

**TOWN OF MEDFIELD  
WARRANT FOR THE ANNUAL TOWN MEETING  
2017**

On Monday, the twenty-fourth day of April, A.D., 2017 commencing at 7:30 p.m., 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.

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**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.

<u>Name</u>	<u>Amount</u>
Sullivan, Robert E.	\$600
Wilhelmi, Nancy	\$750
McNulty, James	\$3,000
Kennally, Paul	\$3,000
Baacke, Eric	\$1,500
Baker, Frederik P.	\$3,000
Nagle, James F.	\$3,000
Cote, Norman J.	\$750
O'Donovan, Margaret M.	\$3,000
Snipas, Norma R.	\$3,000
Bratsos, Peter C.	\$750
Tempel, Barbara S.	\$3,000
Palladino, Peter	\$750
Priest, Lisa M.	\$3,000
Anselme, J. P.	\$750
Anselme, J. P.	\$1,500
Perrone, Roberta	\$1,500
Scecina, Margaret	\$3,000
O'Rourke, JoAnn	\$600
Thompson, Diana	\$1,200
MacLean, Mary	\$1,500
Godin, Elizabeth M.	\$3,000
Orvedahl, Donna S.	\$1,500
<b>Total</b>	<b>43,650</b>

or do or act anything in relation thereto.

**(Cemetery Commissioners)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 4.** To see if the Town will vote to amend the Code of the Town of Medfield by adding a new Chapter 117, to establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E½, as follows:

**CHAPTER 117 DEPARTMENTAL REVOLVING FUNDS**

1. Purpose. This bylaw establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, §53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this bylaw/ordinance without appropriation subject to the following limitations:
  - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
  - B. No liability shall be incurred in excess of the available balance of the fund.
  - C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen.
3. Interest. Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.
4. Procedures and Reports. Except as provided in General Laws Chapter 44, §53E½ and this bylaw, the laws, charter provisions, bylaws, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this bylaw. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer of appropriations made for its use.
5. Authorized Revolving Funds.
  - 5.1 Fire Alarm Revolving Fund.
    - (1) Fund Name. There shall be a separate fund called the Fire Alarm Revolving Fund authorized for use by the Fire Department.
    - (2) Revenues. The Town Accountant shall establish the Fire Alarm Revolving Fund as a separate account and credit to the fund all of the charged and received by the Fire Department in connection with fire alarm inspection and maintenance.
    - (3) Purposes and Expenditures. During each fiscal year, the Fire Chief may incur liabilities against and spend monies from the Fire Alarm Revolving Fund for fire alarm maintenance, equipment or supplies.
    - (4) Fiscal Years. The Fire Alarm Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

5.2 Ambulance Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Ambulance Revolving Fund authorized for use by the Fire Department.
- (2) Revenues. The Town Accountant shall establish the Ambulance Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Fire Department in connection with operation of Town ambulance service.
- (3) Purposes and Expenditures. During each fiscal year, the Fire Chief may incur liabilities against and spend monies from the Ambulance Revolving Fund for purchase and/or debt service on Town ambulance(s).
- (4) Fiscal Years. The Ambulance Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

5.3 Advanced Life Support Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Advanced Life Support Revolving Fund authorized for use by the Fire Department.
- (2) Revenues. The Town Accountant shall establish the Advanced Life Support Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Fire Department in connection with Town ambulance service.
- (3) Purposes and Expenditures. During each fiscal year, the Fire Chief may incur liabilities against and spend monies from the Advanced Life Support Revolving Fund for payments for advanced life support service in connection with Town ambulance service.
- (4) Fiscal Years. The Advanced Life Support Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

5.4 Community Gardens Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Community Gardens Revolving Fund authorized for use by the Medfield Community Gardens Program.
- (2) Revenues. The Town Accountant shall establish the Community Gardens Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Town in connection with Medfield Community Gardens Program.
- (3) Purposes and Expenditures. During each fiscal year, the Town Administrator may incur liabilities against and spend monies from the Community Gardens Revolving Fund for operation of Medfield Community Gardens Program.
- (4) Fiscal Years. The Community Gardens Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

5.5 CENTER at Medfield Building Maintenance Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the CENTER at Medfield Building Maintenance Revolving Fund authorized for use by the Council on Aging.
- (2) Revenues. The Town Accountant shall establish the CENTER at Medfield Building Maintenance Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be credited to the fund

charged and received by the Council on Aging in connection with rental or use of CENTER at Medfield.

- (3) Purposes and Expenditures. During each fiscal year, the COA Director may incur liabilities against and spend monies from the CENTER at Medfield Building Maintenance Revolving Fund for building maintenance and repair in connection with operation of the CENTER at Medfield.
- (4) Fiscal Years. The CENTER at Medfield Building Maintenance Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 5.6 Library Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Library Revolving Fund authorized for use by the Library Trustees.
- (2) Revenues. The Town Accountant shall establish the Library Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Library photocopier printer services, rental or use of library space, payment for lost or damaged books or materials.
- (3) Purposes and Expenditures. During each fiscal year, the Library Director may incur liabilities against and spend monies from the Library Revolving Fund for purchase of equipment, furniture, books or other materials in connection with operation of library.
- (4) Fiscal Years. The Library Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 5.7 Respite Care Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Respite Care Revolving Fund authorized for use by the Council on Aging.
- (2) Revenues. The Town Accountant shall establish the Respite Care Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Council on Aging Respite Care Program operation of the Respite Care Program.
- (3) Purposes and Expenditures. During each fiscal year, the COA Director may incur liabilities against and spend monies from the Respite Care Revolving Fund for operation of Respite Care Program in connection with Respite Care Program.
- (4) Fiscal Years. The Respite Care Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 5.8 Transfer Station Recycling Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Transfer Station Recycling Revolving Fund authorized for use by the Transfer Station and Recycling Committee.
- (2) Revenues. The Town Accountant shall establish the Transfer Station Recycling Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Town's recycling and SWAP programs in connection with recycling and SWAP programs at the Transfer Station.
- (3) Purposes and Expenditures. During each fiscal year, the Director of Public Works may incur liabilities against and spend monies from the Transfer Station Recycling Revolving Fund for operation in connection with recycling and SWAP programs at the Transfer Station.

- (4) Fiscal Years. The Transfer Station Recycling Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

5.9 Former State Hospital Property Revolving Fund.

- (1) Fund Name. There shall be a separate fund called the Former State Hospital Property Revolving Fund authorized for use by the Town Facilities Department.
- (2) Revenues. The Town Accountant shall establish the Former State Hospital Property Revolving Fund as a separate account and credit to the fund all of the fees, charges or other receipts to be charged and received by the Town in connection with rental or use of the property.
- (3) Purposes and Expenditures. During each fiscal year, the Facilities Director may incur liabilities against and spend monies from the Former State Hospital Property Revolving Fund for property maintenance, repair and/or security.
- (4) Fiscal Years. The Former State Hospital Property Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

or do or act anything in relation thereto.

**(Board of Selectmen)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 5.** To see if the Town will vote to authorize the followings sums to be expended without appropriation from the following revolving funds, established under and governed by General Laws Chapter 44, §53E½.

Fire Alarm Revolving Fund	\$32,000
Ambulance Revolving Fund	\$70,000
Advance Life Support Revolving Fund	\$75,000
Community Gardens Revolving Fund	\$1,500
CENTER at Medfield Building Maintenance Revolving Fund	\$30,000
Library Revolving Fund	\$5,000
Respite Care Revolving Fund	\$125,000
Transfer Station Recycling Revolving Fund	\$10,000
Former State Hospital Property Revolving Fund	\$10,000
<b>Total Authorized Expenditures</b>	<b>\$358,500</b>

or do or act anything in relation thereto.

**(Board of Selectmen)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 6.** To see if the Town will accept the provisions of Mass G.L., chapter 80, Section 13B, Sewer Betterment Deferral and Recovery Agreements for Seniors, or do or act anything in relation thereto.

**(Board of Assessors)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 7.** To see if the Town will vote to increase the maximum individual annual payment under the senior tax work-off program, authorized by General Laws, Chapter 59, Section 5K from \$500 to \$1,000, or do or act anything in relation thereto.

**(Council on Aging)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 8.** To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Mass G.L., Chapter 44, Section 20, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or do or act anything in relation thereto.

**(Treasurer/Collector)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 9.** 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 FY16 unpaid medical bill of the Police Department in the amount of \$1,495, or do or act anything in relation thereto.

**(Chief of Police)**

**VOTED:** That \$1,495 be appropriated for the purpose of paying a fy16 medical bill incurred by the Medfield Police Department and that to meet said appropriation \$1,495 be raised on the FY18 tax levy. **PASSED BY 4/5 MAJORITY 4/24/2017**

**Article 10.** To see if the Town will vote to appropriate an additional sum of money to the FY17 Reserve Fund, 01-997-2, or do or act anything in relation thereto.

**(Warrant Committee)**

**VOTED: TO DISMISS – UNANIMOUS (consent calendar 4/24/2017)**

**Article 11.** 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.

<b>Officer</b>	<b>Present Salary</b>	<b>Warrant Committee Recommends</b>
Town Clerk	\$68,000	\$71,000
Selectmen, Chairman	\$900	\$900
Selectmen, Clerk	\$900	\$900
Selectmen, Third Member	\$900	\$900
Assessors, Chairman	\$900	\$900
Assessors, Clerk	\$900	\$900
Assessors, Third Member	\$900	\$900
Moderator	0	0
Housing Authority	0	0

School Committee	0	0
Library Trustees	0	0
Planning Board	0	0
Park and Recreation Commissioner	0	0
Trust Fund Commissioners	0	0

(Board of Selectmen)

**VOTED:** That Article 11, fixing the salary and compensation of elected officers be voted as set out in the warrant. **MOTION CARRIES 4/24/2017**

**Article 12.** To see if the Town will vote to amend the PERSONNEL ADMINISTRATION PLAN and CLASSIFICATION OF POSITIONS AND PAY SCHEDULE, effective July 1, 2017, as set out in the warrant, or do or act anything in relation thereto.

(Personnel Board)

**PERSONNEL ADMINISTRATION PLAN  
CLASSIFICATION OF POSITIONS AND PAY SCHEDULE**

**Police Department as per Contract**

<b>Sergeant</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
7/1/2016	\$1,306.59	\$1,347.00	\$1,395.34
<i>bi weekly</i>	\$2,613.18	\$2,693.99	\$2,790.68
7/1/2017	\$1,332.72	\$1,373.94	\$1,423.25
<i>bi weekly</i>	\$2,665.45	\$2,747.87	\$2,846.49
7/1/2018	\$1,359.38	\$1,401.42	\$1,451.71
<i>bi weekly</i>	\$2,718.76	\$2,802.83	\$2,903.42

<b>Police Officer</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
7/1/2016	\$1,006.94	\$1,038.09	\$1,070.19	\$1,103.28	\$1,137.39	\$1,172.58
<i>bi weekly</i>	\$2,013.88	\$2,076.19	\$2,140.37	\$2,206.55	\$2,274.78	\$2,345.15
7/1/2017	\$1,027.08	\$1,058.86	\$1,091.59	\$1,125.34	\$1,160.14	\$1,196.03
<i>bi weekly</i>	\$2,054.15	\$2,117.71	\$2,183.18	\$2,250.68	\$2,320.28	\$2,392.06
7/1/2018	\$1,047.62	\$1,080.03	\$1,113.42	\$1,147.85	\$1,183.34	\$1,219.95
<i>bi weekly</i>	\$2,095.24	\$2,160.07	\$2,226.84	\$2,295.70	\$2,366.69	\$2,439.90

<b>Dispatcher</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
7/1/2016	\$692.67	\$731.23	\$768.12	\$807.18	\$852.73
<i>bi weekly</i>	\$1,385.35	\$1,462.45	\$1,536.24	\$1,614.37	\$1,705.45
7/1/2017	\$706.53	\$745.85	\$783.48	\$823.33	\$869.78
<i>bi weekly</i>	\$1,413.05	\$1,491.70	\$1,566.97	\$1,646.65	\$1,739.56
7/1/2018	\$720.66	\$760.77	\$799.15	\$839.79	\$887.18

<i>bi weekly</i>	\$1,441.31	\$1,521.54	\$1,598.31	\$1,679.59	\$1,774.35

**Specialist Range**

7/1/2016	\$625.31	to	\$3,575.74	Annual Stipend
7/1/2017	\$637.82	to	\$3,647.25	Annual Stipend
7/1/2018	\$650.58	to	\$3,720.20	Annual Stipend

