

Special Town Meeting WARRANT

Monday, October 27, 2014 7:00 PM

Dighton Rehoboth Regional High School 2700 Regional Road North Dighton, MA 02764

THE REHOBOTH BOY SCOUTS WILL BE COLLECTING NON-PERISHABLE FOOD ITEMS AT THE SPECIAL TOWN MEETING FOR THE REHOBOTH FOOD PANTRY

SPECIAL TOWN MEETING WARRANT

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WARRANT FOR SPECIAL TOWN MEETING OF October 27, 2014

THE COMMONWEALTH OF MASSACHUSETTS Town of Rehoboth Bristol, ss

To any of the Constables of the Town of Rehoboth

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the inhabitants of the Town aforesaid who are qualified to vote in Elections and Town Affairs, therein, to meet in the Dighton Rehoboth Regional High School, on Monday, October 27, 2014 to act on the following articles:

ARTICLE 1: FY2015 BUDGET

Submitted by: Board of Selectmen

To see if the Town will vote to rescind, in part, the vote under Article 1 (one) of the August 7, 2014 Special Town Meeting wherein \$503,695 was transferred from the Sale of Real Estate Account to balance the FY15 Budget and, instead to appropriate and transfer \$178,698 from certified free cash to balance the FY15 budget, or to take any other action relative thereto.

Approved	Disapproved	Finance Committee Recommendation	ı:
and we have in \$178,695 in ce Meeting. Ac	ncreased our estimate rtified Free cash, will	e August 7, 2014 Special Town Meeting, less for FY 15. Those increases, combined fully support the FY 2015 budget as approof Real Estate Account, which has less, has been restored.	with the recommended appropriation of oved at the August 7, 2014 Special Town
Approved	Disapproved	Finance Committee Recommendation	n:
ARTICLE 2:	FISCAL YEAR 2015	S AMENDED BUDGET	Estimated Cost: \$80,778.31

ARTICLE 2: FISCAL YEAR 2015 AMENDED BUDGET

Submitted by: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as may be necessary to defray the expenses of the Town for amending the 2015 fiscal year's budget as follows, and make all appropriations therefore, or take any other action relative thereto. **Budget Approved**

Into Line#	Increase Line by	Account Name	at 8/7/14 Special Town Meeting
019133-57000 012201-51110 014212-51120	\$10,360.00 \$32,172.71	Unemployment Comp. Fire Chief Salary Wages Highway Full-time	-0- \$77,781 \$285,397
Approved	Disapproved	Finance Committee Recommend	lation:

Comments: During the preparation of the Town's annual operating budget, line items are funded at less than optimal levels or new information becomes available which necessitates the need to amend the approved budget.

When the budget was put together and approved there were no outstanding unemployment claims. However, in September a claim was received and since the Town is self-insured we are obligated to make this payment.

The Board of Selectmen hired a new Fire Chief to replace Chief Pray who is currently on leave and the Town is required to cover his salary until his retirement date. This creates a shortfall in the salary line item in the amount of \$32,172.71

Two long-term Highway Department employees are retiring. The \$38,245.60 represents earned time pursuant to the union contract that is owed to these employees.

ARTICLE 3: PAY PREVIOUS FISCAL YEAR UNPAID BILL

Estimated Cost: \$725.00

Estimated Cost: \$14,500.00

Submitted by: Board of Selectmen

To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to pay prior year (FY2014) bills as follows, or take any other action relative thereto.

Line#	Line Name	Amount	To Be Paid To
011563-52480	Computer	\$725.00	CMTI
Approved	Disapproved	Finance Committee Reco	ommendation:

<u>Comments:</u> Bills are not paid at the end of a fiscal year for a number of reasons, including late submission from a vendor or a late submission to the Finance Committee by a Board or Department for a Reserve Fund Transfer. These bills were either received after the final Reserve Fund Transfer vote of the Finance Committee or there were insufficient funds to make payment.

This expense and bill is related to labor from the Town's computer vendor CMTI for the installation, preparation and deployment of a new police computer server. The work was completed during late June but the bill was not received until August.

