



**TOWN OF PLAINVILLE**  
**WARRANT**  
for the  
**ANNUAL TOWN MEETING**  
**MONDAY, JUNE 5, 2017**  
**AT 7:00 P.M.**

**THE COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss

To Either of the Constables of Plainville:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Plainville qualified to vote in town affairs, to meet in the Beatrice H. Wood Elementary School Auditorium, 72 Messenger Street, in said Plainville, on

**MONDAY, JUNE 5, 2017**

at seven o'clock in the evening, then and there to act on the following articles, viz:

**ARTICLE 1:** To choose all other necessary Town Officers not chosen at the Annual Election of April 3, 2017.

**ARTICLE 2:** To consider and act on the reports of the Selectmen, and other Town Officers. (*Sponsor: Board of Selectmen*)

**ARTICLE 3:** To see if the Town will vote to have the Surety Bonds of the Treasurer/Collector and Town Clerk placed with a Fidelity or Guarantee Company, or do or act in any, manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 4:** To see if the Town will vote to authorize the Board of Selectmen to accept and enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth and/or County for the construction, reconstruction and improvements of Town roads, and to authorize the Town Treasurer/Collector to borrow in anticipation of such funds, or do or act in any matter relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 5:** To see if the Town will vote to appropriate and transfer \$271,375 or any other sum from funds received by the Town of Plainville as so called "Chapter 90" monies for costs associated with road resurfacing, restoration, maintenance, and land or easement purchases or takings, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow, \$34,540,000 or any other sum, for the construction of Town Hall and Public Safety buildings in the Town of Plainville, such funds to be expended under the direction of the Board of Selectmen, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow, \$1,450,000 or any other sum, for the demolition and abatement of the former Wood School located at 200 South Street in the Town of Plainville, such funds to be expended under the direction of the Board of Selectmen, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 8:** To see if the Town will vote to accept Massachusetts General Law Chapter 40, Section 13(e) which states:

Any school district which accepts this section, by a majority vote of the school committee and a majority vote of the legislative body or, in the case of a regional school district by a majority vote of the legislative bodies in a majority of the member communities of the district, may establish and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district.

Funds shall only be distributed from the reserve funds after a majority vote of the school committee and a majority vote of the board of selectman or city council, or, in the case of a regional school district by a majority vote of the board of selectmen or city council in a majority of the member communities of the district.

The district treasurer may invest the monies in the manner authorized in section 54 of chapter 44 and any interest earned thereon shall be credited to and become part of the fund.

And to transfer from the FY17 School Operating Budget \$10,000 into the Special Education Reserve Fund, or do or act in any manner relative thereto.

(Sponsor: Plainville School Committee)

**ARTICLE 9:** To see if the Town will vote to establish revolving accounts pursuant to Section 53E1/2, of Chapter 44 of Massachusetts General Law. Funds credited to said revolving accounts shall be only those identified below under “*Source of Funds*”, expended for purposes only as authorized under Section 53E1/2, of Chapter 44 of Massachusetts General Law and as identified below under “*Use of Funds*”, and shall be expended under the direction of those so indicated. Until later changed through the action of a subsequent Town Meeting, the annual amount expended from each revolving account shall not exceed the amount indicated below under “*Annual Expenditure*”.

<i><b>Source of Funds</b></i>	<i><b>Use of Funds</b></i>	<i><b>Expended Under Direction of:</b></i>	<i><b>Annual Expenditure</b></i>
1. Dog Licenses & Fines	Costs associated with the enforcement of the Animal Control By-Law	Board of Selectmen	\$20,000
2. Senior Center Rental Fees	Costs associated with the use of the Senior Center by those other than the Council on Aging	Council on Aging	\$10,000
3. Assessor’s Map & Record Copying Fees	Costs associated with the copying and provision of Assessor’s maps and records.	Board of Assessors	\$ 5,000
4. Fire Alarm Fees	Costs associated with the provision of Fire Alarm services	Fire Chief	\$55,000
5. Police Report Copying & Printing Fees	Costs associated with the copying and provision of Police Reports	Police Chief	\$10,000
6. Firearm Licenses	Costs associated with the provision and Production of firearms licenses	Police Chief	\$10,000
7. Use of Police Cruisers On Private Details	Costs associated with the maintenance of Police Cruisers	Police Chief	\$10,000
8. Use of Traffic Citations	Costs associated with the purchase of Police Cruisers	Police Chief	\$55,000
9. Library Fines	Costs associated with the Public Library	Board of Library Trustees	\$8,000
10. Passport Fees	Costs associated with the provision of Passport Services	Board of Library Trustees	\$6,000
11. Council on Aging Advertising	Costs associated with the printing of the Council on Aging Newsletter	Council on Aging	\$10,000

