

COMMONWEALTH OF MASSACHUSETTS

S.S. FRANKLIN

To either of the Constables of Warwick, GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in elections and in Town affairs, to

MEET AT THE TOWN HALL ON MONDAY, MAY 5, 2014, AT 7:00 P.M.

Then and there to act on the following articles:

ARTICLE 1: Shall the Town accept the reports of Town Officers and Committees for 2013 or take any other action related thereto?

ARTICLE 2: Shall the Town authorize the Town Treasurer / Tax Collector to enter into compensating balance agreements during Fiscal Year 2015 as permitted by General Laws Chapter 44:53f, or take any other action related thereto?

ARTICLE 3: Shall the Town authorize the Board of Selectmen to apply for and accept private, state and federal grants, and to expend any monies received as set forth in the appropriate grant application, or take any other action related thereto?

ARTICLE 4: Shall the Town authorize the following revolving funds in accordance with **Massachusetts General Law, Chapter 44, Section 53E ½**, or take any other action related thereto?

A. Fees for Board of Health inspections will be deposited into a revolving fund and expended to pay the personnel performing the inspections and related expenses. The fund will be under the authority of the Board of Health and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

B. Fees collected for burials by the Cemetery Commission or Board of Selectmen will be deposited into a revolving fund to pay personnel for the purpose of preparing the burial lot(s). The fund will be under the authority of the Cemetery Commission, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

C. Fees and reimbursements for costs of public hearings held by the Selectboard will be deposited into a revolving fund and expended to pay the costs of advertising, recording fees, and expenses related to the hearings. The fund will be under the authority of the Board of Selectmen, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Three Thousand Dollars (\$3,000).

D. Fees for inspections conducted by the Plumbing and Gas Inspector will be deposited into a revolving fund and expended to pay the Inspector for performing said inspections. The fund will be under the authority of the Board of Selectmen, and total expenditures for the fiscal year commencing on July 1, 2013, will be limited to Two Thousand Dollars. (\$2,000) If this fund is not reauthorized for the fiscal year commencing July 1, 2014, the balance will close out to surplus revenue at the close of Fiscal Year 2015.

E. Cleaning deposit fees retained by the Town, related to the use of Town Hall, will be deposited into a revolving fund and expended to pay the Town Hall Janitor for extra cleaning required after the use of Town Hall by any person or group which forfeits its cleaning deposit. The fund will be under the authority of the Board of Selectmen, and expenditures shall not exceed Two Thousand Dollars (\$2,000) for the fiscal year commencing July 1, 2014.

F. Funds received from the sale of timber from Town owned land will be deposited into a revolving fund and expended to pay the costs of professional forestry management services and related expenses. The fund will be under the authority of the Forestry Committee and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

G. Funds received from sale of dog licenses or from loose dog fees collected will be deposited into a revolving fund to pay for expenses incurred for licensing expenses, and the care and kenneling of animals in the custody of the Animal Control Officer. The fund will be under the authority of the Chief of Police and the total expenditures in the fiscal year commencing July 1, 2014, shall not exceed Seven Hundred Fifty (\$750).

H. Fees collected for Fire Department inspections will be deposited into a revolving fund and expended to pay the personnel performing the inspections and related expenses. The fund will be under the authority of the Fire Department and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

I. Fees collected by the Planning Board's Zoning Program will be deposited into a revolving fund and expended to pay costs associated with the Planning Board's Zoning Program such as zoning related hearings, zoning public notification, and zoning training of board members. The fund will be under the control of the Planning Board, total expenditures for the fiscal year commencing July 1, 2014, will be limited to one thousand dollars (\$1,000).

J. Fees from Highway department equipment sharing and inter-municipal rentals, Chapter 90 equipment use, and other highway machinery reimbursement will be deposited into a revolving fund and expended to fund highway machinery repairs, upkeep and replacement. The fund will be under the authority of the Selectboard and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to ten thousand dollars (\$10,000).

K. Fees for inspections conducted by the Electrical Inspector will be deposited into a revolving fund and expended to pay the Inspector for performing said inspections. The fund will be under the authority of the Selectboard, and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2000).

L. Fees for capture, transport and boarding of livestock conducted by the Field Driver will be deposited into a revolving fund and expended to compensate the Field Driver for service rendered. The fund will be under the authority of the Selectboard and total expenditures for the fiscal year commencing on July 1, 2014, will be limited to Two Thousand Dollars (\$2,000).

