

**TOWN OF MEDWAY
WARRANT FOR NOVEMBER 14, 2011
FALL TOWN MEETING**

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street, on Monday, November 14, 2011** at 7:00 p.m., then and there to act on the following articles:

ARTICLE 1: (CPA Transfer: Thayer Property)

To see if the Town will vote to appropriate the sum of \$150,000 from the Community Preservation Fund Account for the purpose of retaining the services of both a schematic design firm and professional project oversight for the Thayer Development Concept prepared by Davis Square and Associates to the Town-owned Thayer property at 2B Oak Street and authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into contract with professionals to perform said work, or take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Purchase Ambulance)

To see if the Town will vote to raise and appropriate, borrow or transfer \$218,000 from the fiscal year 2012 Ambulance Enterprise Account for the purpose of purchasing a replacement of the A-2 Ambulance, or act in any manner relating thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (School Dept. Lease: Solar Power)

To see if the Town will vote to authorize the School Committee to enter into a lease or other form of contractual relationship for not more than 20 years for the purpose of installing, operating, and maintaining solar power electric generation facilities at the Burke-Memorial Elementary Schools, and to further authorize the School Committee to lease additional space within the buildings or grounds as necessary for the installation, operation and maintenance of utility lines, cables, conduits, transformers, wires, meters, monitoring equipment and other necessary equipment and appurtenances for said solar power electric generation facilities, upon such terms and conditions as the School Committee deems in the best interests of the Town, provided that such leases and/or contractual relationship shall not interfere with the educational purposes, programs and uses of any of its school programs, and are subject to the review of Town Counsel, or to take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Amendment to Council on Aging Revolving Account)

To see if the Town will vote to increase the spending limit of the Council on Aging revolving account authorized at the 2011 Annual Town Meeting pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2012 by \$16,291 as follows:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND	NEW SPENDING LIMIT
Council on Aging	Donations/fees paid by riders and GATRA reimbursement	Council on Aging	Pay for dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$96,000

or act in any manner relating thereto.

COUNCIL ON AGING

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Rescind borrowing: Council on Aging Bldg.)

To see if the Town will vote to rescind the \$25,000 unissued balance of the \$185,000 authorized to be borrowed by vote of the Town under Article # 9 of the Warrant at the

June 2, 2008 Annual Town Meeting to pay costs for Council on Aging Building Addition/Repair, which amount is no longer needed to pay costs of completing the project for which it was approved, or act in any manner relating thereto.

TREASURER/COLLECTOR

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Rescind borrowing: ESCO Project)

To see if the Town will vote to rescind the \$138,394 unissued balance of the \$3,918,444 authorized to be borrowed by vote of the Town under Article # 9 of the Warrant at the May 11, 2009 Special Town Meeting to pay costs for an Energy management services (ESCO) project, which amount is no longer needed to pay costs of completing the project for which it was approved, or act in any manner relating thereto.

TREASURER/COLLECTOR

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Re-purpose funds: Fire Station Roof and Switch, Town Hall Renovations)

To see if the Town will vote to transfer the unexpended balance of \$78,000 from the June 2010, Article 3, Capital Budget Borrowing for the Town Hall Roof, as follows: \$53,000 for the purpose of funding the replacement of the Fire Station 1 roof and transfer switch at Fire Station 2, and \$25,000 for Town Hall renovations, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: (Re-purpose funds: Snow Guard Rails at Police Station)

To see if the Town will vote to transfer \$9,070.10, the unexpended balance of the police department vinyl siding appropriation authorized by Article 4 of the June 2010 Annual Town Meeting, for the purpose of funding the installation of snow guard rails at the police station, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Salary Reserve Appropriation: Municipal Union Contract)
To see if the Town will vote to transfer from Article 4 of the June 2011 Special Town Meeting and the Fiscal Year 2012 salary reserve, a sum of money to fund the cost items associated with the Fiscal Year 2011 and Fiscal Year 2012 collective bargaining agreement between the Town of Medway and the Medway Public Employees' Local Union, or to take any action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Water Enterprise Fund Appropriation: Municipal Union Contract)
To see if the Town will vote to appropriate a sum of money from Water Enterprise Fund Retained Earnings for the purpose of funding the cost items associated with the Fiscal Year 2011 and Fiscal Year 2012 collective bargaining agreement between the Town of Medway and the Medway Public Employees Local Union, or take any action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (Sewer Enterprise Fund Appropriation: Municipal Union Contract)
To see if the Town will vote to appropriate a sum of money from Sewer Enterprise Fund Retained Earnings for the purpose of funding the cost items associated with the Fiscal Year 2011 and Fiscal Year 2012 collective bargaining agreement between the Town of Medway and the Medway Public Employees Local Union, or take any action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: (Ambulance Enterprise Fund Appropriation: Municipal Union Contract)