**Fire Department as per Contract**

**FIREFIGHTER/EMT**

FF/EMT	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
7/1/2014	22.53	23.22	23.88	24.63	25.35	26.14	26.90	27.69
7/1/2015	22.98	23.69	24.36	25.12	25.86	26.66	27.44	28.25
7/1/2016	23.44	24.16	24.85	25.62	26.38	27.20	27.98	28.81

**LIEUTENANT/FF/EMT**

LT/FF/EMT	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
7/1/2014	27.20	28.01	28.71	29.43	30.31	31.22
7/1/2015	27.20	28.01	28.71	29.43	30.31	31.22
7/1/2016	27.20	28.01	28.71	29.43	30.31	31.22

**Public Safety Positions**

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
<b>Call FF/EMT</b>	\$24.14	\$24.88	\$25.60	\$26.37	\$27.16	\$28.00	\$28.82	\$29.69

	Step 1	Step 2	Step 3	Step 4	Step 5
	Step 6	Step 7	Step 8	Step 9	
<b>Animal Control Officer/Inspector</b>	\$21.91	\$22.55	\$23.16	\$23.84	\$24.51
* Based on a 40-hour workweek	\$25.21	\$25.93	\$26.66	\$27.40	
<b>Assistant Animal Control Officer</b>	\$2,183	\$2,386	\$2,587	\$2,788	\$2,995
*Annual Stipend	\$3,197	\$3,399	\$3,640		

**Managerial Positions**

	Minimum	Midpoint	Maximum
<b>Grade 1</b>	51,831.00	58,310.00	64,789.00
Children's Librarian			
Technical Services Librarian			
Young Adult Librarian			
Outreach Social Worker			
Conservation Agent			
Circulation Supervisor			
<b>Grade 2</b>	57,014.00	64,141.00	71,268.00

Administrative Asst. to the Selectmen/  
 Town Administrator  
 Assistant Town Accountant  
 Adult Services/Technology Senior Librarian  
 Director of Youth Outreach

<b>Grade 3</b>	62,716.00	70,555.00	78,394.00
----------------	-----------	-----------	-----------

IT Coordinator

<b>Grade 4</b>	68,988.00	77,611.00	86,234.00
----------------	-----------	-----------	-----------

Council on Aging Director  
 Park and Recreation Director  
 Town Planner  
 Building Commissioner

<b>Grade 5</b>	77,266.00	86,924.00	96,582.00
----------------	-----------	-----------	-----------

Principal Assessor  
 Library Director

<b>Grade 6</b>	86,538.00	97,355.00	108,172.00
----------------	-----------	-----------	------------

Town Accountant  
 Treasurer

<b>Grade 7</b>	96,923.00	109,038.00	121,153.00
----------------	-----------	------------	------------

Asst. Town Administrator

**Minimum                      Midpoint                      Maximum**

<b>Grade 8</b>	102,351.00	122,821.00	143,291.00
----------------	------------	------------	------------

Fire Chief  
 Police Chief  
 Director of Public Works

**Hourly Paid Positions**

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>Grade 20</b>	16.48	16.95	17.43	17.93	18.44	18.97	19.51	20.07	20.64
<b>Grade 30</b>	18.13	18.65	19.18	19.73	20.29	20.87	21.46	22.07	22.70
<b>Grade 40</b>	19.94	20.51	21.09	21.69	22.31	22.95	23.60	24.27	24.96
<b>Grade 50</b>	21.93	22.56	23.20	23.86	24.54	25.24	25.96	26.70	27.46
<b>Grade 60</b>	24.12	24.81	25.52	26.25	27.00	27.77	28.56	29.37	30.21
<b>Grade 70</b>	26.29	27.08	27.89	28.73	29.59	30.48	31.39	32.33	33.30
<b>Grade 80</b>	28.39	29.24	30.12	31.02	31.95	32.91	33.90	34.92	35.97
<b>Grade 90</b>	30.66	31.58	32.53	33.51	34.52	35.56	36.63	37.73	38.86

**Grade 20**  
 Police Matron  
 Traffic Supervisor

**Grade 60**  
 Administrative Assistant III  
 Park and Recreation Coordinator

**Grade 30**

Office Assistant  
 Library Technician  
 Laborer  
 Mini Bus Driver  
 Truck Driver  
 Transportation Coordinator

**Grade 40**

Senior Library Technician  
 Administrative Assistant I  
 Groundskeeper I  
 Maintenance Technician  
 Mechanic  
 Asst Adult Services/Technology Librarian

**Grade 50**

Payroll Administrator  
 Administrative Assistant II  
 Volunteer Coordinator  
 Elder Outreach Worker  
 Equipment Operator  
 Water Technician

**Grade 70**

Heavy Equipment Operator  
 Groundskeeper II  
 Water/WWTP Operator  
 Tree Warden  
 Lead Mechanic

**Grade 80**

Crew Chief

**Grade 90**

Highway Supervisor  
 Water Supervisor  
 WWTP Supervisor

**SPECIAL RATE/FEE POSITIONS- PART TIME/TEMPORARY**

Veterans Agent	\$27,860
Sealer of Weights and Measures	\$2,695
Registrar	\$200
Police Intern	
Library Page	\$11-\$14
Police- Private Special Detail	\$33.72
Tree Climber	\$22.07

**FIRE**

Deputy Chief	\$4,064
Captain	\$2,438
Lieutenant	\$1,951
EMS Coordinator	\$1,896
Fire Alarm Superintendent	\$846

**INSPECTORS**

Inspector of Buildings	\$31.59
Local Inspector of Buildings	\$819
Gas and Plumbing Inspector	\$1,682
Assistant Gas and Plumbing Inspector	\$308
Wiring Inspector	\$2,776
Assistant Wiring Inspector	\$819
Zoning Enforcement Officer	\$31.59
Street Inspector	\$16.68

**PARK AND RECREATION**

Program Director	\$15,449	to	\$19,007
Swim Pond Director	\$6,435	to	\$9,120
Swim Pond Assistant Director	\$4,294	to	\$6,083
Swim Team Coach/Guard	\$3,577	to	\$5,016
Assistant Coach/Guard	\$2,292	to	\$4,106

Water Safety Instructor	\$2,721	to	\$4,106
Lifeguard	\$2,589	to	\$3,803
Swim Pond Badge Checker	\$860	to	\$1,369
Swim Pond Maintenance	\$1,005	to	\$1,369
Swim Pond Set-up Workers	\$717	to	\$3,040
Camp Director	\$2,862	to	\$5,820
Camp Specialists	\$1,435	to	\$5,760
Counselors	\$1,148	to	\$3,041
Jr. Counselor	\$289	to	\$912
Tennis Director	\$4,294	to	\$6,083
Tennis Instructor	\$860	to	\$1,523
Trainee	\$11.00		

**VOTED:** that the PERSONNEL ADMINISTRATION PLAN and CLASSIFICATION OF POSITIONS AND PAY SCHEDULE be voted as set out in the warrant, to take effect as of July 1, 2017. **CARRIES UNANIMOUS 4/24/2017**

**Article 13.** 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, 2017, or such other sums as the Town may determine, as required by General Laws, Chapter 41, Section 108, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** To approve all budget items not held **PASSED BY 2/3 VOTE 4/24/2017**

**MOTION TO AMEND:** Increase Town Clerk & Election Registration Salaries by \$6,134.00 for a new total of \$82,227 and Increase Town Clerk & Election Registrations Operations by \$5332.00 for a new total of \$21,982. New total budget of \$104,209. **CARRIES BY 2/3 VOTE 4/24/2017**

**MOTION TO AMEND:** To increase Veterans' Salaries to \$51,831. **MOTION DID NOT PASS BY 2/3 VOTE 4/24/2017**

**VOTED:** To appropriate \$60,470,133 to defray the operating expenses of the Town for the fiscal year commencing July1, 2017 be appropriated as set out in the warrant and/or as amended on the floor of the Town Meeting and that to meet said appropriation the following sums be raised on the fiscal 18 tax levy and/or transferred from other available funds as follows:

Cemetery Perpetual Care Interest	\$20,000
Water Enterprise Fund	\$1,942,715
Sewer Enterprise Fund	\$1,650,745
Pension Reserve Fund	\$75,000
Free Cash	\$-0-
Sewer Betterment Stabilization Fund	\$400,000
Bond Premium Sawmill Brook	\$1,042
Bond Premium June '07 Issue	\$3,357
Bond Premium Red Gate Farm	\$2,408
Bond Premium HS Field Renovation	\$3,000
Bond Premium Solar Array	\$3,683
Use of School Property Revolving	\$30,000
MWPAT Title V Septic Loan Receipts	\$4,100
MA schl bldg. Authority BAN Int reimb	\$44,501
MSBA grant to Offset School Debt	\$1,183,535

Sub-total Other Revenue Source	\$5,364,086
Fy18 Tax Levy	\$55,106,047
Total Appropriation	\$60,470,133

**MOTION CARRIES UNANIMOUS 4/24/2017**

**Article 14.** To see if the Town will vote to raise and appropriate from the Fiscal 2018 Tax levy and or transfer from available funds and/or borrow for Capital Expenditures, including the following:

**FY18 CAPITAL BUDGET  
RECOMMENDATIONS**

<u>DEPARTMENT</u>	<u>PROJECT</u>	<u>REQUEST</u>	<u>RECOMMEND</u>
<b>Facilities Dept</b>	Town Common Gazebo Roof	\$18,000	\$18,000
	Town Hall Fire Suppression System	\$12,000	\$0
	Town Hall Roof Repair	\$22,000	\$22,000
	<i>District Wide</i> Roof repairs	\$40,000	\$40,000
	<i>District Wide</i> HVAC/Plumbing	\$60,000	\$55,000
	<i>Wheelock</i> Floor tile replacement	\$30,000	\$30,000
	<i>District Wide</i> Security	\$20,000	\$20,000
<b>Fire Department</b>	Rescue Tool Upgrade	\$35,500	\$0
<b>Town Clerk</b>	Shelving system for Town Hall Safe	\$16,000	\$0
<b>Library</b>	Lower Level Carpeting Replacement	\$30,000	\$0
	Repair of Main Entrance Portico Concrete/Brick Base	\$20,000	\$20,000
<b>Council on Aging</b>	Repainting of outside trim/structures	\$12,000	\$13,800
	Sand and Refinish Large function hall floor	\$7,000	\$7,000
<b>Conservation Commission</b>	Land Acquisition and Management	50,000	5,000
<b>Police Department</b>	Cruiser Replacement	\$47,700	\$47,700
<u>DEPARTMENT</u>	<u>PROJECT</u>	<u>REQUEST</u>	<u>RECOMMEND</u>
<b>Public Works</b>	2018 Mack CHU613 Tractor	\$127,000	\$127,000
	2016 John Deere 5085E Utility Tractor with Flail Mower	\$112,000	\$0
	Marathon RJ325, 3 yard Stationary Compactor	\$22,000	\$0
	Resurface Subdivisions	\$40,000	\$30,000

	Street sign replacement program	\$10,000	\$0
<b>Park and Recreation</b>	2016 Ford F250 Super Duty XL	\$30,123	\$30,123
	Little Wonder 29HP Briggs Vanguard Leaf Loader with Trailer	\$7,000	\$7,000
	<b>Total Requests</b>	<b>\$768,323</b>	<b>\$472,623</b>

**To be funded by:**

<b>Tax Levy</b>	<b>\$362,806</b>
<b>Park and Rec Revolving Funds</b>	<b>\$37,123</b>
<b>Unexpended Appropriation Funds</b>	<b>\$72,694</b>
<hr/>	
ATM 2006 Article 29 (BOS)	\$3,000
ATM 2012 Article 12 (BOS)	\$666
ATM 2013 Article 18 (BOS)	\$1,798
ATM 2014 Article 18 (BOS)	\$8,000
ATM 2012 Article 16 (School)	\$1,545
ATM 2015 Article 16 (School)	\$1,083
ATM 2015 Article 16 (School)	\$25,500
ATM 2016 Article 17 (School)	\$15,000
STM 2009 Article 7 (Public Buildings)	\$600
ATM 2014 Article 18 (Police)	\$7,860
ATM 2016 Article 17 (Police)	\$792
ATM 2014 Article 18 (Fire)	\$1,565
ATM 2015 Article 16 (Fire)	\$285
ATM 2016 Article 17 (COA)	\$5,000

**(Capital Budget Committee)**

**MOTION TO AMEND: To include Marathan RJ325, 3 yard Stationary Compactor for \$22,000 in Capital Budget. MOTION DOES NOT CARRY 4/24/2017**

**VOTED:** That the Town appropriate \$472,623 to fund the fy18 Capital budget, as set out in the warrant and/or as amended and to meet said appropriation the following sums be transferred from available funds and/or raised on the FY18 tax levy as follows:

Park & Recreation Revolving Funds	\$37,123
Unexpended Appropriation Funds (as set out in The Warrant Report)	\$72,694
Fy18 Tax Levy	\$362,806

TOTAL \$472,623

**MOTION CARRIES 4/24/2017**

**Article 15.** 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, training, and equipping Firefighter/EMT employees with Advanced Life Support (ALS) certification and/or contracting with a private firm to provide such ALS services, provided that all appropriations authorized under this article be contingent upon approval of a so-called Proposition 2 ½ operating override

in accordance with General Laws, Chapter 59, Section 21C, or do or act anything in relation thereto.