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$195,000 or any other sum to meet the Town's obligations for Medicare Taxes, said funds to be expended under the direction of the Treasurer/Collector, or do or act in any manner relative thereto. (*Sponsor: Treasurer/Collector*)

**ARTICLE 11:** To see if the Town will vote to approve the following amendments to the Personnel Bylaws within the Code of the Town of Plainville:

Appendix A  
Wage and Compensation Plan - Fiscal Year 2018

Job Classification	Effective July 1, 2017 Range			
A. Executive Level				
Principal Assessor	Minimum:	54,015.	Maximum:	72,624. Base
Park Director (Full-time)	Minimum:	52,435.	Maximum:	64,912. Base
Executive Director, Council on Aging	Minimum:	45,354.	Maximum:	54,711. Base
Health Agent	Minimum:	49,931.	Maximum:	76,730. Base
Treasurer/Collector	Minimum:	107,314.	Maximum:	109,459. Base
Director of Planning/Development	Minimum:	80,855.	Maximum:	98,056. Base
DPW Superintendent/Operations Mgr.	Minimum:	61,781.	Maximum:	87,286. Base
Director of Public Works	Minimum:	100,786.	Maximum:	122,004. Base
Outreach Coordinator Council on Aging	Minimum:	15.91	Maximum:	20.53 Hourly
B. Library				
Library Director	Minimum:	44,378.	Maximum:	57,644. Base
H. Public Needs				
Bus Driver	Minimum:	16.39	Maximum:	20.53 Hourly
I. Seasonal				
Lifeguard	Minimum:	11.00	Maximum:	20.00 Hourly
Water Safety Instructor	Minimum:	11.00	Maximum:	20.00 Hourly
Recreation Aide	Minimum:	11.00	Maximum:	20.00 Hourly
Program Aide	Minimum:	11.00	Maximum:	20.00 Hourly
Laborer	Minimum:	11.00	Maximum:	20.00 Hourly
J. Part-time Hourly				
Patrolman, Special	Minimum:	17.66	Maximum:	21.54 Hourly
IT Systems Administrator	Minimum:	25.93	Maximum:	39.41 Hourly
Secretary, Senior	Minimum:	21.34	Maximum:	27.15 Hourly
Clerk	Minimum:	15.00	Maximum:	24.14 Hourly
Clerk, Senior	Minimum:	19.65	Maximum:	25.32 Hourly
Accounting Clerk	Minimum:	21.34	Maximum:	27.15 Hourly
Departmental Assistant	Minimum:	24.83	Maximum:	30.47 Hourly
Associate Librarian	Minimum:	16.82	Maximum:	21.86 Hourly
Librarian, Children's	Minimum:	14.48	Maximum:	21.32 Hourly
Librarian, Technician	Minimum:	11.00	Maximum:	13.74 Hourly
Library Page	Minimum:	11.00	Maximum:	11.30 Hourly
Custodian	Minimum:	12.36	Maximum:	16.97 Hourly
Laborer, Apprentice	Minimum:	11.00	Maximum:	12.36 Hourly
Laborer	Minimum:	12.26	Maximum:	14.70 Hourly
Laborer, Skilled	Minimum:	15.76	Maximum:	18.99 Hourly
Driver, Highway	Minimum:	13.15	Maximum:	19.25 Hourly
Dispatcher	Minimum:	17.66	Maximum:	22.38 Hourly
Recreation Assistant	Minimum:	11.00	Maximum:	20.00 Hourly