M. Fees collected by the Zoning Board of Appeals for hearings, applications, and filings will be deposited into a revolving fund and expended to pay costs associated with the

Zoning Board of Appeal's Zoning Program expenses such as appeals; cost of expert witnesses; consultants; special permit and variance applications; permit and variance hearings; public notification; and training of ZBA board members and alternates. The fund will be under the control of the Zoning Board of Appeals, total expenditures for the fiscal year commencing July 1, 2014, will be limited to ten thousand dollars (\$10,000).

ARTICLE 5: Shall the Town raise and appropriate such sums of money as may be necessary to defray expenses, the amount estimated by the Board of Selectmen and the Finance Committee for the Fiscal Year commencing July 1, 2014, for the purposes designated in the budget that follows, or any other amounts for such purposes, which shall not exceed the amounts stated in the column designated "FY 2015 requested"? This article shall also act to fix the salaries and compensation of elected officials as required by Massachusetts General Law, Chapter 41, Section 108.

Requested salaries and compensation for elected officials:

Moderator	\$125	Selectboard	\$1200
Assessors	\$1500	Town Clerk	\$5989
Tree Warden	\$500	Board of Health	\$1500
Cemetery Commission	\$600		

ARTICLE 6: Shall the town adopt the following bylaw, as provided in MGL Chapter 39, Section 15: If a two thirds vote of a town meeting is required by statute and the vote is unanimous, a count need not be taken, and the clerk shall record the vote as unanimous. This provision does not apply to town meeting votes requiring a four fifths or nine tenths vote.

ARTICLE 7: Shall the Town transfer from Capital Stabilization Fund \$6,100.00 to purchase a new snow plow or take any other action related thereto? (Two-thirds vote required for Stabilization Fund)

ARTICLE 8: Shall the Town transfer from Capital Stabilization Fund, \$10,000 to make repairs to the entryway of the Free Public Library or take any other action related thereto? (Two-thirds vote required for Stabilization Fund)

ARTICLE 9: Shall the Town vote to disapprove the debt authorized for technology by the Pioneer Regional School District Committee by their vote on March 27, 2014 or take any other action related thereto?

ARTICLE 10: Shall the Town transfer from Capital Stabilization Fund \$3,800 to replace four firearms, acquire an evidence / gun safe and purchase portable radios for the Police Department? (Two-thirds vote required for Stabilization Fund)

ARTICLE 11: Shall the Town authorize Warwick's share (\$4500) of PVRS central office capital project funds which were raised, appropriated and paid in a prior year to the District be used instead for a feasibility study to develop options for renovation or replacement of the District Central Office, or take any other action related thereto?

ARTICLE 12: Shall the Town transfer from Capital Stabilization Fund \$5150 to fund PVRS capital projects or take any other action related thereto? (Two-thirds vote required for Stabilization Fund)

ARTICLE 13: Shall the Town borrow \$155,000 to replace the WCS roof and related expenses, contingent on a Prop 2 ½ debt exclusion override, or take any other action related thereto? (Two-thirds vote required for borrowing)

ARTICLE 14: Shall the Town approve payment of a prior year bill for well repair at WCS in the amount of \$2,407 from the FY14 Warwick Community School Improvement Account or take any other action related thereto? (Prior-year bill requires 80% vote)

ARTICLE 15: Shall the Town raise and appropriate the sum of \$18,000 to fund the Warwick Community School Improvement Account established by vote of the Annual Town Meeting held May 3, 2004, or take any other action related thereto?

ARTICLE 16: Shall the Town raise and appropriate the sum of \$2,500 to the Revaluation Account, or take any other action related thereto?

ARTICLE 17: Shall the Town appropriate \$104,000 to the Broadband Enterprise Fund effective July 1, 2014, for operation of the Warwick Broadband Service or take any other action related thereto?

ARTICLE 18: Shall the Town raise and appropriate \$3925 to pay for post closure monitoring at Warwick's closed landfill or take any other action related thereto?

ARTICLE 19: Shall the Town appropriate available Solid Waste funds certified in the amount of \$956 to the operation of the FY '15 Transfer Station Enterprise Fund or take any other action related thereto?

ARTICLE 20: Shall the Town appropriate a total budget of \$38,000 (inclusive of funds appropriated in Article 19) to the operation of the Transfer Station Enterprise Fund effective July 1, 2014 or take any other action related thereto?

ARTICLE 21: Shall the Town raise and appropriate \$502 to the workers compensation assessment or take any other action related thereto?

