

Town of Medfield



Annual Warrant Hearing

March 19, 2019

**TOWN OF MEDFIELD
WARRANT FOR THE ANNUAL TOWN MEETING
2019**

On Monday, the twenty-ninth day of April 2019 commencing at 7:00 PM the following Articles will be acted on in the Amos Clark Kingsbury High School Gymnasium, located at 88R South Street in said Medfield, viz.

Article 2. To see if the Town will vote to accept the reports of the several Town Officers for the past year.

Article 3. To see if the Town will vote to accept the following named sums as Perpetual Trust Funds for the care of lots in the Vine Lake Cemetery, the interest thereof as may be necessary for said care, viz.

PERPETUAL CARE 2018	
Scalfarotto, Henry	\$600.00
Armstrong, Barbara P	600.00
Caruso, Roger and Claudette	3,000.00
Morreale, Charles and Hope	3,000.00
Fawcett, John W,	1,500.00
Caughey, Kevin J and Lisa A	600.00
O'Rourke, Joann	600.00
O'Rourke, Joann	600.00
O'Rourke, Joann	600.00
Colella, Geraldine A	3,000.00
Barros, Nestor Abel	750.00
Joseph, Margaret	600.00
Fedor, Robert G	600.00
Clair, Joseph P & Lauren M	3,000.00
Bain, Deborah	750.00
Johnson, Stephen C	600.00
Kallio, Richard W	3,000.00
O'Brien, Eric and Erin	3,000.00
Mark R Fuglestad	3,000.00
Robert Curry	3,000.00
Anthony & Marlene Kalinowski	600.00
Anthony & Marlene Kalinowski	600.00
TOTAL	\$33,600

(Cemetery Commissioners)

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Article 4. To see if the Town will vote to set Expenditure Limits for 53E ½ Revolving Funds established under the Code of the Town of Medfield, Chapter 117 Departmental Revolving Funds for Fiscal Year 2020, as follows:

<u>Section</u>		<u>Amount</u>
5.1	Fire Alarm Revolving Fund	\$32,000
5.2	Ambulance Revolving Fund	\$70,000
5.3	Advance Life Support Revolving Fund	\$125,000
5.4	Community Gardens Revolving Fund	\$3,000
5.5	CENTER at Medfield Building Maintenance Revolving Fund	\$30,000
5.6	Library Revolving Fund	\$5,000
5.7	Respite Care Revolving Fund	\$125,000
5.8	Transfer Station Recycling Revolving Fund	\$10,000
5.9	Former State Hospital Revolving Fund	\$100,000
Total		

Or do or act anything in relation thereto.

(Board of Selectmen)

Article 5. To see if the Town will vote to accept M.G.L. Chapter 44 §53F ¾ to establish a Public, Educational and Governmental (PEG) Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, and vote to transfer all cable related funds, except the annual license fee, which shall be credited to the General Fund, and to appropriate a sum of money for said purposes, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019, or do or act anything in relation thereto.

Article 6. To see if the Town will vote to appropriate a sum of money and determine in what manner said sum shall be raised for the purpose of paying a FY18 unpaid bill of the XXXXX Department in the amount of \$XXX, or do or act anything in relation thereto.

(Board of Selectmen)

Article 7. To see if the Town will vote to fix the salary and compensation of the following elected officers: Moderator, Town Clerk, Selectmen, Assessors, School Committee, Trustees of the Public Library, Park and Recreation Commissioners, Planning Board, Housing Authority, and Trust Fund Commissioners, or do or act anything in relation thereto.

(Board of Selectmen)

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Article 8. To see if the Town will vote to amend the Personnel Administration Plan and Classification of Positions and Pay Schedule, effective July 1, 2019, as set out in the warrant, or do or act anything in relation thereto.

(Personnel Board)

Article 9. To see if the Town will vote to raise and appropriate and/or transfer from available funds, sums of money requested by the Selectmen or any other Town Officer, Board, Commission, or Committee to defray operating expenses of the Town for the fiscal year commencing July 1, 2019, or such other sums as the Town may determine, as required by Massachusetts General Laws, Chapter 41, Section 108, or do or act anything in relation thereto.

(Board of Selectmen)

Article 10. To see if the town will vote to raise and appropriate from the FY2020 Tax Levy and/or transfer from available funds and/or borrow for capital expenditures, including the following:

FY2020 Capital Budget

And to authorize the Board of Selectmen to sell or trade Town-owned equipment and or property, as set out in the warrant report, the proceeds of which shall be applied to the FY20 Capital Budget procurements, or do or act anything in relation thereto.