K. Inspector-Annual Rates:

Building Inspector	To be paid at an hourly rate of \$27.35 and an additional annual rate of compensation equal to 20% of those amounts collected in fees and remitted to the Town Treasurer, or such lesser dollar amount as may be mutually agreed upon between the Inspector and the Board of Selectmen.
Assistant Building Inspector	\$40.00 per hour or per inspection whichever rate is higher.
Wiring Inspector	To be paid at an annual rate equal to 80% of those amounts collected in fees and remitted to the Town Treasurer, or such lesser dollar amount as may be mutually agreed upon between the Inspector and the Board of Selectmen.
Assistant Wiring Inspector	\$40.00 per hour or per inspection whichever rate is higher.
Plumbing and Gas Inspector	To be paid at an annual rate equal to 80% of those amounts collected in fees and remitted to the Town Treasurer, or such lesser dollar amount as may be mutually agreed upon between the Inspector and the Board of Selectmen.
Assistant Plumbing & Gas Inspector	\$40.00 per hour or per inspection whichever rate is higher.

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 12:** To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41, General Laws, as amended as follows:

	Authorized FY 17	Recommended FY18
Moderator	\$25. per meeting	\$25. per meeting
Town Clerk	\$69,690. Annually	\$ 71,732. Annually
Selectmen, Each member	\$ 1,200. Annually	\$ 1,200. Annually
Board of Health, Each member	\$ 500. Annually	\$ 500. Annually
Assessors, Each member	\$ 1,500. Annually	\$ 1,500. Annually
Planning Board, Each Member	\$ 500. Annually	\$ 500. Annually
Library Trustees, Each Member	\$ 500. Annually	\$ 500. Annually
School Committee, Each Member	\$ 500. Annually	\$ 500. Annually
Constable	\$ 7.50/hour or \$3.00/posting	\$7.50 /hour or \$3.00 per posting

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 13:** To see if the Town will vote to appropriate and raise by borrowing, or otherwise, the following sums of money, or any other such sums as may be required to defray Town charges for the financial year beginning July 1, 2017, and expressly for the following purposes:

GOVERNMENT	DEPARTMENT #	
Selectmen	122	\$ 256,376
Salaries .....	\$ 219,576	
Expenses.....	\$ 36,800	
Finance Committee	131	\$ 300
Expenses.....	\$ 300	
Town Accountant	135	\$ 108,236
Salaries .....	\$ 77,936	
Expenses.....	\$ 30,300	
Assessors	141	\$ 143,808

Salaries .....	\$	116,433	
Expenses.....	\$	27,375	
Treasurer/Collector	145		\$ 271,684
Salaries .....	\$	211,584	
Expenses.....	\$	60,100	
Legal	151		\$ 56,400
Expenses.....	\$	56,400	
Information Technology	155		\$ 46,384
Salaries .....	\$	13,484	
Expenses.....	\$	19,100	
Capital Equipment .....	\$	13,800	
Town Clerk	161		\$ 137,913
Salaries .....	\$	132,418	
Expenses.....	\$	4,595	
Out of State Travel.....	\$	900	
Election	162		\$ 9,000
Expenses.....	\$	9,000	
Board of Registrars	163		\$ 19,110
Salaries .....	\$	14,110	
Expenses.....	\$	5,000	
Planning & Development	170		\$ 114,996
Salaries .....	\$	106,176	
Expenses.....	\$	8,820	
Building Maintenance	192		\$ 24,500
Expenses.....	\$	24,500	
Town Insurance	193		\$ 171,000
Expenses.....	\$	171,000	
Police Department	210		\$ 2,482,039
Salaries .....	\$	2,173,104	
Expenses.....	\$	204,935	
Capital.....	\$	104,000	
Communications	215		\$ 459,870
Salaries .....	\$	339,680	
Expenses.....	\$	120,190	
Fire	220		\$ 2,378,767
Salaries .....	\$	2,156,872	
Expenses.....	\$	219,895	
Out of State Travel .....	\$	2,000	
Call Fire Department	225		\$ 19,304
Salaries .....	\$	14,000	
Expenses.....	\$	5,304	
Ambulance	231		\$ 369,737
Salaries .....	\$	275,708	
Expenses .....	\$	94,029	
Building Inspection	241		\$ 120,666

