

TOWN OF MEDWAY
WARRANT FOR MAY 13, 2024
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

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, May 13, 2024**, at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (Debt Stabilization Fund Transfer)

To see if the Town will vote to transfer the sum of \$39,000 from the Debt Stabilization Fund to the Fiscal Year 2025 operating budget for the purpose of offsetting a portion of debt exclusion projects, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 2: (Transfer from Ambulance Receipts to General Fund)

To see if the Town will vote to transfer \$767,000 from Ambulance Receipts Reserved for Appropriation to the Fiscal Year 2025 General Fund Operating Budget, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 3: (Appropriation: FY25 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2025, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 4: (Appropriation: FY25 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,438,224 for the maintenance of the Water Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 1,060,621
Expenses	895,400
Debt	2,989,040
Direct Costs Total	\$ 4,945,061

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$493,163
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Total	\$5,438,224
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$5,200,000
Retained Earnings	238,224
Total	\$5,438,224

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 5: (Appropriation: FY25 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,040,739 for the maintenance of the Sewer Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 286,204

Expenses	1,369,600
Debt	225,887
Direct Costs Total	\$1,881,691

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$159,048
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Total	\$2,040,739
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,019,158
Sewer Betterment Transfer	21,581
Total	\$2,040,739

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 6: (Appropriation: FY25 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,821,866 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 57,385
Expenses	1,576,000
Debt Service	48,444
Direct Costs Total	\$1,681,829

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$140,037
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Total	\$1,821,866
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,821,866
Total	\$1,821,866

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

To see if the Town will vote to appropriate the sum of \$2,503,752 from Certified Free Cash for the purpose of funding the following capital and other items, including associated engineering, personnel, maintenance, and legal service costs, and for the payment of all other costs incidental or related thereto:

Project	Department	Cost
Vermac Full Matrix Message Board	IT	\$22,000
Dept Furniture, Fixtures, and Equipment	IT	10,000
Security Systems	IT	25,000
Projection Equipment	IT	108,000
Technology Equipment	IT	75,000
Infrastructure Equipment	IT	140,000
New Voting Booths and Tables	Town Clerk	9,800
Baseline Doc for Conserv Land and Restrictions w/ Survey	Comm & Econ Devlt	24,000
Red Dot Optics	Police	11,906
Electronic Control Weapon Replacement	Police	27,929
Emergency Communications Equipment	Police	36,000
Hydraulic Extrication Tools	Fire	100,000
Replace 2014 Ford F250	School	68,000
High School Auditorium Stage Lighting	School	117,000
Burke Elem MEDI Wing Floor Abatement and Re-Tile	School	150,000
McGovern Cafeteria A/C	School	150,000
Replace 2014 Ford Focus (Veh. 715)	DPW	30,000
Village St Drainage Improvements	DPW	30,500
Replace 2017 Ford Escape (Veh. 714)	DPW	45,617
Curb Box Machine	DPW	13,000
Replace Light Towers	DPW	65,000
Vibroscreen	DPW	130,000
Various Storm Water Improvement	DPW	200,000
Roads and Sidewalks	DPW	750,000
Replace 347 Wing Mower (2013)	DPW	100,000
Police Station Light Fixture Replacement	DPW	30,000
Repair Sink Hole Outside Story Hour Room	Library	5,000

Story Hour Room and Area Ventilation	Library	30,000
Free Cash Total		<u>\$2,503,752</u>

Or act in any manner relating thereto.

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 8: (Raise & Appropriate: Roads & Sidewalks)
To see if the Town will vote to raise and appropriate the sum of \$800,000 for the purposes of making repairs to various roads, sidewalks, bridges, and related appurtenances, and to fund, as needed, design, engineering, and construction management services, and for the payment of all other costs incidental and related thereto, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 9: (Water Retained Earnings Transfer: Replace Ford F550)
To see if the Town will vote to transfer the sum of \$105,000 from Water Enterprise Fund retained earnings for the purpose of funding the purchase and equipping of a replacement vehicle for a 2013 Ford F550 (Veh. 417), and for the payment of all other incidental and related costs, or act in any manner relating thereto.

PUBLIC WORKS DEPT.

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 10: (Sewer Enterprise Retained Earnings Transfer: Inflow & Infiltration)
To see if the Town will vote to transfer from Sewer Enterprise Fund retained earnings the sum of \$200,000 for the purpose of funding sewer inflow and infiltration work, including engineering and construction costs and for the payment of all other incidental and related costs or act in any manner relating thereto.

PUBLIC WORKS DEPT.

