

TOWN OF MATTAPOISETT



**TOWN MEETING WARRANT
SPECIAL TOWN MEETING**

NOVEMBER 19, 2012

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 19, 2012

MAJORITY

**ARTICLE 1: AMENDMENT TO WATER AND SEWER ENTERPRISE
BUDGETS FY 13**

To see if the Town will vote to amend the vote taken under Article 2 of the May 14, 2012, Annual Town Meeting appropriating the FY13 Water and Sewer Department Budgets as follows:

Water - Transfer from Salary to Expense \$ 18,950

Sewer - Bond Interest (Ned's Point Sewer Project) \$ 14,985; and to transfer from Sewer Retained Earnings the sum of \$14,985 for such purposes,

Water-Appropriate \$6,000 to Salary Expense, and to transfer from Water Retained Earnings the sum of \$6,000, or take any other action taken thereto.

BY: WATER/SEWER DEPARTMENT

MAJORITY VOTE

ARTICLE 2: HOME RULE PETITION FOR RATIFICATION

To see if the Town will vote to authorize the Mattapoisett Board of Selectmen to submit a Home Rule petition to the General Court as 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 approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

An Act Relative to Contributory Health Insurance in the Town of Mattapoisett

Section 1. Notwithstanding section 7A of chapter 32B and section 7 of chapter 150E of the General Laws, or of any other general or special law to the contrary, the town of Mattapoisett shall contribute 50% of the cost of the premium for group health insurance provided by the town pursuant to section 7A said chapter 30B to any employee hired after June 30, 2010 who elects coverage under that statute;

Section 2. Collective bargaining agreements between the Town of Mattapoisett and any unions requiring the town to contribute 50% of the cost of the premium for group health insurance coverage provided under section 7A of said chapter 32B to any employee hired after June 30, 2010 who elects coverage under that statute are hereby ratified, validated and confirmed notwithstanding the requirement set forth in said section 7A

that all groups and classes of employees shall receive the same contribution towards such premiums.

Section 3. This act shall not affect the percentage contribution made by the Town towards the cost of the premium for group health insurance provided by the town under section 7A of said chapter 32 to any employee hired on or before June 30, 2010 who elects coverage under that statute.

Section 3. This act shall take effect upon passage.

or take any action relative thereto

BY: BOARD OF SELECTMEN

MAJORITY

ARTICLE 3: HOME RULE PETITION- APPOINTED HARBORMASTER

To see if the Town will vote to authorize the Board of Selectmen to file a Home Rule petition with the General Court as 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 approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

An Act Relative to the Harbormaster in the Town of Mattapoisett

Section 1. Notwithstanding the provisions of section 19 of chapter 102 of the General Laws, or of any other general or special law to the contrary, the Board of Selectmen of the Town of Mattapoisett shall appoint the harbor master, who may, but need not, be a resident or registered voter of the Town. Said Board of Selectmen may remove said harbor master after opportunity for a hearing. Said Board of Selectmen may establish an employment contract with the harbor master for a term of not more than three years establishing salary, subject to appropriation, fringe benefits and all other conditions of employment, including but not limited to, reimbursement for expenses incurred in the performance of his duties or office, liability insurance, performance standards, reappointment, and conditions of discipline, termination, suspension and dismissal.

Section 2. The incumbent appointed harbor master holding office on the effective date of this act may continue in said office until the Mattapoisett Board of Selectmen appoints a harbor master pursuant to section 1 of this act.

Section 3. This act shall take effect upon passage.

BY: BOARD OF SELECTMEN

MAJORITY

ARTICLE 4: GENERAL BYLAW CHANGE LATE FEE FOR DOG LICENSING

To see if the Town will vote to amend the Town of Mattapoisett General Bylaws, Section 17.2, Dogs, by increasing the "Final Late Fee" established thereunder from \$30.00 to \$50.00, or take any action relative there to

BY: ANIMAL CONTROL

MAJORITY

ARTICLE 5: ROAD PAVING ON MATTAPOISETT NECK

To see if the Town will vote to appropriate the sum of \$230,000 from Free Cash for the purpose of paving roads on Mattapoisett Neck, such funds and work to be combined with planned road restoration work to be done in the Spring of 2013, or take any action relative thereto

BY: BOARD OF SELECTMEN

2/3 VOTE

ARTICLE 6: STORM WATER DRAINAGE EASEMENT ACQUISITION

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain a drainage easement in the property located at Marston Court, shown as Assessors Map 5A Parcel 171, in connection with a Town drainage pipe placed previously on such privately-owned parcel, and to appropriate from Free Cash the sum of \$15,000 to be used for such purposes, or take any action relative thereto.