Salaries .....	\$	76,326	
Inspection Fees.....	\$	35,000	
Expenses.....	\$	9,340	
Plumbing & Gas Inspection	242		\$ 62,700
Inspection Fees.....	\$	60,000	
Expenses.....	\$	2,700	
Sealer of Weights & Measurers	244		\$ 3,750
Expenses.....	\$	3,750	
Wiring Inspection	245		\$ 77,920
Inspection Fees.....	\$	76,000	
Expenses.....	\$	1,920	
Animal Control Officer	292		\$ 3,000
Salaries.....	\$	1,000	
Expenses.....	\$	2,000	
Tree Warden	294		\$ 4,500
Expenses.....	\$	4,500	
Local Schools	300		\$ 9,075,597
Salaries & Expenses. ....		\$9,075,597	
King Philip Regional School	350		\$ 6,746,756
Salaries & Expenses. ....		\$6,175,204	
Debt Excluded from Prop 2 ½ .....		\$ 520,643	
Turf Assessment.....		\$ 50,909	
Tri-County Vocational School	350		\$ 1,150,784
Salaries & Expenses. ....		\$1,150,784	
Norfolk Agricultural School			\$ 17,649
Salaries & Expenses .....		\$ 17,649	
Highway Department	422		\$ 575,393
Salaries .....	\$	448,750	
Expenses.....	\$	126,643	
Snow Removal	423		\$ 52,000
Salaries .....	\$	22,000	
Expenses.....	\$	30,000	
Street Lights	424		\$ 98,500
Expenses.....	\$	98,500	
Sewer Department	440		\$ 791,384
Salaries .....	\$	213,709	
Expenses.....	\$	577,675	
Water Department	450		\$ 1,039,322
Salaries .....	\$	367,264	
Expenses.....	\$	670,058	
Out of State Travel .....		\$ 2,000	
Board of Health	510		\$ 135,310
Salaries .....	\$	106,541	
Expenses.....	\$	28,769	
Council on Aging	541		\$ 191,230

Salaries .....	\$ 153,830	
Expenses.....	\$ 37,400	
 Veteran's Benefits	543	\$ 156,503
Salaries .....	\$ 5,603	
Expenses.....	\$ 900	
Benefits.....	\$ 150,000	
 Library	610	\$ 228,230
Salaries .....	\$ 141,482	
Expenses.....	\$ 86,748	
 Park Department	650	\$ 75,375
Salaries .....	\$ 71,590	
Expenses.....	\$ 3,785	
 Historical Commission	691	\$ 5,750
Expenses.....	\$ 5,750	
 Memorial Day	692	\$ 1,000
Expenses.....	\$ 1,000	
 Maturing Debt	710	\$ 1,896,712
Principal Expense.....	\$ 1,896,712	
 Interest on Debt	751	\$ 289,152
Expenses.....	\$ 289,152	
 Norfolk County & State Retirement	911	\$ 1,697,074
Expenses.....	\$ 1,697,074	
 Group Insurance	914	\$ 2,566,479
Expenses.....	\$ 2,566,479	
 Operating Budget Reserve		\$ 20,000
Reserve.....	\$ 20,000	

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 14:** To see if the Town will vote to transfer from the Gaming Stabilization Fund \$99,600 for Debt Service and Principal for previously approved capital projects, such funds to be expended under the direction of the Treasurer/Collector, or do or act in any manner relative thereto. (*Sponsor: Treasurer/Collector*)

**ARTICLE 15:** To see if the Town will vote in accordance with the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws to appropriate \$494,463 or any other sums for the purpose of operating a household waste collection, recycling, and disposal program; \$417,644 of such appropriation to be funded from Fiscal Year 2018 Trash Enterprise Revenue, \$69,728 to be funded from Trash Enterprise Retained Earnings, and \$7,091 to be raised as part of general revenue to cover the costs of refuse collection for school and municipal buildings, such sums to be expended as follows by and under the direction of the Board of Health:

Salaries.....	\$ 48,549
Expenses.....	\$445,914

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Health*)

