

**TOWN OF PLAINVILLE**  
**WARRANT**  
for the  
**ANNUAL TOWN MEETING**

**MONDAY, JUNE 3, 2013**  
**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 3, 2013**

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 30, 2013.

**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 Collector of Taxes, the Assistant Collector of Taxes, Treasurer, Assistant Treasurer, 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 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 \$412,084 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, or to transfer from available funds, \$4,680 or any other sum to pay for services rendered to citizens of Plainville by South Norfolk County Association for Retarded Citizens, Inc., such payment to be made in accordance with a fee for services agreement to be entered into by the Board of Health on behalf of the Town of Plainville, or do or act in any manner relative thereto. (*Sponsor: Board of Health*)

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$20,000 or any other sum for the payment of fees associated with the collection of ambulance billings, or do or act in any manner relative thereto. (*Sponsor: Fire Department*)

**ARTICLE 8:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$25,000 or any other sum for the purpose of conducting an audit of Fiscal Year 2013, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$20,000 or any other sum for the Reserve Fund to provide for the extraordinary or unforeseen expenses as authorized by Sect. 6, Chap. 40 of Mass. General Laws, or do or act in any manner relative thereto. (*Sponsor: Finance Committee*)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$4,100 or any other sum to fund Plainville's participation in the programs and services of the Southeastern Regional Services Group, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 11:** 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>Source of Funds</i>	<i>Use of Funds</i>	<i>Expended Under Direction of:</i>	<i>Annual Expenditure</i>
1. Dog Licenses & Fines	Costs associated with the enforcement of the Animal Control By-Law	Board of Selectmen	\$15,000
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	\$12,500
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	\$38,000
9. Library Fines	Costs associated with the Public Library	Board of Library Trustees	\$8,000
10. Cable Television Franchise Fees	Costs associated with the provision of Local Cable Access Programming	Cable Advisory Committee	\$30,000

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 raise and appropriate, or transfer from available funds, \$160,000 or any other sum to meet the Town's obligations for Medicare Taxes, said funds to be expended under the direction of the Town Treasurer, or do or act in any manner relative thereto. (*Sponsor: Town Treasurer*)

**ARTICLE 13:** 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 2014

Job Classification	Effective July 1, 2013 Range			
A. Executive Level				
Deputy Fire Chief	Minimum:	64,905.	Maximum:	73,810. Base
Highway Superintendent	Minimum:	47,260.	Maximum:	62,155. Base
Water/Sewer Superintendent	Minimum:	49,850.	Maximum:	76,890. Base
Principal Assessor	Minimum:	47,990.	Maximum:	64,525. Base
Park Director (Full-time)	Minimum:	46,585.	Maximum:	57,675. Base
Park Director (Part-time)	Minimum:	23,295.	Maximum:	28,835. Base
Executive Director, Council on Aging	Minimum:	40,295.	Maximum:	48,610. Base
Planner	Minimum:	47,070.	Maximum:	64,720. Base
Health Agent	Minimum:	44,365.	Maximum:	68,175. Base
Outreach/Asst. Dir., Council on Aging	Minimum:	14.10	Maximum:	18.25 Hourly
Emergency Management Director	Minimum:	15.10	Maximum:	19.90 Hourly
B. Library				
Library Director	Minimum:	39,425.	Maximum:	51,210. Base
H. Public Needs				
Bus Driver	Minimum:	17.00	Maximum:	18.25 Hourly
I. Seasonal				
Lifeguard, Head	Minimum:	9.45	Maximum:	15.70 Hourly
Life Guard	Minimum:	9.45	Maximum:	15.70 Hourly
Water Safety, Instructor	Minimum:	10.45	Maximum:	15.70 Hourly
Maintenance Apprentice	Minimum:	8.35	Maximum:	15.70 Hourly
Arts & Crafts Aide	Minimum:	8.35	Maximum:	15.70 Hourly
Recreation Assistant	Minimum:	8.90	Maximum:	15.70 Hourly
Recreation Aide	Minimum:	8.35	Maximum:	15.70 Hourly
Program Aide	Minimum:	8.35	Maximum:	15.70 Hourly
J. Part-time Hourly				
Land Use Coordinator	Minimum:	24.40	Maximum:	37.45 Hourly
Conservation Agent	Minimum:	11.45	Maximum:	24.25 Hourly
Patrolman, Special	Minimum:	15.65	Maximum:	19.10 Hourly
IT Systems Administrator	Minimum:	27.50	Maximum:	35.00 Hourly
Secretary, Senior	Minimum:	18.00	Maximum:	21.15 Hourly
Clerk	Minimum:	8.50	Maximum:	10.70 Hourly
Clerk, Senior	Minimum:	11.10	Maximum:	15.20 Hourly
Associate Librarian	Minimum:	15.90	Maximum:	19.40 Hourly
Librarian, Children's	Minimum:	12.85	Maximum:	18.95 Hourly
Librarian, Technician	Minimum:	8.50	Maximum:	12.20 Hourly
Library Page	Minimum:	7.60	Maximum:	10.05 Hourly
Custodian	Minimum:	8.85	Maximum:	13.05 Hourly
Laborer, Apprentice	Minimum:	7.60	Maximum:	8.70 Hourly
Laborer	Minimum:	8.85	Maximum:	13.05 Hourly
Laborer, Skilled	Minimum:	14.40	Maximum:	16.90 Hourly
Driver, Highway	Minimum:	11.70	Maximum:	17.10 Hourly
Dispatcher	Minimum:	15.70	Maximum:	19.90 Hourly

