

**TOWN OF MARION  
TOWN MEETING WARRANT  
For the Annual Town Meeting to be Held  
May 9, 2022**



*Plymouth, ss:*

To either of the Constables of the Town of Marion in the Commonwealth of Massachusetts

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Marion qualified to vote in Town election and Town affairs to meet at the Sippican School Auditorium in said Marion, on Monday, the 9<sup>th</sup> day of May, 2022, at 6:45 o'clock in the evening, then and there to act on the following Articles, to wit:

**Article 1.** To see what compensation the Town will pay its elected Town officials:

**EFFECTIVE JULY 1, 2022**

	<b>FY22</b>	<b>FY23</b>	
	<b><u>Approp</u></b>	<b><u>Recommend</u></b>	<b><u>% chg</u></b>
Select Board, each member, per annum	\$ 4,902	\$ 4,902	0.0%
Board of Assessors, each member, per annum	\$ 4,839	\$ 4,839	0.0%
Board of Health, each member, per annum	\$ 1,866	\$ 1,866	0.0%
Moderator, for Annual Meeting	\$ 245	\$ 245	0.0%
per Special Town Meeting	\$ 81	\$ 81	0.0%

or take any other action thereon.

*Finance Committee recommends*

**Article 2.** To see what sums of money the Town will raise and appropriate and/or transfer from available funds in the Treasury in order to pay interest and maturing debt and for charges, expenses and outlays of the several Town departments and Reserve Fund for the ensuing year.

		FY22	FY23	22 to 23
		FY22	FinCom	% chg
GENERAL GOVERNMENT		Appropriation	Recommend.	Differ
113	Election and Town Meetings	\$11,350	\$11,450	0.88%
122	Select Board	50,118	\$50,118	0.00%
122	Negotiations – Select Board	\$4,730	\$55,000	**0.00%
123	Town Administrator	\$143,000	\$150,000	4.90%
131	Finance Committee	\$37,700	\$37,700	0.00%
132	Reserve Fund	\$65,000	\$65,000	0.00%
135	Finance Director/Town Acct	\$138,750	\$144,050	3.82%
141	Assessors	\$125,112	\$127,392	1.82%
145	Treasurer	\$58,348	\$59,666	2.26%
146	Collector	\$55,480	\$56,798	2.38%
151	Legal	\$152,000	\$152,000	0.00%
155	Computer	\$177,192	\$193,245	9.06%
159	Administrative Services	\$832,529	\$852,332	2.38%
161	Town Clerk	\$69,660	\$71,811	3.09%
163	Registrar of Voters	\$13,000	\$13,700	5.38%
171	Conservation	\$2,950	\$3,950	33.90%
175	Planning Board	\$78,221	\$79,703	1.89%
176	Zoning Board	\$2,119	\$2,119	0.00%
191	Town Facilities	\$376,888	\$382,624	1.52%
195	Town Report	\$6,600	\$7,200	9.09%
199	Unclassified	\$1,800	\$1,879	4.39%
	<i>Total General Government</i>	<b>\$2,402,547</b>	<b>\$2,517,737</b>	<b>4.79%</b>
<b>PUBLIC SAFETY</b>				
210	Police Department	\$1,982,461	\$2,067,504	4.29%
210	Police Cruiser	\$63,006	\$63,006	0.00%
220	Fire/EMS Department	\$1,204,424	\$1,239,616	2.92%
241	Building Department	\$127,315	\$130,290	2.34%
292	Animal Control	\$63,532	\$66,046	3.96%
295	Marine Resources	\$267,550	\$285,905	6.86%
299	Tree Warden	\$30,700	\$30,700	0.00%
	<i>Total Public Safety</i>	<b>\$3,738,988</b>	<b>\$3,883,067</b>	<b>3.85%</b>
<b>SCHOOLS</b>				
300	Sippican School	\$6,480,734	\$6,561,086	2.50%
301	ORR Operating	\$4,901,695	\$5,194,231	5.97%
302	ORR Debt	\$201,747	\$194,232	-3.72%
302	Upper Cape Cod Oper.	\$305,004	\$364,038	19.36%
302	Upper Cape Cod Debt	\$25,887	\$20,253	-21.76%
	<i>Total Education</i>	<b>\$11,915,067</b>	<b>\$12,333,840</b>	<b>3.51%</b>

<b>PUBLIC WORKS ADMIN.</b>				
420	Public Works	\$1,664,143	\$1,819,935	9.36%
490	Utilities & Fuel	\$426,570	\$426,570	0.00%
<i>Total Public Works</i>		<b>\$2,090,713</b>	<b>\$2,246,505</b>	<b>7.45%</b>
<b>HUMAN SERVICES</b>				
511	Board of Health	\$141,063	\$135,207	-4.15%
541	Council on Aging	\$218,294	\$221,525	1.48%
543	Veterans	\$97,500	\$99,754	2.31%
<i>Total Human Services</i>		<b>\$456,857</b>	<b>\$456,486</b>	<b>-0.08%</b>
<b>CULTURE &amp; RECREATION</b>				
610	Library	\$213,672	\$219,014	2.50%
630	Recreation	\$121,647	\$134,987	10.97%
670	Natural History Museum	\$10,000	\$10,000	0.00%
692	Celebrations-Parades & Band Concerts	\$19,200	\$19,200	0.00%
<i>Total Culture &amp; Recreation</i>		<b>\$364,519</b>	<b>\$383,201</b>	<b>5.13%</b>
<b>DEBT SERVICE</b>				
710	Principal Payments	\$447,700	\$449,100	0.31%
711	Interest Payments	\$101,162	\$84,769	-16.20%
<i>Total Debt Services</i>		<b>\$548,862</b>	<b>\$533,869</b>	<b>-2.73%</b>
<b>PENSION &amp; INSURANCE</b>				
911	Pension Assessment	\$1,289,828	\$1,392,356	7.95%
914	Group insurance	\$1,775,217	\$1,821,474	2.61%
940	Town Insurance	\$710,350	\$736,855	3.73%
<i>Total Pension &amp; Insurances</i>		<b>\$3,775,395</b>	<b>\$3,950,685</b>	<b>4.64%</b>
<b>TOTAL OPERATING BUDGET</b>		<b>\$25,292,948</b>	<b>\$26,305,390</b>	<b>4.00%</b>
<i>Less Transfers</i>		\$294,471	\$322,830	
<i>Less Indirect Costs</i>		\$790,617	\$855,823	
<i>Less Transfer from Free Cash</i>		\$370,139	\$425,000	
<b>Raise and Appropriate</b>		<b>\$23,837,721</b>	<b>\$24,701,737</b>	

\*\*FY22 approved appropriation was \$55,000, funds were then transferred to pertaining departments

*Finance Committee recommends*

**Article 3.** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$2,426,050 to be used to operate the Water Enterprise Fund, the following sums to be appropriated to Salaries and Expenses, \$1,054,231; Reserve Fund, \$60,000; Debt, \$913,736; and Indirect Costs, \$398,083; and the funds be raised from department receipts, \$2,226,050 and \$200,000 from water Retained Earnings; or take any other action thereon.

