



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF PEMBROKE
SPECIAL FALL TOWN MEETING WARRANT
TUESDAY, OCTOBER 19, 2010**

PLYMOUTH, ss.

To either of the Constables of the Town of Pembroke in the county aforesaid.

GREETING: In the name of the Commonwealth of Massachusetts, you are hereby required and directed to notify and warn the inhabitants of the Town of Pembroke who are qualified to vote on Town Affairs and Elections therein to meet at the PEMBROKE HIGH SCHOOL, Learning Lane, on TUESDAY, the NINETEENTH DAY OF OCTOBER, 2010 at SEVEN THIRTY O'CLOCK in the evening, then and there to act on the following:

ARTICLES 1 THROUGH 28

ARTICLE 1: To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Treasurer to borrow, a sum or sums of money, to be expended for capital projects and/or equipment in accordance with the following capital budget schedule which is incorporated by reference herein, or take any other action relative thereto.

DEPARTMENT	PROJECT	REQUEST	FUNDING	RECOMMENDATION
Library	Security System	\$8,000	Capital Fund	
COA	Phone System	\$6,700	Free Cash	
Cemetery	Building Repairs	\$4,415	Perpetual Care Fund	
School Dept.	School Roofs (3)	\$100,000	Borrowing	
Water Dept.	Well #4 Cleaning	\$65,000	Water Fund	

Submitted by Various Town Departments

SELECTMEN'S RECOMMENDATION: Favorable Action;
Town Meeting Floor on COA Phone System.

ADVISORY'S RECOMMENDATION: Favorable Action;
Town Meeting Floor on COA Phone System.

EXPLANATION: *Borrowing requires a 2/3rds vote.*

ARTICLE 2: To see if the Town will vote to transfer from available funds a sum of money to provide for the unpaid bills from prior fiscal years listed below, or take any other action relative thereto:

<u>Vendor</u>	<u>Department</u>	<u>Amount</u>	<u>Fiscal Year</u>
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Submitted by the Town Accountant

SELECTMEN'S RECOMMENDATION: No Action Needed

ADVISORY'S RECOMMENDATION: Indefinitely Postpone

EXPLANATION: *Mass. General Laws require any unpaid bills from previous fiscal years to be approved by a 9/10th vote of town meeting.*

ARTICLE 3: To see if the Town will vote to authorize the below listed transfers to supplement Fiscal Year 2011 appropriations, or take any other action relative thereto:

<u>Transfer To</u>	<u>Amount</u>	<u>Transfer From</u>
Town Clerk -Wages & Salaries	\$ 525.00	
Veterans -Wages & Salaries	\$ 1,093.00	
Recreation -Wages & Salaries	\$ 2,019.00	
Conservation – Wages & Salaries	\$ 3,728.00	
Library Expense	\$ 2,100.00	Art. 1 of 11/1/05 STM
Library Expense	\$ 1,080.59	Art. 1 of 10/24/06 STM
Library Books	\$ 5,182.15	Art. 1 of 11/06/07 STM
Retirement	\$113,500.00	
Pembroke Public Schools	\$(220,348.00)	State Aid

Or take any other action relative thereto.

Submitted by the Town Accountant

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION: *These transfers are requested to correct shortfalls in the current budget.*

ARTICLE 4: To see if the Town will vote to transfer the amount of \$2,038.40 from overlay surplus account to be expended under the authorization of the Board of Assessors in order to complete the digital mapping program , or to take any other action relative thereto.

Submitted by the Board of Assessors

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *Additional funding is necessary to complete unforeseen additional work items. This is necessary to finalize the town's digital mapping program.*

ARTICLE 5:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the amount voted in Article 16 of the November 4, 2003 Special Town Meeting to fund Separation Pay Benefits, or to take any action relative thereto.

Submitted by the Board of Selectmen

SELECTMEN'S RECOMMENDATION: Town Meeting Floor
ADVISORY'S RECOMMENDATION: Indefinitely Postpone
EXPLANATION: *This article funds the November 4, 2003 STM Article that created the separation pay fund for employees that retire or leave the service of the Town.*

ARTICLE 6: To see if the Town will vote to transfer from surplus revenue and/or other available funds a sum of money to reduce the tax rate for the Fiscal Year 2011, or take any other action relative thereto.

Submitted by the Town Accountant

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *A transfer of funds will allow the Town to submit a balanced budget to the State for approval..*

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Stabilization Fund, or take any action relative thereto.

