

TOWN OF MATTAPOISETT



**TOWN MEETING WARRANT
SPECIAL TOWN MEETING**

NOVEMBER 15, 2011

6:30PM

**OLD ROCHESTER REGIONAL HIGH SCHOOL
AUDITORIUM**

**PLEASE BRING THIS COPY WITH YOU TO TOWN
MEETING**

**WARRANT
FOR THE FALL SPECIAL TOWN MEETING
NOVEMBER 15, 2011**

MAJORITY

ARTICLE 1: PROHIBITION OF AQUACULTURE IN MATTAPOISETT WATERS

To see if the Town will vote to establish an area of the 25 mile coastline from Fairhaven town line, east to the Marion town line, south to the commercial shell fishing line. Thus there not be any aquaculture grants to be issued in this area of Mattapoisett coastal waters, or take any action relative thereto including but not limited to a possible bylaw change or amendment.

BY GEORGE RANDALL AND VARIOUS PETITIONERS

9/10 VOTE

ARTICLE 2: PRIOR YEAR LEGAL EXPENSES

To see if the Town will vote to appropriate the sum of \$12,384 from Free Cash to pay outstanding prior year legal invoices, or take any action relative thereto.

BY BOARD OF SELECTMEN

2/3 MAJORITY

ARTICLE 3: STREET ACCEPTANCE RIVER BEND LANE

To see if the Town will vote to accept as a public way the layout of River Bend Lane all as shown on a plan entitled As Built Plan of River Bend Lane, dated 6-03-11, on file with the Town Clerk's office, and approved by the Planning Board dated 8-1-11, and further to authorize the Board of Selectmen to acquire on behalf of the Town by gift an easement to use said street for all purposes for which public ways are used in the Town of Mattapoisett and other associated easements, or take any action relative thereto.

BY VARIOUS PETITIONERS

MAJORITY

ARTICLE 4: ESTABLISHMENT OF REVOLVING FUND- SCHOOL KILN/ART

To see if the Town will vote to authorize the establishment of a Revolving Fund for the Local School Kiln/Art Project Revolving Fund pursuant to MGL. Ch. 44, sec. 53 ½, and that the School Committee is authorized to expend from the Fund for the purpose of maintaining the kilns at Center School and Old Hammondtown School and for providing art supplies and materials, and that monies from donations shall be deposited from time to time and be used for ceramic projects and total expenditures from said Fund not to exceed \$5,000, or take any action relative thereto.

BY SCHOOL DEPARTMENT

MAJORITY

ARTICLE 5: MATTAPOISETT NECK SEWER EXTENSION – ADDITIONAL CONNECTIONS

To see if the Town will vote the following:

MATTAPOISETT NECK SEWER EXTENSION – ADDITIONAL CONNECTIONS

Notwithstanding any provisions of the Mattapoisett General Bylaws to the contrary, the Water/Sewer Commissioners shall be authorized to allow the following properties to connect to the Mattapoisett Neck Road Sewer Project and shall have the ability, in their sole discretion, to allocate sufficient capacity to said project to service said connections:

Assessor

Property Address	Map	Lot
0 Mattapoisett Neck Road	12	186
0 Harbor Road	12	196
5 Harbor Road	12	55
37 Mattapoisett Neck Road	11	70
3 Barrett Drive	15	28.A
41 Mattapoisett Neck Road	11	141.A
3 Oyster Lane	11	141
39 Mattapoisett Neck Road	11	142
3 Daisy Way	15.B	25
32A Mattapoisett Neck Road	11	133.F
4 Old Mattapoisett Neck Road	11	165
6 Old Mattapoisett Neck Road	11	164
6 Whaler's Way	12	136
26 Mattapoisett Neck Road	11	133.A
0 Whalers Way	12	135

The Water/Sewer Commissioner shall be able to postpone or deny such additional connections, in their sole discretion, due to financial, engineering, permitting, capacity and other restraints. Such connections shall be subject to Department of Environmental Protection and other permitting approvals. Such additional shall not impair the ability of any connections already assigned to the project. Or take any action relative thereto.

