TOWN OF FREETOWN

WARRANT
FOR THE SPECIAL TOWN MEETING
MONDAY, JUNE 16, 2014 – 7:00 P.M.

FREETOWN ELEMENTARY SCHOOL AUDITORIUM
43 BULLOCK ROAD, EAST FREETOWN, MASSACHUSETTS

Bristol, ss:

To either of the Constables in the Town of Freetown, Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of the Town of Freetown who are qualified to vote in Town Affairs to meet in the Freetown Elementary School, Auditorium, 43 Bullock Road, East Freetown, Massachusetts, the Sixteenth day of June, 2014, at 7:00 P.M., then and there to act on the following Articles, viz:

ARTICLE 1: To see if the Town will vote to AMEND Article 6, Section 6.2 Removal of Earth Minerals by ADDING NEW SUBSECTION A:

A. No commercial excavation or removal or processing of earth minerals will be allowed below the natural mean annual high groundwater elevation. The natural mean annual high groundwater shall be established by a licensed and certified Massachusetts Soil Evaluator and the elevation shall be noted on a monument and placed on the property site plan, and shown on the topographic plan or site plan for the property. The soil evaluation conducted to determine the natural mean annual high groundwater elevation shall be witnessed by the Freetown Soil Conservation Board or its authorized agent. The exemptions for the excavation or removal or processing of earth minerals hall be shown for properly permitted residential construction general business construction, municipal construction, septic systems, drinking or environmental or geophysical monitoring wells, road and cranberry bogs or other substantially similar agricultural uses.

AND TO RELABLE existing reference Article 6 Section 6.2 Subsection A. Denial to Remove as Subsection B:

B. Denial to Remove.

AND TO COMBINE existing Article 6, Sections 6.9 & 6.10 Definition "Earth minerals" & "Removal" into Sect. 6.9 AND ADD NEW DEFINITIONS for "Massachusetts Soil Evaluator" and "Natural Mean Annual High Groundwater Elevation" (as shown bolded below):

Article 6, Section 6.9 Definitions

Earth Minerals
The term "earth minerals" as defined in this by-law to include all forms of soil without limitation, specially including loam, sand, gravel, humus, peat, hardpan or rock, iron, coal, etc. ATM 3/3/75

Massachusetts Soil Evaluator
A person approved by the Massachusetts Department of Environmental Protection (MassDEP) as capable of evaluating the suitability of soils at a specific site for the use of an on-site subsurface sewage disposal system; and is currently listed on the must recent MassDEP list of approved Soil Evaluators.

Natural Mean Annual High Groundwater Elevation
For Non-tidal rivers, this elevation is determined by changes in soils or vegetation between predominantly aquatic and terrestrial areas. Permanent water marks left on bridge abutments, boulders, and vegetation or scouring also can be indicators.

For tidal rivers, the natural mean annual high groundwater elevation is the same as that found in the MA wetland regulations at 310 CMR 10.23.

Removal
The stripping, digging, excavating, or blasting of earth minerals from a lot for the purpose of removing or clearing it away from the lot. ATM 3/3/75

Submitted by Petition Requires Majority Vote

ARTICLE 2: TO SEE if the Town will vote to AMEND Article 6, Section 6.2 Removal of Earth Minerals by ADDING NEW SUBSECTION B:

B. No permit shall be issued if any of the following conditions exist and cannot be rectified through the use of reasonable conditions as provided by Section 6.4 to the satisfaction of the Soil Conservation Board:

i. Any vehicular traffic of a type or quantity so as to adversely affect the immediate neighborhood.

ii. Any conditions dangerous to premises and residents in the neighborhood through fire, explosion, emission of wastes or other causes.

iii. Any creation of noise, vibration, dust, heat, smoke fumes, odor, glare or other nuisances or serious hazards so as to adversely affect the immediate neighborhood.

The Soil Conservation Board will ensure enforcement of all permit conditions, and will collect any penalties thereon for failure of permit holders to abide by any permit conditions. The Soil Conservation Board will ensure timely and proper due diligence in handling any such matters.

AND TO RELABEL existing reference Article 6 Section 6.2 Subsection A. Denial to Remove as Subsection C:

C. Denial to Remove.

Submitted by Petition Requires Majority Vote

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Thousand Three Hundred Ninety Five Dollars and no cents ($1,395.00) representing the Town's share of a DCR Volunteer Fire Assistance Program Grant to purchase Six (6) new nozzles with mounting brackets for the fire department, and/or take any action relative thereto.

Submitted by the Fire Chief Requires Majority Vote

Explanation: On December 12, 2013 the fire department was awarded a VFA grant to purchase three (3) new 1 ½ nozzles and three (3) new forestry nozzles with mounting brackets. These nozzles are needed to replace worn out or damaged nozzles which were purchased in the late 1960's. The cost for this equipment is reduced by taking advantage of these grant monies available to fire departments serving towns with populations under 10,000.

ARTICLE 4: To see if the Town will vote to transfer previously appropriated amounts from various old department fund numbers to new department fund numbers and also to divide personnel and expense line items as listed below; and/or take any action relative thereto.