(Capital Budget Committee)

Article 11. To see if the Town will vote to appropriate \$782,125 and transfer said sum from the Municipal Buildings Capital Stabilization Fund created under Article 43 of the 2018 Annual Town Meeting for the purpose(s) and amount(s) below:

Project	Request
Town Hall HVAC Engineering/Immediate Repairs	\$15,000.00
Library Elevator Repair	\$10,000.00
Council on Aging Design for Repairs at Door Landings/Site Work	\$4,000.00
Medfield High School Building Mgmt Software Upgrade/Commissioning	\$155,125.00
Medfield High School HVAC Repairs	\$56,000.00
Blake MS Domestic WH Design	\$12,000.00

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Wheelock HVAC Engineering Recommissioning	\$15,000.00
District Wide Replace Phone System/Service/Hardware	\$200,000.00
District Wide Roof Engineering Design	\$300,000.00
Alarm System Blake Middle School	\$15,000.00

, or do or act anything in relation thereto.

(Board of Selectmen/Capital Budget Committee)

Article 12. To see if the Town will vote to appropriate a sum of money and determine in what manner said sum shall be raised, to be used with funds from the Commonwealth of Massachusetts and the Town of Millis, for the purpose of making repairs to the Bridge Street (West Street) Bridge and to authorize the Board of Selectmen to enter into contracts with the Commonwealth of Massachusetts, the Town of Millis and private contractors and to accept and/or receive funds and/or grants from the Commonwealth of Massachusetts, the Federal Government and/or private parties for such purpose, or do or act anything in relation thereto.

(Board of Selectmen)

Article 13. To see if the Town will vote to amend the Code of the Town of Medfield Chapter 30 Finances Section 30-6 Disposal of Personal Property by deleting “having a value of \$1,000 or less” and substituting therefor: “having a value of less than \$10,000”, or do or act anything in relation thereto.

(Director of Public Works)

Article 14. To see if the Town will vote to transfer \$763 in funds received from the Massachusetts Department of Transportation for the Town’s share of the fee charged for Uber, Lyft, or other ride sharing services originating in the Town, said funds to be used for road and or sidewalk improvements, or do or act anything in relation thereto.

(Board of Selectmen)

Article 15. To see if the Town will vote to authorize the Board of Selectmen, with the approval of the Water and Sewerage Board, to lease space on the Mount Nebo water tower for up to ten years for the installation and/or maintenance of cell tower antennae, on such terms and conditions as they may deem to be in the best interests of the Town, or do or act anything in relation thereto.

(Board of Selectmen)

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Article 16. To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land from Joseph T. Destito and Deborah Destito, consisting of an unimproved parcel of land containing approximately 1.04 acres, located at the end of Mohawk Street and shown on Medfield Assessors Map 3 as Parcel 62, title reference: Norfolk County Registry of Deeds Book 11917, Page 636 for conservation purposes, or do or act anything in relation thereto.

(Board of Selectmen)

Article 17. To see if the Town will vote to appropriate a sum of money and determine in what manner said sum shall be raised for the purpose of making repairs to the Danielson/Ritchie Pond dam, and that the Board of Selectmen in consultation with the Conservation Commission be authorized to apply for and receive federal, state and/or private grants or loans, and to enter into contracts with private contractors to undertake such repairs, or do or act anything in relation thereto.

(Conservation Commission)

Article 18. To see if the Town will vote to appropriate a sum of money and determine in what manner said sum shall be raised for the purpose of making improvements to the economic vitality of the Town, or do or act anything in relation thereto.

(Board of Selectmen)

Article 19. To see if the Town will vote to transfer a sum of money from sewer betterments-paid-in-advance, to the Sewer Stabilization Fund, or do or act anything in relation thereto.

(Town Administrator)

Article 20. To see if the Town will vote to appropriate a sum of money and determine what manner said sum shall be raised for the purpose of making an annual contribution to the Other Post Employment Benefits Trust Fund, or do or act anything in relation thereto.

(Board of Selectmen and OPEB Trustees)

Article 21. To see if the Town will vote to amend the Code of the Town of Medfield Bylaws, to add a new Chapter 195 Plastic Checkout Bag Prohibition, as follows:

Chapter 195 Plastic Checkout Bag Prohibition.
Section 195-1 Purpose and Intent.

Plastic bag ordinances have proven to be effective in reducing plastic bag consumption and litter and are part of a growing global movement towards sustainability. As of January 1, 2019, 88

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cities and towns in the Commonwealth of Massachusetts have enacted bylaws to reduce plastic bag usage.