**(Fire Chief and Board of Selectmen)**

**MOVE:** Move that the Town appropriate \$500,000 for the purpose of providing Advanced Life Support services, said sum to be raised on the fy18 tax levy, and that the Board of Selectmen be authorized to expend said funds, provided that the appropriation authorized under this article be contingent upon approval of a so-called Proposition 2 ½ operating override in accordance with General Laws, Chapter 59, Section 21C. **THIS ARTICLE DID NOT CARRY 4/24/2017**

**Article 16. General Bylaw – Establishment of Municipal Affordable Housing Trust**

To see if the Town will vote to accept M.G.L. c.44, §55C, and establish a Municipal Affordable Housing Trust Fund to be known as the Medfield Affordable Housing Trust Fund (“the Trust”), whose purpose shall be to provide for the creation and preservation of affordable and community housing for the benefit of low and moderate income households, and further to amend the Code of the Town of Medfield by inserting a new chapter to be entitled “Chapter 15 Medfield Affordable Housing Trust Fund,” as follows:

**CHAPTER 15 - MEDFIELD AFFORDABLE HOUSING TRUST FUND**

15-1. Authority/Establishment – Pursuant to the authority of General Laws Chapter 44, Section 55C, there is hereby created a local municipal affordable housing Trust fund to be known as the Medfield Affordable Housing Trust Fund (hereinafter: “the Trust”)

15-2. Purpose – The purpose of the Trust shall be to provide for the preservation and creation of affordable and community housing in the Town of Medfield for the benefit of low and moderate income households.

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 members appointed by the Board of Selectmen. The Board of Selectmen shall request nominations from the Planning Board and the Warrant Committee and shall consider any such nominations. The at large members shall be residents who would bring to the Trust relevant experience in the fields of real estate, housing, banking, finance, law, architecture, social services, or other applicable areas of professional expertise. The Board of Selectmen shall appoint the Trustees for terms not to exceed two years, except that three of the initial Trustee appointments shall be for a term of one year, so as to allow staggered terms. Said Trustees may be re-appointed at the discretion of the Board of Selectmen. Vacancies shall be filled by the Board of Selectmen for the remainder of the unexpired term. Any member of the Board of Trustees may be removed by the Board of Selectmen for cause after the opportunity of a hearing.

15-4. DECLARATION OF TRUST - The Trustees are hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Medfield Affordable Housing Trust Fund, to be recorded with the Norfolk County Registry of Deeds and filed with the Norfolk Registry District of the Land Court.

15-5. POWERS - The powers of the Board of Trustees, all of which shall be carried on in furtherance of the purposes set forth in M.G.L. c. 44, §55C and inclusive of any future amendments to that section, and shall include the following:

- a. to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any ordinance or by-law or any general or special law or any other source, including money from chapter 44B; provided, however, that any such money received from chapter 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust; and provided further, that at the end of each fiscal year, the Trust shall ensure that all expenditures of funds received from said chapter 44B are reported to the community preservation committee of the city or town for inclusion in the community preservation initiatives report, form CP-3, to the department of revenue;
- b. to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- c. to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Board deems advisable notwithstanding the length of any such lease or contract;
- d. to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements, and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;
- e. to employ advisors and agents, such as consultants, accountants, appraisers and lawyers, full-time or part-time staff, and to contract for administrative and support goods and services, as the Board deems necessary;
- f. to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- g. to apportion receipts and charges between incomes and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation, depletion or otherwise;
- h. to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- i. to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board may deem necessary and appropriate;
- j. to carry property for accounting purposes other than acquisition date values;
- k. with Town Meeting approval, to borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge Trust assets as collateral;
- l. to make distributions or divisions of principal in kind;

m. to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Board may deem appropriate;

n. to manage or improve real property; and to abandon any property which the Board determined not to be worth retaining;

o. to hold all or part of the Trust property uninvested for such purposes and for such time as the Board may deem appropriate; and

p. to extend the time for payment of any obligation to the Trust.

q. to take any other action relative thereto.

15-6. ACTS OF TRUSTEES - A majority of Trustees may exercise any or all of the powers of the Trustees hereunder, unless otherwise provided, and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate. Any borrowing by the Trust shall require the prior approval of the Medfield Town Meeting.

15-7. FUNDS PAID TO THE TRUST - Notwithstanding any general or special law to the contrary, all monies paid to the Trust in accordance with any zoning by-law, exaction fee, or private contributions shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and to be expended these funds need not be further appropriated. All moneys remaining in the Trust at the end of the fiscal year, whether or not expended by the Board within one (1) year of the date they were appropriated into the Trust, remain Trust property.

15-8. MEETINGS/QUORUM - Meetings of the Board shall be held on a regular basis. Special meetings may be called by the Chairperson or two (2) Trustees. A Trust is a governmental body for purposes of M.G.L. c.30A, §18-25, the Open Meeting Law; notice of any meeting of the Trust Fund shall be filed with the Town Clerk and posted in accordance with the Open Meeting Law. A majority of the number of authorized Trustees shall constitute a quorum and shall also be required to approve any motion.

15-9. CUSTODIAN OF FUNDS - The Treasurer/Collector shall be the custodian of the Trust Fund's funds and shall maintain separate accounts and records for such funds. Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust Fund. In accordance with M.G.L. c. 44, §55C, the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices or take any other action relative thereto. Upon receipt of the audit by the Board of Trustees, a copy shall be provided forthwith to the Board of Selectmen.

15-10. LIABILITY - Neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town, except in the manner specifically authorized herein. The Trust is a public employer and the members of the Board are public employees for the purposes of MGL, c. 268A. The Trust shall be deemed a municipal agency and the Trustees special municipal employees, for purposes of M.G.L., c. 268A.

15-11. TAXES - The Trust is exempt from M.G.L. c. 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth of Massachusetts or any political subdivision thereof.

- 15-12. **GOVERNMENTAL BODY** - The Trust is a governmental body for purposes of the Open Meeting Law, M.G.L. c.30A, §18-25.
- 15-13. **BOARD OF THE TOWN** - The Trust is a board of the Town of Medfield for the purposes of M.G.L. c.30B and Section 15A of c. 40; but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the Town shall be exempt from said M.G.L. c. 30B.
- 15-14. **COMPENSATION OF TRUSTEES** - Trustees shall not receive a salary, stipend, bonus or other means of compensation for their service as a Trustee, nor shall they be eligible for any benefits from the Town of Medfield. Trustees may be compensated for reasonable out-of-pocket expenses for travel and other Trust-related expenses. All such out-of-pocket expenses shall be fully documented with receipts for expenses prior to payment by the Trust.
- 15-15. **AMENDMENTS** - The provisions of this Trust can only be amended by a vote of the Medfield Town Meeting.
- 15-16. **DURATION OF THE TRUST**- This Trust shall be of indefinite duration until terminated by a vote of the Medfield Town Meeting. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town of Medfield and held by the Board of Selectmen for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Board of Selectmen, sell all or any portion of the Trust property and distribute the net proceeds thereof to the Town of Medfield. The powers of the Trustees shall continue until the affairs of the Trust are concluded. Once the Medfield Town Meeting has voted to terminate the Trust, the Board of Selectmen shall have the power to approve all financial transactions made on behalf of the Trust, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** That the Town accept Mass G.L., Chapter 44, Section 55C, and establish a municipal affordable housing trust fund, to be known as the Medfield Affordable Housing Trust Fund and amend the Code of the Town of Medfield to add a new Chapter: Chapter 15 Medfield Affordable Housing Trust Fund , to read as set forth in the Warrant. **MOTION PASSES 4/24/17**

**Article 17.** To see if the Town will vote to appropriate One Million dollars (\$1,000,000), and determine in what manner said sum shall be raised for the purposes of acquiring public land and/or public property, designing and/or constructing affordable public housing within the Town, and for the payment of all other costs incidental and related thereto, said sum to be transferred to the Medfield Affordable Housing Trust Fund for said purposes; and to authorize the treasurer/Collector, with the approval of the board of Selectmen, to borrow in accordance with the provisions of M.G.L., c.44, s.7(1) or any other enabling statute as may be appropriate, and to authorize the Medfield Affordable Housing Trust Fund to expend said funds, to enter into contracts with federal, state and/or private parties, and to apply for and accept federal, state and/or private grants to accomplish said purposes, provided that all appropriations authorized under this article be contingent upon approval of a so-called Proposition 2 ½ debt exclusion, on accordance with M/G.L. c.59, s.21C, or do or act anything in relation thereto.

**(Board of Selectmen/Citizens Petition)**

**VOTED:** To appropriate One Million dollars (\$1,000,000), and determine in what manner said sum shall be raised for the purposes of acquiring public land and/or public property, designing and/or constructing affordable public housing within the Town, and for the payment of all other

costs incidental and related thereto, said sum to be transferred to the Medfield Affordable Housing Trust Fund for said purposes; and to authorize the treasurer/Collector, with the approval of the board of Selectmen, to borrow in accordance with the provisions of M.G.L., c.44, s.7(1) or any other enabling statute as may be appropriate, and to authorize the Medfield Affordable Housing Trust Fund to expend said funds, to enter into contracts with federal, state and/or private parties, and to apply for and accept federal, state and/or private grants to accomplish said purposes, provided that all appropriations authorized under this article be contingent upon approval of a so-called Proposition 2 ½ debt exclusion, on accordance with M.G.L. c.59, s.21C.

**PASSED BY 2/3 VOTE 4/24/17**

**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 providing ongoing maintenance and security at the site of the former state hospital, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** That the Town appropriate \$100,000, said sum to be raised on the fy18 tax levy, for the purpose of providing ongoing maintenance and security at the site of the former state hospital. **MOTION CARRIES 4/24/17**

**Article 19.** 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 ongoing preparation of a master plan for reuse of the former hospital and surrounding areas and to advise the Town on matters concerning the site's disposition, reuse and 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 funds for such purposes, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** That the Town appropriate \$100,000, said sum to be raised on the fy18 tax levy, for the purpose of hiring consultants, engineers, and/or attorneys to assist the Town with ongoing preparation of a master plan for reuse of the former hospital and surrounding areas and to advise the Town on matters concerning the site's disposition, reuse and 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 funds for such purposes. **MOTION CARRIES 4/24/2017**

**Article 20.** To hear the report of the Senior Housing Study Committee, appointed under Article 38 of the 2016 Annual Town Meeting, and to see if the Town will appropriate a sum of money and determine how said sum shall be raised for the purpose of delineating the wetlands on and about a parcel of land identified on the Board of Assessors Map 64, Lot 1, consisting of approximately 9.7 acres to determine its suitability as a site for senior housing, or do or act anything in relation thereto.

**(Senior Housing Study Committee)**

**VOTED TO DISMISS – UNANIMOUS (consent calendar 4/24/2017)**

**Article 21.** 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 downtown, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** That the Town appropriate \$15,000., said sum to be raised on the fy18 tax levy, for the purpose of making improvements to the downtown, said sum to be expended under the direction of the Board of Selectmen. **PASSED 4/24/2017**

**Article 22.** 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 preparing a Downtown Phase II Parking Study, said funds to be expended under the direction of the Economic Development Committee, and that said Committee be authorized to engage consultants, to apply for and accept grants, loans and/or gifts from the state and/or federal government and/or private entities, and to enter into contracts with such, or do or act anything in relation thereto.

**(Economic Development Committee)**

**VOTED TO DISMISS – UNANIMOUS (consent calendar 4/24/2017)**

**Article 23.** To see if the Town will vote to appropriate \$10,000 for the purpose of making repairs and improvements to the Dwight-Derby House, said sum to be expended under the direction of the Facilities Manager, in consultation with the Friends of the Dwight-Derby House, Inc., or do or act anything in relation thereto.