ARTICLE 4: FUEL MANAGEMENT SYSTEM

Submitted by: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Selectmen for the purchase, installation and implementation of a vehicle fuel management system including all related equipment and software at the Highway Department fuel storage facility, and for all incidental and related expenses, or take any other action relative thereto.

Approve	Disapprove	Finance Committee Recommends
Approve	Disappiove	Finance Committee Recommends

<u>Comments</u>: The current fuel management system is at least fifteen years old. As a result, the equipment is subject to frequent breakdowns and does not provide adequate security and system wide accountability. This fuel management system will address all of these issues and provide for greater reliability and departmental user accountability for the use of gasoline and diesel fuels.

ARTICLE 5. BOARD OF HEALTH TRANSFER STATION - OFFSET RECEIPTS

Submitted by: Board of Health

To see if the Town will vote to amend Article 22, from the 2014 Annual Town Meeting to reauthorize an "offset receipts" account for the Solid Waste Handling Facility and Recycling Area and its operation pursuant to MGL Chapter 44 Section 53E. Fees collected for the use of the Solid Waste Handling Facility and Recycling Area will be deposited in this fund. The account shall be for the expenses and improvements incurred for the operation, maintenance, monitoring and or compliance requirements of the Solid Waste Handling Facility and Recycling Area, and the Fiscal Year 2015 expenditures shall be reduced from the estimated amount of \$140,000 to a new amount of \$137,000. All expenditures are to be authorized by the Board of Health, or take any other action relative thereto.

Approved Disapproved Fir	nance Committee Recommendation:
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<u>Comments</u>: As a result of a competitive bid process, the estimated cost to operate the transfer station can be reduced by \$10,000. This is budget neutral because the receipts collected are estimated not to exceed \$140,000.

ARTICLE 6: PETITION THE STATE LEGISLATURE ALLOWING FOR THE LONG TERM LEASE OF THE FORMER ANAWAN SCHOOL

Submitted by: Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to allow the Town to enter into a long term lease not to exceed ninety-nine (99) years for the purposes of creating senior and senior veterans affordable housing at the former Anawan School; provided, however, that the General Court may make clerical and editorial changes to the form only to the bill unless the Board of Selectmen approves amendments to the bill prior to enactment, and to authorize the Board of Selectmen to approve such amendments as are within the public purposes of the petition, or to take any other action relative thereto.

Approved ___Disapproved Finance Committee Recommendation:

<u>Comments</u>: The May 14, 2012 Annual Town Meeting authorized the Board of Selectmen to enter into a long term lease of the former Anawan School. A preferred developer has been selected and is seeking a 99 year lease which will require approval of the State Legislature. Any long term lease beyond 30 years requires approval from the State Legislature. Given the anticipated significant investment by the developer into the building the longer the lease the greater the probability of securing favorable financing. This article is the next step in the redevelopment of the former School and would authorize the Selectmen to petition the General Court allowing the Town to enter into a 99 year lease of the site.

ARTICLE 7: EASEMENT WINTHROP STREET TO NATIONAL GRID (Redway Plain)

Submitted by: Board of Selectmen/Park Commission

To see if the Town, acting by and through the Rehoboth Park Commission, will vote to grant a land easement to National Grid approximately sixteen (16) feet wide and thirty (30) feet deep to accommodate the placement of two (2) utility poles with a step down transformer including guys and anchors Board of Assessors' Parcel ID 38-63, Book/Page 5249/153 at the extreme westerly portion of Redway Plain approximately 10 feet off the State Highway layout, will vote to grant and easement to National Grid for the placement of step down transformers adjacent to Redway Plain.

__Approved __Disapproved Finance Committee Recommendation:

<u>Comments:</u> As part of the ongoing electrical system upgrade, National Grid is seeking a new location along Winthrop Street for the placement of a double pole which is known as a "step down" location. If approved and installed this would significantly improve the reliability of electrical service especially for the business along Winthrop Street.

ARTICLE 8: MUNICIPAL AGGREGRATION OF ELECTRCITY

Submitted by: Board of Selectmen

To see if the Town will vote to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, or to take any other action relative thereto.