	FY22	FY23	% chg
<b>WATER ENTERPRISE FUND</b>	<b>Appropriation</b>	<b>Recommend.</b>	<b>Differ</b>
Salaries and Expenses	\$1,032,935	\$1,054,231	0.12%
Reserve Fund	\$60,000	\$60,000	0.00%
Debt (principal, interest and charges)	\$939,948	\$913,736	-2.79%
Subtotal	<b>\$2,032,883</b>	<b>\$2,027,967</b>	<b>-1.21%</b>
Indirect Costs	\$410,593	\$398,083	-3.05%
<b>TOTAL WATER ENTERPRISE BUDGET</b>	<b>\$2,443,476</b>	<b>\$2,426,050</b>	<b>-1.52%</b>
<i>Less Water Retained Earnings</i>	<b>\$300,000</b>	<b>\$200,000</b>	
<i>Water Revenues</i>	<b>\$2,163,476</b>	<b>\$2,226,050</b>	

*Finance Committee recommends*

**Article 4.** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$3,522,210 to be used to operate the Sewer Enterprise Fund, the following sums to be appropriated to Salaries and Expenses, \$1,145,955; Reserve Fund, \$60,000; Debt, \$1,858,515; and Indirect Costs, \$457,740; and the funds be raised from departmental receipts, \$3,102,210 and \$220,000 from Free Cash, and \$200,000 from Sewer Retained Earnings; or take any other action thereon.

	FY22	FY23	% chg
<b>SEWER ENTERPRISE FUND</b>	<b>Appropriation</b>	<b>Recommend.</b>	<b>Differ</b>
Salaries and Expenses	\$1,090,625	\$1,145,955	5.07%
Reserve Fund	\$60,000	\$60,000	0.00%
Debt (principal, interest and charges)	\$1,791,545	\$1,858,515	3.74%
Subtotal	<b>\$2,942,170</b>	<b>\$3,064,470</b>	<b>4.16%</b>
Indirect Costs	\$450,597	\$457,740	1.59%
<b>TOTAL SEWER ENTERPRISE BUDGET</b>	<b>\$3,392,767</b>	<b>\$3,522,210</b>	<b>3.82%</b>
<i>Less Sewer Retained Earnings</i>	<b>\$150,000</b>	<b>\$200,000</b>	
<i>Less Free Cash</i>	<b>220,000</b>	<b>\$220,000</b>	
<i>Sewer Revenues</i>	<b>\$3,022,767</b>	<b>\$3,102,210</b>	

*Finance Committee recommends*

**Article 5.** To see if the Town will vote to transfer from the Overlay Surplus Account the sum of \$25,000 to be used by the Board of Assessors for the revaluation of real and personal property as mandated by the Department of Revenue; or take any other action thereon.

*Finance Committee recommends*

**Article 6.** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash) the sum of \$25,000 to supplement the remaining balance from Article 10 of the Annual Town Meeting of 2008 for purposes of instituting tax foreclosure procedures on delinquent real estate parcels in the Town in accordance with the provisions of Massachusetts General Laws, Chapter 60, Section 53; or take any action thereon.

*Finance Committee recommends*

**Article 7.** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash) the sum of \$50,000 to the compensated absence account for the purpose of funding accrued benefits for retiring employees; or take any other action thereon.

*Finance Committee recommends*

**Article 8.** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash) the sum of \$50,000 to be expended by the Facilities Department to complete building maintenance projects; or take any other action thereon.

*Finance Committee recommends*

**Article 9.** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash and Retained Earnings) the sum of \$1,897,007 with \$806,007 from Free Cash, \$740,000 from Water Retained Earnings, and \$351,000 from Sewer Retained Earnings to fund the Capital Improvement Plan for the purpose of replacing and/or purchasing, the following items including equipping of vehicles and equipment and as applicable, professional services and all other incidental and related costs all set forth below:

***General Fund***

Community Center Vent Hood & Ansul System -	\$43,000
Fire Alarm & Security Office WWTP-	\$85,000
Replace Roof/Skylights WWTP -	\$24,000
Sippican School Handicap Door Access -	\$16,000
COA Vehicle Shelter/Van Carport design & engineering -	\$10,000
Police Radio Upgrades -	\$192,755
Highway - Street Sweeper -	\$330,000
Sippican School HVAC Management System Recommission -	\$38,000
Police Cruiser – Tahoe -	\$67,252

***Water Enterprise***

Emergency Chlorine Injection System -	\$50,000
Creek Road Water Main Replacement -	\$250,000
Portable Trailer Mounted Generator -	\$85,000
Design Wareham Road Water Main -	\$165,000
Unidirectional Flushing Plan -	\$40,000
Asset Management Planning -	\$75,000
F350 4x4 Truck w/Plow Replacement -	\$75,000

***Sewer Enterprise***

Inflow and Infiltration Mitigation Plan -	\$200,000
High Flow Management Plan -	\$40,000
F350 4x4 Truck w/Plow Replacement -	\$75,000
Generator Replacement -	\$36,000

; or take any other action thereon.

*Finance Committee recommends*

**Article 10.** To see if the Town will vote to appropriate the sum of \$4,500,000 for the purpose of the final design, construction and equipping of a new DPW Operations building, including all costs incidental and related thereto; to meet this appropriation to see if the Town will vote to transfer from available funds in the Treasury (Free Cash) the sum of \$1,500,000 and authorize the Treasurer, with the approval of the Select Board, to borrow the balance of \$3,000,000 under the provisions of G.L. c.44, §7(1) or any other appropriate enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that this vote shall not take effect until the Town votes at an election to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote; and further that the Select Board be authorized to enter into such contracts and agreements as shall in its judgement be necessary to effectuate the intent of this article; or take any other action thereon.