**(Citizen Petition)**

**VOTED TO DISMISS – UNANIMOUS (consent calendar 4/24/2017)**

**Article 24.** To see if the Town will vote to authorize the Board of Selectmen to enter into a long-term lease with the Massachusetts Department of Transportation and/or the Massachusetts Bay Transportation Authority on an unused rail bed running from Ice House Road to the Dover town line and to appropriate a sum of money for the purpose of purchasing environmental liability insurance and/or constructing a rail trail on said rail bed, or do or act anything in relation thereto.

**(Medfield Rail Trail Study Committee)**

**VOTED TO DISMISS – UNANIMOUS (consent calendar 4/24/2017)**

**Article 25.** To see if the Town will vote to purchase the existing street lights, brackets and other associated fixtures and equipment located in the public ways of the Town from Boston Edison, and/or Eversource, or their successor entities and to appropriate a sum of money for said purchase and for the purchase and installation of LED streetlights, said lights, brackets and other associated fixtures and equipment, to be owned and maintained by the Town of Medfield, and further, to authorize the Board of Selectmen to enter into a contract/contracts, and to accept grants, loans or gifts from, state, federal and/or private parties to accomplish said purposes and to effectuate the transfer of ownership, of do or act anything in relation thereto.

**(Medfield Energy Committee)**

**VOTED:** That the Town appropriate \$67,626, said sum to be raised on the fy18 tax levy, to purchase the existing street lights, brackets and other associated fixtures and equipment located in the public ways of the Town from Boston Edison, and/or Eversource, or their successor entities and to pay for the purchase and installation of LED streetlights, said lights, brackets and

other associated fixtures and equipment, to be owned and maintained by the Town of Medfield, and further, to authorize the Board of Selectmen to enter into a contract/contracts and to accept grants, loans or gifts from private contractors, state, federal and or private parties to accomplish said purposes and to effectuate the transfer of ownership. **PASSED 4/24/2017**

**Article 26.** To see if the Town will appropriate the sum of \$5,000 for the purpose of trapping beavers and removing beaver dams and structures throughout the Town, said sum to be expended under the jurisdiction of the Town Administrator, or do or act anything in relation thereto.

**(Town Administrator)**

**VOTED:** that the Town appropriate \$5,000, said sum to be raised on the fy18 tax levy, for the purpose of trapping beavers and removing beaver dams and lodges throughout the Town, said sum to be expended under the jurisdiction of the Town Administrator. **MOTION CARRIED 4/24/2017**

**Article 27.** To see if the Town will vote to name the bridge crossing Mill Brook at Elm Street the “Colonel Douglas C. MacKeachie Bridge”, to appropriate a sum of money to fund a sign designating this bridge as such and to fund appropriate ceremonies in recognition of the occasion, or do or act anything in relation thereto.

**(Committee to Study Memorials)**

**VOTED:** That the Town name the bridge crossing Mill Brook at Elm Street the “Colonel Douglas C. MacKeachie Bridge, and appropriate \$500 to fund a sign designating this bridge as such and to fund appropriate ceremonies in recognition of the occasion. **PASSED UNANIMOUS 4/24/2017**

**Article 28.** To see if the Town will vote to transfer \$158,287 from sewer betterments paid-in-advance to the Sewer Stabilization Fund, established under Article 31 of the 2004 ATM in accordance with the provisions of General Laws, Chapter 40, Section 5B, as amended by Chapter 46 of the Acts of 2003, or do or act anything in relation thereto.

**(Town Accountant)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 29.** To see if the Town will vote to appropriate \$50,000 from the Ambulance Revolving Fund, to the General Fund Stabilization Fund to reimburse that fund for a temporary loan from said Stabilization Fund in FY17 to cover the purchase of a replacement ambulance for the Medfield Fire Department, or do or act anything in relation thereto.

**(Town Administrator)**

**VOTED:** That the Town appropriate \$50,000 from the Ambulance Revolving Fund, to the General Fund Stabilization Fund to reimburse that fund for a temporary loan from said Stabilization Fund in fy17 to cover the purchase of a replacement ambulance for the Medfield Fire Department. **PASSED UNANIMOUS 4/24/2017**

**Article 30.** To see if the Town will vote to transfer \$41,299 from the FY17 County Retirement Contribution Budget, account 01-911-2, to the Other Post Employment Benefits (OPEB) Trust, fund 81-001, and appropriate to said Trust from the FY18 tax levy, free cash or other sources, such other sum(s), as the Town deems appropriate for the purpose of setting aside monies to cover the unfunded retiree health insurance costs, or do or act anything in relation thereto.

**(Town Administrator)**

**VOTED:** That the Town appropriate \$400,000 to the Other Post-Employment Benefits (OPEB) Trust, fund 81-001, said sum to be raised by transferring \$41,299 from the fy17 County Retirement Contribution Budget, account 01-911-2, \$7,154 from the Water Enterprise Fund, \$33,400 from the Sewer Enterprise Fund, \$200,000 from Free Cash and by raising \$118,147 on the fy18 tax levy, for the purpose of setting aside monies to cover the unfunded retiree health insurance costs. **PASSED UNANIMOUS 4/24/2017**

**Article 31.** To see if the Town will vote to accept a public right-of-way over a portion of the following street: Vinald Road, between Mitchell Street and Cottage Street, as laid out by the Board of Selectmen and also, as shown on a plan captioned “Plan of Land Medfield, Mass. Scale 1” = 40’ Dated: January 20, 2016 Carlson Survey Company 261 Union Street Millis, Mass. 02054” recorded at Norfolk County Registry of Deeds in Plan Book 652 at Page 16 and to authorize the Board of Selectmen to acquire by grant, eminent domain or otherwise, such rights, titles and easements, including drainage easements, as may be necessary to accomplish such purposes, or do or act anything in relation thereto.

**(Planning Board)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 32.** To see if the Town will vote to accept as public ways all or a portion of the following streets:

Quarry Road Extension from Station 8+88.09 to Station 16+97.87  
Erik Road Extension from Station 0+00.0 to Station 9+00.00

as laid out by the Board of Selectmen and as shown on a plan referred to in the Order of Layout on file with the Town Clerk’s Office and to authorize the Board of Selectmen to acquire by deed, grant, eminent domain or otherwise, such rights, titles and easements, including open space, access, drainage and trail easements, as may be necessary to accomplish such purposes, or do or act anything in relation thereto.

**(Board of Selectmen)**

**It was so VOTED UNANIMOUS (consent calendar 4/24/2017)**

**Article 33.** To see if the Town will vote to amend the Code of the Town of Medfield Chapter 270 Water Article I Water Conservation by striking the existing article in its entirety and replacing it, as follows:

**Article I Water Conservation: Water Use Restriction and Ban**

§270-1 Authority.

§270-2 Purpose.

§270-3 Application and Exemptions.

§270-4 Definitions.

§270-9 Public Notification of State of Water Supply Conservation or Water Ban; Notification of DEP.

§270-10 Termination of State of Water Supply Conservation; Notice.

§270-11 State of Water Supply Emergency; Compliance with DEP Orders.

§270-12 Posting of Notice of Private Irrigation Wells.

§270-13 Penalties for Violation(s).

§270-14 Enforcement Authority.

**§270-1 Authority.**

This article is adopted by the Town of Medfield under its police powers to protect public health, safety and welfare and implements the Town’s authority to regulate, limit and prohibit water use. This article also implements the Town’s authority under M.G.L. c. 40, §41A, conditioned

upon a declaration of Water Supply Emergency issued by the Department of Environmental Protection.

**§270-2 Purpose.**

The purpose of this article is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or Water Ban by providing for enforcement of any duly-imposed prohibitions, restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

**§270-3 Application and Exemptions.**

Water Supply Conservation measures apply to public water supply users only.

Commercial agricultural users shall be exempt from all provisions of this article. The Town of Medfield is exempt from all provisions of this article to extent required to protect public assets.

**§270-4 Definitions.**

For the purpose of this article, the following terms shall have the meanings indicated:

**MEDFIELD WATER SUPPLY**

The system of Town-owned wells and pipes used to distribute drinking water and provide fire protection as well as all sources for said water, including subsurface aquifer(s).

**PERSON**

Any individual, corporation, trust, partnership or association, or other entity located in Medfield and who is connected to the Medfield Water Supply.

**STATE OF WATER SUPPLY CONSERVATION**

A State of Water Supply Conservation declared by the Town pursuant to §270-5 of this article.

**WATER BAN**

A state of elevated water restrictions declared by the Town pursuant to §270-7 of this article.

**§270-5 Declaration of State of Water Supply Conservation.**

As required by the Town's Water Management Act Permit, the Board of Selectmen, upon recommendation of the Board of Water and Sewerage, shall declare a State of Water Supply Conservation no later than the first Monday in June through at the earliest the second Monday in September each year. Outdoor water use restrictions outlines in §270-6 shall be applicable to all water users of the public water system regardless of any person's responsibility for paying water bills for water used at any particular facility. The Board of Selectmen may extend the State of Water Supply Conservation if they determine that a shortage of water exists, or may reasonably be determined to be imminent, and that conservation measures are appropriate to ensure the safe and adequate supply of water to all water consumers.

**§270-6 State of Water Supply Conservation Restricted Water Uses.**

A declaration of a State of Water Conservation shall include, but not be limited to, one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the public supply. The applicable restrictions, conditions or requirements shall be included in the public notice required under §270-9.

- A. One day per week outdoor watering. Outdoor watering using sprinklers or automated irrigation systems is restricted to one day.
- B. Outdoor watering hours. Outdoor watering is prohibited between the hours of 9 a.m. to 5 p.m.

**§270-7 Declaration of Water Ban.**

If the Board of Selectmen, upon recommendation of the Board of Water and Sewerage, make a specific finding that the shortage of water exists because of a clear and imminent threat to the aquifer(s) underlying Medfield, such threats to include severe drought or environmental pollution, the Board of Selectmen may elevate the State of Water Supply Conservation to a Water Ban: either partial or total. The applicable restrictions, conditions or requirements shall be included in the public notice required under §270-9.

#### **§270-8 Water Ban Restricted Water Uses.**

A declaration of a partial Water Ban may include, but not be limited to, one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the public supply. The applicable restrictions, conditions or requirements shall be included in the public notice required under §270-9.

- A. Prohibition on the use of sprinklers and automatic sprinkler systems .
- B. Limitation on outdoor watering to handheld watering of vegetable and flower gardens.
- C. Prohibition on handwashing of exterior building surfaces, parking lots, sidewalks, driveways and patios.
- D. Prohibition on washing of vehicles, except in commercial car washes.
- E. Mandatory water use reductions by commercial/industrial users.

A declaration of a total water ban may include a total ban on outdoor water use, with or without stated exceptions; the applicable restrictions, conditions or requirements shall be included in the public notice required under §270-9.

#### **§270-9 Public Notification of State of Water Supply Conservation or Water Ban; Notification of DEP.**

Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation or Water Ban shall be published on the official Town of Medfield website, or by such other means reasonably calculated to reach and inform users of water of the state of water supply conservation. Any restriction imposed under §270-6 or §270-8 shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

#### **§270-10 Termination of State of Water Supply Conservation or Water Ban; Notice.**

A state of Water Supply Conservation or Water Ban may be terminated by the Board of Selectmen, upon recommendation of the Board of Water and Sewerage, upon their determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation or Water Ban shall be given in the manner provided in §270-9.

#### **§270-11 State of Water Supply Emergency; Compliance with DEP Orders.**

If the Department of Environment Protection declares a State of Water Supply Emergency under M.G.L. c. 21G, §15-17, no person shall violate any provision, restriction, requirement or condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

#### **§270-12 Posting of Notice of Private Irrigation Wells.**

Persons who have private wells for lawn irrigation must prominently display signs visible to the public that include the following phrase “PRIVATE WELL WATER IN USE”. Signs must be displayed whenever the irrigation system is in use. False posting is prohibited.

### **§270-13 Penalties for Violation(s).**

Any violation of this bylaw shall subject the violator to a fine as follows:

- (1) First violation (within calendar year): a written warning.
- (2) Second violation: a fine of \$50.
- (3) Every violation thereafter: a fine of \$200.

Each day that a violation continues shall constitute a new and separate offense.

### **§270-14 Enforcement Authority.**

The Board of Selectmen and their designee(s), Director of Public Works and his designee(s), Medfield Police Department, Building Commissioner, Conservation Agent, and Board of Health Agent shall each have authority to enforce the provisions of this bylaw, 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.

