

**Special Town Meeting, Monday, April 22, 2013**

**ARTICLE 1** The Town **VOTED** to appropriate the sum of \$5,181.60 by transferring said sum from Free Cash for payment of unpaid bills incurred during the previous fiscal year.

DEPARTMENT	VENDOR	DATE	AMOUNT
SCHOOL	LIFE DIMENSIONS	6/18/2012	\$1,377.00
SCHOOL	HUNTINGTON CONTROLS	3/19/2012	\$1,189.70
SCHOOL	PEARSON	1/20/2011	\$447.32
SCHOOL	WELLS FARGO	12/15/2008	\$78.00
TREASURER	COMMONWEALTH OF MASS STATE BOARD OF RETIREMENT	1/7/94-7/22/94	\$2,089.58
			\$5,181.60

**PASSED BY 9/10 s VOTE**

**ARTICLE 2** The Town **VOTED** make the following adjustments to the Fiscal Year 2013 General Fund budget line items voted as Article 6 at the April 2012 Annual Town Meeting:

Transfer from the following FY 2013 budgets:

Employee Benefits:	\$22,205.07
Unemployment:	\$20,000.00
Legal:	\$82,000.00
Treasurer Tax Title:	\$18,000.00
Debt Service:	\$29,000.00

Transfer to the following FY 2013 budgets:

General Insurance:	\$25,000.00
Facilities Expenses (Library Exterior):	\$31,241.31
Police Salaries (Overtime):	\$306,000.00
Fire Expenses (Stretcher):	\$17,000.00

And further to transfer \$27,223.21 from Ventress Renovation, Article 29, ATM, 4/ 2008, transfer \$4,018.10 from Feasibility Study, Article 17, STM, 10/2007, transfer \$23,674.93 from Free Cash and transfer \$153,120 from Overlay Surplus.

**PASSED BY MAJORITY VOTE**

**ARTICLE 3** The Town **VOTED** to transfer from Overlay Surplus the sum of \$76,000 for the purpose of funding the abatement of FY2009 personal property tax to Verizon.

**PASSED BY MAJORITY VOTE**

**ARTICLE 4** The Town **VOTED** to expend \$284.84 for the Energy Services Contract (ESCO) upgrades to various municipal buildings including asbestos abatement costs and to fund such appropriation transfer \$284.84 from the investment income earned on the proceeds from the qualified energy conservation bond issued July 2, 2012.

**PASSED BY MAJORITY VOTE**

**ARTICLE 5** The Town **VOTED** to establish a Capital Project Fund as authorized by Massachusetts General Laws Chapter 40, §5B.

**PASSED BY 2/3rds VOTE**

**ARTICLE 6** The Town **VOTED** to amend Article 56 of the Town By-laws, by inserting Section 4A as follows:

Article 56, Section 4A - CAPITAL PROJECT FUND

1. A Capital Project Fund shall be established by Town Meeting vote. The Town Accountant is hereby authorized to close all completed general revenue, free cash and retained earnings financed capital appropriation balances in the General and Enterprise Funds to this fund. No expenditures shall be made from the Capital Project Fund. The fund shall serve solely as a source for financing future capital needs.

2. Unobligated balances in bonded capital project accounts shall be transferred to the Capital Project Fund at the completion of each such capital project. These balances shall be reserved for future appropriation in accordance with the municipal finance laws. To the extent that Town Meeting has not voted to designate Capital Project funds for a specific future project, the Unreserved Fund Balance in the Capital Project Fund shall be available for appropriation for additional capital needs.

3. As capital projects are completed during the course of a fiscal year, the responsible department head shall notify the Town Accountant and/or Treasurer Collector, who shall close unobligated appropriation balances to the Capital Project Fund. All year-end encumbered capital appropriation balances shall be brought forward from one year to the next, without any action of the responsible department head.

4. Not later than July 15th of each fiscal year, each department head having a capital appropriation in either an Enterprise Fund or the General Fund, for which there is an unexpended and unencumbered balance at June 30th, shall provide the Town Accountant and/or Treasurer Collector with a detailed request to carry the balance forward into the new fiscal year. This request shall contain a detailed description of the work to be performed, including any variations from the original plan, and a projected schedule for completion of the project. Prior to closing any appropriation for a capital project which has not been completed, the Town Accountant shall obtain the concurrence of the Board of Selectmen.

5. To the extent that undesignated and unreserved funds are available in the Capital Project Fund at the time that the Capital Budget is submitted to Town Meeting, this fund shall be used as the priority source for capital appropriations. Free Cash shall not be used as a financing source for a capital appropriation while equal funding is available in the Capital Project Fund.

6. The Town Accountant and/or Treasurer Collector shall provide the Capital Budget Committee and the Board of Selectmen with an annual detailed report on the status of all capital appropriations, including a summary of all activity into and out of the Capital Project Fund.