**ARTICLE 16:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$5,000 or any other sum for the payment of fees associated with the collection of Medicaid Reimbursement for services provided by the Plainville School Department to eligible students, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 17:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$100,000 or any other sum to further fund the Town of Plainville's OPEB Trust Fund (Other Post-Employment Benefits), such funds to be

expended under the direction of the Town Treasurer/Collector, or do or act in any manner relative thereto. (*Sponsor: Town Treasurer/Collector*)

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$27,000 or any other sum to fund Plainville's participation in the Metacomet Regional Communications District, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 19:** To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to pay unpaid bills of a prior year pursuant to Massachusetts General Laws Chapter 44, Section 64; or take any other action relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$640,000 or any other sum, for the purchase and equipping of a new Fire Engine, such funds to be expended under the direction of the Fire Chief, or do or act in any manner relative thereto. (*Sponsor: Fire Chief*)

**ARTICLE 21:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$19,800 or any other sum, for purchasing intravenous fluid pumps, diagnostic meter and related accessories to equip the Town's Ambulances, such funds to be expended under the direction of the Fire Chief, or do or act in any manner relative thereto. (*Sponsor: Fire Chief*)

**ARTICLE 22:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$50,000 or any other sum, to fund engineering services for the Department of Environmental Protection permits required by the National Pollution Discharge Elimination System, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 23:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$175,000 or any other sum, for an annual road and sidewalk improvement program to be used for contracted services, equipment and materials for the repairs and maintenance of town roads, sidewalks, traffic controls, traffic markings, drain basins, manholes, pipes, culverts and headwalls, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 24:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$80,400 or any other sum, for the purchase of two pick-up trucks to replace two 1993 pick-up trucks for use in the Public Works Department, Highway Operations Group, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 25:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$174,000 or any other sum, to fund a Sewer System Analysis and Control program for the Kelley Boulevard Sewer Sub-System to include a sewer system assessment, system mapping, CCTV inspections, manhole inspections and an infiltration and inflow control plan, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 26:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$185,000 or any other sum, to fund a Sewer System Rehabilitation Project to further reduce Inflow and Infiltration within the Moran Street Sewer sub-system, to include sewer pipe lining and sewer manhole repairs, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 27:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$100,000 or any other sum, to fund the Town's portion of the costs associated with the replacement of the Mirimichi Bridge, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 28:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$50,000 or any other sum, to fund repairs to the lower parking lot at the Senior Center, such funds to be expended under the direction of the Council on Aging, or do or act in any manner relative thereto. (*Sponsor: Council on Aging*).

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$50,000 or any other sum, to fund improvements to the tennis courts and town park, such funds to be expended under the direction of the Parks Commissioners, or do or act in any manner relative thereto. (*Sponsor: Parks Commissioners*).

**ARTICLE 30:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$38,000 or any other sum, to fund the purchase of portable radios, such funds to be expended under the direction of the Police Chief, or do or act in any manner relative thereto. (*Sponsor: Police Chief*).

**ARTICLE 31:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$60,000 or any other sum, to fund the rebuilding of the parking area at the Jackson school, including resetting of curbing and replacement of guardrails, such funds to be expended under the direction of the Superintendent of Schools, or do or act in any manner relative thereto. (*Sponsor: Plainville School Committee*).

**ARTICLE 32:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$50,000 or any other sum, to fund the roof replacement over the gymnasium at the Jackson school, such funds to be expended under the direction of the Superintendent of Schools, or do or act in any manner relative thereto. (*Sponsor: Plainville School Committee*).

**ARTICLE 33:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$19,000 or any other sum, to fund replacement of the phone system at the Wood school, such funds to be expended under the direction of the Superintendent of Schools, or do or act in any manner relative thereto. (*Sponsor: Plainville School Committee*).

**ARTICLE 34:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$18,000 or any other sum, to fund replacement of the clock systems at the Jackson and Wood schools, such funds to be expended under the direction of the Superintendent of Schools, or do or act in any manner relative thereto. (*Sponsor: Plainville School Committee*).

**ARTICLE 35:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$60,000 or any other sum, to update the playground at the Jackson school, such funds to be expended under the direction of the Superintendent of Schools, or do or act in any manner relative thereto. (*Sponsor: Plainville School Committee*).