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 11: (Hanlon Track & Field Construction, Incl. Transfer from CPA Funds and Athletic Stabilization)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds \$2,487,000 for the purpose of funding the replacement of the Hanlon track and field, as well as replacement of light fixtures, fencing, and associated equipment, all as located or to be located at Medway High School, including engineering, design, project management, and site preparation costs, and for the payment of all other costs incidental and related thereto; and as funding for this appropriation, to authorize the Treasurer with the approval of the Select Board to borrow \$1,687,000 under and pursuant to Massachusetts General Laws Chapter 44, Section 7, or any other enabling authority, and to transfer \$500,000 from Community Preservation Act funds for the payment of costs for the replacement of light fixtures, fencing, and associated equipment engineering, design, project management and site preparation but specifically excluding the cost of acquisition of artificial turf, and to transfer \$300,000 from the Athletic Stabilization fund; or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 12: (Capital Stabilization Transfer: Memorial School Roof Replacement)

To see if the Town will vote to transfer a sum of money from the Capital Stabilization Fund for the purpose of design, engineering, and construction of the Memorial Elementary School roof, and for the payment of all other costs incidental and related thereto, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **To Be Determined**

FINANCE COMMITTEE RECOMMENDATION: **To Be Determined**

ARTICLE 13: (Appropriation: OPEB Trust)

To see if the Town will vote to raise and appropriate the sum of \$300,000 to the Town of Medway Other Post-Employment Benefits (OPEB) Trust account, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 14: (Appropriation: General Stabilization)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$100,000 to be allocated to the General Stabilization Fund, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 15: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2025 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2025, as follows:

CPA Administration:	
CPC Expenses	\$15,000
CPC Salaries	5,000
CPC Debt Expense	397,975
Transfer to Affordable Housing Trust:	
Coordinator Salary/Expense	10,000
Expenses	7,500
Historic Resources:	
Historic Property Signs	4,500
Open Space:	
Total Direct Costs	\$439,975

10% of Estimated Reserves: Fund Revenues	
Open Space	\$151,438
Community Housing	\$133,938
Historical Preservation	\$146,938

or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 16: (Medway Grid PILOT Authorization)

To see if the Town will vote to authorize the Select Board to enter into a Payment In Lieu of Taxes (PILOT) agreement pursuant to G.L. c. 59, § 59 (Clause Forty-Fifth), or any other enabling authority, with Medway Grid, LLC, for the new battery energy storage project proposed to be

constructed and installed at 49, 53, and 55 Milford Street for a term of more than 20 years, and to take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the PILOT agreement, all of which agreement and documents to be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 17: (Amend General Bylaws –Revolving Funds; Authorize FY25 Spending Limits)

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44, Section 53E1/2, to amend the General Bylaws Article 27, Revolving Funds, Section 27.1 by inserting a new revolving fund as shown in **bold** as follows:

Program or Purpose	Authorized Representative or Board to Spend	Department Receipts
School Transportation	School Department	Student transportation fees and charges.

And, further, to set Fiscal Year 2025 spending limits for revolving funds as follows:

Program or Purpose	FY2025 Spending Limit
Self-supporting parks and recreation services, including salaries and benefits	\$620,000
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$130,000
Library printer, copier and fax expenses	\$3,200
Library meeting room	\$1,000
Thayer Homestead partial self-support of property, including salaries and benefits	\$95,000
Tobacco license compliance inspections	\$2,500
School Transportation	\$300,000

or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 18: (Amend General Bylaws: Scenic Roads)

To see if the Town will vote to amend its General Bylaws by enacting a new Bylaw entitled Scenic Road Bylaw as set forth below, with the correct Article and Section numbers to be assigned by the Town Clerk.

Scenic Road Bylaw

Section __.1. GENERAL

A. Purpose – This Bylaw is enacted for the purpose of further protecting the natural beauty that currently exists within the rights-of-way of select roads in the Town of Medway pursuant to M.G.L. chapter 40, section 15C.

B. Designated Scenic Roads – This Bylaw shall apply to the twenty-four roads designated as Scenic Roads at the Town Meeting of December 30, 1975 and an additional one road designated as a Scenic Road at the Town Meeting of May 14, 2001, as well as any additional roads as may be designated by Town Meeting. Additional roads may be designated as Scenic Roads by vote of Town Meeting in accordance with the provisions of M.G.L. chapter 40, section 15C.

C. Regulations – The Planning and Economic Development Board may promulgate rules and regulations to implement this Bylaw, including but not limited to procedures for submission and review of applications, application requirements, filing fees, waivers, decision criteria, and other matters.

Section __.2 PROCEDURES

No person shall cut or remove a tree(s) or tear down or destroy stone walls or portions thereof within the right-of-way of a Scenic Road without first obtaining a Scenic Road Work Permit from the Planning and Economic Development Board. The procedure for filing an application and for the public hearing are governed by M.G.L. chapter 40, section 15C and the Board’s Rules and Regulations for Review and Issuance of Scenic Road Permits.