**(Board of Selectmen and Board of Water and Sewerage)**

**VOTED:** That the Town amend the Code of the Town of Medfield Chapter 270 Water Article I Water Conservation by striking the existing article in its entirety and replacing it, as set out in the Warrant. **PASSED UNANIMOUS 4/24/2017**

**Article 34** To see if the Town will vote to amend the Code of the Town of Medfield, Division 2: Regulations, 270 Water, by adding a new Article II Public Water Supply System and a new Section 270-15 Water Department Access, thereunder, as follows:

#### **Article II Public Water Supply System**

Section 270-15 Water Department Access. As provided in G.L. Chapter 165, Section 11D, a water customer shall provide access to the Water Department during regular business hours and, in the event of an emergency, at all other times, to permit Water Department employees or contractors to inspect, test, repair and/or replace the water service or any component thereof or the water meter for the premises. In the event of a water customer's failure to provide access, the Director of Public Works or his designee shall transmit a written request for access to the customer, specifying the purpose and date(s) and time(s); if the water customer fails to provide access at the requested date(s) and time(s); or within thirty(30) days following receipt of the written request, whichever is later, then the water customer shall be liable for a fine of twenty-five dollars per day for each day thereafter, until the water customer provides the requested access. This provision may be enforced by the Director of Public Works or his/her designee, 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.

**(Board of Water and Sewerage and Board of Selectmen)**

**VOTED:** That the Town amend the Code of the Town of Medfield, Division 2: Regulations, 270 Water, by adding a new Article II Public Water Supply System and a new Section 270-15

Water Department Access, thereunder, as set out in the Warrant. **PASSED UNANIMOUS 4/24/2017**

**Article 35.** To see if the Town will vote to appropriate a sum of money, said sum to be transferred from the Water Enterprise Fund, Unreserved Fund Balance, for the purpose of hiring an engineering firm to conduct studies and/or design an Iron/Manganese Treatment/Removal facility for wells three (3), four (4) and/or five (5) of the Town's water supply system, or do or act anything in relation thereto.

**(Board of Water and Sewerage)**

**VOTED:** That if the Town appropriate \$275,000, said sum to be transferred from the Water Enterprise Fund, Unreserved Fund Balance, for the purpose of hiring an engineering firm to conduct studies and/or design an Iron/Manganese Treatment/Removal facility for wells three (3), four (4) and/or five (5) of the Town's water supply system. **PASSED UNANIMOUS 4/24/2017**

**Article 36.** To see if the Town will vote to authorize the Board of Selectmen to lease space to private wireless providers on the new Town water tower on the site of the former state hospital property for the location of wireless facilities, or do or act anything in relation thereto.

**(Board of Selectmen)**

**VOTED:** That the Town authorize the Board of Selectmen to lease space to private wireless providers on the new Town water tower on the site of the former state hospital property for the location of wireless facilities. **PASSED UNANIMOUS 4/24/2017**

**Article 37.** To see if the Town will vote to amend the Code of the Town of Medfield to add a new chapter 235, Stormwater Management, as follows:

### **Chapter 235: Stormwater Management**

#### **Article I: General Provisions**

##### **§235-1 Purpose.**

The purpose of this bylaw is to establish minimum requirements and controls to protect and safeguard the environment, natural resources, general health, safety, and welfare of the public residing in watersheds within the Town's jurisdiction from the adverse impacts of soil erosion, sedimentation, and stormwater runoff. This section seeks to meet that purpose through the following objectives:

- A. To eliminate or reduce the adverse effects of soil erosion and sedimentation
- B. To minimize stormwater runoff from any development;
- C. To minimize nonpoint source pollution caused by stormwater runoff from development;
- D. To provide for groundwater recharge where appropriate; and
- E. To ensure controls are in place to respond to objectives in Subsections A and B and that these controls are properly operated and maintained.

##### **§235-2 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AGRICULTURE:** The normal maintenance or improvement of land in agricultural or aquacultural use as defined by the Massachusetts Wetlands Protection Act and its implementing regulations.

**APPLICANT:** A property owner or agent of a property owner who has filed an application.

**BUILDING:** An independent structure having a roof supported by columns or walls, resting on its own foundations and designed for the shelter, housing or enclosure of persons, animals, chattel or property of any kind.

**DETENTION:** The temporary storage of stormwater runoff in a stormwater management facility with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

**DETENTION FACILITY:** A detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

**DEVELOPER:** A person who undertakes land disturbance activities.

**DIRECTOR:** The Director of Medfield Department of Public Works, or his designee.

**EASEMENT:** A legal right granted by a landowner to a third party grantee allowing the use of private land for stormwater management purposes.

**IMPERVIOUS COVER:** Those surfaces that cannot effectively infiltrate rainfall (e.g., building rooftops, pavement, sidewalks, driveways, etc.).

**INFILTRATION:** The flow of water from the ground surface down into the soil.

**INFILTRATION FACILITY:** Any structure or device designed to infiltrate retained water to the ground. These facilities may be above grade or below grade.

**LAND DISTURBANCE ACTIVITY:** Any activity that changes the volume or peak flow discharge rate of rainfall runoff from the land surface, including: grading, digging, culling, scraping, excavating of soil, placement of fill materials, paving construction, substantial removal of vegetation, any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

**LANDOWNER/OWNER:** The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding propriety rights in the land.

**MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Medfield.

**NONPOINT SOURCE POLLUTION:** Pollution from any source other than from any discernible, confined, and discrete conduit or waterway, and shall include, but not be limited to, pollutants from agricultural, mining, construction, subsurface disposal and urban runoff sources.

**RECHARGE:** The replenishment of water to aquifers.

**REDEVELOPMENT:** Any construction, alteration, or improvement exceeding one acre in area where existing land use is high-density commercial, industrial, institutional or multi-family residential.

**RESOURCE AREA:** Any area protected under the Massachusetts Wetlands Protection Act, Massachusetts Rivers Act, or Medfield Conservation Commission regulations.

**SOIL EROSION AND SEDIMENT CONTROL PLAN:** A plan required to be submitted as part of this bylaw as detailed in Article II, § 235-12.

**START OF CONSTRUCTION:** The first land-disturbing activity associated with a development, including but not limited to land preparation such as clearing, grading and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

**STORMWATER MANAGEMENT PLAN:** A plan required to be submitted as part of this bylaw as detailed in Article III, § 235-15.

**STORMWATER RUNOFF:** Water resulting from precipitation that flows overland.

**STORMWATER TREATMENT PRACTICES:** Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

**WATERCOURSE:** Any body of water, including, but not limited to, lakes, ponds, rivers and streams.

**WATERWAY:** A channel, either natural or man-made, that directs surface runoff to a watercourse or to the public storm drain.

### **§235-3 Applicability.**

This bylaw shall apply to all activities that result in a land disturbance activity of one or more acres of land or that will disturb less than one acre of land but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre of land. No person shall perform any activity that results in a land disturbance activity of an acre or more of land without an approved soil erosion and sediment control plan and stormwater management plan. Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Wetland Protection Act Regulation 310 CMR 10.4, are exempt. In addition, as authorized in the Phase II Small MS4 General Permit for Massachusetts, stormwater discharges resulting from the above activities that are subject to jurisdiction under the Wetland Protection Act and demonstrate compliance with the Massachusetts Stormwater Management Policy as reflected in an order of conditions issued by the Town of Medfield Conservation Commission are deemed to be in compliance with this bylaw.

### **§235-4 Statutory authority.**

Chapter 235 is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

### **§235-5 Responsibility for administration.**

The Director shall administer, implement and enforce Chapter 235. Any powers granted to or duties imposed upon the Director may be delegated in writing by the Director to employees or agents.

### **§235-6 Promulgation of rules and regulations.**

The Director may promulgate rules and regulations to effectuate the purpose of Chapter 235. Failure by the Director to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

### **§235-7 Inspections; submission of final plans.**

A. The Director, or designated agent, shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the owner or

person responsible for the implementation of the plan wherein the work fails to comply with the soil erosion and sediment control plan, as described in Article II, § 235-12, or stormwater management plan, as described in Article III, § 235-15, as approved. Plans for grading, stripping, excavating, and filling work bearing civil engineer registered as a Professional Engineer in the Commonwealth of Massachusetts, shall be maintained at the site during the progress of the work. To obtain inspections, the permittee shall notify the Department of Public Works at least two working days before each of the following:

- (1) Installation of sediment and erosion control measures.
  - (2) Start of construction.
  - (3) Completion of site clearing.
  - (4) Completion of rough grading.
  - (5) Installation of stormwater controls.
  - (6) Close of the construction season.
  - (7) Completion of final landscaping.
- B. The person responsible for the implementation of the plan shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved soil erosion and sediment control plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures. All inspections shall be documented in written form and submitted to the Department of Public Works at the time interval specified in the approved permit.
- C. The Director, or designated agent, shall enter the property of the applicant as deemed necessary to make regular inspections to ensure the validity of the reports filed as noted above.
- D. The applicant shall submit an "as-built" plan for the stormwater controls after the final construction is completed. The plan must show the final design and specifications of all stormwater management systems and must be prepared by a professional engineer.

**§235-8 Project changes.**

The permittee, or his or her agent, shall notify the Director in writing of any change or alteration of a land-disturbing activity authorized in either the soil erosion and sediment control plan or the stormwater management plan before any change or alteration occurs. If the Director determines that the change or alteration is significant, based on the design requirements listed in this bylaw and accepted construction practices, the Director may require that an amended soil erosion and sediment control plan and/or stormwater management plan application be filed. If any change or deviation from these plans occurs during a project, the Director may require the installation of interim measures before approving the change.

**§235-9 Fees.**

The appropriate application fee as established by the Director must accompany each application. Pursuant to MGL c. 44, § 53G, as amended, applicants shall pay review fees, as determined by the Director, sufficient to cover any expenses connected with

any public hearing, review of the soil erosion and sediment control plan, and site inspection.

**§235-10 Surety.**

Pursuant to MGL c. 44, § 53G ½, as amended, the Director may require the permittee to post a surety before the start of any land disturbance or construction activity. The surety shall be in an amount deemed sufficient by the Director to protect the Town's interests and ensure that the work will be completed in accordance with the permit. If the project is phased, the Director may release part of the surety as each phase is completed in compliance with the permit but the surety may not be fully released until the Director has received the final inspection report and issued a certificate of completion.

**§235-11 Enforcement.**

The Director, or an authorized employee or agent, shall enforce Chapter 235, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- A. Suspension of construction or site alteration activity. In the event that the activity at a site violates the conditions as stated or shown on the approved soil erosion and sediment control plan or stormwater management plan in such a manner as the Director determines to adversely affect the environment, public welfare/health and municipal facilities, then the Director may suspend work until the violation is corrected.
- B. Civil relief. If a person violates the provisions of this bylaw or any regulation permit, notice, or order issued thereunder, the Director may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- C. Orders.

(1) The Director, or an authorized employee or agent, may issue a written order to enforce the provisions of this bylaw or the regulations thereunder, which may include:

- (a) Performance of monitoring, analyses, and reporting;
- (b) That unlawful discharges, practices, or operations shall cease and desist; and
- (c) Remediation of contamination.

(2) If the enforcing person determines that abatement or remediation of contaminations is required, the order shall set a deadline by which the abatement or remediation must be completed. The order shall also state that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Medfield may, at its option, undertake the work, and expenses shall be charged to the violator. Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Medfield, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Director within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Director affirming or reducing

the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in MGL c. 59, § 57, after the 31st day at which the costs first become due.

D. Criminal penalty. Any person, who violates any provision of this bylaw, or any regulation, order or permit issued thereunder, shall be subject to a fine of not more than \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Noncriminal disposition. As an alternative to criminal prosecution or civil action, the Director may elect to utilize the noncriminal disposition procedure in accordance with the provisions of MGL c. 40, §21D. The penalty for the first violation shall be \$100. The penalty for the second violation shall be \$200. The penalty for the third violation shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

F. Appeals. The decision or orders of the Director shall be final. Further relief shall be to a court of competent jurisdiction.

G. Remedies not exclusive. The remedies listed in Chapter 235 are not exclusive of any other remedies available under any applicable federal, state or local law.

## **Chapter 235: Stormwater Management**

### **Article II: Soil Erosion and Sediment Control**

#### **§ 235-12 Soil erosion and sediment control plan.**

A soil erosion and sediment control plan at the same scale as the site plan, which meets the design requirements of this bylaw, shall be prepared and submitted to the Department of Public Works. The plan shall include, but not be limited to, the items listed below and, at a minimum, be designed to provide sufficient information to evaluate the effectiveness and acceptability of measures proposed for soil erosion and sediment control during construction to protect the environment, public welfare/health, and municipal facilities and utilities. The following information shall be detailed on the plan:

- A. Name, address and telephone number of owner, civil engineer and person responsible for implementation of the plan.
- B. Property lines.
- C. Location of all existing and proposed building and impervious surfaces.
- D. Location of all existing and proposed stormwater utilities, including structures, pipes, swales and detention basins.
- E. Soil erosion and sediment control provisions including explanation of technical basis used to select the practices chosen to minimize on-site erosion and prevent off-site sediment transport, including provisions to preserve topsoil and limit disturbance.
- F. Design details for both temporary and permanent erosion control structures.
- G. The Director may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this bylaw and regulations for the preservation of public health and safety.