*Finance Committee recommends*

**Article 11.** To see if the Town will vote to raise and appropriate the sum of \$700,000 to be used for the Town's share of the final design, construction and equipping of a new Harbormaster building, including all costs incidental and related thereto; to determine whether to meet this appropriation such amount should be raised by authorizing the Treasurer, with the approval of the Select Board, to borrow \$700,000 under the provisions of G.L. c.44, §7(1) or any other appropriate enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that no borrowing shall be made under this article until the Town is awarded grants in the amount of at least \$2,300,000 for the project; and provided further that, while such bonds and notes shall be general obligations of the Town, payment shall be made in the first instance from Harbor receipts; and further that the Select Board be authorized to enter into such contracts and agreements as shall in its judgement be necessary to effectuate the intent of this article; or take any other action thereon.

*Finance Committee recommends*

**Article 12.** To see if the Town will vote to approve the \$7,200,000 indebtedness authorized by the District Commission of the Mattapoissett River Valley Water District on May 6, 2022 for the purpose of financing the construction of water treatment facility upgrades including, but not limited to, ultrafiltration system and related appurtenances replacement, ultraviolet disinfection system, supervisory control and data acquisition (SCADA) system upgrades, engineering and all other related professional fees, and including without limitation all costs thereof.

*Finance Committee recommends*

**Article 13.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate from Fiscal Year 2023 estimated annual revenues, \$2,000 to the Community Preservation Committee for administrative expenses; or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 14.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate from Fiscal Year 2023 estimated annual revenues, \$114,000 for the purpose of meeting the requirements of the Community Preservation Act (CPA), G.L.C. 44B, section 6, for the purposes of Open Space, Community Housing and Historic Preservation, for Fiscal Year 2023 and \$264,000 to the Community Preservation Act Budgeted Reserves; or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 15.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$124,000 from CPA undesignated fund balance to be allocated and reserved for the purpose of developing design and bid specifications for the installation of sprinklers and achieving ADA compliance at the Marion Town House; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting

*Finance Committee has no recommendation, as no financial impact*

**Article 16.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$240,000 from CPA undesignated fund balance to be allocated and reserved for the purpose of restoring the Main Street entrance of the Marion Town House; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2024. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 17.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$29,000 from Open Space and Recreation reserves, and \$46,000 from CPA undesignated fund balance to be allocated and reserved for the purpose of designing and installing 5 irrigation systems at gardens located near public roadways throughout the Town of Marion; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 18.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$35,000 from Historic Preservation reserves to be allocated and reserved for the purpose of updating and expanding Marion's historic and cultural resource inventory; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2024. If, after that time period has

passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 19.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$26,811 from CPA undesignated fund balance to be allocated and reserved for the purpose of installing fencing, three ADA-compliant benches and two litter receptacles at the Benjamin D. Cushing Community Park; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 20.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$18,000 from CPA undesignated fund balance to be allocated and reserved for the purpose of obtaining nine appraisals on six parcels required to obtain easements related to the construction of the Marion Shared Use Path; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 21.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$2,000 from Historic Preservation reserves, and \$23,000 from CPA undesignated fund balance to be allocated and reserved for the purpose of the preservation and digitization of materials significant to Marion history and culture; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 22.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$1,850 from Open Space and Recreation reserves to be allocated and reserved for the purpose of developing a forestry plan for the Great Swamp; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 23.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$8,600 from Open Space and Recreation reserves for the purpose of updating the open space acquisition criteria; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically



returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 24.** To see if the Town will vote to act upon the recommendation of the Community Preservation Committee to appropriate \$41,500 from CPA undesignated fund balance to be allocated and reserved for the purpose of cataloging the collections and restoring exhibits at the Marion Natural History Museum; or take any other action thereon. Funds to be available from July 1, 2022 until June 30, 2023. If, after that time period has passed, any remaining funds shall be automatically returned to the Community Preservation Fund category from which said funding originated, without further action required by Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 25.** To see if the Town will vote to transfer from available funds in the Treasury (Free Cash) the sum of \$100,000 to the Other Post-Employment Benefit Liability Trust Fund as established at the Annual Town Meeting of 2010 under Article 14; or take any other action thereon.

*Finance Committee recommends*

**Article 26.** To see if the Town will vote to transfer from available funds in the Treasury (Free Cash) a sum of \$50,000 to the School Stabilization Fund; or take any other action thereon.

*Finance Committee recommends*

**Article 27.** To see if the Town will vote to transfer from available funds in the Treasury (Free Cash) a sum of money to the Stabilization Fund; or take any other action thereon.

*Finance Committee recommends*

**Article 28.** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause Twenty-Second H, inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights Appreciation, Validation and Enforcement (the "BRAVE Act"), which provides for a property tax exemption for real estate to the full amount of the taxable valuation of real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and Veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the

soldier or sailor, member of the National Guard or Veteran was domiciled in the Commonwealth for not less than 6 months before entering service, or to take any other action relative thereto.

*Finance Committee recommends*

**Article 29.** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause Twenty-Second G, inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans’ Benefits, Rights Appreciation, Validation and Enforcement (the “BRAVE Act”), which provides for a real property tax exemption for any real estate that is the domicile of a person, but is owned by a trustee, conservator or other fiduciary for the person's benefit, if the real estate would be eligible for exemption under Clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, or Twenty-second F as if the person were the owner of the real estate, or to take any other action relative thereto.

*Finance Committee recommends*

**Article 30.** To see if the Town will vote to designate the Town of Marion Select Board, the Town of Marion Board of Assessors, and the Town Administrator of the Town of Marion, collectively, as the “authorized officer” to negotiate Payment in Lieu of Tax Agreements (PILOT) for solar or wind powered energy systems and co-located energy storage systems, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 45th, as amended by Section 61 of Chapter 8 of the Acts of 2021, and after approval by Town Meeting of any respective Solar PILOT Agreement that has been so negotiated, to execute on behalf of the Town said Solar PILOT Agreement, and to take any other action relative thereto.

*Finance Committee has no recommendation, as no financial impact*

**Article 31.** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 54th relative to tax exemptions for personal property below a certain value, and to establish an exemption for all personal property in the Town of Marion with a fair cash value below the minimum threshold of \$1,000.00 beginning in Fiscal Year 2023, or take any other action relative thereto.

