in need of immediate replacement. Excessive water infiltration from failing seams and minor tears/flashing conditions have caused the underlying insulation to be saturated.

ARTICLE 19 Will the town vote to raise and appropriate funds to add the following position in the Veterans' Services Department or take any other action relative thereto.

Position Title - Clerical, Grade 8, Step 1- FY'08 salary is \$9,850 (1/2 yr)

Veteran's Agent

Article 19 Explanation: The volume of work now generated in Veterans' Services has greatly increased. Offices with this volume in other towns are staffed with more than one person. Adding this position would allow the office to continue operating when the Director is on vacation, training, or personal leave. This additional position avoids the possibility of a rupture in payroll services to veterans in the event of accident or sickness of the director. Priority in hiring will be given to veterans. This position will be under the direction of the Veterans' Officer, the incumbent will: Furnish information, advice and assistance to veterans and their dependence to enable them to procure the benefits they are entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pension, compensation, expenses to cover funeral expenses, and other veterans benefits. This position would prepare authorization request to the State for reimbursement to the town. The incumbent would maintain computerized records and develop reports as required, as well as, other duties as assigned.

ARTICLE 20 Will the Town vote to amend Article 1 of the Marshfield General Bylaws, by deleting Section 2 and replacing it with the following:

In addition to the legal notification required by all the foregoing section, the final printed warrant shall be available and ready for distribution to residents four weeks preceding the Annual or Special Town Meeting every year.

Petition of Jean M. McDonald, et.al.

ARTICLE 21 Will the Town vote to adopt a new Section, #6 in Article 1 of the Marshfield General Bylaws by inserting the following:

6. The Town Clerk's Office will assume the responsibility of the printing, distribution and delivery of the Annual Town/Special Town Meeting warrant. The Selectmen will prepare all articles in final form before sending it to the Town Clerk's Office.

Petition of Reed F. Stewart, et.al.

ARTICLE 22 Will the Town authorize the Board of Selectmen to convey in fee simple a parcel of town owned land, id Assessor's Parcel Map M05,Block 12, Lot 02 at 45 Beach Street to South Shore Habitat for Humanity, a Massachusetts charitable corporation, for \$1.00 for the purpose of renovating a single family affordable unit, contingent upon the feasibility of completing the task without major renovations necessary and the approval of the Board of Selectmen?

Petition of Yvonne Price, et.al.

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 27th day of August 2007.

BOARD OF SELECTMEN

Patricia M. Epstein, Chairman

Katharine N. O'Donnell

Michael A. Maresco

A true copy, ATTEST:
Constable