**PASSED BY MAJORITY VOTE**

**ARTICLE 7** The Town **VOTED** to appropriate the sum of \$70,711 to fund collective bargaining agreements or other employee contracts with any one or more of the following organizations with respect to the fiscal year beginning July 1, 2011 and/or for prior fiscal years:

American Federation of State County and Municipal Employees AFL – CIO State Council 93 Local 1700 (Supervisory Employees)

And to meet such appropriation transfer \$60,000 from Free Cash, transfer \$4,708 from Water Enterprise Retained Earnings, transfer \$4,708 from Wastewater Enterprise Retained Earnings and \$1,295 from Solid Waste Enterprise Retained Earnings.

**PASSED BY MAJORITY VOTE**

**ARTICLE 8** The Town **VOTED** to transfer \$165,000 from the Stabilization Fund for costs associated with the winter storms of 2013 and any snow and ice deficit due to snow removal costs incurred in the 2013 winter season and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$2,723,764 pursuant to Massachusetts General Laws Chapter 44 for costs related to the state of emergency declaration made for the 2013 Blizzard, also known as Nemo, to be reduced by any state and federal reimbursements.

**PASSED BY 2/3rds VOTE**

**ARTICLE 9** The Town **VOTED** to authorize the Board of Selectmen to enter into a long-term, twenty (20) year, Power Purchase Agreement (PPA) with No Fossil Fuels, LLC, its successors and assigns, and also an agreement to provide for certain real estate and/or property taxes during the term of the agreement and/or a payment in lieu of taxes agreement for the term of the agreement in connection with a solar photovoltaic generation facility with an aggregate generating capacity of approximately 3.99 MW DC (3.04 MW AC) to be located off of Clay Pit Road in Marshfield on privately owned land which is designed to produce Net Metering Credits for use by the Town in offsetting the utility bills associated with the Town's utility accounts.

**PASSED BY MAJORITY VOTE**

**ARTICLE 10** The Town **DEFEATED** authorizing the Board of Selectmen and/or Board of Public Works to take by Eminent Domain an access and grading easement of 50 foot width within assessors parcel H12-01-09A and shown on a plan prepared by Millbrook Surveying and Engineering, Marshfield, MA on file with the Town Clerk with land damages to be paid in the amount of \$16,000 to be transferred from Proceeds from Sale of Land.

**DEFEATED**  
**124 YES 131 NO**

**ARTICLE 11** The Town **VOTED** to amend the Town of Marshfield Zoning Bylaws by adding a new section under Article V, Use Regulations, as follows:

Section 5.05 Temporary Moratorium on Medical Marijuana Treatment Centers. There is hereby enacted a temporary moratorium on the issuance of any use, building and/or zoning permits or approvals in any zoning district relating to medical marijuana treatment centers and other uses related to regulation of medical marijuana in the Town. The temporary moratorium will end on May 30, 2014 unless this moratorium is sooner repealed by Town Meeting upon recommendation of the Planning Board. The moratorium enacted by this paragraph will provide the Planning Board, Board of Health, Police Department and Town sufficient time to write amendments to the Bylaw to determine the best way to regulate facilities associated with selling and processing marijuana for medical use in light of the enactment of Initiative Petition for the Humanitarian Medical Use of Marijuana effective January 1, 2013 and future regulations relating thereto to be promulgated by the Massachusetts Department of Public Health.

**PASSED BY 2/3rds VOTE**

**ARTICLE 12** The Town **VOTED** to appropriate the sum of \$75,000 for the purchase and installation of window blinds at the Daniel Webster and Eames Way schools and to fund such appropriation transfer the sum of \$75,000 from the utility rebates received from NStar & Columbia Gas for the energy improvements made as part of the ESCO project.

**PASSED BY MAJORITY VOTE**

**ARTICLE 13** The Town **VOTED** to appropriate the sum of \$88,600 for the maintenance contracts for the new energy efficient boilers and HVAC systems installed as part of the ESCO project and to fund such appropriation transfer \$88,600 from the utility rebates received from NStar & Columbia Gas for the energy improvements made as part of the ESCO project.

**PASSED BY MAJORITY VOTE**

**ARTICLE 14** The Town **VOTED** to appropriate the sum of \$4,270,000 for the following General Fund purpose and to fund such appropriation authorize the Treasurer with the approval of the Board of Selectmen to borrow \$4,270,000 pursuant to MGL Chapter 44.

DEPARTMENT	PROJECT/PROGRAM	FY13 Request	FY 13 CBC Recomd	Funding Source/Comment
DPW - Engineering	Seawalls and Riprap	\$5,175,000	\$4,270,000	Borrowing pursuant to MGL Ch 44
<b>GRAND TOTAL GENERAL FUND</b>		<b>\$5,175,000</b>	<b>\$4,270,000</b>	

**PASSED BY 2/3rds VOTE**

**ARTICLE 15** The Town **VOTED** to act upon the recommendation of the Board of Public Works to authorize the acquisition of certain parcel of land shown on the Marshfield Assessor's Map as lot G10-03-01 containing .652 acres more or less, located at 290 Main Street for the purpose of protection of groundwater and water supply of the municipal well field, and to transfer \$252,000 for the purchase from Water Enterprise Retained Earnings.

**PASSED BY 2/3rds VOTE**