**ARTICLE 36:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$1,197,000 or any other sum, to fund the engineering design and construction to replace the existing water mains, services, valves and hydrants on: Grove Street, Legion Drive, Evergreen Road, Crestwood Avenue and Brunner Street, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 37:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$30,000 or any other sum, to fund an engineering study of the Mirimichi well site to determine solutions needed to improve drinking water quality in the southeast area of Town, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 38:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$25,000 or any other sum, to fund equipment repair and replacements at the Town's water treatment, distribution and storage facilities, such funds to be expended under the direction of the Director of Public Works, or do or act in any manner relative thereto. (*Sponsor: Director of Public Works*)

**ARTICLE 39:** To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

**AN ACT EXEMPTING ALL POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF PLAINVILLE  
FROM THE CIVIL SERVICE LAW.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**Section 1.** Notwithstanding any general or special law to the contrary, all uniformed positions within the fire department of the Town of Plainville, including Fire Chief, Deputy Chief, Captains, Lieutenants and Firefighters shall be exempt from the provisions of Chapter 31 of the General Laws.

**Section 2.** This act shall not impair the civil service status of a person holding a position described in Section 1 on the effective date of this act.

**Section 3.** This act shall take effect upon its passage,  
Or do or act in any manner relative thereto.  
(Sponsor: Board of Selectmen)

**ARTICLE 40:** To see if the Town will vote to accept the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws establish the cable franchise fees revolving fund as an enterprise fund effective for the fiscal year beginning July 1, 2017. Any balance remaining in the cable franchise fees revolving fund will be transferred over to the newly named Cable Enterprise Fund, or do or act in any manner relative thereto.

**ARTICLE 41:** To see if the Town will vote to rescind the vote authorizing the appropriation of funds by borrowing as authorized under the following Annual Town Meeting article, said amounts representing the unused portion of funds pertaining to the following:

June 1, 2015, Article 43, Water Tank Rehab – authorized and unissued - \$350,407.00

Or do or act in any manner relative thereto.  
(Sponsor: Treasurer/Collector)

**ARTICLE 42:** To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.  
(Sponsor: Treasurer/Collector)

**ARTICLE 43:** To see if the Town will vote enact Chapter 229 of the Town of Plainville General By-Laws, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code including future editions, amendments or modifications thereto, with an effective date of July 1, 2017, or do or act in any manner relative thereto.  
(Sponsor: Energy Committee & Board of Selectmen)

**ARTICLE 44:** To see if the Town will vote to transfer all remaining funds for pool repairs appropriated at Annual Town Meeting 1993 and Special Town Meeting 1994 to the Park Department revolving fund to be utilized for current pool repairs, or do or act in any manner relative thereto.  
(Sponsor: Town Accountant)

**ARTICLE 45:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-5. Development Permits** with the deletions shown in strike-through and the additions shown in bold, as follows:

For development permits which require site plan and/or floodplain review, the applicant shall submit ~~nine copies of the site plan application, as well as two sets of plan reductions (8 1/2 inches by 11 inches)~~ **plans** depicting the overall layout and other required information to the Planning Board with ~~written notice,~~ a copy of ~~all the site plan and supporting~~ information to the Town Clerk. **The application, and the required number of copies, shall be as specified on a form provided by the Planning Board.** The Planning Board shall review said application by the criteria set forth in ~~§500-39,~~ Site plan review, and/or ~~§500-40,~~ Floodplain review, and approve, approve with conditions or deny said development permit within 60 days of the close of the public hearing by written notification to the Town Clerk and applicant.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

**ARTICLE 46:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-6(B)(2)**, with the deletions shown in strike-through and the additions shown in bold, as follows:

No special permit may be issued except following a public hearing held within 65 days after the filing of an application with the Board of Appeals, a copy of which shall be forthwith given to the Town Clerk by the applicant. If substantial use or

construction under a special permit has not commenced within ~~two~~ **three** years after the issuance of such permit, except for a good cause and including any time needed to await the determination of any court appeal, the special permit shall lapse and become void.

And,

To see if the Town will vote to amend the Code of the Town of Plainville **§500-20(F). Expiration**, with the deletions shown in strike-through and the additions shown in bold, as follows:

Special permits shall lapse if a substantial use thereof or construction has not begun, except for good cause, within ~~24~~ **36** months of special permit approval, exclusive of such time required to pursue or await the determination of an appeal, referred to in MGL c. 40A, §17, from the grant thereof.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.