Submitted by the Board of Selectmen

SELECTMEN'S RECOMMENDATION: Town Meeting Floor
ADVISORY'S RECOMMENDATION: Indefinitely Postpone
EXPLANATION: *This article authorizes the Town Meeting to set aside a sum of money to be placed into the Town's Stabilization Fund to be used for future purposes. This article requires a 2/3rds vote.*

ARTICLE 8: To see if the Town will vote to accept as a Town Way, Lilah Lane (formerly known as Roberts Road) as shown on the street layout plan entitled Lilah Lane dated August 18, 2010 prepared by Keefe Associates, Inc., and to see if the Town will further vote to authorize the Board of Selectmen to accept any and all associated property interests and appurtenances to use said street for all purposes for which public ways are used in the Town; or take any other action relative thereto.

Submitted by the Pembroke Planning Board

SELECTMEN'S RECOMMENDATION: Town Meeting Floor
ADVISORY'S RECOMMENDATION: Town Meeting Floor
EXPLANATION:

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$36,000 for energy audits and energy efficiency improvements to all Town Buildings, or take any other action relative thereto.
Submitted by the Energy Committee

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *Comprehensive energy audits of major town and school buildings will serve to obtain additional grants and utility rebates to fund energy saving projects. These audits will identify and guarantee savings to self-fund those energy saving projects, if accepted by the stakeholders. Borrowing will require a 2/3rds vote.*

ARTICLE 10: To see if the Town will vote to authorize the Board of Selectmen to convey to New England Villages, Inc. the parcel of town-owned land shown on Assessors Map D#3-7D, School Street, acquired by the Town by Final Judgment in Tax Lien Case recorded with the Plymouth County Registry of Deeds in Book 18197, Page 332, on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate; or take any other action relative thereto.
Submitted by the Board of Selectmen

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *This vote is necessary to authorize the Selectmen to convey the fee to this parcel of land on School Street to New England Villages.*

ARTICLE 11: To see if the Town will vote to raise, appropriate, transfer from available funds, accept gifts, and authorize the Treasurer to borrow, with the approval of the Board of Selectmen, the sum of \$806,342 for the purpose of constructing recreational facilities at the Mattakeesett Municipal Athletic Fields complex, and that the Board of Selectmen be authorized to file on behalf of the Town, any of all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Parkland Acquisition and Renovation for Communities (PARC Act, Chapter 933 Acts of 1977, as amended) and/or any others in any way connected with the scope of this article, and that the Town and the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Pembroke, or take any action relative thereto.
Submitted by the Town Administrator

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Town Meeting Floor
EXPLANATION: *Borrowing will require a 2/3rds vote.*

ARTICLE 12: To see if the Town will vote to amend the General Bylaws of the Town of Pembroke, Article XXIV, Section 15 to delete the text of Section 15 in its entirety and reserve Section 15 for future use:

No aircraft shall land on or take off from the lakes and ponds except in case of emergency.

or take any other action relative thereto.

Submitted by Board of Selectmen

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *Massachusetts General Laws, G.L. c.131 §45 prohibits enactment of any local regulation on aircraft that it is not approved by the Massachusetts Aeronautics Commission. In a case called Pearson v. Plymouth, the Plymouth Superior Court determined that any local regulation that pre-existed the enactment of G.L. c.131 §45 cannot be enforced until the Massachusetts Aeronautics Commission approved it. Although the Town submitted Section 15 for approval in 2000, the Massachusetts Aeronautics Commission never acted on it, effectively denying approval. Town Counsel is working with the Massachusetts Department of Transportation Aeronautics Division (the successor agency to the Massachusetts Aeronautics Commission) to craft a new bylaw that will meet state approval.*

ARTICLE 13: To see if the Town will vote to appropriate a sum of money for the construction of a landfill cap at the Hobomock Street Landfill; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; and to take any other action relative thereto.

Submitted by the Town Administrator

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *Borrowing will require a 2/3rds vote.*

ARTICLE 14: To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement with Covanta Energy, formerly SEMASS Partnership, to extend the Town's current contract for disposal of solid waste at Covanta's refuse to energy facility located in Rochester, MA, from the current expiration date of June 30, 2014, to June 30, 2019, on such terms and conditions as the Board of Selectmen determines to be in the best interests of the Town, or take any other action relative thereto.