*Finance Committee recommends*

**Article 32.** To see if the Town will vote pursuant to Article V, Section 230-5.3 of the Zoning Bylaws, Town of Marion, Massachusetts, to re-classify the following lots, located on Wareham Street, as Zoning District Residence E:

- Map 7 Lot 24
- Map 7 Lot 25
- Map 7 Lot 27
- Map 7 Lot 28C
- Map 7 Lot 29;

said lots are further shown as lots 2 and 3 on a plan entitled “Approval Not Required Plan of Land known as Lots 24, 25, 26 & 27 on Assessor’s Map 7 Situated on Bournhurst Rd & Wareham Street in the Town of Marion, County of Plymouth, MA Prepared for Henry & Judith DeJesus, Scale: 1” = 80’ Date: Nov. 1, 2017”, revised Nov. 2, 2017 and recorded on 6/28/2018 in the Plymouth County Registry of Deeds in Plan Book 62 Page 544; and lots 4A, 4B and 4C on a plan entitled “Division of Land Plan Lots 28, 29, & a Portion of Lots 24 & 27 on Assessors Map 7, Situated on Wareham Street in the Town of Marion, County of Plymouth, MA Prepared for Henry & Judith DeJesus, Scale: 1” = 80’ Date: March 14, 2019”, revised April 1, 2019” and recorded on 7/8/2019 in the Plymouth County Registry of Deeds in Plan Book 63 Page 687.

*Finance Committee has no recommendation, as no financial impact*

**Article 33.** To see if the Town will vote to revise the Zoning Map as follows:

1. Revise the area mapped as the “Water Supply and Aquifer Protection District” pursuant to Section 230-8.2 of the Zoning Bylaw such that the revised mapped area includes additional land area as depicted in the map as noted below: AND
2. Change the zoning designation of the following three (3) parcels (1) Map 11, Lot 24E; (2) Map 11, Lot 25, and (3) Map 11, Lot 43 from their current zoning designation of Residence A and C to the zoning designation of General Business, all as approved by Article 10 of the October 21, 2019 Special Town Meeting AND
3. Change the zoning designation of the following four (4) parcels (1) Map 24, Lot 36A; (2) Map 24, Lot 37; (3) Map 24, Lot 37A, and (4) Map 24, Lot 38 from their current zoning designation of General Business to the zoning designation Residence E, all as approved by Article 33 of the May 14, 2018 Annual Town Meeting.

*Finance Committee has no recommendation, as no financial impact*

**Article 34.** To see if the Town will vote to amend the Code of the Town of Marion Chapter 230-8.2 – Water Supply Protection District by revising the same as follows:

### 230-8.2 Changes

#### 230-8.2 Water Supply **and Aquifer** Protection District.

The purpose of the Water Supply and Aquifer Protection Districts is to promote the health, safety, and general welfare of the Town. ~~To protect, preserve, and maintain the existing and potential well sites and groundwater supply and watershed areas for the public health and safety; to~~ preserve and maintain the existing and potential groundwater supply and ground water recharge areas within the Town ~~for the public health and safety;~~ to preserve and protect the streams, brooks, rills, marshes, swamps, bogs and other water bodies and watercourses in the ~~Town District;~~ to protect the community from the detrimental use and development of land and water within the ~~District;~~ ~~to preserve and protect the groundwater and water recharge areas within the Town;~~ and to prevent blight and pollution of the environment.

A. District area (see ~~Article III Section 230-3.2~~).

~~(1)~~ There is hereby established within the Town a Water Supply Protection District and an Aquifer Protection District ~~which is as~~ delineated on the latest approved Zoning Map of the Town of Marion, ~~dated May 12, 2014.~~

~~(2)~~ ~~Except as specifically provided otherwise, this section applies to t~~The Water Supply and Aquifer Protection Districts ~~hereby established. The Water Supply and Aquifer Protection Districts~~ are superimposed on existing zoning districts. All uses, dimensional requirements, and other provisions of the bylaw applicable to such underlying districts shall remain in force and effect, except where the restrictions and requirements of the overlay district are more restrictive, the latter shall prevail.

B. Aquifer Protection District Permitted uses.

~~(1)~~ ~~Within the Aquifer Protection District the only uses allowed are as follows:~~

~~(a)~~ A single-family residence and uses accessory thereto connected to the municipal sewer prior to occupancy, providing all excavation and grading shall maintain a depth of at least four feet of clean fill above the high water table.

~~(b)~~ ~~(2)~~ A single-family residence and uses accessory thereto located on a lot not less than one acre in area, providing all excavation and grading shall maintain a depth of at least four feet of clean fill above the high water table.

~~(2)~~ ~~Within the Water Supply Protection District the requirements of the underlying districts continue to apply, except that uses listed in Subsection C are prohibited and all uses other than single family residences and uses accessory thereto shall require a special permit pursuant to Subsection D.~~

C. Prohibited uses. The following are prohibited as a principal or an accessory use in a Water Supply Protection District. ~~Where lawfully existing, such uses may be continued but not expanded, added to, or enlarged:~~

~~(1)~~ The requirements of the underlying districts continue to apply, and all uses other than single-family residences and uses accessory thereto shall require a special permit pursuant to Subsection D.

~~(2)~~ Prohibited Uses. The following are prohibited as principal or an accessory use in a Water Supply Protection District. Where lawfully existing, such uses may be continued but not expanded, added to, or enlarged:

~~(a)~~ Outdoor storage, generation and disposal of salt, snow-melting chemicals, pesticides, herbicides, hazardous wastes or chemicals, and materials containing or coated with such chemicals susceptible to being carried into the surface or ground waters within the Water Supply Protection District.

~~(b)~~ Junkyards, salvage yards, open and landfill dumps, manufacture of pesticides, fertilizers, weed killers and herbicides, and commercial facilities for the storage or treatment of hazardous waste.

~~(c)~~ Disposal of hazardous toxic materials (as defined by federal and state regulations), solid waste, or hazardous toxic wastewater through an on-site subsurface disposal system.

~~(d)~~ Stockpiling or disposal of chemically treated snow or ice brought in from outside the District

~~(e)~~ Petroleum, fuel oil, heating oil bulk stations and terminals

~~(f)~~ Floor drains in existing commercial and industrial process areas.

