



**SPECIAL TOWN MEETING WARRANT
COMMONWEALTH OF MASSACHUSETTS
January 22, 2024**

Plymouth, ss.

To the Constable(s) of the Town of Rochester in the County of Plymouth,
Greetings,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs to meet at the Rochester Memorial School, 16 Pine Street in said Town on Monday, the 22nd of January 2024 at seven p.m. (7:00 p.m.) in the evening to act on the following articles:

ARTICLE 1: MILITARY PAY FOR PUBLIC EMPLOYEES

To see if the Town will accept the provisions of G.L. c. 33, § 59 authorizing an employee of the town in the service of the armed forces of the commonwealth or a reserve component of the armed forces of the United States to receive pay without loss of ordinary remuneration as a public employee during service.

***EXPLANATION:** An employee shall be paid the regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received either from the United States or the commonwealth as base pay for military service performed during the same pay period and shall not lose any seniority or accrued vacation leave, sick leave, personal leave, compensation time or earned overtime during such service.*

**ARTICLE 2: AMEND ARTICLE 18 OF THE JUNE 9, 2003, ANNUAL TOWN MEETING
(SENIOR TAX WORK-OFF ABATEMENT)**

To see if the Town will vote to amend Article 18 of the June 9, 2003, Annual Town Meeting (Senior Tax Work-Off Abatement – G.L. c. 59, §5K), such amendment increasing the allowed reduction in the tax bill to not exceed \$1,500; and to allow an approved representative for persons physically unable to provide such services to the town.

***EXPLANATION:** Under this program, a senior resident volunteers his or her services to the Town and earns a reduction in his or her property tax bill. Article 18 of the June 9, 2003 Annual Town meeting limited the reduction in taxes to \$750. Amending the Article would increase the limit to \$1,500. In addition, senior tax work-off volunteers will now be allowed to have a substitute provide services on their behalf.*

ARTICLE 3: HIGHWAY IMPROVEMENTS

To see if the Town will vote to transfer the sum of Four Hundred Thousand Dollars (\$400,000) from the Highway Improvement Stabilization Fund for various roadway improvements or take any other action relative thereto.

EXPLANATION: *The Highway Surveyor is requesting highway funds to improve selected roadways in town.*

ARTICLE 4: PUBLIC SAFETY FACILITY DESIGN

To see if the Town will vote to transfer the sum of Fifty-Four Thousand, Three Hundred Eighty Dollars (\$54,380) previously allocated for the Public Safety Feasibility Study under Article 15 of the May 23, 2022 Annual Town Meeting for the purpose of Public Safety Facility Building Design or take any other action relative thereto.

ARTICLE 5: CONSULTANT TEMPORARILY FILLING VACANT POSITIONS

To see if the Town will vote to transfer the sum of Thirty Thousand Dollars (\$30,000) from Free Cash to fund the cost of consultants or temporary employees to fill vacant positions.

ARTICLE 6: CAPITAL PLAN

To see if the Town will vote to transfer the sum of Twenty-One Thousand Two Hundred Seventy Dollars (\$21,270) from the Capital Improvement Fund for the following expenditures or take any other action in relation thereto.

- a) Planning Department – Two Thousand Seven Hundred Seventy Dollars (\$2,770) to update the Town Zoning Map
- b) Planning Department – Three Thousand Five Hundred Dollars (\$3,500) to hire a consultant to review and revise the Planning Board Rules and Regulations
- c) Library – Three Thousand Dollars (\$3,000) for a walkway installation to the lower-level side door
- d) Council on Aging – Seven Thousand Dollars (\$7,000) for walkway repairs
- e) Council on Aging – Five Thousand Dollars (\$5,000) for Walk-in Cooler roof replacement and associated refrigeration work

ARTICLE 7: HOME RULE PETITION - FIRE CHIEF

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition to continue the employment of the Fire Chief beyond the mandatory retirement age, in substantially the form provided herein, subject to clerical and editorial changes, and to authorize the Select Board to approve such amendments that are within the scope of the general public objectives of the petition, or take any other action relative thereto.