K. Inspector-Annual Rates:

Building Inspector	I-1	To be paid at an hourly rate of \$23.50 and an additional annual rate of compensation equal to 14% 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.
Wiring Inspector	I-2	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.
Plumbing Inspector *	I-3 *	To be paid at an annual rate equal to 100% of those amounts collected
Gas Piping Inspector *	I-4	in fees and remitted to the Town Treasurer, or such lesser dollar amount as may
Sealer of Weights & Measures *	I-5	be mutually agreed upon between the Inspector and the Board of Selectmen.

**ARTICLE 14:** 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 13	Recommended FY14
Moderator	\$25. per meeting	\$25. per meeting
Town Clerk	\$61,742. Annually	\$ 61,912. Annually
Town Treasurer	\$54,099. Annually	\$ 56,960. Annually
Tax Collector	\$39,438. Annually	\$ 41,524. 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
Water – Sewer Commissioners, Each Member	\$ 1,000. Annually	\$ 1,000. 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
Tree Warden	\$ 7.25/hour	\$ 7.25 /hour
Constable	\$ 7.25/hour or \$3.00/posting	\$7.25 /hour or \$3.00 per posting

or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 15:** 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, 2013, and expressly for the following purposes to wit:

GOVERNMENT	DEPARTMENT #	
Selectmen	122	\$ 222,985
Salaries .....	\$ 205,210	
Expenses.....	\$ 17,775	
Finance Committee	131	\$ 300
Expenses.....	\$ 300	
Town Accountant	135	\$ 72,931
Salaries .....	\$ 70,431	
Expenses.....	\$ 2,500	
Assessors	141	\$ 94,827
Salaries .....	\$ 85,772	
Expenses.....	\$ 9,055	
Treasurer	145	\$ 110,352
Salaries .....	\$ 85,257	
Expenses.....	\$ 25,095	

Tax Collector	146		\$ 93,564
Salaries .....		\$ 80,619	
Expenses.....		\$ 12,945	
Legal	151		\$ 47,200
Expenses.....		\$ 47,200	
Data Processing	155		\$ 29,460
Expenses.....		\$ 29,460	
Town Clerk	161		\$ 101,832
Salaries .....		\$ 96,337	
Expenses.....		\$ 4,595	
Out of State Travel.....		\$ 900	
Election	162		\$ 22,800
Expenses.....		\$ 22,800	
Board of Registrars	163		\$ 12,774
Salaries .....		\$ 7,774	
Expenses.....		\$ 5,000	
Land Use Coordination	170		\$ 49,576
Salaries .....		\$ 48,376	
Expenses.....		\$ 1,200	
Conservation Commission	171		\$ 10,700
Salaries .....		\$ 10,000	
Expenses.....		\$ 700	
Planning Board	175		\$ 2,700
Salaries .....		\$ 2,500	
Expenses.....		\$ 200	
Zoning Board	176		\$ 4,000
Salaries .....		\$ 3,000	
Expenses.....		\$ 1,000	
Building Maintenance	192		\$ 21,100
Expenses.....		\$ 21,100	
Town Insurance	193		\$ 164,750
Expenses.....		\$ 164,750	
Police Department	210		\$ 1,738,814
Salaries .....		\$1,528,714	
Expenses.....		\$ 165,100	
Capital.....		\$ 45,000	
Communications	215		\$ 403,346
Salaries .....		\$ 292,761	
Expenses.....		\$ 110,585	
Fire & Ambulance	220		\$ 1,746,345
Salaries .....		\$1,572,995	
Expenses.....		\$ 171,350	
Out of State Travel .....		\$ 2,000	
Call Fire Department	225		\$ 19,000
Salaries .....		\$ 14,000	
Expenses.....		\$ 5,000	