ARTICLE 22: Shall the Town transfer \$40,000 from Pass Thru Grant account 24-5-440-002 to the Capital Stabilization Fund or take any other action related thereto? (2/3 vote required)

ARTICLE 23: Shall the Town raise and appropriate \$5,000 to audit town accounts or take any other action related thereto?

ARTICLE 24: Shall the Town transfer \$429.75 from MRF recycling proceeds account 29 5 433 201 to reduce the levy or take any other action related thereto?

ARTICLE 25: Shall the Town transfer "Free Cash" in the amount of \$35,922 to reduce the FY 2015 tax levy or take any other action related thereto?

ARTICLE 26: Shall the Town transfer \$2000 from account 24-5-550-001 (Internet CPE grants) to reduce the FY 2015 tax levy or take any other action related thereto?

ARTICLE 27: Shall the Town transfer \$12,585 from account 27-4-122-000 (FEMA storm damage proceeds) to reduce the FY 2015 tax levy or take any other action related thereto?

ARTICLE 28: Shall the Town transfer \$5,599 from Overlay Surplus to reduce the FY 2015 tax levy or take any other action related thereto?

ARTICLE 29: Shall the Town agree to widen the scope of its vote in Article 28 of the May 6, 2013 Annual Town Meeting to approve the purchase of a storage shed as an allowable expense of the Highway Department Equipment Garage insulation project or take any other action related thereto? (two-thirds vote required)

ARTICLE 30: Shall the Town transfer \$5000 from Capital Stabilization to purchase Fire Department turn out gear or take any other action related thereto? (Two-thirds vote required)

ARTICLE 31: Shall the Town vote to establish an SCBA (air pack) account and transfer \$2800 from Capital Stabilization to replace or recertify Fire Department SCBA gear or take any other action related thereto? (Two-thirds vote required)

ARTICLE 32: Shall the Town transfer \$2100 from Capital Stabilization to purchase new Fire Department ladders or take any other action related thereto? (Two-thirds vote required)

ARTICLE 33: Shall the Town transfer \$2000 from Capital Stabilization to purchase new Fire Department tires and chains for the GMC fire truck or take any other action related thereto? (Two-thirds vote required)

ARTICLE 34: Shall the Town transfer \$1000 from Capital Stabilization to purchase new Fire Department hose and a "turbo-draft" unit or take any other action related thereto? (Two-thirds vote required)

ARTICLE 35: Shall the Town transfer from Capital Stabilization \$10,000 to the Town Hall improvement account or take any other action related thereto? (two-thirds vote required)

ARTICLE 36: Shall the Town of Warwick Zoning By-laws be amended by deleting paragraph 1. of subsection C. DRIVEWAYS of SECTION 8: PARTICULAR USES and replacing it with the following:

A new driveway requires a permit issued by the Highway Superintendent. A driveway is defined as motor vehicle access onto a town-maintained public way or a private way approved by the Planning Board. A new driveway is defined as a newly created access onto the public way or onto a private way approved by the Planning Board, or an existing driveway serving a new dwelling unit, or a modification of any access determined by the Highway Superintendent (such as an upgrade in use of the driveway, for example a driveway to a camp upgraded to handle heavy equipment associated with a logging job). A new driveway may be temporary or permanent.

A temporary driveway is access to the public way for a limited time which shall not exceed 3 years, but the permit may be extended for cause in increments not exceeding one year by the Highway Superintendent. A cash bond of \$300 shall be posted by the owner or the owner's agent to assure compliance. The Highway Superintendent may waive driveway requirements of

this bylaw for temporary driveways. Upon expiration of the permit or completion of the project, the access shall be blocked, any culvert removed, any damage to the road or its edges shall be repaired and any drainage ditch adjacent to the public way restored to the satisfaction of the Highway Superintendent. When the temporary access is no longer needed or the temporary driveway permit has expired the Highway Superintendent shall notify the owner of actions required to restore the site. If four weeks elapse and no action has been taken to restore the site, or no plan has been agreed to with the Highway Superintendent, the Town of Warwick may restore the site and all associated costs shall be paid from the bond. If the bond does not cover all costs, any additional costs shall be billed to the owner and failure to pay these costs shall result in a lien on the property for the amount owed plus town costs associated with the lien. The owner shall also be responsible for, and take measures to prevent, and shall clean up any water and mud coming onto the way from the driveway, and shall be responsible for town costs of cleanup from the date of issuance of the permit until the bond is released.