Section 1: Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, Scott Weigel, chief of the fire department of the town of Rochester may continue in service beyond the age of 65; provided, however, that Scott Weigel shall not remain in service beyond the age of 67. The town of Rochester may require Scott Weigel to undergo an annual examination, at the expense of the town, by an impartial physician designated by the town to determine his fitness to remain in service.

Section 2: This Act shall take effect upon passage.

ARTICLE 8: AMENDING SECTION 6 OF THE ROCHESTER COUNCIL ON AGING BY-LAW, ADOPTED AT THE JUNE 4, 2007 ANNUAL TOWN MEETING

To see if the Town will vote to amend its Council on Aging By-laws by amending Section 6 as follows:

Section 6:

The ~~Council~~ **Select Board** shall appoint such **Council** employees as it may require.

EXPLANATION: *Section 6 requires the Council on Aging to hire their employees. Amending this Section would allow the COA to follow the same procedures and hiring policies as all other By-Law employees and allow non-contractual COA employees to be classified as By-Law employees.*

ARTICLE 9: AMEND THE CRANBERRY HIGHWAY SMART GROWTH OVERLAY DISTRICT

To see if the Town will vote to amend Section 3.0 Overlay District of the Rochester Zoning Bylaws, Cranberry Highway Smart Growth Overlay District (CHSGOD), Chapter 21.60, and associated Zoning Map, Cranberry Highway Smart Growth Overlay District as follows, or take any other action relative thereto:

The revised Cranberry Highway Smart Growth Overlay District is amended to include a parcel located at 621 County Road, also known as Map 17 Lot 47, identified as General Commercial, having a land area of approximately 32.21 acres as shown on the revised Plan, entitled "Cranberry Highway Smart Growth Overlay District, Cranberry Highway Rochester, MA", prepared by Allen & Major, Associates Inc., dated December 7, 2023.

EXPLANATION: *The existing CHSGOD is an overlay district having a land area of approximately 30.91 acres, as shown on a plan entitled "Cranberry Highway Smart Growth Overlay District, Cranberry Highway Rochester, MA", prepared by Allen & Major, Associates Inc., April 8, 2019. The Amendment is necessary to include a parcel intended to be included in proposed redevelopment.*

ARTICLE 10 – AMENDMENT OF SPECIAL ACT:

To see if the Town will vote to authorize the Select Board to petition the legislature to amend a certain Special Act, entitled “An Act Authorizing the Town of Rochester to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises,” said Act being passed as Chapter 25 of the Acts of 2023, by amending Section 1(b) thereof by adding the following language at the end of such section: “as may be amended from time to time,” so the section reads:

(b) The licensing authority of the Town of Rochester shall restrict the license granted pursuant to this act to an establishment located within the Cranberry Highway Smart Growth Overlay District, which for purposes of this act shall comprise the area to include parcels immediately along, (i) state highway route 28; (ii) state highway route 58; and (iii) County Road Extension, as those areas are designated on the map entitled "Cranberry Highway Smart Growth Overlay District, Cranberry Highway Rochester, MA" and dated April 8, 2019, as may be amended from time to time, a copy of which is on file in the office of the town clerk.

Given under our hands **this 2nd day of January 2024.**

Rochester Select Board:



Paul Ciaburri, Chairman



Bradford N. Morse, Vice Chairman



Adam Murphy, Clerk

By virtue of this Warrant, I have this day notified and warned the inhabitants of the Town of Rochester qualified to vote in elections and Town affairs, to meet at Rochester Memorial School, 16 Pine Street, in said Town on Monday the **22nd of January 2024** at the time and place for the purpose herein named by posting up attested copies thereon in the following places:

Rochester Post Office
Outside the Rochester Town Hall
Plumb Library
Council on Aging
Rochester Web Site

A true copy:

Attest

Marc Slabednick
Constable

JAN. 4TH 2024

Date

MARC SLABEDNICK