BY THE BOARD OF WATER/SEWER COMMISSIONERS

MAJORITY

**ARTICLE 6: SEWER BETTERMENT DEFERRALS AUTHORIZATION STATUTE
ACCEPTANCE**

To see if the Town will vote to expand the ability of the Town to grant the deferral of betterment payments by its elderly residents under the provisions of Massachusetts General Laws Chapter 80 Section 13B originally adopted by Article 3 of its Annual Town Meeting of 2010, by having the Town adopt the provisions of Massachusetts General law Chapter 59, Section 5, Clause 41A which allows the Water and Sewer Commissioners to grant those deferrals to the maximum amount allowed by the statutes of the Commonwealth specifically including, but not limited to, Massachusetts General Law Chapter 62, Section 6, Subsection (k). This provision shall not obligate the Town or the Commissioner to provide such deferrals. Or take any action relative thereto

BY THE BOARD OF WATER/SEWER COMMISSIONERS

2/3 MAJORITY

ARTICLE 7: RESCINDING OF PREVIOUS BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the following previously approved borrowing authorizations as approved by previous Town Meeting or take any action relative thereto:

Buzzards Bay Sewer Article 2 STM 8-13-01 Unissued Amount \$139,363

Buzzards Bay Sewer Article 17 STM 10-24-05 Unissued Amount \$200,000

Comp. Wastewater Article 14 STM 10-24-05 Unissued Amount \$5,182

BY TREASURER

2/3 MAJORITY

ARTICLE 8: LEASE AUTHORIZATION FOR PHOTO VOLTAIC ARRAYS

To see if the Town will vote to authorize the Selectmen to prepare Request for Proposals, advertise, review and determine suitable proposals to locate Photo Voltaic Panels and Arrays on Town owned land for the purpose of producing electricity and further to authorize the Selectmen to lease suitable town owned properties not held for Conservation, Park or Recreational purposes for the siting of these photo voltaic panels and arrays, and that any revenues in excess of those that off set Mattapoissett's municipal energy costs, shall be placed in a Solid Waste Disposal Cost Stabilization Fund under and pursuant MGL Ch. 40 sec. 5B or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 9: FUNDING FOR SHORT TERM BANS

To see if the Town will vote to appropriate the sum of \$ 3,131.31 from Free Cash for the bond anticipation notes for the Fire Truck Replacement as approved at the May 2011 Annual Town Meeting and for the following Sewer Projects for bond anticipation note costs of the Sewer Department, \$3,172.78 for Mattapoisett Neck Sewer, \$6,100.00 for North Street Sewer, \$350.00 for Cove Street Sewer, and \$882.64 for the Fairhaven Wastewater Plant Improvements, Mattapoisett's portion of costs, to be paid from Project Funding into the FY12 Article 2 Annual Budget Borrowing Costs Line Item and to take any action relative thereto

BY TREASURER

MAJORITY

ARTICLE 10: FUNDING HURRICANE IRENE CLEANUP

To see if the Town will vote to appropriate the sum of \$50,000 from Free Cash to the Reserve Fund to cover cost of cleanup and expenses associated with Hurricane Irene, or take any action relative thereto

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 11: ADDITIONAL GENERAL INSURANCE FUNDS FY12 BUDGET

To see if the Town will vote to appropriate the sum of \$12,000 from Free Cash for the purpose of funding the town various insurance coverages, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 12: FUNDING OF SNOWPLOW TRUCK

To see if the Town will vote to appropriate the sum of \$80,000 from Free Cash to purchase a new snowplow/dump truck, and equip with a snowplow unit, slide in sander unit, and a liquid de-icer application unit, or take any action thereto.