*(Sponsor: Planning Board)*

**ARTICLE 47:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-16(E)(1)(b)**, which currently reads as follows:

The Board of Appeals shall affirmatively find that such waiver shall not in any substantial sense be detrimental and depreciate property values in the immediate neighborhood.

By adding the following at the end of the section:

The Board shall follow all the procedures outlined in MGL Chapter 40A Section 15 when deliberating on a permit to grant exceptions to lot requirements.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.

*(Sponsor: Planning Board)*

**ARTICLE 48:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-16(E)(2). Exemptions from frontage and area requirements** with the deletions shown in strike-through and the additions shown in bold, as follows:

(2) Exemptions from frontage and area requirements. In any zoning district, a **vacant** lot or lots having less than the applicable square footage or frontage requirements, or both, shall be exempt from either or both requirements aforesaid if said lot or lots:

- (a) Is a lot in ownership separate from that of adjoining land located in the same zoning district at the time of the adoption of this bylaw; **and**
- (b) Is a lot or lots separately described in a deed or record at the time of the adoption of this bylaw; **and, either**
- (c) Is a lot or lots separately shown on any approved subdivision plan notwithstanding the amount of elapsed time since approval of said plan; or
- (d) Is a lot or lots shown on a plan which does not require Planning Board approval under the Subdivision Law,[2] provided the plan carries the notation that no such approval is so required, and notwithstanding the amount of elapsed time since the notation was made through vote of the Planning Board.

[1] Provided that any lot referred to above contains at least **50 feet of frontage and 5,000 square feet of area** and, in the case of more than one nonconforming, undeveloped and contiguous lots in common ownership not protected under MGL, c. 40A, shall be subject to the provisions of Subsection [E\(3\)](#) below.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.

*(Sponsor: Planning Board)*

**ARTICLE 49:** To see if the Town will vote to amend the chart entitled “**Intensity of Use Schedule (§500-17 of the Zoning Bylaw)**”, shown as **500 Attachment 1** in the bylaws, by amending footnote “d” under “Footnotes to Intensity of Use Schedule”, which currently reads:

d. Corner lot shall maintain front yard requirements for each street frontage.

By adding the following:

A corner lot shall have at least one rear lot line, the location of which shall be:

- i. If the lot has conforming frontage on only one of the abutting streets, the rear lot line shall be the lot line or lines most opposite from that street; or
- ii. If the lot has conforming frontage on both of the abutting streets, the rear lot line shall be the lot line or lines most opposite to the rear of the existing or proposed principal building.
- iii. If the lot has non-conforming frontage on both of the abutting streets, the rear lot line shall be the lot line or lines most opposite to the rear of the existing or proposed principal building. Alternatively, if a special permit is required from the Board of Appeals for such a lot, the rear yard may be designated by that Board during the permitting process.
- iv. The remaining lot lines not abutting a street shall be considered side lot lines.

And further, that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

**ARTICLE 50:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-18(A)**, with the deletions shown in strike-through and the additions shown in bold, as follows:

**A.** General provisions. No structure shall be erected, altered or used and no premises shall be used except as set forth in the Use Regulation Schedule. Construction or operations under a permit or special permit shall conform to any subsequent amendment to this bylaw unless the use or construction is commenced within ~~six~~ **twelve** months after the issuance of such permits. **Only one principal use is allowed on any lot in a residential zoning district. Home occupations (§500-33) are not considered principal uses.**

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

**ARTICLE 51:** To see if the Town will vote to amend the Plainville General Code **§500 Attachment 2 Town of Plainville Use Regulation Schedule (§500-19 of the Zoning Bylaw)** by revising under “Symbols Used”, which currently states:

*A – A use specifically authorized by special permit*

to read as follows:

A – A use specifically authorized by special permit. The Planning Board shall be the special permit granting authority under §500-19.