Building Inspection	241		\$ 77,186
Salaries .....		\$ 41,926	
Inspection Fees.....		\$ 22,500	
Expenses.....		\$ 12,760	
Plumbing & Gas Inspection	242		\$ 30,700
Inspection Fees.....		\$ 30,000	
Expenses.....		\$ 700	
Sealer of Weights & Measurers	244		\$ 5,000
Expenses.....		\$ 5,000	
Wiring Inspection	245		\$ 57,270
Inspection Fees.....		\$ 56,650	
Expenses.....		\$ 620	
Animal Control Officer	292		\$ 12,000
Salaries.....		\$ 9,380	
Expenses.....		\$ 2,620	
Tree Warden	294		\$ 3,000
Expenses.....		\$ 3,000	
Local Schools	300		\$ 7,669,996
Salaries & Expenses. ....		\$7,669,996	
King Philip Regional School	350		\$ 5,294,992
Salaries & Expenses. ....		\$4,650,525	
Debt Excluded from Prop 2 ½ .....		\$ 644,467	
Tri-County Vocational School	350		\$ 990,476
Salaries & Expenses. ....		\$ 990,476	
Highway Department	422		\$ 390,997
Salaries .....		\$ 277,269	
Expenses.....		\$ 113,728	
Snow Removal	423		\$ 52,000
Salaries .....		\$ 22,000	
Expenses.....		\$ 30,000	
Street Lights	424		\$ 50,000
Expenses.....		\$ 50,000	
Sewer Department	440		\$ 592,154
Salaries .....		\$ 132,299	
Expenses.....		\$ 449,855	
Equipment.....		\$ 10,000	
Water Department	450		\$ 884,433
Salaries .....		\$ 254,233	
Expenses.....		\$ 618,200	
Equipment.....		\$ 10,000	
Out of State Travel .....		\$ 2,000	
Board of Health	510		\$ 121,168
Salaries .....		\$ 94,801	
Expenses.....		\$ 26,367	
Council on Aging	541		\$ 145,463
Salaries .....		\$ 111,373	
Expenses.....		\$ 34,090	

Veteran's Benefits	543		\$ 60,375
Salaries .....		\$ 5,125	
Expenses.....		\$ 750	
Benefits.....		\$ 54,500	
Library	610		\$ 192,849
Salaries .....		\$ 124,139	
Expenses.....		\$ 68,710	
Park Department	650		\$ 52,334
Salaries .....		\$ 48,834	
Expenses.....		\$ 3,500	
Historical Commission	691		\$ 13,250
Expenses.....		\$ 13,250	
Memorial Day	692		\$ 1,000
Expenses.....		\$ 1,000	
Maturing General Debt	710		\$ 126,000
Principal Expense.....		\$ 126,000	
Maturing Water Dept. Debt	710		\$ 236,677
Principal Expense.....		\$ 236,677	
Water Dept. Debt Due to N. Attleboro	710		\$ 29,521
Principal Expense.....		\$ 29,521	
Sewer Dept. Debt Due to N. Attleboro	710		\$ 191,517
Principal Expense.....		\$ 191,517	
Sewer Dept. Debt Due to N. Attleboro			
Excldd from Prop 2 ½	710		\$ 191,516
Principal Expense.....		\$ 191,516	
West Side Sewer Excldd from Prop 2 ½	710		\$ 119,190
Principal Expense.....		\$ 119,190	
Maturing Debt Excldd from Prop 2 ½	710		\$ 690,000
Principal Expense.....		\$ 690,000	
Interest on General Debt	751		\$ 37,536
Expenses.....		\$ 37,536	
Interest on Water Dept. Debt	751		\$ 66,281
Expenses.....		\$ 66,281	
West Side Sewer Excldd from Prop 2 ½	751		\$ 58,018
Interest Expense.....		\$ 58,018	
Interest on Debt Excldd from Prop 2 ½	751		\$ 165,294
Expenses.....		\$ 165,294	
Norfolk County & State Retirement	911		\$ 962,349
Expenses.....		\$ 962,349	
Group Insurance	914		\$ 1,872,396
Expenses.....		\$1,872,396	