A permanent driveway shall meet all the requirements of this bylaw, except the requirements of this by-law specifically applicable to temporary driveways, unless relief is granted by a special permit issued by the Zoning Board of Appeals.

1. Procedure: The Highway Superintendent shall approve or disapprove new driveway applications in accordance with the following procedures, may require changes in the design or construction of new driveways in accordance with the following provisions and may develop an appropriate form for new temporary or permanent driveway applications. All new dwellings require a new driveway permit from the Highway Superintendent before issuance of any applicable building permit and before any driveway construction.

ARTICLE 37: Shall the Town of Warwick Zoning By-laws be amended by adding the words “not used” to SECTION 3: PREEXISTING USES, so it reads as follows (note that added wording is in bold and italicized):

A. CONTINUATION AND RESTORATION: The lawful use of any building, structure or land may be continued, provided that such use was properly allowed when it began and has not been discontinued, ***not used***, or destroyed by fire or natural cause for a period of two or more consecutive years.

ARTICLE 38: Shall the Town accept the provisions of MGL Chapter 60 Section 62A as a town by-law and grant authorization for payment agreements between the treasurer and persons entitled to redeem parcels in tax title; provided that such agreements shall be for a maximum term of no more than 5 years; the treasurer may waive not more than 50 per cent of the interest that has accrued on the amount of the tax title account; the provisions shall be applied uniformly for all classes of tax titles; and require a minimum payment at the inception of an agreement of 25 per cent of the amount needed to redeem the parcel. During the term of the agreement the treasurer may not bring an action to foreclose unless payments are not made in accordance with the schedule set out in the agreement or in the case where timely payments are not made on other amounts due to the Town that are a lien on the same parcel.

ARTICLE 39: (by petition) Shall the Town adopt the following RESOLUTION TO BAN “FRACKED GAS” PIPELINES AND TO CHAMPION SUSTAINABLE ENERGY or take other action thereon?

Whereas a proposed High-Pressure Pipeline carrying natural gas obtained through

hydraulic fracturing may come through Warwick or neighboring communities, bringing said fuel en route to Dracut, Massachusetts to be used for electricity generation; and Whereas said pipeline goes against current Massachusetts commitments to renewable energies and combating global climate change; and Whereas said pipeline would destroy unknowable amounts of forest, conservation land and farmland; and Whereas a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and Whereas the cost of said pipeline would require Massachusetts citizens to pay a utility bill tariff as well as environmental costs not required by law for Tennessee Gas Pipeline Company, L.L.C. ("TGP", a subsidiary of Kinder Morgan Energy Partners, L.P.), making ratepayers bear financial risk for the endeavors of a private corporation; and Whereas, we the citizens of Warwick, Massachusetts choose not to participate in such encumbrances to the life, vibrancy, economic stability, and general well being to our neighbors in New York and elsewhere, wherever hydraulic fracturing is occurring and the pressurized pipeline is running; now, therefore, be it Resolved, that the people of Warwick, Massachusetts:

1. Hereby call on our Selectboard to stand in opposition to TGP's high pressured pipeline and not allow it with in our town borders;
2. Oppose said pipeline, and any pipeline carrying natural gas obtained through hydraulic fracturing, within the borders of our Commonwealth or our Nation; and
3. Hereby instruct our state and federal legislators and executive branch officials to enact legislation and take such other actions as are necessary to disallow such projects that go against our commitments to life, the environment, our economic well being and our bodily safety, and, instead, to legislate more stringent energy efficiency and further exploration of and subsidies for renewable energy sources.

ARTICLE 40: (by citizen request) Shall the Town raise and appropriate \$2000 to fund a pilot project to make video and audio recordings of Town Meetings and Selectboard Meetings and streaming these meetings on the Internet possible or take any other action related thereto?

Hereof fail not and make return of this warrant with our doings thereon at the time and place of said meeting. Given under our hand this ___th day of April, 2014

Dawn Magi

Nicholas Arguimbau

Patricia Lemon

And you are directed to serve this Warrant by posting up attested copies thereof at Town Hall, the Senior Center (Town Hall Dining Hall), the Transfer Station and the Warwick Free Public Library seven (7) days before the date of the meeting, as within directed.

FRANKLIN S.S.

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of WARWICK by posting attested copies of the same at the Town Hall, the Senior Center (Town Hall Dining Hall), the Transfer Station and the Warwick Free Public Library seven (7) days before the date of the meeting, as within directed.

Constable

This ___th Day of April, 2014