Approved __Disapproved Finance Committee Recommendation:

Comments: The Town is currently working with the Regional Planning Agency and several communities in Southeastern Massachusetts to collaboratively explore the feasibility of pooling all electric users into one purchasing group. The estimated size of the purchasing group is approximately 200,000. The goal, given the size of the purchasing group, is to drive down the cost for electricity currently being paid by the customer per Kilo Watt Hour or KWH. This would be an optional alternative for the customer and participation would not be required.

ARTICLE 9: AMEND GENERAL BYLAWS CHAPTER A, TOWN MEETINGS, OFFICERS, COMMITTEES AND ELECTIONS, ARTICLE II, PROCEDURE AT TOWN MEETING, SECTION 9 (Reconsideration)

Submitted by: Board of Selectmen

To determine whether the Town will vote to amend the Town's General Bylaw, Chapter A, Town Meetings, Officers, Committees and Election, Article II, Section 9, "Procedure at Town Meeting," which reads as follows:

"Section 9. A motion to reconsider any vote must be made before the final adjournment of the Meeting at which the vote was passed, but such motion to reconsider shall not be made at an adjourned meeting unless the mover has given

notice if his intention to make such a motion, either at the session of the meeting at which the vote was passed, or by written notice to the Town Clerk within forty-eight hours after the adjournment of such session. There can be no reconsideration of a vote once reconsidered,"

to read as follows (with changes emphasized):

"Section 9. A motion to reconsider any vote must be made before the final adjournment of the Meeting at which the vote was passed. The Moderator shall not permit a motion to reconsider, unless in the sole opinion of the Moderator, the moving party demonstrates that the motion to reconsider is based upon new information that had not previously been presented to the Town Meeting under the original consideration of the article. Such motion to reconsider shall not be made at an adjourned meeting unless the mover has given notice if his intention to make such a motion, either at the session of the meeting at which the vote was passed, or by written notice to the Town Clerk within forty-eight hours after the adjournment of such session. There can be no reconsideration of a vote once reconsidered,"

Approved __Disapproved Finance Committee Recommendation:

<u>Comments:</u> A motion to reconsider at any time during the Annual or possible Special Town protracts the meeting. This article is a reasonable way of addressing the need to hear additional new information while at the same time providing for better time control on the meeting.

ARTICLE 10: AMEND GENERAL BYLAWS CHAPTER A, TOWN MEETINGS, OFFICERS, COMMITTEES AND ELECTIONS, ARTICLE II, PROCEDURE AT TOWN MEETING, NEW SECTION 12 (Approval of Annual Operating Budget)

Submitted by: Board of Selectmen

To determine whether the Town will vote to amend the Town's General Bylaw, Chapter A, Town Meetings, Officers, Committees and Election Article II, "Procedure at Town Meeting," by adding a new Section 12 which will read as follows:

"Section 12. The Annual operating budget shall be presented as one overall budget by the Finance Committee. In the event that the Article in the duly posted Town Meeting Warrant specifies a dollar amount to be appropriated, the Moderator shall ordinarily rule a motion to increase the proposed total appropriation to be out of order if it increases any appropriation by more than five (5%) or \$100,000, whichever is greater," or to take any other action relative thereto.

_Approved __Disapproved Finance Committee Recommendation:

<u>Comments:</u> In order to maintain fiscal and financial stability and to ensure the public is sufficiently informed about proposed expenditures this article would allow for some reasonable adjustments within the published budget while at the same time providing for adequate notification as is required by the laws of the Commonwealth.