BY HIGHWAY DEPARTMENT

MAJORITY

ARTICLE 13: TOWN COMPUTER EQUIPMENT FUNDING

To see if the Town will vote to appropriate the sum of \$20,000 from Free Cash for the purpose of funding work associated with the installation of the town's new computer system, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 14: APPROPRIATION FOR BENEFIT SETTLEMENTS

To see if the Town will vote to appropriate the sum of \$25,000 of payment of employee benefits upon retirement, and leave of service with the Town or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 15: FUNDING TOWN WEB PAGE

To see if the Town will vote to appropriate the sum of \$5,000 from Free Cash for the purpose of funding the manpower, equipment, and operational needs of maintaining and operating the Town's Website and the On Demand Meeting Video Streaming System, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 16: FUNDING FOR THE N-STAR CONNECTION TO SHIPYARD PARK AND WHARVES

To see if the Town will vote to appropriate the sum of \$7,800 from Free Cash for the purpose of paying N-Star to make the new electrical service connection for the electrical systems at Shipyard Park and Town Wharves, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 17: APPROPRIATION FOR EXPENSES ON TAX TITLE LAND ANALYSIS

To see if the Town will vote to appropriate the sum of \$5,000 from Free Cash for the purpose of doing further testing and analysis of Tax Title Parcels that may be buildable for the purpose of establishing appropriate starting bids for their sale, or take any action relative thereto

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 18: APPROPRIATION TO FUND NEW OPEN SPACE PLAN

To see if the Town will vote to appropriate the sum of \$5,000 from Free Cash for the purpose of preparing a New Open Space Management Plan for Mattapoissett, or take any action relative thereto

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 19: FUNDS FOR CERTAIN WATERFRONT IMPROVEMENTS

To see if the Town will vote to appropriate the sum of \$10,000 from Waterways Retained Earnings for the purpose of wharf repairs and dinghy racks, including all costs incidental, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 20: EEL POND EAST CHANNEL CLEANING

To see if the Town will authorize the expenditure of funds in anticipation of grant reimbursement for the purpose of performing work on the cleaning of materials from the east entrance of Eel Pond and vegetation reestablishment to help control erosion in the vicinity, and further approve up \$7,500 from Free Cash to be used as part of Mattapoisett's match to be eligible for Grant Funds for this purpose, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 21: TREE SPRAYING

To see if the Town will vote to appropriate the sum of \$2,500 from Free Cash for the purpose of spraying the Public Shade Trees of the Town to protect them from seasonal infestations or take any action relative thereto.

BY TREE WARDEN

2/3 VOTE

ARTICLE 22: BIKE PATH LEGAL MEETS AND BOUNDS DESCRIPTION AND TAKING

To see if the Town will vote to take the following described Multi-Use Path Easement by gift, purchase or Eminent Domain and to authorize the Board of Selectmen to acquire such easement, and further to authorize the Board of Selectmen to execute instruments or take such action as is necessary to effectuate the vote taken hereunder; such easement described as follows:

Beginning at a point on the easterly sideline of Reservation Road, thence by a curve to the left, with a radius of 20' and an arc length of 18.87', thence N56 degrees 34'33"E 71.50', thence by a curve to the left with a radius of 2187.03' and an arc length of length of 399.03', thence S51 degrees 14'37"E 20.17', thence by a curve to the right with a radius of 2207.03' and an arc length of 399,22', thence S56 degrees 34'33"W 71.50', then by curve to the right with a radius 40' and an arc length 14.32' to the easterly sideline of Reservation Road, thence running with

the easterly sideline of Reservation Road, thence running with the easterly sideline of Reservation Road N38 degrees, 22'01" W 25.87' to the point of beginning, all as shown on a plan on file with the Town Clerk's Office entitled Easement Plan Multi-Use Path, Over Parcels 11-170, and 10-175, Mattapoisett, MA dated 5-5-11, Plan No. 7609-Easement2

Or take any action relative thereto

BY TOWN ADMINISTRATOR AND BOARD OF SELECTMEN

MAJORITY

ARTICLE 23: A/C REPAIR POLICE STATION

To see if the Town will vote to appropriate a sum of money from Free Cash to repair and replace HVAC components at the Police Station or take any action relative thereto