The **purpose** of this bylaw is to eliminate the usage of thin-film, single-use plastic bags at checkout by all merchants in the Town of Medfield, on and after the effective date specified herein.

The Town is committed to protecting the environment and the public health, safety and welfare of its citizens. This will help reduce the common use of plastic checkout bags and encourage the use of reusable bags by consumers, thereby reducing local land and aquatic pollution, advancing solid waste reduction, maintaining Medfield's exterior beauty and improving the quality of life for the citizens of the Town.

Section 195-2 Definitions.

Checkout bags: A carryout bag provided by a store to a customer at the point of sale or other point of departure for the purpose of transporting food or merchandise from the establishment. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the stores.

Recyclable paper bag: A paper bag that is:

1. 100 percent recyclable, including the handles
2. contains at least 40% post-consumer recycled paper content; and
3. displays the words "recyclable" and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.

Retail establishment: Any retail operation located in the Town which sells goods, food or provides personal services to the public, including restaurants.

Reusable checkout bag: A sewn bag with stitched handles that is:

1. specifically designed and manufactured for multiple reuse;
2. can carry 25 lbs. over a distance of 300 feet; and
3. is made of cloth or other machine washable fabric provided, that it may not be constructed of polyethylene or polyvinyl chloride.

Section 195-3 Requirements for Checkout Bags and Exceptions.

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If any retail establishment, as defined in Section 195-2, provides checkout bags to customers, the bag must be either a **recyclable paper bag** or a **reusable checkout bag**, as defined in Section 195-2.

Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.

Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, fresh produce, bulk foods, wet items and other similar merchandise, typically without handle, are still permissible under this bylaw.

Section 195-4 Violations and Enforcement.

Any retail establishment violating the requirement(s) contained in Section 195-3 of this bylaw shall be subject to a fine as follows:

First Offense:	Warning
Second Offense:	\$ 50.00
Third and Subsequent Offenses:	\$100.00

Each day that a violation continues shall be treated as a separate offense.

This bylaw may be enforced by the Medfield Police Department, the Building Commissioner and Building Inspectors and the Board of Health Agent(s).

Section 195-5 Effective Date.

This bylaw shall take effect on and after November 1, 2019.

and to authorize the Town Clerk to renumber, re-letter, and/or to take any other action necessary to reformat this new bylaw to fit within the established format of the Code of the Town of Medfield, or do or act anything in relation thereto.

(Transfer Station and Recycling Committee)

Article 22. To see if the Town will vote to amend the Code of the Town of Medfield Chapter 130 Fire Protection to add a new Section 130-5 Fire Hydrant Access, as follows:

Section 130-5 Fire Hydrant Access

Fire Hydrant Access: No person shall obstruct access to a fire hydrant. Fire hydrants shall have a three (3) foot clear radius measured from the center of the stem on the top of the

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hydrant. No foliage, fencing, parking space, or other object shall obstruct the clear area. No person may landscape to change the grade around the base of the hydrant so as to prevent the use of a four inch cap. Location where existing objects, such as but not limited to building, walls, fences, trees, or sloping grades that does not permit a three (3) foot clearance radius, may be granted a waiver by the Fire Department. Before any waiver of the regulation is granted, all other possible locations must be considered,

And to renumber the succeeding sections of the chapter, as required and to authorize the Town Clerk to do so and to renumber, re-letter and/or to take any other action necessary to reformat this new bylaw section to fit within the established format of the Code of the Town of Medfield, or do or act anything in relation thereto.

(Town Counsel and Fire Chief)

Article 23. To see if the Town of Medfield will vote to create an overlay district consisting of the following parcels as shown on the map titled “Proposed Upper Spring Street Overlay District (USSOD)” dated 10/09/18 which is on file with the Town Clerk and Planning Department (37-044, 37-044-01 through 11, 37-046, 37-047, 37-048, 37-049, 37-197, 37-039, 37-040, 37-04, 37-042, 37-043, 37-045, 37-015, 37-033, 37-035, 37-036, 37-037, 37-034, 37-031, 37-032, 36-123, 37-029, 37-030);

And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, by adding the new section **in bold** as follows:

	Use	A	RE	RT	RS	RU	B	BI	IE
1	Residential								
<u>EXISTING</u> 1.4.	Multi-family dwelling, including public housing for the elderly (See § 300-14. 15 & §300-14.16)	NO	NO	NO	NO	SPPB	NO	NO	NO
<u>PROPOSED</u> 1.4.a	Multi-family dwelling, including public housing for the elderly in the USSOD (See § 300-14. 15 & §300-14.16)	NO	NO	NO	NO	PB	NO	NO	NO