ARTICLE 11: AMEND GENERAL BYLAW, CHAPTER B PROTECTION OF PERSONS AND PROPERTY, ARTICLE VI – PERMITS LICENSES AND PUBLIC DEMEANOR, SECTION 24, SECURITY ALARM BYLAW, (5) PENALTY

To determine whether the Town will vote to amend the Town's General Bylaw, CHAPTER B PROTECTION OF PERSON AND PROPERTY, Article VI, PERMITS LICENSES AND PUBLIC DEMEANOR, Section 24 SECURITY ALARM BY-LAW, subsection (5) PENALTY, which current reads as follows:

"(5) PENALTY: After (5) alarms have been recorded within a calendar year from an alarm user which upon investigation have proven to be false, the Chief of Police in the case of a burglar or intrusion alarm, or the Fire Chief in the event of a fire alarm, shall notify the alarm user in writing of such facts, including the dates and time of each false alarm. For the sixth (6th) and each subsequent false alarm or for any violation of any of the provisions of this bylaw, a fine of twenty-five (\$25) dollars shall be assessed. (Add/Effective 0620/1988) Amended Effective 8/25/2004)."

by adding a new Section (5) which will read as follows:

"(5) PENALTY: After (5) alarms have been recorded within a calendar year from an alarm user which upon investigation have proven to be false, the Chief of Police in the case of a burglar or intrusion alarm, or the Fire Chief in the event of a fire alarm, shall notify the alarm user in writing of such facts, including the dates and time of each false alarm. For the sixth (6th) and each subsequent false alarm or for any violation of any of the provisions of this bylaw, a fine of twenty-five (\$25) FIFTY (\$50) dollars shall be assessed. (Add/Effective 0620/1988) Amended Effective 8/25/2004)."

Approved Disapproved

Finance Committee Recommendation:

<u>Comments:</u> There is escalating demand for Rehoboth Police to respond to repeat alarms. This is unnecessary and as a result redirects public safety personnel to respond. Under such circumstances this expense drains the Department's limited resources and the ability to adequately provide public safety protection.

ARTICLE 12: AMEND THE TOWN'S GENERAL BYLAWS CHAPTER A REGARDING TOWN MEETING NOTIFICATION

Submitted by: Town Clerk
To see if the Town will vote to:

1. Amend its General Bylaw, "CHAPTER A, TOWN MEETINGS, OFFICERS, COMMITTEES AND ELECTIONS, ARTICLE 1 – CALLING OF TOWN MEETINGS Section 1 –", by <u>removing</u> Section 1 (third paragraph)

"On any article contained in the Warrant of a special Town Meeting which would result in an expenditure in excess of \$25,000.00 said estimated expenditure to be determined by the Board of Selectmen, a reasonable copy of the notice of the call of the Town Meeting and said article shall be <u>mailed</u> by the Town Clerk to the boxholders within the Town of Rehoboth at least fourteen days prior to said Meeting. A statement by the Town Clerk at the Meeting so called to the effect that said <u>mailing</u> was made shall be prima facia evidence that every voter in the Town received written notice of the call of that meeting."

and replacing with:

"On any article contained in the Warrant of a special Town Meeting which would result in an expenditure in excess of \$25,000.00 said estimated expenditure to be determined by the Board of Selectmen, a reasonable copy of the notice of the call of the Town Meeting and said article shall be posted by the Town Clerk on the town website (www.town.rehoboth.ma.us), with printed copies available at Town Hall for those residents without Internet access, at least fourteen days prior to said Meeting. A statement by the Town Clerk at the Meeting so called to the effect that said posting was made shall be prima facie evidence that every voter in the Town received written notice of the call of that meeting."

2. Amend its General Bylaw, "CHAPTER A, TOWN MEETINGS, OFFICERS, COMMITTEES AND ELECTIONS, ARTICLE 1 — CALLING OF TOWN MEETINGS Section 3 by <u>removing</u> Section 3 (first & second paragraphs):

"At least fourteen days before the day appointed by the warrant for any Annual Town Meeting, the Selectmen may cause to be <u>delivered</u> a copy of the warrant with the report and recommendations of the Finance Committee <u>and</u> a copy of the Annual Town Report to town residents.