Submitted by the Town Administrator

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION:

ARTICLE 15: To see if the Town will approve an increase in Salary Line Item SC-13:
Council on Aging Driver from:

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
\$10.86	\$11.40	\$11.95

To an hourly wage of:

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
\$11.82	\$12.36	\$12.91

Submitted by the Council on Aging

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *A survey of surrounding towns revealed that the average salary for these drivers is \$15.00 per hour. These wages are 100% reimbursable under the GATRA contract.*

ARTICLE 16: To see if the Town will vote to adopt and approve the following recommendations of the Community Preservation Committee for Fiscal Year 2011, and to see if the Town will vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund. Each recommendation is to be voted on individually.

Recommendation A: That the sum of \$38,500.00 from Fiscal Year 2011 Community Preservation Fund revenues, of which \$27,000.00 will come from the Historic Reserve Fund and \$11,500.00 to come from the Undesignated Reserve Fund, be appropriated for the preservation of historic resources and that said funds be granted to Lydia Drake Library Association to restore all windows and paint trim on the Lydia Drake Library located on High Street, or take any other action relative thereto. Any funds not used shall be returned to the Undesignated Reserve.

EXPLANATION: *Daniel and Lillian Murphy have submitted a request for funds to restore windows and paint trim.*

Recommendation B: That the sum of \$28,500.00 from Fiscal Year 2011 Community Preservation Fund revenues, designated as Undesignated Reserve Fund, be appropriated for the preservation of historic resources and that said funds be granted to the Ladies Sewing Circle Association to repair/restore and replace if needed, all the windows on the Ladies Sewing Circle building owned by The First Church of Pembroke located at 110

Center Street, in keeping with historic guidelines or take any other action relative thereto. Any funds not used shall be returned to the Undesignated Reserve.

EXPLANATION: The Ladies Sewing Circle Association submitted a request for \$28,500. to restore and/or replace the windows in the entire building that houses their Thrift Shop. All work will be in keeping with historical guidelines.

Recommendation C: That the sum of \$35,000.00 from Fiscal Year 2011 Community Preservation Fund revenues, designated as Undesignated Reserve Fund, be appropriated for the preservation of historic resources and that said funds be granted to the The Adah Hall House to replace the roof on the Adah Hall House and garage, in keeping with historic guidelines, located at 55 Barker Street, or take any other action relative thereto. Any funds not used shall be returned to the Undesignated Reserve.

EXPLANATION: The Pembroke Historical Society submitted a request for \$35,000. to replace the roof on the Adah Hall House and garage.

Recommendation D: That the sum of \$10,00.00 from Fiscal Year 2011 Community Preservation Fund revenues, designated as Undesignated Reserve Fund, be appropriated for the preservation of historic resources and that said funds be granted to the Pembroke Town Clerk to restore old record books from the 1700's, or take any other action relative thereto. Any funds not used shall be returned to the Undesignated Reserve.

EXPLANATION: The Pembroke Town Clerk submitted a request for \$10,000. to restore birth, marriage and death record books from the 1700's.

Recommendation E: That the sum of \$35,000.00 from Fiscal Year 2011 Community Preservation Fund revenues, designated as Undesignated Reserve Fund, be appropriated for the preservation of historic resources and that said funds be granted to the Pembroke Town Energy Committee to weatherproof the Community Center Building located on Center Street, or take any other action relative thereto. Any funds not used shall be returned to the Undesignated Reserve.

EXPLANATION: The Pembroke Town Energy Committee would like to preserve and protect the Community Center Building from weather related damage, and to reduce the waste of energy caused by the leaky building exterior envelope.

Recommendation F: That the sum of \$45,000.00 from Fiscal Year 2011 Community Preservation Fund revenues, designated as Open Space Reserve, be appropriated for the preservation of Open Space and Recreation and that said funds be granted to the Pembroke Planning Board to begin to create a town wide trail system, or take any other action relative thereto. Any funds not used shall be returned to the Open Space Reserve.

EXPLANATION: The Planning Board submitted a request for \$45,000. to begin to create a town wide trail system.

Submitted by the Community Preservation Committee

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Town Meeting Floor

ARTICLE 17: To see if the Town will vote to make the appropriate changes to the titles in the Veterans Office to conform to the State Department of Veterans' Services. The Veterans' Agent will become a Veterans' Service Officer and the Veterans' Counselor will become the Veterans' Service Officer Assistant. Only these titles will allow the Pembroke Office access to electronic veterans' reports.