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And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 3 Table of Height and Bulk Regulations, by adding a new entry **in bold** as follows:

		Minimum Required							
		Lots					Yards		
Zoning District	Use	Area* (square feet)	Perfect Square (feet)**	Frontage (feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)
<u>EXISTING</u> RU	Multi-family dwelling (three units)	30,000	200x200	200	200	100	30	20	50
	Lot area per additional unit (4+ units)	8,000							
<u>PROPOSED</u> RU (USSOD)	Multi-family dwelling (three units)	24,000	200x200	200	200	100	30	20	50
	Lot area per additional unit (4+ units)	6,000							

And further, to see if the Town will vote to amend the Medfield Town Code Chapter 300-14.12. Site plan approval by Planning Board, by adding a new language **in bold** as follows:

- (1) For multifamily site plans for which more than one structure is proposed, placement of structures on the site is appropriate to the site and compatible with its surroundings. **To achieve this finding the Board shall review the proposal for:**
 - a. **There shall be no more than two garage bays (or two interior parking spaces as defined by the Zoning Bylaw) per unit and they should be oriented so that they are in character with the streetscape and surrounding properties.**
 - b. **Each dwelling unit should have access to private yard, patio, or other private outdoor space.**

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- c. **Negative visual impacts of the development, if any, are screened from adjacent properties and nearby streets by landscaping or other site planning techniques. The Planning Board, in its discretion, may require additional screened buffer zone for the privacy of directly abutting properties. Screening can include use of existing trees and plants, new vegetation, fencing, or a combination of these options.**
- d. **Each parking space or driveway serving a multi-family dwelling shall be set back at least 10 feet from any side lot line and rear lot line and shall be designated on the site plan.**
- e. **Adequate provisions for snow removal or on-site storage should also be demonstrated.**
- f. **The access, egress, and internal circulation are designed to provide a network of pedestrian-friendly streetscapes.**
- g. **The dwellings are sited and oriented in a complementary relationship to: each other, the common open space, and the adjacent properties.**

And further, to see if the Town will vote to amend the Code of the Town of Medfield Chapter 300 Zoning, Article 14 Administration and Enforcement Section 300-14.16 Inclusionary Zoning Bylaw by adding the new language shown in **bold** as follows:

300-14.16.A. Applicability.

- (1) In all zoning districts, the inclusionary zoning provisions of this section shall apply to the following uses:
 - (a) Any project requiring a special permit under Chapter 300, Zoning, Attachment 1, Table of Use Regulations, Section 1.4, **or Site Plan Approval under Chapter 300, Zoning, Attachment 1, Table of Use Regulations, Section 1.4.a** that results in a net increase of six or more dwelling units, as measured over a 10-year time period, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space.

or do or act anything in relation thereto.

(Planning Board)

Article 24. To see if the Town will vote to amend the Code of the Town of Medfield Chapter 300 Zoning, Article 14 Administration and Enforcement Section 300-14.10 Special Permits by

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Board of Appeals by deleting Subsection E and its Sub-subsections (1) through (10) in their entirety and replacing them, as follows:

E. After the public hearing required by Subsection C has been concluded, the Board of Appeals may grant a special permit if it concludes that a special permit is warranted by the application and the evidence produced at the public hearing and if it makes the following specific findings of fact:

- (1) Overall design is consistent and compatible with the neighborhood, including as to factors of building orientation, scale, and massing.
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed such that the proposed use will not result in a public hazard due to substantially increased vehicular traffic or parking in the neighborhood.
- (3) Drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (4) The proposed use will not have any significant adverse effect upon properties in the neighborhood, including property values.
- (5) Project will not adversely affect or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.
- (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
- (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.
- (8) The proposed use will not create any hazard to public safety or health in the neighborhood.
- (9) If public sewerage is not provided, plans for on-site sewage disposal systems are adequate and have been approved by the Board of Health.

Or do or act anything in relation thereto.