~~(3)~~ Restricted uses

~~(a)~~ Sludge and septage storage

~~(b)~~ Deicing chemical storage

~~(c)~~ Commercial fertilizer storage

~~(d)~~ Animal manures storage

~~(e)~~ Storage of liquid hazardous materials and liquid petroleum products unless stored in pursuant to 310 CMR 22.21(2)(b)(5)

~~(f)~~ Earth removal activities within 4 feet of historic high-water table pursuant to 310 CMR 22.21(2)(b)(6)

~~(g)~~ Land uses resulting in impervious surface covering more than 15% or 2500 square feet of any lot or parcel, whichever is greater, unless artificial recharge of precipitation is provided and the Planning Board concludes that the artificial recharge system (s), will not result in the degradation of ground water quality.

D. Uses by special permit.

~~(1)~~ All principal or accessory uses, other than those permitted in Subsection B, which are authorized in the underlying district and which are not otherwise prohibited by Subsection C, are permitted in a Water Supply Protection District upon issuance of a special permit by the Board of Selectmen, which shall consider the reports and recommendations of the Board of Health, Planning Board, and Conservation Commission.

**(2)** The Board of Selectmen may waive all or part of the submission requirements upon the submission of evidence by the applicant that the surface or groundwater drainage from the applicant's site is not contributory to a municipal well field.

**(3)** Submittals. The following information shall be submitted when applying for a special permit within the Water Supply Protection District:

**(a)** A complete list of all chemicals, pesticides, fuels, and other potentially toxic or hazardous material to be used and stored in quantities greater than those associated with normal household use, accompanied by a description of measures proposed to protect them from vandalism, corrosion, and leakage and to provide for spill prevention and countermeasures.

**(b)** A description of potentially toxic or hazardous wastes to be generated, indicating storage and disposal method.

**(c)** For underground storage of toxic and hazardous materials, evidence of qualified professional supervision of system design and installation.

**(4)** Review and approval considerations.

**(a)** Special permits shall be granted only if the Board of Selectmen determined that at the boundaries of the premises the groundwater quality resulting from the on-site waste disposal, other on-site operations, natural recharge, and background water quality will not fall below the standards established by the DEP in "Drinking Water Standards of Massachusetts" or, for parameters where no standard exists, below standards established by the Board of Health, and wherever existing groundwater is already below those standards, upon determination that the proposed activity will result in no further degradation.

**(b)** A special permit issued by the Board of Selectmen shall be conditioned upon the following additional limitations to protect the water supply:

**[1]** Safeguards. Provisions shall be made to protect against toxic or hazardous materials discharged or lost through corrosion, accidental damage, spillage or vandalism through such measures as provision for spill control in the vicinity of chemical or fuel delivery points, secure storage areas for toxic or hazardous materials, and indoor storage provision for corrodible or dissolvable materials.

**[2]** Location. Where the premises are partially outside the Water Supply Protection District, such potential pollution sources as on-site waste disposal systems shall, to the degree feasible, be located outside the district.

**[3]** Disposal. For any toxic or hazardous wastes to be produced in quantities greater than those associated with normal household use, the applicant must demonstrate the availability and feasibility of disposal methods which are in conformance with MGL c. 21C.

**[4]** Drainage. All runoff from impervious surfaces shall be recharged on the site, diverted towards areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are infeasible and shall be preceded by oil, grease, and sediment traps to facilitate removal of contamination.

**[5]** Monitor test wells. Where fertilizers, pesticides, herbicides or other potential contaminants are to be applied, utilized or stored, and in the opinion of the Board of Selectmen are a matter of concern, a groundwater monitoring program shall be established before the special permit is granted. Such a program shall adequately monitor the quality of the groundwater leaving the site through the use of monitor wells and/or appropriate groundwater sample analysis.

**[6]** Natural vegetation. Not more than 50% of natural vegetation, existing as of the effective date (June 18, 1990) of the adoption of this amendment to the bylaw on any lot, may be disturbed in any underlying district. However, to the extent that there is a finding that surface or groundwater drainage activity from the applicant's proposed use or activity on the site has decreasing, minimal or no impact on the municipal well field, the Board of Selectmen may relax the requirements of the preceding sentence, but in no event to a standard which is less restrictive than that set forth in the "minimum usable open space" paragraph of § **230-5.3B(2)**.

**[7]** Technical reference. The Board of Selectmen and applicants shall use the following technical references in the preparation and review of plans under this section: 310 CMR 22.00.

**(5)** Additional rules and regulations. The Board of Selectmen shall adopt additional rules and regulations relative to the issuance of a special permit under this section. Such rules shall consider, but need not be limited to, requirements to control causes of pollution to underground surface water.

*Finance Committee has no recommendation, as no financial impact*

**Article 35.** To see if the Town will vote to (a) authorize the Select Board to acquire, by purchase, gift and/or eminent domain and on such terms as the Select Board deems appropriate, the fee to and/or permanent and temporary easements in, on, under and over certain parcels of land for a Shared Use Path commencing at the Mattapoisett boundary and terminating at or near Point Road, and approximately shown on plans entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Shared Use Path – Phase 1 in the Town of Marion, Plymouth County,” dated December 18, 2020, prepared by Greenman-Pedersen, Inc., on file with the Town Clerk, as said plans may be amended from time to time and/or incorporated into an easement plan, and land within 200 feet of said parcels, for a Shared Use Path, including without limitation, for the construction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining ways, guardrails, slopes, grading, rounding, construction, landscaping, and other structures and/or appurtenances, to enable the Town to undertake a shared use path, and for any and all purposes and uses incidental or related thereto; (b) transfer the care, custody, and control of the portions of the Town-owned properties shown on the aforesaid plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Select Board for said public way purposes and further to dedicate said portions of the Town-owned properties to said purposes, and, if applicable, authorize the Select Board to submit petitions to the General Court to permit the foregoing under Article 97 of the Massachusetts Constitution or otherwise; and, further (c) authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes, or do or take any other action in relation thereto.

*Finance Committee has no recommendation, as no financial impact*

**Article 36.** To see if the Town will authorize, but not require, the Select Board to accept or convey, grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Select Board deems in the best interest of the Town, or do or take any action related thereto.

*Finance Committee has no recommendation, as no financial impact*

**Article 37.** To see if the Town will vote to transfer the sum of \$2,000 from the Chester A. Vose Fund, said monies to be used by the Assessors for the reduction of taxes; or take any other action thereon.