- H. An attached vicinity map showing the location of the site in relationship to the surrounding area's watercourses, water bodies and other significant geographic features, and roads and other significant structures.
- I. Suitable contours for the existing and proposed topography.
- J. A clear and definite delineation of any areas of vegetation or tree disturbance. Note all vegetation that is to be removed and all vegetation that is to be saved.
- K. A clear and definite delineation of any wetlands, natural or artificial water storage detention areas, and existing drainage ditches on the site.
- L. A description of construction and stockpile and/or excess materials removed from the site expected to be stored on-site. The plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater.
- M. A sequence of construction for the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, and establishment of permanent vegetation.

**§ 235-13 Performance standards.**

A construction project shall be considered in conformance with this section if construction means and methods have been effective in preventing soils or other eroded matter from being deposited onto adjacent properties, rights-of ways, public storm drainage system, or wetland or watercourse. The design, testing, installation, and maintenance of soil erosion and sediment control operations and facilities shall adhere to the standards and specifications contained in the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas, dated March 1997, reprint 2003, as it may be amended from time to time, and in accordance with the latest version of the current edition of the Massachusetts Stormwater Handbook, and EPA's current Construction General Permit (CGP)

**§ 235-14 Review and approval.**

- A. A soil erosion and sediment control plan review is triggered by a site development plan and/or a building permit application or other activity that falls within the jurisdiction of this bylaw. Applicants shall be referred by the permit-issuing agency to the Department of Public Works to conduct the soil erosion and sediment control plan review. Activities that fall within the jurisdiction of this bylaw that do not require a permit from any Town department are not exempt from this provision. In this situation, the applicant must seek a soil erosion and sediment control plan review directly from the Department of Public Works.
- B. The Department of Public Works will review each soil erosion and sediment control plan to determine its conformance with the provisions of this bylaw. The Department of Public Works shall, in writing:
  - (1) Approve the plan as submitted; or
  - (2) Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
  - (3) Disapprove the plan, indicating the reason(s) and procedure for submitting a revised application and/or submission.
- C. Approval of the soil erosion and sediment control plan shall remain in effect for a term of one year. After one year, the owner must apply to the Director for an extension, which will be approved at the Director's discretion and in accordance with the Director's requirements.

## Chapter 235: Stormwater Management

### Article III: Post Construction Stormwater Management

#### § 235-15 Stormwater management plan.

A. A stormwater management plan at the same scale as the site plan, which meets the design requirements of this bylaw, shall be prepared by a licensed civil engineer and submitted to the Department of Public Works. The plan shall include, but not be limited to the items listed below and, at a minimum, be designed to provide sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures proposed for managing stormwater runoff. The applicant shall certify on the drawings that all clearing, grading, drainage, construction, and development shall be conducted in strict accordance with the plan. The minimum information, in addition to the name, address and telephone number of the owner, licensed civil engineer and person responsible for implementation of the plan, submitted for support of a stormwater management plan shall be as follows:

- 1) Locus map.
  - 2) Drainage area map showing drainage area and stormwater flow paths.
  - 3) Location of existing and proposed utilities.
  - 4) Location of all existing and proposed stormwater utilities, including structures, pipes, swales and detention basins.
  - 5) Topographic survey showing existing and proposed contours.
  - 6) Soils investigation, including borings or test pits, for areas where construction of infiltration practices will occur.
  - 7) Description of all watercourses, impoundments, and wetlands on or adjacent to the site or into which stormwater flows.
  - 8) Delineation of one-hundred-year floodplains, if applicable.
  - 9) Groundwater levels at the time of probable high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration.
  - 10) Existing and proposed locations, cross sections, and profiles of all brooks, streams, drainage swales and the method of stabilization.
  - 11) Location of existing and proposed easements.
  - 12) Proposed improvements including location of buildings or other structures, impervious surfaces and storm drainage facilities, if applicable.
  - 13) Structural details for all components of the proposed drainage systems and stormwater management facilities.
  - 14) Timing schedules and sequences of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization.
  - 15) Operation and maintenance schedule.
  - 16) Notes on drawings specifying materials to be used, construction specifications, and details.
  - 17) Location of areas to be cleared of more than 50% of the vegetation.
- B. The applicant should review the scope of work of the proposed project with a representative of the Department of Public Works to determine the requirements of the Stormwater Management Plan. The Director may waive any section or all of the Stormwater Management Plan if he or she determines that the activity involved has a de minimus impact on the Town's stormwater management plan.

### **§ 235-16 Standards.**

Control of stormwater runoff shall meet the requirements of the Town of Medfield's Subdivision of Land Stormwater Management Regulations, § 310 Article 5.2.C and performance standards for both flood control and nonpoint source pollution reduction as defined in the Massachusetts Stormwater Management Policy and Handbook, current edition, as amended. All assumptions, methodologies and procedures used to design stormwater treatment practices and stormwater management practices shall accompany the design. All activities, project design, stormwater treatment practices and stormwater management practices should aim to minimize stormwater runoff, maximize infiltration and recharge where appropriate, and minimize pollutants in stormwater runoff.

### **§ 235-17 Review and approval.**

- A. A stormwater management plan review is triggered by a site development plan and/or a building permit application or other activity that falls within the jurisdiction of this bylaw. Applicants shall be referred by the permit-issuing agency to the Department of Public Works to conduct the stormwater management plan review. Activities that fall within the jurisdiction of this bylaw that do not require a permit from any Town department are not exempt from this provision. In this situation, the applicant must seek stormwater management plan review directly from the Director.
- B. The Director will review each stormwater management plan to determine its conformance with the provisions of this bylaw. The Director shall, in writing:
  - (1) Approve the plan as submitted; or
  - (2) Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
  - (3) Disapprove the plan, indicating the reason(s) and procedure for submitting a revised application and/or submission.
- C. Approval of the stormwater management plan shall remain in effect for a term of one year. After one year, the owner must apply to the Director for an extension which will be approved at the Director's discretion and in accordance with the Director's requirements.

### **§ 235-18 Operation and maintenance plans.**

An operation and maintenance plan (O&M Plan) is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with the permit in all seasons and throughout the life of the system. The Director shall make the final decision of what maintenance option is appropriate in a given situation. The Director will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. The O&M Plan shall identify and include all required documents, including, but not limited to, maintenance agreements and stormwater management easements. All documents shall be submitted to Town Counsel for review and must be in a form satisfactory to Town Counsel. The operation and maintenance plan shall remain on file with the Department of Public Works and shall be an ongoing requirement. The O&M Plan shall include:

- A. The name(s) of the owner(s) for all components of the system.
- B. Maintenance agreement(s). The maintenance agreement shall include:
  - (1) The names, addresses, and phone numbers of the person(s) responsible for operation and maintenance.

- (2) The person(s) responsible for financing maintenance and emergency repairs.
  - (3) A maintenance schedule for all drainage structures, including swales and ponds, and the estimated life span of the system.
  - (4) A list of easements with the purpose and location of each.
  - (5) The signature(s) of the owner(s).
  - (6) A provision requiring a documentation submittal to Department of Public Works confirming when maintenance has been satisfactory completed.
- C. Stormwater management easement(s).
- (1) Stormwater management easements shall be provided by the property owner(s) as necessary for:
    - (a) Access for facility inspections and maintenance.
    - (b) Preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the one-hundred-year storm event.
    - (c) Direct maintenance access by heavy equipment to structures requiring regular cleanout.
  - (2) Stormwater management easements are required for all areas used for off-site stormwater control, unless the Director grants a waiver.
  - (3) Easements shall be recorded with the County Registry of Deeds or Land Court prior to issuance of a certificate of completion by the Director.
- D. Changes to operation and maintenance plans.
- (1) The owner(s) of the stormwater management system must notify the Director of changes in ownership or assignment of financial responsibility.
  - (2) The maintenance schedule in the maintenance agreement may be amended to achieve the purposes of this bylaw by mutual agreement of the Director and the responsible parties. Amendments must be in writing and signed by all responsible parties. Responsible parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.

and to authorize the Town Clerk to re-number, 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 act anything in relation thereto.

(Board of Selectmen)

**VOTED:** That the Town will vote to amend the Code of the Town of Medfield to add a new chapter 235, Stormwater Management, as set out in the Warrant. **PASSED UNANIMOUS 4/24/2017**

**Article 38.** To see if the Town will vote to amend the Code of the Town of Medfield Chapter 270, Water, by adding a new Article III, Water Pollution Abatement, as follows:

**Article III: Water Pollution Abatement**

**§ 270-16 Purpose.**

Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

Regulation of illicit connections and discharges to the municipal storm drain system and watercourses is necessary for the protection of the Town of Medfield's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

The objectives of this by-law are:

1. to prevent pollutants from entering the Town of Medfield municipal separate storm sewer system(MS4) or watercourses; 2. to prohibit illicit connections and unauthorized discharges to the MS4 and watercourses; 3. to require the removal of all such illicit connections; 4. to comply with state and federal statutes and regulations relating to stormwater discharges; and 5. to establish the legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

**§ 270-17 Definitions.**

For the purposes of this by-law, the following shall mean:

**AUTHORIZED ENFORCEMENT AGENCY:** The Medfield Department of Public Works, its employees or any agents designated by the Medfield Department of Public Works to enforce this by-law.

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

**GROUNDWATER:** Water beneath the surface of the ground.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system or a watercourse, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law

**ILLICIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system or a watercourse that is not composed entirely of stormwater, except as exempted in Section 3.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Medfield.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

**NON-STORMWATER DISCHARGE:** Discharge to the municipal storm drain system not composed entirely of stormwater.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POLLUTANT:** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint

source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:

- (1) paints, varnishes, and solvents;
- (2) oil and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;
- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes; sewage, fecal coliform and pathogens;
- (7) dissolved and particulate metals;
- (8) animal wastes;
- (9) rock, sand, salt, soils;
- (10) construction wastes and residues; and
- (11) noxious or offensive matter of any kind.

**PROCESS WASTEWATER:** Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**STORMWATER:** Runoff from precipitation or snow melt, and surface water runoff and drainage.

**SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

**TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

**WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

**§ 270-18 Applicability.**

This bylaw shall apply to all water entering the municipal storm drain system or going, directly or indirectly, into a watercourse or waters of the Commonwealth, that will be generated on any developed or undeveloped lands except as explicitly exempted in this bylaw.

**§ 270-19 Prohibited Activities And Exemptions.**

- A. Illicit discharges. No person shall dump, discharge, spill, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), onto an impervious surface directly connected to the MS4, or directly or indirectly, into a watercourse or waters of the Commonwealth.
- B. Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstruction of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior consent from the Authorized Enforcement Agency.
- D. Exemptions.
  - (1) Discharge or flow resulting from fire-fighting activities;
  - (2) The following non-stormwater discharges or flows are exempt from the prohibitions of non-stormwater provided that the source is not a significant contributor of a pollutant to the municipal storm drain system or, directly or indirectly, to a watercourse or waters of the Commonwealth:
    - a. Waterline flushing;
    - b. Flow from potable water sources, with the exception of landscape irrigation and lawn watering;
    - c. Springs;
    - d. Natural flow from riparian habitats and wetlands;
    - e. Diverted stream flow;
    - f. Rising groundwater;
    - g. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater (e.g. sump pump), provided that where a pump intake exists inside a structure, the operator seeks a permit from the Authorized Enforcement Agency prior to discharge and thereafter discharges in accordance with the requirements of the permit and applicable laws and regulations to be issued by the Authorized Enforcement Agency;
    - h. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air-conditioning condensation;
    - i. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
    - j. Discharge from street sweeping;
    - k. Dye testing, provided verbal notification is given to the Authorized Enforcement Agency prior to the time of the test;
    - l. Nonstormwater discharge permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and

- m. Discharge for which advanced written approval is received from the Authorized Enforcement Agency as necessary to protect public health, safety, welfare or the environment.