Submitted by the Veterans' Agent

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *Mass. General Laws Chapter 115 states only individuals certified by the Commonwealth are allowed to process Veterans' Benefits. As of September, 2010, the Assistant has been given access to the Veterans' Service Management System and now has the authority to process veterans' benefits.*

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$25,000.00 for trucking the finished product of crushed ABC material from the Monroe Street Pit to the Highway Barn at 387 Mattakeesett Street.

Submitted by the DPW Commissioners

SELECTMEN'S RECOMMENDATION: Favorable Action;
Recommend from Capital Fund
ADVISORY'S RECOMMENDATION: Town Meeting Floor
EXPLANATION: *This will allow the DPW to haul the finished product to the Highway Barn for future use. The first step in the clean up and abandonment of the Monroe Street Pit to turn back to the Town.*

ARTICLE 19:

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$87,000.00 to replace the failing culvert on Mill Street at the Herring Run/Hobomock Street end.

Submitted by the DPW Commissioners

SELECTMEN'S RECOMMENDATION: Favorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION: *This will allow the DPW to replace the failing culvert. Borrowing will require a 2/3rds vote.*

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$30,000.00 drainage maintenance for drainage improvement to Glenwood Road due to safety issues and concerns to replace failed pump system and install 2 structures.

Submitted by the DPW Commissioners

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION: *This will allow the DPW to address this flooding issue backed by Safety Officer Edward Flannery, Chief Neenan, and Building Inspector, Tony Marino and the DPW Commissioners.*

ARTICLE 21: To see if the Town will vote to accept, or to enact as a bylaw, the "Stretch Energy Code", 780 Code of Massachusetts Regulations, Appendix 120AA, or take any other action relative thereto.

Submitted by the Energy Committee

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION: *Municipalities are authorized to adopt the Stretch Energy Code as an alternative to certain provisions of the base building code. The Stretch Energy Code requires approximately 20 percent greater building energy efficiency than base energy efficiency requirements. Most new residential construction, including additions and substantial renovations, would be covered, but historic buildings are exempt from Stretch Code requirements. Most new commercial construction would be covered, but new commercial buildings under 5,000 square feet and specialty buildings under 4,000 square feet with unique energy requirements, such as supermarkets, laboratories and warehouses, are exempt from Stretch Code requirements.*

ARTICLE 22: To see if the Town will vote to amend the Zoning By-laws of the Town of Pembroke Section II, Definitions, by adding the following two new definitions:

RENEWABLE ENERGY

Defined as: Solar – photovoltaic (PV) and thermal; Wind; Biomass power conversion or thermal technologies, including R&D related to, or the manufacture of, wood pellets, ultra low emissions high efficiency wood pellet boilers and furnaces; Low Impact Hydro-electric and kinetic; Ocean thermal, wave or tidal; Geothermal; Landfill Gas; and Fuel Cells that us Renewable Energy or Advanced biofuels.

ALTERNATIVE ENERGY

Defined as: Combined Heat and Power; Electric and hydrogen powered vehicles and associated technologies including advanced batteries and recharging stations.

And further, to add to Section V.7. Site Plan Approval E. Standard for Review 7. to read as follows:

7. Renewable or alternative energy research and development facilities and renewable or alternative energy manufacturing facilities, subject to Site Plan review by the Planning Board, pursuant to Section V.7. Site Plan Approval and subject to Standard for Review of Sub-Section E. Said Site Plan Approval shall be an “expedited” application and permitting process under which said facilities may be sited within one (1) year from date of initial application to the date of final approval by the Planning Board. For the purposes of this section Renewable Energy shall be defined in Section II.

Or take any other action relative thereto.

Submitted by the Energy Committee

SELECTMEN’S RECOMMENDATION: Favorable Action

ADVISORY’S RECOMMENDATION: Favorable Action

EXPLANATION: *By adopting an expedited permitting process, the Town is committing to making local permitting decisions within one year. The one year deadline will be established with an effective enforcement mechanism to encourage compliance, such as a constructive approval provision. An expedited permitting process is accomplished by providing a transparent and efficient process for municipal permitting by various boards, including the Planning Board, Conservation Commission, Historic Commission, Zoning Board of Appeals, Fire Chief and Board of Health. The result is a streamlined procedure that is efficient for Town staff and boards to implement, and that will provide a predictable schedule for decision making for the applicants.*

ARTICLE 23: To see if the Town will vote to direct the Board of Selectmen to form a permanent Recycling Committee consisting of 7 or more members, dedicated to improving Pembroke’s recycling rate. The Recycling Committee should have total authority to make all decisions related to the design, operation and contractual obligations related to the Recycling Center and function as a typical Board of Directors or take any other action relative thereto.