*Finance Committee recommends*

**Article 38.** To see if the Town will vote, pursuant to the provisions of MGL Chapter 44, §53E ½, to establish and authorize for FY2023 a revolving fund for the following purposes: Recreation Revolving Fund, for the purpose of accepting receipts from fees collected from participants in the various recreation programs. Said funds to be received by the Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset the costs of these programs, total expense not to exceed \$150,000; or take any other action thereon.

*Finance Committee recommends*

**Article 39.** To see if the Town will vote, pursuant to the provisions of MGL Chapter 44, §53E ½, to establish and authorize for FY2023 a revolving fund for the lawful collection of monies by the Town Treasurer and the expenditure by the Marion Board of Health for all lawful purposes including, but not limited to, purchasing medical supplies and vaccines and the provision of public health and related services within the Town of Marion, and the total expenditures shall not exceed \$17,500; or take any other action thereon.

*Finance Committee recommends*

**Article 40.** To see if the Town will vote to accept Village Drive and Fieldstone Lane as Town ways, the description of which is as follows:

**VILLAGE DRIVE METES & BOUNDS:**

Beginning at a point which is the north east corner of the Right of Way for Village Drive, said point being 20.00' westerly of Station 30+64.66 for Front Street (Route 105) in Marion;  
thence S 09°54'15" E a distance of 14.40' along Front Street to a point;  
thence S 10°19'16" E a distance of 74.91' along Front Street to a point;  
thence with a curve turning to the left with an arc length of 23.65' with a radius of 30.00';  
thence S 88°51'21" W a distance of 32.80' to a point;  
thence with a curve turning to the right with an arc length of 15.17' with a radius of 80.00';  
thence N 80°16'35" W a distance of 38.20' to a point;  
thence with a curve turning to the left with an arc length of 14.42' with a radius of 76.00';  
thence S 88°51'21" W a distance of 27.24' to a point;  
thence with a curve turning to the left with an arc length of 171.91' with a radius of 114.00';  
thence N 85°48'17" E a distance of 23.73' to a point;  
thence S 11°38'55" E a distance of 11.28' to a point;  
thence S 84°34'20" W a distance of 14.57' to a point;  
thence with a curve turning to the left with an arc length of 82.46' with a radius of 102.00';  
thence with a reverse curve turning to the right with an arc length of 267.54' with a radius of 125.00';  
thence with a reverse curve turning to the left with an arc length of 15.17' with a radius of 100.00';  
thence N 53°18'09" W a distance of 4.39' to a point;  
thence with a curve turning to the right with an arc length of 322.31' with a radius of 2784.97';  
thence N 47°54'46" W a distance of 12.43' to a point;  
thence S 55°52'54" W a distance of 330.35' to a point;  
thence with a curve turning to the right with an arc length of 77.41' with a radius of 225.00';  
thence S 71°30'55" E a distance of 100.43' to a point;  
thence S 50°25'21" W a distance of 18.85' to a point;  
thence N 71°30'55" W a distance of 119.76' to a point;  
thence with a curve turning to the right with an arc length of 27.80' with a radius of 225.00';  
thence with a reverse curve turning to the left with an arc length of 27.70' with a radius of 30.00';  
thence with a reverse curve turning to the right with an arc length of 168.64' with a radius of 64.00';  
thence with a reverse curve turning to the left with an arc length of 29.24' with a radius of 30.00';  
thence N 37°28'14" E a distance of 40.27' to a point;  
thence with a curve turning to the left with an arc length of 32.02' with a radius of 30.00';  
thence with a reverse curve turning to the right with an arc length of 81.57' with a radius of 64.00';  
thence with a reverse curve turning to the left with an arc length of 29.53' with a radius of 30.00';

thence with a compound curve turning to the left with an arc length of 104.88' with a radius of 175.00';  
thence N 55°52'54" E a distance of 312.89' to a point;  
thence with a curve turning to the left with an arc length of 103.95' with a radius of 575.00';  
thence with a compound curve turning to the left with an arc length of 51.01' with a radius of 2734.97';  
thence N 70°30'53" W a distance of 19.95' to a point;  
thence N 19°29'07" E a distance of 6.00' to a point;  
thence S 70°30'53" E a distance of 22.21' to a point;  
thence with a curve turning to the left with an arc length of 49.56' with a radius of 2734.97';  
thence with a compound curve turning to the left with an arc length of 49.08' with a radius of 575.00';  
thence with a reverse curve turning to the right with an arc length of 63.80' with a radius of 150.00';  
thence with a compound curve turning to the right with an arc length of 50.71' with a radius of 53.25';  
thence with a reverse curve turning to the left with an arc length of 160.53' with a radius of 75.00';  
thence N 66°17'35" W a distance of 30.73' to a point;  
thence with a curve turning to the right with an arc length of 108.13' with a radius of 164.00';  
thence N 82°53'39" W a distance of 12.45' to a point;  
thence N 07°06'21" E a distance of 7.40' to a point;  
thence S 82°53'39" E a distance of 11.53' to a point;  
thence with a curve turning to the right with an arc length of 250.59' with a radius of 164.00';  
thence N 88°51'21" E a distance of 120.43' to a point;  
thence N 10°04'36" W a distance of 19.62' to a point;  
thence N 89°00'01" E a distance of 16.71' to a point, which is the point of beginning;

Said Right of Way containing +/- 94,278.28 square feet, +/- 2.16 Acres, encompassing all retaining walls and emergency access ways.