The Town Clerk shall cause a copy or reasonable summary of said warrant to be once published in a newspaper printed in the Town or circulated therein as a local paper, said publication to be made at least seven days before the day set for the Meeting, or by mailing a copy or reasonable summary of said warrant to boxholders within the Town of Rehoboth at least seven days before the day set for the Meeting. A statement by the Town Clerk at the Meeting so called to the effect that said mailing was made shall be prima facia evidence that every boxholder in the Town received written notice of the call of that Meeting."

and replace with:

"At lease fourteen days before the day appointed by the warrant for any Annual Town Meeting, the Selectmen may cause to be posted on the town website (www.town.rehoboth.ma.us) a copy of the warrant with the report and recommendations of the Finance Committee along with a copy of the Annual Town Report, available online to town residents. Printed copies will also be posted and available at Town Hall.

The Town Clerk shall cause a copy or reasonable summary of said warrant to be once published in a newspaper printed in the Town or circulated therein as a local paper, said publication to be made at least seven days before the day set for the Meeting, or by posting a copy or reasonable summary of said warrant on the Town's website (www.town.rehoboth.ma.us) at least seven days before the day set for the Meeting. A statement by the Town Clerk at the Meeting so called to the effect that said posting was made shall be prima facie evidence that every Town residents were given the opportunity to receive written notice of the call of that Meeting.", or take any other action relative thereto.

Approved	Disapproved	Finance Committee Recommendation:
Approved	Disapproved	Finance Committee Recommendation.

Comments: Due to the recent financial needs to reduce the government side of the FY2015 Budget, we can save several thousands of dollars, in printing and postage charges, by posting the warrant online. The move to posting online is also more ecological and efficient. If approved, paper copies will also be available at town hall for those residents who do not have Internet access. In addition, copies will remain available at Town Meetings.

ARTICLE 13: AMEND CHAPTER E - ZONING BYLAW ON KENNELS

Submitted by: Board of Selectmen

To see if the Town will vote to amend the Zoning By-Law concerning the definitions and use classifications of kennels.

Article 2, Definitions (page 6): Strike entire "Kennel" paragraph. Replace with "Kennel: A 'commercial boarding or training kennel, 'commercial breeder kennel,' 'domestic charitable corporation kennel,' 'personal kennel,' or 'yeterinarian kennel,' each as defined by Massachusetts General Laws Part I, Title XX, Chapter 140, Section 136A."

Article 4, Use Regulations, 4.1 Residential/Agricultural Districts (page 8): (a) Replace "Dog Kennel if a special permit is first obtained under Article 8.0" with "Commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, or veterinarian kennel if a special permit is first obtained under Article 8.0"; and (b) Add "Personal Kennel" (so that it becomes an allowed use without permit).

Article 4, Use Regulations, 4.2 Business Districts (page 11): (a) Replace "Kennel, subject to special permit under Article 8.0" with "Commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, or veterinarian kennel, subject to special permit under Article 8.0"; and (b) add "Personal Kennel" (so that it becomes an allowed use without permit).

Article 4, Use Regulations, 4.3 Industrial Districts (page 13): Add "Commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, or veterinarian kennel, subject to special permit under Article 8.0."

Comments: In 2012, Massachusetts General Laws Part I, Title XX, Chapter 140, Section 136A defined various kinds

proposed chan Industrial Dist	ge makes the Town's b ricts, by special permit.	dogs in a "personal kennel" that differs from Rehoboth's by-law's definition; the y-law definitions agree with state law. Commercial kennels would be allowed in "Personal kennels" will be allowed in residential/agricultural and business regulations in the General By-Laws would still apply to all kinds of kennels.
_Approved	Disapproved	Finance Committee Recommendation:

ARTICLE 14: OTHER BUSINESS

To see if the Town will vote to transact such other business as may legally come before said meeting.

And you are hereby directed to serve this Warrant by posting up attested copies thereof in the Office of the Town Clerk and in not less than three other public places in each of the three precincts of the Town fourteen (14) days at least before the day fixed for the meeting.

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

Given under our hands this 6th day of October in the year two thousand fourteen.