And, to amend §500-19, which currently reads as follows:

*The tabular material of this **§500-19**, which contains the Use Regulation Schedule, is included at the end of this chapter. Although the schedule is included at the end of the chapter, it shall be considered a section of the Zoning Bylaw and shall not be construed as appendix or ancillary material.*

By adding at the end:

The Planning Board shall be the special permit granting authority under §500-19.

And further, that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

**ARTICLE 52:** To see if the Town will vote to amend the Code of the Town of Plainville by adding a new **§500-38. Temporary Moratorium on Recreational Marijuana Establishments**, as follows:

A. Purpose.

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting Applications for licenses on April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a “Recreational Marijuana Establishment”), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of the local regulations of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning and public safety issues, and the Town needs time to address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider Amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

B. Definition.

“Recreational Marijuana Establishment” shall mean a “marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana related business.”

C. Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

**ARTICLE 53:** To see if the Town will vote to amend the Code of the Town of Plainville **§500-26.1. Solar photovoltaic facilities**, as follows:

Amend **§500-26.1(E)(4)** by adding the following words in **bold**:

(4) SPF site plan review. SPFs with 250 kW or larger of rated nameplate capacity whether permitted as-of-right in **the IA – Special Industrial District and IB – Limited Industrial District**, or by special permit issued by the Planning Board in the RA and RB – Single-Family Residential Districts shall be subject to site plan review in accordance with §500-39, Site plan review, of this Zoning Bylaw.

And,

Amend **§500-26.1(E)(10) Safety and environmental standards** by adding the following in **bold** to section (b), and by adding new sections (c) and (d):

- (b) Land clearing, soil erosion, and habitat impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted SPF or otherwise prescribed by applicable laws, regulations, and bylaws. **Grading that substantially disturbs the existing soil profile and structure is prohibited. Sites shall be selected where construction may be accomplished without such earth work.**
- (c) Mitigation of Forest Habitat. In the zones where a special permit is required, if forestland is proposed to be converted to a Ground Mounted Solar Photovoltaic Facility the plans shall designate thereon an area of forested land on the same lot of a size equal to three times (3X) the total area disturbed by the solar installation that shall remain undisturbed. The

protected land shall be land not subject to development limitations due to wetlands, MGL Ch. 184, §31-33 restrictions, or other constraints that would render construction of solar panels on the protected land unfeasible. Such designated land shall remain in substantially its natural condition without alteration, including unauthorized (by SPGA) forestry/tree cutting, until such time as the installation is decommissioned. The special permit may be conditioned to effectuate and make enforceable this requirement.

- (d) Mitigation for Disruption of Trail Networks. If existing trail networks or woods roads are disrupted by the location of the Ground Mounted Solar Photovoltaic Facility the plans shall show alternative trail alignments to be constructed by the applicant. The special permit may be conditioned to effectuate and make enforceable this requirement, although no rights of public access may be established hereunder.

And,

Amend the Plainville General Code §500 Attachment 2 “Town of Plainville Use Regulation Schedule (§500-19 of the Zoning Bylaw)” by adding a section under “Industrial Uses” as follows:

	RA	RB	RC	RD	CA	CB	CC	CD	IA	IB	IC	TCD	TCD
Ground Mounted Solar Photovoltaic Facility	A	A	O	O	O	O	O	O	P	P	O	O	O

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of Plainville or, to see if the Town will vote to do or act in any manner relative thereto.  
(Sponsor: Planning Board)

And you are directed to serve this Warrant by posting copies thereof in six (6) public places, in said Town, fourteen (14) days at least before the time of holding said meeting.

Hereof, fail not, and make due return of the Warrant with your doing thereon, to the Town Clerk at or before the time and place of said meeting as foresaid.

Given under our hands this 8<sup>th</sup> day of May, in the year of our Lord two thousand and seventeen.

\_\_\_\_\_  
Robert Rose, Chairman

\_\_\_\_\_  
Matthew Kavanah

\_\_\_\_\_  
George F. Sutherland, Jr.

A true copy Attest:

\_\_\_\_\_ May\_\_\_\_\_, 2017  
Ellen M. Robertson, Town Clerk

I have this day posted six (6) copies in six (6) public places in the Town of Plainville and have returned one signed copy to the Town Clerk.

\_\_\_\_\_ May\_\_\_\_\_, 2017  
Constable