#### **FIELDSTONE LANE METES & BOUNDS:**

Beginning at a point which is the south westerly corner of the Right of Way for Fieldstone Lane, said point being the north westerly corner of the roundabout for Village Drive;  
thence with a curve turning to the right with an arc length of 26.76' with a radius of 220.00';  
thence S 34°08'34" W a distance of 83.30' to a point;  
thence N 90°00'00" E a distance of 10.04' to a point;  
thence S 00°00'00" E a distance of 31.11' to a point;  
thence N 90°00'00" W a distance of 41.53' to a point;  
thence N 00°00'00" W a distance of 31.11' to a point;  
thence N 90°00'00" E a distance of 7.32' to a point;  
thence N 34°08'34" E a distance of 103.75' to a point;  
thence with a curve turning to the right with an arc length of 33.86' with a radius of 220.00';  
thence N 25°17'01" W a distance of 449.52' to a point;  
thence N 25°17'01" W a distance of 51.31' to a point;  
thence with a curve turning to the right with an arc length of 26.11' with a radius of 220.00';  
thence N 18°28'58" W a distance of 50.59' to a point;  
thence N 18°28'58" W a distance of 40.94' to a point;  
thence with a curve turning to the right with an arc length of 90.43' with a radius of 120.00';  
thence N 31°50'53" W a distance of 18.49' to a point;  
thence N 43°14'45" W a distance of 46.65' to a point;



thence N 29°09'46" W a distance of 31.44' to a point;  
thence N 01°34'35" E a distance of 20.65' to a point;  
thence N 04°04'19" E a distance of 50.71' to a point;  
thence N 00°59'59" W a distance of 23.20' to a point;  
thence N 89°00'01" E a distance of 16.00' to a point;  
thence S 00°59'59" E a distance of 23.20' to a point;  
thence S 08°26'05" E a distance of 44.86' to a point;  
thence S 15°39'04" E a distance of 4.72' to a point;  
thence S 15°39'04" E a distance of 21.30' to a point;  
thence S 45°37'49" E a distance of 9.12' to a point;  
thence S 58°40'59" E a distance of 35.81' to a point;  
thence S 80°05'05" E a distance of 4.99' to a point;  
thence S 58°22'40" E a distance of 18.29' to a point;  
thence with a curve turning to the right with an arc length of 78.53' with a radius of 120.00';  
thence N 89°00'01" E a distance of 333.59' to a point;  
thence N 00°59'59" W a distance of 55.00' to a point;  
thence N 89°00'01" E a distance of 24.00' to a point;  
thence S 00°59'59" E a distance of 150.00' to a point;  
thence S 89°00'01" W a distance of 24.00' to a point;  
thence N 00°59'59" W a distance of 55.00' to a point;  
thence S 89°00'01" W a distance of 333.59' to a point;  
thence with a curve turning to the left with an arc length of 150.07' with a radius of 80.00';  
thence S 18°28'58" E a distance of 91.53' to a point;  
thence with a curve turning to the left with an arc length of 21.37' with a radius of 180.00';  
thence S 25°17'01" E a distance of 500.83' to a point;  
thence with a curve turning to the left with an arc length of 62.74' with a radius of 180.00';  
thence S 37°28'14" W a distance of 40.27' to a point, which is the point of beginning;

Said Right of Way containing +/- 60,350.54 square feet, +/- 1.39 Acres, encompassing the sewer pump station and emergency access ways.

*By Petition*

*Finance Committee does not recommend*

**Article 41.** To see if the Town will vote to authorize the Select Board or its designee to make application on behalf of the Town to the appropriate agency of the Federal or State Governments for grants in aid or other funds or to private foundations or other foundations to further carry out certain programs hereinafter listed and to expend such grants to the Town; said applications and expenditures may include, but not be limited to, the following:

- A. Emergency Management Funds
- B. Sewer system, planning and improvements
- C. Water system improvements and aquifer protection
- D. Recreation and conservation land planning, acquisition, and improvements of open space

- E. Open space acquisition
- F. Executive Office of Environmental Affairs self-help program
- G. Executive Office of Environmental Affairs urban self-help program
- H. Executive Office of Environmental Affairs land and water conservation funds
- I. Repairs and renovations to Town properties
- J. Coastal Zone funds for coastal-related activities
- K. Housing-related grants
- L. Public Safety
- M. Title 5 subsurface disposal of sanitary waste management
- N. Public or private grants deemed by the Select Board to be in the best interest of the community
- O. State Road funds, Chapter 53B and Chapter 150 (commonly known as Chapter 90 funds)

Or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 42.** To see if the Town will vote to authorize the Select Board to institute, defend, or compromise suits of law; or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 43.** To see if the Town will vote to authorize the Select Board to sell any article belonging to the Town, provided the Town has no further use for the same; or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 44.** To see if the Town will vote to authorize the Select Board to sell or transfer any taxation possession property held by the Town, pursuant to General Laws, Chapter 60, Section 77, after the Select Board has notified the Planning Board, Open Space Acquisition Commission, Conservation Commission, and the Affordable Housing Trust of the availability of such land and said agencies may report in writing within twenty (20) days to the Select Board any recommendations that they may have with regard to the disposition of said land; or take any other action thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 45.** To see if the Town will vote to consider the reports of the Town officers and committees and act thereon.

*Finance Committee has no recommendation, as no financial impact*

**Article 46.** To choose by ballot all necessary officers for the ensuing year; one Select Board member for three years; one Assessor for three years; one Moderator for three years; one Board of Health member for three years; two Planning Board members for three years; one Marion School Committee member for three years and one Marion School Committee member for one year; one Old Rochester Regional School Committee member for three years; and two Open Space Acquisition Commission members for three years and one Open Space Acquisition Commission member for one year; and to act on the following ballot questions commencing on Friday, the 13th of May, 2022, at 8:00 o'clock in the morning in the Benjamin D. Cushing Community Center, 465 Mill Street (Route 6), in said Marion:

*Finance Committee has no recommendation, as no financial impact*

**Question 1.** Shall the Town of Marion be allowed to exempt from the provisions of proposition two and one half, so called, the amounts required to pay for the bonds to be issued in order to pay the costs of the final design, construction and equipping of a new DPW Operations building, including all costs incidental and related thereto?

Yes\_\_\_\_\_ No\_\_\_\_\_

Given under our hands this 5<sup>th</sup> day of April in the Year Two Thousand and Twenty-Two.

Norman A. Hills, Chairman

John Waterman

Randy Parker  
SELECT BOARD

A true copy, ATTEST:

I, Richard B. Nighelli, being a duly appointed constable of the Town of Marion, in the County of Plymouth, Commonwealth of Massachusetts, hereby make affidavit that legal notice of the meeting called under this Warrant has been served on the voters of said Town of Marion by posting up attested copies in not less than three public places within the said Town on April 15, 2022, said date being fourteen days, at least, before the date of the meeting, in accordance with Chapter 64, Section 3(A) of the Code of the Town of Marion.