BY POLICE CHIEF

MAJORITY

ARTICLE 24: STORM WATER ASSESSMENT AND REMEDIATION EXPENSES

To see if the Town will vote to appropriate the sum of \$18,000 from Free Cash to take those remedial actions needed to comply with the requirement of MS4 Storm Water Regulations, Development or Remediation Plans with respect to storm water discharges, including all costs incidental and related expenses, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 25: EMPLOYEE TRAINING

To see if the Town will vote to appropriate the sum of \$5,000 from Free Cash for the purpose of funding the Education and Training Account, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 26: REPAIRS TO TOWN HALL

To see if the Town will vote to appropriate the sum of \$20,000 from Free Cash to be used to repair and maintain Town Hall including all costs incidental and related thereto, or take any action relative thereto.

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 27: BALANCE CURRENT FY12 LANDFILL EXPENSES TO PROJECTED REVENUES

To see if the Town will vote to set will vote to amend the budget for the Transfer Station/Sanitary Landfill Operating Budget to balance the Expenses with the Projected Revenue for Fiscal Year 2012 or take any action relative thereto

BY BOARD OF SELECTMEN

MAJORITY

ARTICLE 28: HOME RULE PETITION AQUACULTURE LICENSE FEES

To see if the Town would vote to authorize the Board of Selectmen to file a petition with the General Court of the Commonwealth of Massachusetts for Special Legislation for the purpose set forth below; provided however that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill prior to enactment by the General Court and to provide further that the Board of Selectmen is hereby authorized to approve amendments which shall be in the scope of the general public objectives of this petition, or any other action relative thereto:

That the Town of Mattapoisett be authorized to charge a fee \$200.00 per acre for Aquaculture Licenses granted under and pursuant to G.L.130 sec. 57, said fee to be equal to the cost to the Town of overseeing, supervising, inspecting and taking appropriate measures to enforce compliance with the terms and conditions of such license, and further that the Town be authorized to require that licensees under G.L.130 sec. 57 post a bond in an amount determined by the Board of Selectmen to be sufficient to meet the cost of any remedial measures necessary should the licensee not remedy deficiencies discovered by the Town , notice of which is provided to the licensee and which notice shall provide a reasonable opportunity to cure the defect or in the event that the licensee abandons the licensed operation and it becomes a danger to navigation, public safety, or health then the Town shall cure said defect.

Or take any action relative thereto

BY MATTAPOISETT BOARD OF SELECTMEN

MAJORITY

ARTICLE 29: SUPPLEMENTAL APPROPRIATIONS – HEALTH INSURANCE

To see if the Town will vote to appropriate a sum of money from Free Cash for the purpose of supplementing the funding as approved within Article 2 of the May 9th Annual Town Meeting, Annual Operating Budget for the line item, Health Insurance, or take any action relative there to.

BY BOARD OF SELECTMEN

2/3 MAJORITY

ARTICLE 30: APPROPRIATION TO EQUIPMENT STABILIZATION FUND

To see if the Town will vote to appropriate a sum of money from Free Cash to the Equipment Stabilization Fund pursuant to G.L. Ch. 40 sec. 5B, or take any action relative thereto.

BY BOARD OF SELECTMEN

2/3 MAJORITY

ARTICLE 31: APPROPRIATION TO STABILIZATION FUND

To see if the Town will vote to appropriate a sum of money from Free Cash to the Stabilization Fund pursuant to G.L. Ch. 40 sec. 5B or take any action relative thereto.

BY BOARD OF SELECTMEN

2/3 VOTE

ARTICLE 32: APPROPRIATION TO SPECIAL EDUCATION COST STABILIZATION FUND

To See if the Town will vote to appropriate a sum of money from Free Cash to the Special Education Cost Stabilization Fund, or take any action relative thereto.

BY BOARD OF SELECTMEN