Submitted by Petition of James McCollum and Others

SELECTMEN’S RECOMMENDATION: Unfavorable Action

ADVISORY’S RECOMMENDATION: Unfavorable Action

EXPLANATION:

ARTICLE 24: To see if the town will vote to direct the Board of Selectmen to include Pay As You Throw (PAYT) in any solid waste handling practice, be it a transfer station or curbside pickup. PAYT being by far the most equitable means of imparting appropriate charges for each residence, based on the volume each home disposes of, or take any other action relative thereto.

Submitted by Petition of James McCollum and Others

SELECTMEN'S RECOMMENDATION: Unfavorable Action
ADVISORY'S RECOMMENDATION: Unfavorable Action
EXPLANATION:

ARTICLE 25: To see if the Town will vote to raise, appropriate or transfer from available funds, the sum of \$60,000 for the purpose of installing a compactor station at the Recycling Center which will accept all plastics, #1 through #7, or take any other action relative thereto.

Submitted by Petition of James McCollum and Others

SELECTMEN'S RECOMMENDATION: Unfavorable Action
ADVISORY'S RECOMMENDATION: Favorable Action
EXPLANATION:

ARTICLE 26: To see if the Town will vote to accept the provisions of G.L. Chapter 40, Section 57, "local licenses and permits; denial, revocation or suspension for failure to pay municipal taxes or charges", and to amend the By-Laws of the Town by adding a new Article XXXII entitled, "Denial, Revocation or Suspension of Licenses and Permits for Failure to Pay Taxes", to read as follows:

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing

authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this article shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license or permit shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Section 1 of G.L. Chapter 268A in the business or activity conducted in or on said property.

(e) This bylaw shall not apply to the following licenses and permits: open burning; Section 13 of G.L. Chapter 48; bicycle permits; Section 11A of G.L. Chapter 85; sales of articles for charitable purposes, Section 33 of G.L. Chapter 101; children work permits, Section 69 of G.L. Chapter 149; clubs, associations dispensing food or beverage licenses, Section 21E of G.L. Chapter 140; dog licenses, Section 137 of G.L. Chapter 140; fishing, hunting, trapping license, Section 12 of G.L. Chapter 131; marriage licenses, Section 28 of G.L. Chapter 207 and theatrical events, public exhibition permits, Section 181 of G.L. Chapter 140.

or take any action relative thereto.

Submitted by Town Treasurer/Collector

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION:

ARTICLE 27: To see if the Town will vote to transfer from available funds, a sum of money due for payments due under the transition agreement with the Silver Lake Regional School District, or take any other action thereto.

Submitted by the Town Administrator

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION: *This action will require a 2/3rds vote.*

ARTICLE 28: To see if the Town will vote to authorize the Board of Selectmen to grant on such terms and conditions and for such consideration, which may be nominal consideration, as the Selectmen deem appropriate, non-exclusive access and/or utility easements to Verizon, National Grid and/or other utility providers on a portion of the Birch Street Park property, which portion is shown as "Prop. 15' Wide Access/Utility Easement" on a sketch plan on file with the Town Clerk, for the purpose of serving the telecommunications tower and other equipment located on said property, or take any other action relative thereto.

Submitted by the Board of Selectmen

SELECTMEN'S RECOMMENDATION: Favorable Action

ADVISORY'S RECOMMENDATION: Favorable Action

EXPLANATION: *This action will require a majority vote.*

Given under our hands and seals this 4th day of October 2010

PEMBROKE BOARD OF SELECTMEN

Willard J. Boulter, Jr.
Willard J. Boulter, Jr., Chairman

Daniel W. Trabucco
Daniel W. Trabucco, Vice-Chairman

Lewis W. Stone
Lewis W. Stone, Clerk

Arthur P. Boyle, Jr.
Arthur P. Boyle, Jr., Selectman

Gregory M. Hanley
Gregory M. Hanley, Selectman

A TRUE COPY ATTEST:

Mary Ann Smith
Mary Ann Smith, Town Clerk

Pursuant to the Warrant for the Special Fall Town Meeting to be held on October 19, 2010, I have notified and warned the inhabitants of the Town of Pembroke by posting up attested copies of the same at the Town Office Building, Pembroke Center Library, Pembroke Center Post Office, North Pembroke Post Office, Bryantville Post Office, and the Country Corner Store.

POSTED:

10-5-10
Date

Arthur P. Boyle, Jr.