(Planning Board/Zoning Board of Appeals)

Article 25. To see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations by updating the language used to cite regulatory references within the Zoning Bylaw (deleted text shown as ~~strikethrough~~, new text is shown in **bold**):

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	Use	A	RE	RT	RS	RU	B	BI	IE
1	Residential								
1.5	Open space residential development (See Article 7 § 300-7)	NO	SP	SP	SP	SP	NO	NO	NO
4	Commercial/Business (See Article 14 § 300-14)								
4.21.	Commercial communications and television towers (See Article 17 § 300-17)								
4.21a.	Personal wireless communications facilities (See Article 17 § 300-17)								
4.30.	Adult uses (See Article 18 § 300-18)								
4.32.	Large-scale solar photovoltaic facilities (see Article 19 § 300-19)								
5	Wholesale and Manufacturing (See Article 14 § 300-14)								
5.8.	Earth removal, transfer or storage (see Article 12 § 300-12)								

Or do or act anything in relation thereto.

(Planning Board)

Article 26. To see if the Town will vote to authorize the Board of Selectmen to dispose of, by sale or ground lease, a parcel of Town-owned land shown as “Parcel A” (Hinkley South) on a plan of land captioned “Approval Not Required (ANR) Survey Medfield Senior Center Medfield, Massachusetts” prepared by DiPrete Engineering, 990 Washington Street, Suite 101A, Dedham, MA 02026 dated June 26, 2018 and recorded at Norfolk County Registry of Deeds in Plan Book 672 at Page 75, containing 5.48 acres, according to said plan, together with access and utility easements over, under, and through abutting Town-owned land known as Lot 3, Ice House Road, to a private developer, pursuant to the provisions of G.L. Chapter 30B, Section 16, on such terms and conditions as the Board of Selectmen determine to be in Town’s interests, to develop and construct single- or two-family dwelling units, to be made available to senior households qualifying for market rate or affordable housing and, if deemed necessary or desirable, to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact special legislation to enable said development, and/or construction, or do or act anything in relation thereto.

(Affordable Housing Trust)

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Article 27. To see if the Town will vote to amend the Code of the Town of Medfield Bylaws, Chapter 15 Affordable Housing Trust Fund by adding the new language shown in **bold** as follows and deleting the language shown as ~~strikethroughs~~:

Chapter 15. Affordable Housing Trust Fund

§ 15-3 **Composition.**

There shall be a Board of Trustees of the Medfield Affordable Housing Trust Fund, composed of one ex officio non-voting member and seven voting members. The Town Administrator or the Town Administrator's designee shall serve as the ex officio member. The voting members shall include: a member of the Board of Selectmen (chosen by the Board of Selectmen), ~~a member of the Affordable Housing Committee (chosen by the Affordable Housing Committee), and five~~ **six** members appointed by the Board of Selectmen, or do or act anything in relation thereto.

(Affordable Housing Trust)

Article 28. To see if the Town will vote to amend the Code of the Town of Medfield Chapter 10, Section 10-8 Notification of Appointment by striking said section in its entirety and substituting therefore the following:

Section 10-8 Town Clerk Duties

Section 10-8-1 Notification of Appointment

In addition to the duties required by law, the Town clerk shall immediately notify in writing all members of committees that may be elected or appointed at any Town Meeting, stating the name of the committee and the business upon which they are to perform.

Section 10-8-2 Authority to Edit Town Code

Whenever the Town Meeting votes to amend the Town Code, the Town Clerk is authorized to renumber, re-letter, and/or to take any other action necessary to reformat the amendment and any existing section(s) or provision(s) within an existing chapter to fit within the established format of the Code of the Town of Medfield.

or do or act anything in relation thereto.

(Board of Selectmen)

Article 29. To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land from Michael R. Taylor and Theresa G. Taylor, consisting of an unimproved parcel of land

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containing approximately 41,818 square feet located off Main Street and shown on Medfield Assessors Map 42 as Parcel 209, title reference: Norfolk County Registry of Deeds Book 15371, Page 520 for conservation purposes, or do or act anything in relation thereto.

Article 30. To see if the Town will vote to appropriate a sum of money and determine in what manner said sum shall be raised for the purpose of hiring consultants, engineers, and/or attorneys to assist the Town with the development of the former Medfield State Hospital and surrounding areas, to advise the Town on matters concerning the site's disposition, reuse, or environmental remediation, said funds to be expended under the direction of the Board of Selectmen, with the understanding that the Board of Selectmen may authorize any other Town, board, commission, committee or department to expend a portion of said fund for such purposes, or do or act anything in relation thereto.

(Board of Selectmen)

Article 31. To see if the town will vote to authorize the Board of Assessors to use a sum of money from free cash in the Treasury for the reduction of the tax rate for the fiscal year 2020, or do or act anything in relation thereto.

(Board of Assessors)