Or, to see if the Town will vote to do or act in any manner relative thereto.

**ARTICLE 16:** To see if the Town will vote to transfer from available funds, \$23,867 or any other sum for the purpose of proportionally funding the FY 2013 and the FY 2014 portions of a fifty third week of payroll for all municipal departments, 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, \$14,000 or any other sum for the purpose of funding the tuition of Plainville students attending the Norfolk County Agricultural High School during the 2013 – 2014 school year, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 18:** To see if the Town will vote in accordance with the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws to appropriate \$424,876 or any other sums for the purpose of operating a household waste collection, recycling, and disposal program; \$385,935 of such appropriation to be funded from Fiscal Year 2014 Trash Enterprise Revenue, \$31,257 to be funded from Trash Enterprise Retained Earnings, and \$7,684 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.....	\$ 42,788
Expenses.....	\$382,088

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

**ARTICLE 19:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$4,900 or any other sum for the purpose of funding the Assessor's Appraisal Software License Agreement for Fiscal Year 2014, such funds to be expended under the direction of the Board of Assessors, or do or act in any manner relative thereto. *(Sponsor: Board of Assessors)*

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$3,000 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 21:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$2,500 or any other sum for the purpose of administering employee physicals and/or psychological screenings for new hires or for such other employment purposes as may be deemed necessary by the Board of Selectmen, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 22:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$7,305 or any other sum to fund the third year payment of the four (4) year lease/purchase agreement for the Fire Chief vehicle, 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 23:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$4,500 or any other sum for the purchase of Quality Assurance Ambulance Report services to assist the Plainville Fire Department in fulfilling State of Massachusetts Department of Public Health requirement that all ambulance providers participate in a quality assurance program to enhance the delivery of pre-hospital medical services, 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 24:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$17,000 or any other sum for the purchase of protective fire gear which is to be replaced in accordance with National Fire Protection Administration standards, 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 25:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$7,500 or any other sum, to authorize and fund the execution of a lease/purchase agreement, such sum being the first year's payment of a four (4) year lease for a Police Department vehicle for the use of the Police Chief, along with the necessary related equipment and other costs related to its procurement, 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 26:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$18,625 or any other sum for the purchase and installation of a boom flail mower, such funds to be expended under the direction of the Highway Superintendent, or do or act in any manner relative thereto. *(Sponsor: Highway Superintendent)*

**ARTICLE 27:** To see if the Town will vote to transfer a certain sum from available funds to the 2013 Fiscal Year Snow Removal Expense Account, or do or act in any manner relative thereto. *(Sponsor: Highway Superintendent)*

**ARTICLE 28:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$500.00 for the payment of a bill of a prior fiscal year incurred by the Tax Collector, or do or act in any manner relative thereto. *(Sponsor: Tax Collector)*



**ARTICLE 29:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$17,027 to be deposited into a Health Insurance Mitigation Account, such sum representing 18.75% of the Town's anticipated Health Insurance premium savings for fiscal year 2014; the creation of, and the use of such Mitigation Account having been agreed to in a Memorandum of Agreement between the Town and the Town's unionized employees, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 30:** To see if the Town will vote to transfer \$180,000 or any other sum from Water Surplus for the replacement of water mains, services, valves, and hydrants on Maple Street, such funds to be expended under the direction of the Board of Water-Sewer Commissioners, or do or act in any manner relative thereto. *(Sponsor: Board of Water-Sewer Commissioners)*