Michael R. Costello, Chairman

Fredrick E. Vadnais, Jr., Vice Chairman

Joseph M. Tito, Clerk

Susan M. Pimental, Member

David A. Perry, Jr., Member

REHOBOTH BOARD OF SELECTMEN

TALENT BANK FORM



DATE:	

Town Government needs citizens to give of their time and talents serving the Town of Rehoboth. A Talent Bank has been established as a means of compiling a list of interested citizens willing to serve on a voluntary basis on a variety of boards and committees. Some boards meet often--some require less time--and some are busy at different times of the year. From time to time, there is also a need for advisory committees or sub-committees appointed to work on a specific project.

If you are interested in serving, please indicate your preference below and return the completed form and resume to:

Sclectmen's Office, Town of Rehoboth, 148 Peck Street, Rehoboth, MA 02769, email to: hdennen@town.rehoboth.ma.us or FAX to us at 252-5342

-0- 00			
 □ Byław Study Committe □ Charter Study Commi □ Cultural Council □ Historical Commission □ Water Study Committe □ I'T Committee □ Animal Advisory Con 	tee	☐ Cable TV Advisory Committee ☐ Conservation Commission ☐ Facility Study Committee ☐ Personnel Board ☐ Veterans' Services mittee	 □ Cemetery Commission □ Council on Aging □ Finance Committee □ Planning Board (*) □ Other (Please described)
(*)These are elected grou	ps. Selectmen may fill vacancies until	next election.	
Name			
Addre	ss:		
E-mai	address:		
Home	Telephone:	Cell or Work Telephone:	
Are yo	u a registered voter?yes	no	
Special interests and skill	s		
Education and experienc	e		
			
			·
Reasons for wanting to s	erve		

REHOBOTH TOWN HALL TELEPHONE & EXTENSION NUMBERS:

The Rehoboth Town Hall Offices are open from 8:00 am to 4:00 pm Monday thru Thursday and Friday 8:00 am to 12:00 noon. You may reach the following departments and/or personnel by calling the telephone number listed below to be connected directly to the department or by calling 508-252-3758 and following the prompts. For a dial by name directory press the * key.

Dial Line #:	For the following departments:
2	Selectmen & Town Administrator
3	Building Department
4	Animal Control/Jane Foster
5	Rehoboth Senior Center
1	For Additional Town Hall Department #'s and Landfill Hours

You may also reach the following individuals by dialing their extension direct:

Department	Employee Name	Direct Dial Department #	Extension #
Accountant's Office	Maryann D'Andrea	508-252-3363	3124
Animal Control Officer	Jane Foster	508-252-5421	3126
Assessors' Office	Linda Greaves Mandy Ezyk	508-252-3352	3114 3115
Board of Selectmen Town Administrator	Jeff Ritter Helen Dennen Carol Chencus	508-252-3758	3106/3107 3107 3106
Building Department Located at 320 Anawan Street (Rte. 118)	Thomas J. Nerney Kathleen Amaral	508-252-3335	3220 3221
Conservation Agent/Town Planner	Leeann Bradley Donna Procopio	508-252-6891	3108 3105
Health Agent/Board of Health	Robert Ashton Bette Dyer	508-252-3099	3101 3100
Highway Department	Michael Tyler	508-252-3912	3210
Senior Center	Linda Sherman	508-252-3372	4012
Tax Collector's Office	Cheryl Gouveia Sandra Parris	508-252-3262	3116 3120
Town Clerk	Laura Schwall Lynn Shaker	508-252-6502	3110 3109
Town Nurse	Jaime Conlon	508-252-5947	3127
Treasurer's Office	Cheryl Gouveia Debra Giles	508-252-3571	3116 3119
Veterans' Office	Bette Dyer	508-4467	3122
Fire Department Business Line		508-252-3725	
Police Department Business Line		508-252-3722	

Town of Rehoboth Rehoboth, Massachusetts 02769

Important......
Official Notice of 2014
Special Town Meeting



PRESORTED STANDARD U.S. Postage PAID Attleboro, MA Permit No. P1210

BOX HOLDER REHOBOTH, MASSACHUSETTS 02769

Please bring this Warrant with you

to the

Special Town Meeting

Dighton Rehoboth Regional High School Monday, October 27, 2014 - 7:00 PM