Old Dept#	New Dept#	Amount
135 Town Accountant	136 Audit	$36,000.00 Expenses split bdgt amt
172 Soil Board	177 Soil Board	$500.00 Personnel new dept#
225 Communications	215 Communications	$238,238.26 Personnel new dept #
225 Communications	215 Communications	$15,129.84 Expenses new dept #
241 Building	242 Gas	$4,850.00 Personnel split budget amt
241 Building	243 Plumbing	$4,850.00 Personnel split budget amt
241 Building	245 Electrical	$4,850.00 Personnel split budget amt
300 Education	301 FLRDS-Assessment	$8,765,947.00 Expenses new dept #
300 Education	301 FLRDS-Debt	$288,141.00 Expenses new dept #
300 Education	302 Bristol Co. Ag.HS	$25,023.00 Expenses new dept #
300 Education	303 Old Colony Voc.-Assmt.	$1,547,918.00 Expenses new dept #
300 Education	303 Old Colony Voc.-Transp.	$141,729.00 Expenses new dept #
431 Landfill	434 Transfer Station	$53,491.32 Personnel new dept #
431 Landfill	434 Transfer Station	$81,981.68 Expenses new dept #
580 Memorial&Veterans Day	549 Memorial&Veterans Day	$2,200.00 Expenses new dept #
611 Libraries	612 J. White Library	$5,475.00 Expenses split budget amt
631 Arts Lottery	690 Arts Cultural Council	$500.00 Expenses new dept #
695 Historical	691 Historical Commission	$500.0 Expenses new dept #
710 Retirement	751 Int. on Long-Term Debt	$247,965.00 Expenses split amt
835 Assessment	840 Oth. Interg.Asses&Chgs	$1,433.00 Expenses new dept #

910 Employee Benefits	911 Ret&Pension Contrutions	$782,776.00	Personnel split bdgt amt
910 Employee Benefits	913 Unemployment Comp	$30,000.00	Personnel split bdgt amt
910 Employee Benefits	914 Health Insurance	$1,323,837.00	split budget amt
910 Employee Benefits	915 Life Insurance	$230.00	Personnel split budget amt
910 Employee Benefits	916 Medicare	$55,000.00	Personnel split bdgt amt
760 Court Judgments	941 Court Judgments	$200,000.00	Expenses new dept #
230 Town Gasoline	950 Dept. Gas & Diesel Fuels	$138,000.00	Expenses new dept #

Submitted by Town Administrator Requires Majority Vote

Explanation: This Article is to transfer appropriations remaining in old department fund numbers to new department fund numbers as well as splitting personnel and expense line items.

ARTICLE 5: To see if the Town will vote to transfer the sum of Two Thousand Dollars ($2000.00) from the Sale of Cemetery Lots Account to be used by the Cemetery Commission to make available more cemetery lots in the Assonet Burying Ground. This will include surveying of existing prepared land, marking out of lots, clearing new areas in land already owned, performing maintenance, and improving roads and access; and/or take any action relative thereto.

Submitted by Cemetery Commission Requires Majority Vote

Explanation: This is an annual appropriation. According to state law, revenues from lot sales may only be spent for the benefit of the cemetery in which those lots were sold.

ARTICLE 6: To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Thirty-Five Thousand Seven Hundred Eighty-one Dollars and Fifty-one Cents ($35,781.51) to pay outstanding bills from a prior fiscal year, and/or take any action relative thereto.

Submitted by Board of Selectmen Requires 9/10 Vote

Explanation: This Article is proposed to pay outstanding invoices from the prior fiscal year from various departments.

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Thousand Dollars ($100,000.00) to begin funding the Town's Other Post Employment Retirement Benefit Trust Fund and/or take any action relative thereto.

Submitted by the Town Administrator Requires Majority Vote

Explanation: The Town has established a fund for the payment of Other Post Employment Retirement Benefits (OPEB). Passage of this Article would begin the process of funding the

OPEB Trust fund. See note 12 Annual Audit Fiscal Year Ended June 30, 2013. Until funded more aggressively, this will only help to decrease the net OPEB obligation.

ARTICLE 8: To see of the town will vote to amend Article 10 of the Town Bylaws, Personnel Classification and Compensation Plan, Section 8, Positions , by adding Board of Health Agent to the list of positions contained therein; and/or take any other action relative thereto.

Submitted by the Board of Selectmen Required Majority Vote

Explanation: The Board of Selectmen has determined that a full time health agent is needed to handle the normal day-to-day health department issues. In the past, the health agent and the building commissioner were one and the same. In many cases, health issues were not addressed because of time constraints. The state has placed more requirements on cities and towns which has increased the workload. It is important to the public health and wellbeing that we now have a full time health agent.

ARTICLE 9: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money to be deposited into the Stabilization Fund, and/or take any action relative thereto.

Submitted by Board of Selectmen Requires 2/3 Vote

Explanation: This Article serves to fund the Stabilization Fund, which is the town's "rainy day" fund.

And you are hereby directed to serve this Warrant by posting attested copies thereof at the following places: Assonet Post Office, East Freetown Post Office, the stores of Quick Pic in East Freetown, Junior's Convenience Store and Freetown Town Hall, and the Freetown Communications Center.

Hereof, fail not and make return of the original Warrant with your doings thereon immediately after making service thereof to the Town Clerk of the Town of Freetown, Massachusetts.

Given under our hands and seal of the Town of Freetown, this 27th day of May, Anno Domini, Two Thousand Fourteen.

Lisa A. Pacheco
Chairman

Lee J. Baumgartner

Paul G. Sadeck

FREETOWN BOARD OF SELECTMEN