BY: BOARD OF SELECTMEN

2/3 VOTE

**ARTICLE 7: FACILITIES, TOWN EQUIPMENT, TOWN ASSET CARE,
UPKEEP AND IMPROVEMENTS**

To see if the Town will vote to appropriate \$100,000 from Free Cash, to be used for the purpose of doing repairs, improvements, upgrading, and refurbishing to facilities, buildings and equipment owned by the Town, and for annual maintenance and upkeep of present assets with the objective of prolonging the asset lifespan, or take any action relative thereto.

BY: BOARD OF SELECTMEN

ARTICLE 8: TINKHAM FOREST TRAIL SYSTEM ACCEPTANCE

To see if the Town will vote to:

- (1) approve and accept trails over certain privately-owned land to provide access to the Town-owned land known as the “Tinkham Forest”, located off of County Road and recorded in a deed at the Plymouth County Registry of Deeds in Book 3488, Page 731 and 732, all as shown on a plan entitled “Tinkham Forest Trail System” as on file with the Town Clerk’s Office, with such privately-owned land is further described in two approved definitive subdivision plans entitled, “Bay Club at Mattapoisett” revised through January 20, 2003 and “Village 6 County Road, Mattapoisett MA”, dated November 8, 2002, and, further, that access to the Forest over such privately-owned land is the subject of a 2003 Agreement between the Town and the owners of such land, which plans and Agreement are also on file with the Town Clerk’s Office; and
- (2) authorize the Board of Selectmen to accept said easements or other real property interests over the above-described land surrounding the Tinkham Forest, and take such action as may be necessary to establish such easements/ trails as the public access points to said Tinkham Forest, including recording of such interests in land at the Plymouth County Registry of Deeds; and
- (3) discontinue portions of Town ways, to the extent that such ways or portions thereof, are Town ways, known as the Sippican Trail, Solomon Road, Pine Island Way or any other public way that may have previously provided access to the Tinkham Forest over or through the referenced privately-owned property, as shown on a sketch plan on file with the Town Clerk, with such discontinuance to be effective upon the Board of Selectmen’s acceptance of the easements or other interests in real property providing for access to the Tinkham Forest as described above; and
- (4) To authorize the Board of Selectmen to execute instruments and take such other action as may be necessary to effectuate the vote taken hereunder,

or take any action relative thereto

BY: BOARD OF SELECTMEN

2/3 VOTE

ARTICLE 9: HANDICAP ACCESSIBLE BATHROOMS AT THE PARKS

To see if the Town will vote to raise and appropriate or transfer from available funds the \$35,000 for the purpose of making the bathrooms at the Town Beach, Harbormaster Office/Shipyard Park and Ned’s Point handicap accessible, or take any action relative thereto.

BY: BOARD OF SELECTMEN

2/3 VOTE

ARTICLE 10: PURCHASE OF LAND ON CHAPEL ROAD

To see if the Town will vote to authorize the Selectmen to acquire by gift, purchase or eminent domain land under the Community Preservation Program the fee interest being in a parcel of land as shown as Assessors Map 3, Lot 12; and further to authorize the Selectmen to negotiate the purchase price, terms and conditions of the acquisition, execute instruments and take such other action as may be necessary to effectuate this acquisition, and, pursuant to G.L. c.44B, §12(a), to grant a permanent deed restriction meeting the requirements of G.L. c.184 to a nonprofit, charitable corporation or foundation selected by the Town, and, as funding therefor, to appropriate the sum of \$125,000 from the Mattapoisett Community Preservation Fund for such purposes, or take any action relative thereto.

BY: MR. BRAD HATHAWAY AND SPONSORS

2/3 VOTE

ARTICLE 11: LAND ACQUISITION ACUSHNET ROAD

To see if the Town will vote to authorize the Board of Selectmen to acquire for water protection purposes the fee interest in land shown as Assessors Map 22, Lot 25, such land to be held in the care, custody, management and control of the Board of Water and Sewer Commissioners, and as funding therefor, to appropriate the sum of \$155,000 from Water Retained Earnings and/or borrowing for such purposes and all costs incidental and related thereto including legal and other professional expenses associated with acquiring said property and razing the existing structure on the property, and further, to authorize the Board of Selectmen to execute instruments and take any other action necessary to effectuate the vote taken hereunder, or take any action relative thereto.

BY: WATER/SEWER DEPARTMENT

2/3 VOTE

ARTICLE 12: EXPENSES ASSOCIATED WITH TAX TITLE SALES

To see if the town will vote to appropriate the sum of \$15,000 from Free Cash for the purpose of covering costs associated with selling town owned tax title parcels, or take any action relative there to.

BY: TAX COLLECTOR/TREASURER

You are hereby notified to serve this Warrant by posting up attested copies thereof at the several places designated in the Town By-Laws, namely the Mattapoisett Post Office and the Mattapoisett Town Hall, fourteen (14) days at least before the day appointed for said meeting.

Here of fail not and make due return of this Warrant with your doing thereon to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this 2nd day of November in the year Two Thousand and Twelve.

BOARD OF SELECTMEN:

Jordan C. Collyer, Chairman

Paul A. Silva

R. Tyler Macallister