Section __.3 ENFORCEMENT

A. Failure to file – A person's failure to file with the Board for a Scenic Road Work Permit for the cutting or removal of a tree(s) or the tearing down or destruction of stone walls, or portions thereof within the right-of-way on a Scenic Road will necessitate that person's immediate filing for the required permit. Restoration measures, as determined by the Board after a Scenic Road public hearing, may be required.

B. Compliance – The failure by an applicant to comply with the duly issued decision of the Board in a Scenic Road Work Permit after one year from issuance may necessitate the enforcement of remedial measures which the Board deems necessary, including, but not limited to enforcement through non-criminal disposition and additional restoration measures.

C. Enforcement – The Building Commissioner, the Tree Warden, the Director of Public Works or his/her designee may enforce violations of this Bylaw.

D. Penalties- Anyone who violates the provisions of this Bylaw shall be punished by a fine of not more than \$300.00 per violation. As an alternative means of enforcement, the violator may be subject to non-criminal disposition in accordance with M.G.L., Chapter 40, Section 21D, as follows:

1. First offense: \$100 per violation;
2. Second offense: \$200 per violation;
3. Third and all subsequent offenses: \$300 per violation;
4. Each day's failure to comply shall constitute a separate and distinct offense.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 19: (Amend Zoning Bylaws: Awning Signs)

To see if the Town will vote to amend the Zoning Bylaw Section 7.2 Signs by amending Section 7.2.B.7 as follows, deleted language is shown in strikethrough, new language is shown in bold:

7. Computation of Sign Area for Awning Signs:

a. ~~For signs on internally illuminated awnings where the awning is comprised in whole or in part with translucent material,~~ The sign surface area shall be considered to be the smallest single rectangle as measured with vertical and horizontal lines, enclosing the entire area **of the sign**, ~~is fabricated with the translucent material~~ including but not limited to all lettering and wording, all accompanying designs, logos or symbols, and any contrasting background area.

b. ~~For signs on externally illuminated awnings, the sign surface area shall include the entire area of awning that is externally illuminated.~~

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 20: (Amend Zoning Bylaws: Parking)

To see if the Town will vote to amend the Zoning Bylaw Section 7.1.1 Off-Street Parking by amending Table 3: Schedule of Off-Street Parking Requirements by changing the required number for ARCPUD housing from "2.0 spaces per unit" to "1.5 spaces per unit".

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 21: (Amend Zoning Bylaws: Outdoor Displays)

To see if the Town will vote to amend the Zoning Bylaw by adding as Section 5.4.1:

5.4.1. Outdoor Displays.

A. Outdoor Displays which comply with the following requirements are allowed as of right in zoning districts Central Business, Village Commercial, Neighborhood Commercial, and Business Industrial:

1. Outdoor displays are prohibited on any parking, delivery or loading areas; fire lanes; drive aisles; or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access; or any other location that could cause a safety hazard.
2. Only products offered for sale by the store may be displayed. The sidewalk space shall not be leased to or used by an outside vendor or include self-contained fixtures such as vending machines, or coin operated amusements.
3. Merchandise must be displayed such that a minimum of 6 feet of sidewalk clearance is maintained at all times for pedestrians and handicap accessibility. Items should be located immediately adjacent to the building and may not extend beyond the subject business' storefront space. Display items shall not obstruct the normal ingress and egress from the subject business or other nearby businesses.
4. Outdoor display racks and shelving shall be:
 - a. Constructed of sturdy materials such as wood, iron, steel, clay, canvas, aluminum, or plastic. Prohibited shelving materials are glass, porcelain, and other breakable materials, including any items that may pose a hazard.
 - b. Maintained and in good condition at all times. Broken, rusting, degraded, torn, tattered or similar items shall be removed promptly.
5. Displayed merchandise shall not pose any health or safety hazard.
6. Displays shall specify that the actual sale of outdoor merchandise shall take place inside the store.
7. No additional business signage beyond pricing and product information is allowed.
8. The display is subject to the determination by the fire department that any overhang above the display area is of noncombustible material, or if it is combustible, subject to a fire protection plan approved by the fire department.

B. Any proposed outdoor display that does not meet these standards requires a special permit from the Zoning Board of Appeals.

And by amending Section 5.4 Table 1: Schedule of Uses, by adding after "Outdoor Display" the words "Subject to Section 5.4.1".