**§ 270-20 Emergency Suspension Of Storm Drainage System Access.**

The Authorized Enforcement Agency may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

**§ 270-21 Notification of Spills.**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Municipal Fire and Police Departments. In the event of a release of nonhazardous material, the reporting person shall notify the Authorized Enforcement Agency no later than the next business day. The reporting person shall provide written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

**§ 270-22 Enforcement.**

The Authorized Enforcement Agency shall enforce this bylaw, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations.

- A. Civil relief. If a person violates the provisions of this bylaw, or any associated regulations, permit, notice, or order issued thereunder, the Authorized Enforcement Agency may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

- B. Orders.

- (1) The Authorized Enforcement Agency may issue a written order to enforce the provisions of this bylaw or any regulations thereunder, which may include:

- a. Elimination of illicit connections or discharges to the MS4;
- b. Elimination of discharges to the MS4 or, directly or indirectly, into a watercourse or into the waters of the Commonwealth.
- c. Performance of monitoring, analyses, and reporting;
- d. That unlawful discharges, practices, or operations shall cease and desist;
- e. That measures shall be taken to minimize the discharge of pollutants until such time as the illicit connection shall be eliminated; and
- f. Remediation of contamination in connection therewith.

- (2) If the Authorized Enforcement Agency determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such

abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

(3) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Authorized Enforcement Agency within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Authorized Enforcement Agency affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in MGL c. 59, § 57 after the 31st day at which the costs first become due.

C. Criminal penalty. Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder shall be punished by a fine of not more than \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Noncriminal disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the noncriminal disposition procedure set forth in MGL c. 40, § 21D and Code of the Town of Medfield Chapter I, General I, Article II, § 1-1 of the Town of Medfield General Bylaws, in which case the Authorized Enforcement Agency shall be the enforcing person. The penalty for the first violation shall be a warning. The penalty for the second violation shall be \$100. The penalty for the third and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Entry to perform duties under this bylaw. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Authorized Enforcement Agency, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Authorized Enforcement Agency deems reasonably necessary.

F. Appeals. The decisions or orders of the Authorized Enforcement Agency shall be final. Further relief shall be to a court of competent jurisdiction.

G. Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

### **§ 270-23 Regulations And Guidance.**

Authorized Enforcement Agency may promulgate rules and regulations to effectuate the purposes of this by-Law after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. Failure by the Authorized Enforcement Agency to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

### **§ 270-24 Transitional Provisions.**

Residential property owners shall have 60 days from the effective date of this bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.

**§ 270-25 Severability.**

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

and to authorize the Town Clerk to re-number, 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 to do or act anything relating thereto.

**(Board of Selectmen)**

**VOTED:** That the Town amend the Code of the Town of Medfield Chapter 270, Water, by adding a new Article III, Water Pollution Abatement, as set out in the Warrant. **PASSED UNANIMOUS 4/24/2017**

**Article 39.** 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 following symbol:

SPPB - A use which may be permitted in the district by a special permit from the Planning Board in accordance with appropriate By-Laws.

or do or act anything in relation thereto.

**(Planning Board)**

**VOTED:** That the Town amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, by adding the following symbol and definition:

SPPB - A use which may be permitted in the district by a special permit from the Planning Board in accordance with appropriate By-Laws.

**PASSED BY 2/3 VOTE 4/24/2017**

**Article 40.** 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 sections in **bold** as follows:

	Use	A	RE	RT	RS	RU	B	BI	IE
1	<b>Residential</b>								
1.1.	One-family dwelling (See § 300-14.10F)	YES	YES	YES	YES	YES	SP	NO	NO
1.1a.	Accessory dwelling unit in single-family dwelling (See § 300-14.10I)	SP	SP	SP	SP	SP	NO	NO	NO
1.2.	Two-family dwelling ( <b>Under</b> § 300-14.10F)	NO	NO	NO	NO	<del>Yes</del> <b>NO</b>	SP	NO	NO
1.2a.	Family apartment [See definition in § 300-2.1]	SP	SP	SP	SP	YES	SP	NO	NO

	and § 300-14.10I(3)]								
<b>1.2b.</b>	<b><u>Conversion of one-family dwelling to two-family dwelling or a new two-family dwelling (lot coverage is &lt; 15%)</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>
<b>1.2c.</b>	<b><u>Conversion of one-family dwelling to two-family dwelling or a new two-family dwelling (lot coverage is ≥ 15%)</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>SPPB</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>	<b><u>NO</u></b>

or do or act anything in relation thereto.

(Planning Board)

<b>Lot Coverage for Two-Family Dwelling</b>	<b>Permitting Process</b>
0-14.99%	By-Right (building permit only)
15%-24.99%	Special Permit by the Planning Board
25%-30%	Historic Preservation Incentive - Special Permit by the Planning Board
Over 30%	Prohibited

**VOTED:** That the Town amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, by adding the sections in **bold** as set out in the Warrant. **CARRIES BY 2/3 VOTE**

**Article 41.** 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 row in **bold** as follows:

300 Attachment 3

Town of Medfield

Table of Height and Bulk Regulations

District	Maximum Height (feet)	Permitted Height (stories)	Maximum Floor Area Ratio Including Accessory Buildings	Maximum Lot Coverage	Multifamily Dwelling Minimum Unit Floor Area (square feet)
A*					
RE	35	2 ½	0.2	10%	Not permitted
RT	35	2 ½	0.25	15%	Not permitted
RS	35	2 ½	0.35	20%	Not permitted
District	Maximum Height (feet)	Permitted Height (stories)	Maximum Floor Area Ratio Including Accessory Buildings	Maximum Lot Coverage	Multifamily Dwelling Minimum Unit Floor Area (square feet)

RU	35	2 ½	0.35	35%	500 450**
<b><u>RU/ Two- Family</u></b>	<b><u>35</u></b>	<b><u>2 ½</u></b>	<b><u>0.35</u></b>	<b><u>25%***</u></b> <b><u>30%****</u></b>	<b><u>Not applicable</u></b>
B	35	3	0.75	90%	Not permitted
BI	30	2	0.75	90%	Not permitted
IE	35	2	0.5	90%	Not permitted

NOTES

\* See § 300-5.5.

\*\* 450 square feet required for public housing for elderly.

\*\*\* See § 300-14.15

\*\*\*\* See § 14.15.G, **Historic Preservation Incentive for Two-Family Dwellings in the RU District**

, or do or act anything in relation thereto.

(Planning Board)

**VOTED:** That the Town amend the Medfield Town Code Chapter 300 Zoning Attachment 3 Table of Height and Bulk Regulations, by adding the sections in **bold** as set out in the Warrant.

**CARRIED BY 2/3 VOTE**

**Article 42.** To see if the Town will vote to amend the Medfield Town Code Article 300 Zoning by adding a new Section 300-14.15 to create requirements for special permits by the Planning Board, as follows:

**§300-14.15. Special permits by Planning Board.**

Certain uses, structures, or conditions are designated as “SPPB” in the Table of Use Regulations included as an attachment to this bylaw. These uses require a special permit from the Planning Board, which may be obtained only by use of the following procedure.

A. Form of Application.

(1) Any person desiring to apply for a special permit hereunder shall submit an application in writing to the Planning Board with a copy to the Building Commissioner, the Board of Health, and Town Clerk. Each application shall contain the following information:

- (a) The full name and address of the applicant.
- (b) The full name and address of the record owner of the real estate concerning which the special permit is sought if different from the applicant.
- (c) If the applicant is other than the record owner of the real estate, the nature of the applicant's interest in the real estate (i.e., lease, option to purchase, etc.).
- (d) The street address and zone for the property concerning which a special permit is sought.
- (e) A summary of any construction or change which the applicant intends to make to the property if the special permit is granted.
- (f) Zoning Table to show existing and proposed dimensional requirements using methodologies found in the Medfield Zoning Bylaw.

- (g) A site plan showing the boundary lines of the premises and the locations of structures thereon; including parking areas, walkways, patios, decks, accessory structures, utilities, easements, stone walls or other significant features.
- (h) Current stamped plans showing any proposed construction, alterations or renovations of the premises for which the special permit is sought.
- (i) Current stamped engineered plans showing proposed drainage system.
- (j) If the proposed use contemplates removal or disturbance of any earth, topographical plans of the property shall be furnished which show existing and finished ground contours at two-foot intervals.
- (k) A summary of applicant's reasons for seeking the special permit.

(2) The Planning Board may require from any applicant for a special permit such additional information as it may determine to be necessary to determine the effect of the proposed use upon neighboring persons and property, and upon the welfare of the Town.

- B. If no recommendations are received within 35 days after the date on which a copy of the application is submitted to the Building Commissioner and the Board of Health, as required by Subsection A, it shall be deemed lack of their opposition thereto.
- C. Hearing. The Planning Board shall, at the expense of the applicant, give notice of a public hearing as required by the Zoning Act and shall, after publication of said notice, hold a public hearing on the application. The public hearing shall not be held until at least 21 days have elapsed and within 65 days from the date of the filing of the application. The public hearing shall be conducted in accordance with the rules and procedures prescribed by the Planning Board as required by the Zoning Act.
- D. The Planning Board shall adopt and from time to time amend rules relative to the issuance of special permits and shall file a copy of said rules in the office of the Town Clerk.
- E. After the public hearing required by Subsection C has been concluded, the Planning Board 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.

F. New two-family dwellings with a proposed lot coverage equal to or greater than 15% (in the RU zoning district) or the conversion of an existing single family dwelling to a new two-family dwelling with a proposed lot coverage equal to or greater than 15% (in the RU zoning district) shall be permitted subject to the following special criteria:

- (1) The common party wall shall connect habitable space (an area within a building, typically a residential building, used for living, sleeping, eating or cooking purposes - also called occupiable space. Those areas not considered to meet this definition include storage rooms, garages and utility spaces).
- (2) 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 surrounding properties.
- (3) Each dwelling unit has access to private yard, patio, or other private outdoor space.
- (4) The Planning Board, in its discretion, may require additional screened buffer zone for the privacy of adjacent properties. Screening can include use of existing trees and plants, new vegetation, fencing, or a combination of these options.
- (5) Each parking space or driveway serving a two-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.
- (6) Adequate provisions for snow removal or on-site storage should also be demonstrated.

G. Historic Preservation Incentive for Two-Family Dwellings in the RU Zoning District – A special permit pursuant to §300-14.15 A - F for a proposed project that preserves a structure that has received a determination from the Medfield Historical Commission that the structure is a “historically significant structure” (as defined by Town Code Chapter § 150-13, as the same may be amended from time to time) may allow a lot coverage of up to thirty percent (30%) upon finding the property complies with the following criteria:

- (1) As to the existing historic structure, the project:
  - (a) Preserves the primary part of the existing historic structure, particularly that portion which is visible from the street, integral to the historic character of the property and important for its relationship to neighboring structures.
  - (b) Preserves the historic structure’s existing scale, massing, height, setback, orientation, roofline, materials, and architectural details.
  - (c) Maintains the size, type and spacing of existing windows and doors.
  - (d) Maintains any historic outbuildings on the property whenever possible.

It shall be a prerequisite to requesting such increased lot coverage that the applicant shall have submitted to Medfield Historical Commission information relating to the historical features of the structure to enable the Commission to make a determination as to whether such structure is a “historically significant structure”. Where such increased lot coverage is sought, a copy of the Commission’s determination must be included in the applicant’s application for a special permit pursuant to §300-14.15 A – F.

- (2) As to new construction directly related to an existing historic structure, the new construction respects and reflects the scale, massing, roof forms, materials, windows, doors, and other architectural details of the related historic structure.

H. Waivers to special permit criteria for a two-family dwelling - One or more of the special permit criteria specific to two-family dwellings required by Subsection F (1. through 6.) may be waived if, in the opinion of the Planning Board, based on compelling reasons of safety, aesthetics, or site design and evidence submitted by the applicant at the public hearing, the proposed project can be built without substantial detriment to the neighborhood, the proposed building is compatible with the neighborhood and surrounding properties, and the proposed project is otherwise consistent with the requirements of Subsection E and F of this Section.

Note: waivers granted to one project do not mean future projects may automatically receive the same waivers.

, or do or act anything in relation thereto.

(Planning Board)

**VOTED:** That if the Town amend the Medfield Town Code Article 300 Zoning by adding a new Section 300-14.15 to create requirements for special permits by the Planning Board, as set out in the Warrant. **MOTION CARRIES BY 2/3 VOTE 4/24/2017**

**Article 43.** To see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Article 2 Definitions, by striking the existing definition of DWELLING, MULTIFAMILY and replacing it in its entirety with the following definition of DWELLING, MULTIFAMILY shown in **bold** in appropriate alphabetical order:

~~DWELLING, MULTIFAMILY~~

~~A building containing three or more dwelling units.~~

**DWELLING, MULTIFAMILY A residential development consisting of three or more dwelling units on one single contiguous parcel, not necessarily contained in one building.**

or do or act anything in relation thereto.