**ARTICLE 31:** To see if the Town will vote to transfer \$200,000 or any other sum from Water Surplus for the purpose of making building repairs at the Water Treatment Plant and Offices at 171 East Bacon Street, such funds to be expended under the direction of the Board of Water-Sewer Commissioners, or do or act in any manner relative thereto. *(Sponsor: Board of Water-Sewer Commissioners)*

**ARTICLE 32:** To see if the Town will vote to transfer \$50,000 or any other sum from Water Surplus for the purpose of updating a computer hydraulic model of the Plainville Water System, and evaluate the feasibility of installing passive or active mixer applications at the East Bacon Street and Sharlene Lane water storage tanks, such funds to be expended under the direction of the Board of Water-Sewer Commissioners, or do or act in any manner relative thereto. *(Sponsor: Board of Water-Sewer Commissioners)*

**ARTICLE 33:** To see if the Town will vote to appropriate a sum of money for a Sewer System Infiltration/Inflow Program; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; or do or act in any manner relative thereto. *(Sponsor: Board of Water- Sewer Commissioners)*

**ARTICLE 34:** To see if the Town will vote to authorize the King Philip Regional School District to establish, to the extent permitted by the Laws of the Commonwealth of Massachusetts, a capital account for purposes of receiving donations and other funds for purposes of constructing an artificial turf field at the King Philip Regional High School, or do or act in any manner relative thereto. *(Sponsor: King Philip School Committee)*

**ARTICLE 35:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$100,000 or any other sum to build a soccer field at the "Field of Dreams", such funds to be expended under the direction of the Park Commission, or do or act in any manner relative thereto. *(Sponsor: Park Commission)*

**ARTICLE 36:** To see if the Town will vote to amend the Code of the Town of Plainville by deleting Section 472-6. **Building restriction.** from Chapter 472, Wetlands Protection, or do or act in any manner relative thereto. *(Sponsor: Conservation Commission)*

**ARTICLE 37:** As the residents of Potter Ave Between the end of Lincoln Ave and #29 Potter Ave. we do hereby request that the Town accept the Roadway as further described herein as a 50' wide public way with all benefits thereof through the Town of Plainville. This area is more accurately described in plans entitled 'The Thompson Development' prepared by SMR Surveying & Engineering, Inc., Dated May 1, 1985, recorded as Plan Book 330, Number 1665 of 1985. Potter Ave is described with appropriate meets and bounds in said plans and each lot is further described in individual condominium as-built plans as shown on record at the Norfolk Registry of Deeds:

Plan Book	Number	Year
354	687	1987
354	689	1987
355	766	1987
363	1532	1987
366	249	1988
371	863	1988
372	943	1988
381	461	1989
384	799	1989

*(Sponsor: By Petition)*

**ARTICLE 39:** To see if the Town will vote to amend the Code of the Town of Plainville by deleting the current language at Section 540-1 and replacing it with the following:

§ 500-40. Floodplain review.

A. Purpose. The purposes of the Floodplain District are to:

- (1) Ensure public safety through reducing the threats to life and personal injury;
- (2) Eliminate new hazards to emergency response officials;
- (3) Eliminate costs associated with the response and cleanup of flooding conditions;
- (4) Reduce damage to public and private property resulting from flooding waters; and
- (5) Protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety.

B. Applicability. The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Plainville designated as Zone A or AE on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Plainville are panel numbers 25021C0319E, 25021C0337E, 25021C0338E, 25021C0339E, 25021C0341E, 25021C0343E, 25021C0407E, 25021C0426E, and 25021C0427E dated July 17, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and Planning Board.

C. Use regulations.

- (1) Within the Floodplain District Overlay developments must conform to the requirements of both zones or the more restrictive of the two.
- (2) No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms listed below and other applicable regulations.
  - (a) 780 CMR of the Massachusetts State Building Code, which addresses floodplain areas.
  - (b) 310 CMR 10.00, Wetlands Protection, Department of Environmental Protection (DEP).
  - (c) 310 CMR 13.00, Inland Wetlands Restriction, DEP.
  - (d) 310 CMR 15.00, Title 5, minimum requirements for the subsurface disposal of sanitary sewage, DEP.
  - (e) Any variances from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

D. Administrative procedure. The Planning Board as the permit authority shall adopt rules relative to the issuance of development permits and file a copy with the Town Clerk.