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 22: (Amend Zoning Bylaws: Housekeeping)

To see if the Town will vote to amend the Zoning Bylaw as follows, deleted language is shown in strikethrough, new language is shown in bold:

- (1) Delete Section 1.5 Amendment in its entirety.
- (2) Amend Central Business Zoning District, Section 10.4.C.1.a to read:
 - (a) Rowhouse (RH) **as set forth in Table 9.4.C.1.A**
- (3) Amend the first sentence of Section 10 Central Business District, section 10.3.D.7:

7. The maximum height of a mixed use building may be extended by no more than ~~12 additional feet~~ and one additional story, **which may not exceed 12 feet in height**, by special permit from the PEDB if the proposed development includes a provision for permanently protecting a portion of the development as conservation or open space land, beyond the requirements for open space established in this bylaw, by means of a conservation restriction, conveyance to the Town, or conveyance to a nonprofit organization, the principal purpose of which is the conservation of open space.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: Approve

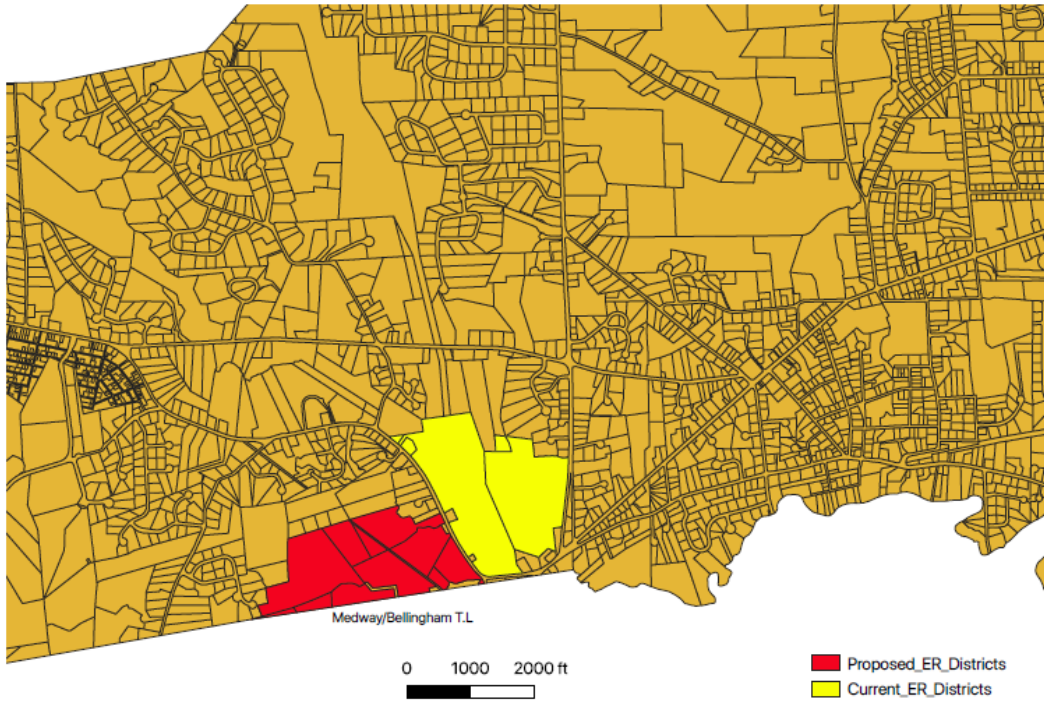
FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 23: (Amend Zoning Bylaw Map: Energy Resource District)

To see if the Town will vote to amend the Zoning Map by re-zoning the following properties to Energy Resource District: Assessors' Parcels 66-005, 66-008, 65-027, 65-028, 65-031, 65-033, 65-034, 65-035, 65-036, and 75-003, as shown on the map below, or act in any manner related thereto.

(map found on following page)

Current and Proposed ER District Parcels



**PLANNING AND ECONOMIC DEVELOPMENT BOARD and
SELECT BOARD**

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 24: (Borrowing: Purchase Fire Truck)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$1,100,000 for the purpose of purchasing and equipping a new fire truck, and for the payment of all other incidental and related costs, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

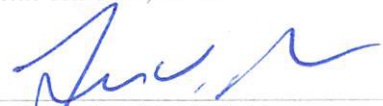
And you are hereby directed to serve this warrant by posting printed attested copies thereof at two locations in each precinct at least SEVEN days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time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

Given under our hands in Medway, this 1st day of April 2024.

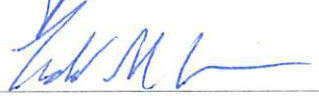
A TRUE COPY:

TOWN OF MEDWAY SELECT BOARD

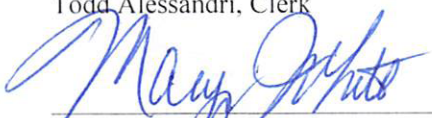
Glenn Trindade, Chair



Frank Rossi, Vice Chair



Todd Alessandri, Clerk



Maryjane White, Member



Dennis Crowley, Member

ATTEST: _____
Paul Trufant, Constable