(Planning Board)

**VOTED:** That the Town amend the Medfield Town Code Chapter 300 Zoning Article 2 Definitions, by striking the existing definition of DWELLING, MULTIFAMILY and replacing it in its entirety with the following definition of DWELLING, MULTIFAMILY shown in **bold** in appropriate alphabetical order:

~~DWELLING, MULTIFAMILY~~

~~A building containing three or more dwelling units.~~

**DWELLING, MULTIFAMILY A residential development consisting of three or more dwelling units on one single contiguous parcel, not necessarily contained in one building.**

**CARRIES BY 2/3 VOTE 4/24/2017**

**Article 44.** To see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, Section 1.4. by striking “PB” and replacing with “SPPB” as shown in **bold**:

	Use	A	RE	RT	RS	RU	B	BI	IE
<b>1</b>	<b>Residential</b>								
1.1.	One-family dwelling (See § 300-14.10F)	YES	YES	YES	YES	YES	SP	NO	NO
1.1a.	Accessory dwelling unit in single-family dwelling (See § 300-14.10I)	SP	SP	SP	SP	SP	NO	NO	NO
1.2.	Two-family dwelling (See § 300-14.10F)	NO	NO	NO	NO	YES	SP	NO	NO
1.2a.	Family apartment [See definition in § 300-2.1 and § 300-14.10I(3)]	SP	SP	SP	SP	YES	SP	NO	NO

1.3	Alteration of two- or multi-family dwelling [See § 300-14.10H(2)(h)]	NO	NO	NO	NO	SP	SP	NO	NO
1.4.	Multi-family dwelling, including public housing for the elderly (See § 300-14.13 15 & §300-14.16)	NO	NO	NO	NO	<b>PB</b> <b>SPPB</b>	NO	NO	NO

, or do or act anything in relation thereto.

(Planning Board)

**VOTED:** That if the Town amend the Medfield Town Code Chapter 300 Zoning Attachment 1 Table of Use Regulations, Section 1.4 by striking “PB” and replacing with “SPPB”, as shown in **bold**, as set out in the warrant. **PASSED BY 2/3 VOTE**

**Article 45.** To see if the Town will vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 2 Table of Area Regulations, by striking and adding the language shown 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)
RU	Multi-family dwelling (three units)	<del>24,000</del> <b>30,000</b>	200x200	200	200	100	30	20	50
	Lot area per additional unit (4+ units)	<del>6,000</del> <b>8,000</b>							

, or do or act anything in relation thereto.

(Planning Board)

**MOTION TO AMEND AREA (SQUARE FEET) TO 24,000. MOTION DOES NOT CARRY 4/24/2017**

**VOTED:** That if the Town amend the Medfield Town Code Chapter 300 Zoning Attachment 2 Table of Area Regulations by adding in the “Use” column “(4+ units)” and by striking the existing numbers shown in the ”Area” column and replacing them with the numbers set out in the Warrant. **CARRIES BY 2/3 VOTE 4/24/2017**

**Article 46.** To see if the Town will vote to amend the Medfield Town Code Article 300 Zoning by adding the following Section 300-14.16.as follows:

**§300-14.16. Inclusionary Zoning Bylaw**

Purpose and Intent: The purpose of this bylaw is to encourage development of new housing that is affordable to low and moderate-income households. At minimum, affordable housing produced through this regulation should be in compliance with the requirements set forth in M.G.L. c. 40B sect. 20-24 (as the same may be amended from time to time) and other affordable

housing programs developed by state, county and local governments. It is intended that the affordable housing units that result from this bylaw/ordinance be considered as Local Action Units, in compliance with the requirements for the same as specified by the Department of Housing and Community Development (DHCD) or successor state agency or regulations.

**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 that results in a net increase of six (6) or more dwelling units, as measured over a ten year time period, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space.

**B. Special Permit:** The development of any project set forth in Subsection A (above) shall require the grant of a Special Permit from the Planning Board. A Special Permit shall be granted if the proposal meets the requirements of this bylaw. The application procedure for the Special permit shall be as defined in Section 300-14.15 of the Town's zoning bylaw.

**C. Mandatory Provision of Affordable Units:**

1. As a condition of approval for a Special Permit, the applicant shall contribute to the local stock of affordable unit by providing at least the number of affordable housing units specified below, which affordable housing units must be eligible for inclusion on the Subsidized Housing Inventory. A fractional unit of 0.5 or more shall be rounded up to the next whole unit.

<b>Table of Affordable Units Requirements*</b>	
<b>Total Units in Project</b>	<b>Affordable Units</b>
<b>6-20</b>	<b>15%</b>
<b>21-49</b>	<b>20%</b>
<b>50+</b>	<b>25%</b>
* The construction of affordable units shall be commensurate with the construction of market rate units. Should projects be constructed in phases, each phase shall contain the same proportion of affordable units to market rate units as the overall development.	

2. As a condition of approval for a Special Permit, at least twenty (20) percent of the total number of bedrooms within a development shall be located within affordable units. A fractional bedroom count of 0.5 or more shall be rounded up to the next whole unit.
3. As a condition for the granting of a Special Permit, all affordable housing units shall be subject to an affordable housing restriction and a regulatory agreement in a form acceptable to the Planning Board. The regulatory agreement shall be consistent with any applicable guidelines issued by the Department of Housing and Community Development, including but not limited to Provisions Applicable to Affordable Housing Units; Maximum Incomes and Selling Prices: Initial Sale; Preservation of Affordability; Restrictions on Resale, and shall ensure that affordable units can be counted toward the Town's Subsidized Housing Inventory. The Special Permit shall not take effect until the restriction, the regulatory agreement and the special permit are recorded at the Registry of Deeds and a copy provided to the Planning Board and the Inspector of Buildings.

**D. Deed Restrictions:** All developments with affordable units shall provide deed restrictions on the units in perpetuity. The deed restriction shall be consistent with riders prepared by DHCD, and shall grant the Town the right of first refusal to purchase any ownership units in the event that a qualified purchaser cannot be located. In addition, no certificate of occupancy permit shall be granted for any development containing affordable units prior to the recording of the deed restriction at the Registry of Deeds.

- E. Local Preference: To the maximum extent permitted by law, including the regulations of DHCD, any special permit granted hereunder shall include a condition that a preference for Medfield residents, Town of Medfield employees, employees of Medfield businesses, and families of students attending Medfield schools shall be included as part of the lottery and marketing plan for the affordable units.
- F. Fees: The applicant shall be responsible for all consultant fees, including engineering, architectural, legal, housing consultant and planning fees, incurred by the Planning Board in connection with the application, review of relevant plans and documents, and ensuring that the affordable units are included on the Town's SHI.
- G. Conflict with Other Bylaws: The provisions of this bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw/ordinance, or provisions therein, shall apply.

, or do or act anything in relation thereto.

**(Planning Board)**

**VOTED:** That if the Town amend the Medfield Town Code Article 300 Zoning by adding Section 300-14.16. Inclusionary Zoning Bylaw, as set out in the Warrant. **PASSED BY 2/3 VOTE 4/24/2017**

**Article 47.** 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 three new rows and addition notes as shown in **bold**, as follows: :

300 Attachment 3

**Town of Medfield**

**Table of Height and Bulk Regulations**

District	Maximum Height (feet)	Permitted Height (stories)	Maximum Floor Area Ratio Including Accessory Buildings	Maximum Lot Coverage	Multifamily Dwelling Minimum Unit Floor Area (square feet)
A*					
RE	35	2 ½	0.2	10%	Not permitted
RT	35	2 ½	0.25	15%	Not permitted
RS	35	2 ½	0.35	20%	Not permitted
RU <b>Single-Family</b>	35	2 ½	0.35	<del>35%</del> <b>30%</b>	<b>Not applicable</b> 500 450**
<b>RU/ Two-Family</b>	<b>35</b>	<b>2 ½</b>	<b>0.35</b>	<b>25%***</b> <b>30%****</b>	<b>Not applicable</b>
RU <b>Multi-Family</b>	<b>35</b>	2 ½	<b>0.35</b>	<b>35%</b>	<b>500</b> <b>450**</b>
District	Maximum	Permitted	Maximum	Maximum	Multifamily Dwelling

	Height (feet)	Height (stories)	Floor Area Ratio Including Accessory Buildings	Lot Coverage	Minimum Unit Floor Area (square feet)
B	35	3	0.75	90%	Not permitted
BI	30	2	0.75	90%	Not permitted
IE	35	2	0.5	90%	Not permitted

NOTES

\* See § 300-5.5.

\*\* 450 square feet required for public housing for elderly.

\*\*\* See § 300-14.15

\*\*\*\* See § 14.15.G, Historic Preservation Incentive for Two-Family Dwellings in the RU District

, or do or act anything in relation thereto.

(Planning Board)

<i>Lot Size</i>	<i>35% Lot Coverage</i>	<i>30% Lot Coverage</i>
<i>12,000</i>	<i>4,200</i>	<i>3,600</i>
<i>20,000</i>	<i>7,000</i>	<i>6,000</i>
<i>40,000</i>	<i>14,000</i>	<i>12,000</i>

**VOTED:** That the Town vote to amend the Medfield Town Code Chapter 300 Zoning Attachment 3 Table of Height and Bulk Regulations by adding the language and numbers set out in the Warrant. **PASSED BY 2/3 VOTE 4/24/2017**

**Article 48.** To see if the Town will amend the Code of the Town of Medfield, Division 1: Bylaws, Part II General Legislation, Chapter 175. Marijuana and Tetrahydrocannabinol by adding a new Section 175-3 as follows:

Section 175-3 Marijuana, Not Medically Prescribed, Prohibited.

Consistent with MGL Ch. 94G, Section 3(a)(2), all types of marijuana establishments as defined in GGL Ch. 94G, Section 1(j), to include all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, are prohibited within the Town of Medfield.

(Board of Selectmen)

**VOTED:** That if the Town will amend the Code of the Town of Medfield, Division 1: Bylaws, Part II General Legislation, Chapter 175. Marijuana and Tetrahydrocannabinol by adding a new Section 175-3 as set out in the Warrant. **MOTION CARRIES 4/24/2017**

**Article 49.** To see if the Town will vote to amend the Code of the Town of Medfield Chapter 300 Zoning 300, Attachment 1 Table of Use Regulations by adding a new Section 4.10b as follows:

	<u>Use</u>	<u>A</u>	<u>R-E</u>	<u>R-T</u>	<u>R-S</u>	<u>R-U</u>	<u>B</u>	<u>B-I</u>	<u>I-E</u>
<b>4.10b.</b>	<p><b>Non-Medical Marijuana Establishments*</b></p> <p>*All types of marijuana establishments as defined in MGL Ch. 94G, Section 1(j), to include all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related business, shall be prohibited within the Town of Medfield.</p>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>	<b>NO</b>

, or do or act anything in relation thereto.

**(Planning Board)**

**VOTED:** That the Town amend the Code of the Town of Medfield Chapter 300 Zoning Attachment 1 Table of Use Regulations by adding a new section 4.10b NON-MEDICAL MARIJUANA ESTABLISHMENTS with the designation “NO” in all zoning districts, as set out in the Warrant. **PASSED BY 2/3 VOTE 4/24/2017**

**Article 50.** To see if the Town will 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 2018, or do or act anything in relation thereto.

**(Board of Assessors)**

**VOTED:** That the Town will authorize the Board of Assessors to use \$1,092,000 from free cash in the Treasury for the reduction of the tax rate for the fiscal year 2018. **PASSED 4/24/2017**

And you are directed to serve the Warrant by posting an attested copy thereof, in the usual place for posting warrants in said Medfield, seven days at least before the time of hold said Town Meeting.

Hereof fail not and make due return of this Warrant with your doings thereon, unto the Town Clerk at the time and place of the Town Meeting aforesaid. Given unto our hands this 10<sup>th</sup> day of April, Two-Thousand and Seventeen.

Osler L Peterson, Chair /s/  
Michael T. Marcucci, Clerk /s/  
Gustave H Murby, Third Member /s/

BOARD OF SELECTMEN

By virtue of this Warrant, I have notified and warned the Inhabitants of the Town of Medfield, qualified to vote in elections and at town meetings, by posting attested copies of the same at five public places seven days before the date of the elections as within directed.

Constable: Colby Roy /s/  
Date: April 12, 2017

A TRUE COPY ATTEST:  
Carol A. Mayer, CMC /s/  
Town Clerk