E. Information requirements. Application for a development permit shall be made on forms furnished by the Planning Board and may include, but not be limited to, plans drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage and location. Specifically required:

- (1) Locus plan;
- (2) Existing and proposed buildings;
- (3) Elevation in relation to mean sea level of the lowest floor (including basement or cellar) of all structures;
- (4) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (5) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in this article;
- (6) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development; and
- (7) Plans for any walls to be used to enclose space below the base flood level.

F. Review procedure. At a properly posted Planning Board meeting, the Board shall examine and review the permit application to ensure the following concerns have been addressed:

- (1) Within the floodway no encroachments (including fill, new construction, substantial improvements to existing structures, or other development) shall be allowed unless it is demonstrated by the applicant that the proposed development as a result of compensating actions will not result in any increase in flood levels within the Town

during the occurrence of a one-hundred-year flood in accordance with the Federal Emergency Management Agency's regulations for the National Flood Insurance Program.

- (2) Any encroachment in the floodway meeting the above standard must also comply with the floodplain requirements of the State Building Code.
- (3) The proposed use will not create increased flood hazards which shall be detrimental to the public health, safety and welfare.
- (4) The proposed use will comply in all respects to the provisions of the underlying district or districts within which the land is located.
- (5) The proposed is in compliance with all applicable state and federal laws, including the Massachusetts Building Code and the Massachusetts Wetlands Protection Act (MGL c. 131, § 40).
- (6) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (7) Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.
- (8) In a riverine situation, the Planning Board shall notify the following of any alteration or relocation of a watercourse:

Adjacent Communities

NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104

NFIP Program Specialist  
Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110

- (9) All subdivision proposals must be designed to assure that:

- a) such proposals minimize flood damage;
- b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- c) adequate drainage is provided to reduce exposure to flood hazards.

G. Appeal. The Board of Appeals, as established by MGL c. 40A, shall hear and decide appeals in regards to determinations or decisions made by the Planning Board in the enforcement or administration of this section.

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

**ARTICLE 40:** To see if the Town will vote to amend the Zoning Code of the Town of Plainville by adding under Section 500-18. Use Regulations., the following new subsection:

## **C. TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**

### **PURPOSE**

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Plainville Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex 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 medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process

to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

#### DEFINITION

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

#### 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 Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

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

**ARTICLE 41:** To see if the Town of Plainville will vote to amend the Zoning Map by changing the zoning of certain land located 700 to 1000 feet to the northwesterly side of Washington Street from RA – Single Family Residential to CB – General Commercial, by beginning at that point on George Street which is 700 feet perpendicular to Washington Street and continuing northwesterly on George Street to a point which is 1,000 feet perpendicular to Washington street; thence running northeasterly in a line which remains 1,000 feet perpendicular to Washington Street for a distance of approximately 3,700 feet to land zoned RB – Residential; thence turning ninety degrees southeasterly and running for a distance of 300 feet to land zoned CC – Commercial; thence turning ninety degrees southwesterly and running a distance of approximately 3,800 feet to the point and place of beginning. The area of the proposed change is set forth on Appendix A, attached hereto.


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

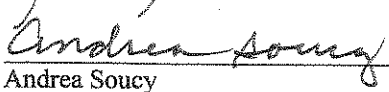
And you are directed to serve this Warrant by posting copies thereof in six (6) public places, in said Town, fourteen (14) days at least before the time of holding said meeting.

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 6<sup>th</sup> day of May, in the year of our Lord two thousand and thirteen.

  
Robert Fennessy, Chairman

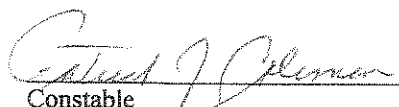
  
Robert Rose

  
Andrea Soucy

A true copy Attest:  
  
Ellen M. Robertson, Town Clerk

May 20, 2013

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.

  
Constable

May 17, 2013

APPENDIX A