To see if the Town will vote to appropriate a sum of money from Ambulance Enterprise Fund Retained Earnings for the purpose of funding the cost items associated with the Fiscal Year 2011 and Fiscal Year 2012 collective bargaining agreement between the Town of Medway and the Medway Public Employees Local Union, or take any action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Solid Waste Enterprise Fund Appropriation: Municipal Union Contract)

To see if the Town will vote to appropriate a sum of money from Solid Waste Enterprise Fund Retained Earnings for the purpose of funding the cost items associated with the Fiscal Year 2011 and Fiscal Year 2012 collective bargaining agreement between the Town of Medway and the Medway Public Employees Local Union, or take any action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Transfer: Police Outside Detail Account)

To see if the Town will transfer the sum of \$27,497.06 from the appropriation for Property & Liability Insurance in Article #2 of the 2012 Annual Town Meeting to the Agency Fund Police Outside Detail Account, or take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15: (Prior Year Unpaid Bills)

To see if the Town will vote to transfer from the Fire Department Expenses Account the sum of \$72.83 for the purpose of paying unpaid bills of prior years of the Town, or act in any manner relating thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16: (Approve Settlement(s): Sewer Ext. Project Claims)

To see if the Town will vote to approve, pursuant to Article II, Section 2.6 of the General By-laws, the proposed settlement of Gary Eason and Sevgi Eason v. the Town of Medway claim in the amount of \$27,500 arising out of the industrial park sewer extension project, subject to the approval of all needed settlement documents by Town Counsel, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17: (Establishment of OPEB Trust Fund)

To see if the Town will vote to accept the provisions of M.G.L. Chapter 32B, Section 20, as amended, which provides that a town may establish a separate trust fund to be known as an Other Post Employment Benefits Liability Trust Fund to reduce the unfunded actuarial liability of health care and other post-employment benefits, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18: (Amend By-law: Alcoholic Beverages)

To see if the Town will vote to amend the General By-laws, Article 12, Section 12.13 as follows, proposed new language in bold:

(a) No person shall consume an alcoholic beverage as defined by General Laws chapter 138, section 1, or possess an open container of such beverage, or smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol as defined by General Laws chapter 94C, section 1, within the limits of any park, playground, cemetery, school building, school grounds, parking lot, public building or public land owned or under the control of the Town of Medway, or on any public way or way to which the public has a right of access as invitees or licensees, including any person in a motor vehicle while it is on or upon any public way or any way to which the public has a right of access as aforesaid, within the Town of Medway, **except any activity duly licensed by the Board of Selectmen under the applicable provisions of the Massachusetts General Laws at the town owned premises known as the Thayer property, a parcel of land containing 3.29 acres, more or less, situated at 2B Oak Street, the Medway Public Library, the**

Senior Center, and the 50 Winthrop Street property; and no person shall consume any alcoholic beverages as previously defined in, on, or upon any private land or place without the consent of the owner or person in control of such private land or place.

All alcoholic beverages, marijuana or tetrahydrocannabinol being used in violation of this section may be seized and held until final adjudication of the charge against any such person or persons has been made by the court.

Whoever violates the provisions of this section shall be punished by a fine not exceeding one hundred dollars for the first offense, two hundred dollars for the second offense, and three hundred dollars for any third or subsequent offense.

Or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 19: (Street Acceptance)

To see if the Town will vote to accept Iarussi Way from Station 0+00 to its end at Station 9+57.36 as laid out by a vote of the Board of Selectmen as a public way as shown on *Plan of Land - Street Acceptance - Iarussi Way* prepared by GLM Engineering Consultants, Inc. of Holliston, MA dated July 8, 2011, last revised August 1, 2011 on file in the office of the Town Clerk.

And further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest or easements in said streets and any associated drainage, utility or other easements for said streets, and for any trail or public access easements and to appropriate a sum of money for this purpose and any related expenses;

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least FOURTEEN (14) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 31st day of October 2011.

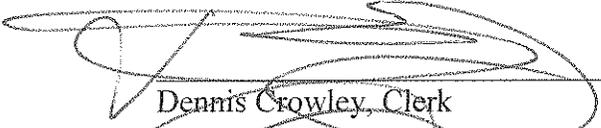
A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

Richard Dunne, Chairman



John Foresto, Vice Chairman



Dennis Crowley, Clerk



Glenn Trindade, Member

Andrew Espinosa, Member

ATTEST: 

Paul Trufant, Constable