Richard B. Nighelli

CONSTABLE

**TOWN OF MARION  
TOWN MEETING WARRANT  
For the Special Town Meeting to be Held  
May 9, 2022**



*Plymouth, ss:*

To either of the Constables of the Town of Marion in the Commonwealth of Massachusetts

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Marion qualified to vote in Town election and Town affairs to meet at the Sippican School Auditorium in said Marion, on Monday, the ninth day of May, 2022, at 7:30 o'clock in the evening, then and there to act on the following Articles, to wit:

**Article S1** To see if the Town will vote to transfer from available funds in the Treasury the sum of \$50,000 (Free Cash) to supplement the Fiscal Year 2022 budgets of Department of Public Works – Highway - to pay expenses associated with the removal of snow and ice from public ways, including related storm cleanup activities and expenses; or take any other action thereon.

*Finance Committee recommends*

**Article S2.** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash) the sum of up to \$80,000 to be expended by the Town Administrator for the purpose of purchasing 4 2019 Mitsubishi Outlanders; or take any other action thereon.

*Finance Committee recommends*

And you are directed to serve this Warrant by posting up attested copies thereof, one at the Elizabeth Taber Library, one at the Town House, and one at the Marion Post Office, all in said Marion, fourteen days at least before the time of holding said meeting aforesaid.

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

Given under our hands this 5<sup>th</sup> day of April in the Year Two Thousand and Twenty Two

Norman A. Hills , Chairman

John Waterman

Randy Parker  
SELECT BOARD

A true copy, ATTEST:

I, Richard B. Nighelli, being a duly appointed constable of the Town of Marion, in the County of Plymouth, Commonwealth of Massachusetts, hereby make affidavit that legal notice of the meeting called under this Warrant has been served on the voters of said Town of Marion by posting up attested copies in not less than three public places within the said Town on April 15, 2022, said date being fourteen days, at least, before the date of the meeting, in accordance with Chapter 64, Section 3(A) of the Code of the Town of Marion.

Richard B. Nighelli

CONSTABLE

**Addendum #1**

**MARION CAPITAL IMPROVEMENTS PLANNING COMMITTEE REPORT TO SELECT BOARD AND FINANCE COMMITTEE**

The Capital Improvements Planning Committee (CIPC) assists Town Departments in developing capital project requests as part of the annual budget process that is approved by residents at the Spring Town Meeting. Projects or assets that cost at least \$10,000 and have a useful life of at least 5 years are defined as capital projects. A 10-year Capital Plan is also completed each year to forecast future capital needs based on new or revised plans. The CIPC visits various locations to further understand capital plans and needs and in 2021, we toured the potential new sites for DPW Operations & the Marine building. Once again, the CIPC sponsored a joint meeting to discuss capital plans with the ORR School District and Capital Committee representatives that comprise our regional school district.

Each year, Town Dept. Heads submit Capital Project requests to the CIPC that include the Department priority, budget impact, regulatory/public safety justification, equipment information (replacement, efficiency, useful life, cost reduction), alignment with the Master Plan and additional benefits to the Town. Committee members score each project based on the submission and a weighted average is calculated to create Capital Project rankings. The rankings provide an impartial perspective for the Finance Committee, Finance Director, Town Administrator and Select Board to guide them in the Budget Process. 10-year Plans are also compiled by the Committee, again based on Dept. Head submissions and provide a forecast for future Capital needs.

Thirty-four projects, totaling \$8.6 million were submitted by the Town’s Department Heads and the ORR School District for FY23. Twenty projects were submitted by the Dept. of Public Works for almost \$7.2 million. Fourteen other projects, totaling \$1.4 million, were submitted by the Police, Facilities, Marine, Schools and the Council on Aging.

Below are the top ten ranked projects for the DPW (27% of the total DPW submissions) and All Other Depts. (91% of the total A/O Dept. submissions). Note that many of the DPW top 10 are regulatory and/or support public health and safety and are paid by way of fees, thus receive higher rankings. The DPW Operations Building (\$4.5 million) did not make the top 10 and was ranked lower due to how it would be funded (debt). It’s also important to note that the Sewer Dept. High Flow Management Plan is required by the Administrative Consent Order and must be completed by July 2022, or we may be liable for fines.

Rank	Dept	DPW FY 23 Capital Project Requests	Cost (000's)	Rank	Dept	All Other Dept. FY 23 Projects	Cost (000's)
1	DPW Sewer	Creek Rd Station Replacement	\$750	1	Facilities	Community Center Vent Hood & Ansul System	\$43
2	DPW Sewer	Front St. Pumping Station & Force Main Design	\$250	2	Marine	New Marine Center	\$700
3	DPW Water	Emergency Chlorine Injection System	\$50	3	Facilities	Townhouse Sprinkler & ADA Compliance	\$124
4	DPW Water	Creek Rd Water Main Replacement	\$250	4	ORR Schools	Track Rehab	\$125
5	DPW Water	Emergency Generator	\$85	5	Facilities	WW Treatment Plant UV Building Roof & Skylights	\$24
6	DPW Sewer	I&I Removal	\$200	6	Sippican School	Handicap Door Access	\$16
7	DPW HWY	Office Fire Alarm & Security	\$85	7	COA	COA Van Carport Design & Engineering	\$10
8	DPW Water	Wareham Rd Water Main	\$165	8	Police	Digital Radio Upgrade	\$193
9	DPW Sewer	High Flow Management Plan	\$40	9	Sippican School	HVAC Management System Recommission	\$38
10	DPW Water	Unidirectional Flushing Plan	\$40	10	ORR Schools	Asphalt Repair	\$25

The funding sources for all of the thirty-four FY23 Capital Projects are estimated as follows:

	General	Sewer Enterprise	Water Enterprise	Marine Enterprise	Debt	Total
<b>Amount (000's)</b>	\$1,122	\$1,525	\$740	\$700	\$4,500	\$8,587

Attachment 2 is the projected 10 Year Capital Plan that is updated each year based on the submissions from the Town Department Managers and the ORR School District. Current DPW 10-year Capital estimates total \$67.5 million of \$78.2 million (Water Department: \$12.8 million, Sewer Department: \$28.2 million, Highway: \$26.5 million). While this is strictly a planning document that covers 10 years, it continues to reflect the need for solutions to our aging Sewer, Water & Highway infrastructure.

Respectfully,  
 Paul Naiman, Chair                      Dave Janik                                      Bill Marvel-Finance Committee  
 Dick Giberti, Secretary              Casey Barros                                      Steve Nojeim                                      John Waterman-Select Board Representative