



**TOWN OF WARREN**  
COMMONWEALTH OF MASSACHUSETTS

WORCESTER ss:

To either of the constables in the Town of Warren in the County of Worcester:

GREETING:

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Warren qualified to vote in elections and in Town affairs to meet at their respective polling places in said Warren (Polling Place A at the Shepard Municipal Building, 48 High Street, Warren and Polling Place B at the Senior Center, 2252 Main Street, West Warren) on the 3<sup>rd</sup> day of **May 2016** at eight o'clock AM then and there to bring their votes to the election officer for:

Town Clerk, 3-year term; Town Treasurer, 3-year term; Collector of Taxes, 3-year term; Selectman, 3-year term; Board of Health, 3-year term and a 2-year term; Assessor, 3-year term; Park Commissioner, 3-year term; Cemetery Commissioner, 3-year term; Constables (5), 3-year term; Highway Surveyor, 3-year term; Sewer Commissioner, 3-year term; Housing Authority, 5-year term; Planning Board, 5-year term and a 3-year term.

The Quaboag Regional School District positions will also be incorporated on the Town Ballot. Two members from the Town of Warren for a 3-year term and two members from the Town of West Brookfield for a 3-year term

Polls will open at 8:00 A.M. and close at 8:00 P.M.

Also, to meet at Quaboag Regional Middle-High School, 284 Old West Brookfield Road, Warren on **Tuesday** the 10<sup>th</sup> day of **May, 2016** at **7:00 P.M.** to act on the following articles:

**ARTICLE 1:** To hear reports of Town Officers and all standing and special committees.

**ARTICLE 2:** To see if the Town will vote to authorize the Board of Selectmen to appoint all necessary Town Officers not previously chosen by ballot, or take any action relative thereto.

**ARTICLE 3:** To see if the Town will vote to amend the Personnel By-law, Section V, paragraph A, Attachment B, by amending the minimum and maximum hourly rates schedule on the Compensation Plan as set forth in **Attachment #1** to this Warrant, or take any action relative thereto. Copies of the Personnel By-Law "Compensation Plan amended rate schedule" are available in the office of the Board of Selectmen.

(Selectmen)

**ARTICLE 4:** To see if the Town will vote to amend the Personnel By-law, Section V, paragraph A to add an annual stipend of \$1,000.00 to the position of Assistant Assessor if said individual has been awarded and maintains a certificate as a Massachusetts Accredited Assessor, or take any action relative thereto.

(Selectmen)

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to fix the salary and compensation of all elective officers of the Town as provided by G.L. c.41, s.108, and to raise and appropriate such sums as may be necessary to defray the expenses of the Town for the ensuing year, or take any action relative thereto.

**ARTICLE 6:** To see if the Town will vote to provide additional compensation of \$4,000.00 per year for the Treasurer if said individual has been awarded a certificate and license by the State organization (Board of Public Accountancy) and is a Certified Public Accountant and to raise and appropriate said sum in additional compensation to the Treasurer, or take any action relative thereto.

(Selectmen)

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer from available funds **\$94,000.00** to finance the operations, debt service and post closure reserves of the Sanitary Landfill Enterprise Fund, or take any action relative thereto.

(Board of Health)

**ARTICLE 8:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow **\$462,489.00** to finance the operations, commissioners' salaries and debt service of the Sewer Enterprise Fund, or take any action relative thereto.

(Sewer Commissioners)

**ARTICLE 9:** To see if the Town will vote to appropriate **\$41,000.00** from the Sewer Enterprise Capital Improvement Account to purchase and equip a vehicle to replace pickup truck number #1[1997 Ford F250 4x4 ¾ ton], or take any action relative thereto.

[SB]

(Sewer Commissioners)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow \$2,500.00 to purchase supplies and equipment for the Town's community baseball, softball, basketball, soccer and football programs, or take any action relative thereto.

(Selectmen)

**ARTICLE 11:** To see if the Town will vote the free use of the Shepard Municipal Building for civic activities, subject to such rules, regulations and restrictions as the Board of Selectmen may promulgate, or take any action relative thereto.

(Selectmen)

**ARTICLE 12:** To see if the Town will vote the free use of the Senior Center for civic activities subject to such rules, regulations and restrictions as the Council on Aging may promulgate, or take any action relative thereto.

(Council on Aging)

**ARTICLE 13:** To see if the Town will vote to delete the Wireless Communications Facilities Overlay District from the Zoning Map and to adopt the Warren Zoning Map with revisions through November 5, 2015 that show existing zoning and overlay districts without the Wireless Communications Facilities Overlay District, as shown on **Attachment # 2**, or take any action relative thereto.

2/3 vote

(Planning Board)

**ARTICLE 14:** To see if the Town will vote to authorize the Board of Selectmen to grant and convey an easement for all purposes for which public ways may be used in the Town, including, but not limited to, for access and utilities, for the benefit of and appurtenant to certain property described in a deed recorded with the Worcester South Registry of Deeds in Book 40571, Page 251, and being Tax Map 28-14, said easement upon, on and over a portion of certain Town-owned property, known as "Tyler Memorial Park," described in a deed recorded with the Worcester South Registry of Deeds in Book 2258, Page 440, and being Tax Map 28-13, said easement shown as "Proposed Access & Utility Easement to Benefit Lot 28-14 (2,474 +/- S.F.)" on a plan entitled "Easement Plan Prepared for Industrial Communications Tax Map 28 Lots 13 & 14 Southbridge Road Warren, Massachusetts" dated April 14, 2016, prepared by Fieldstone Land Consultants, PLLC on file with the Town Clerk; and, in consideration of and in exchange for said grant and conveyance, to acquire, by purchase, gift, and/or eminent domain, an easement for all purposes for which public ways may be used in the Town, including, but not limited to, access and utilities, to the Town, upon, on and over a portion of that property located on Southbridge Road and described in a deed recorded with the Worcester South Registry of Deeds in Book 40571, Page 251, and being Tax Map 28-14, which easement is shown as "Proposed Access & Utility Easement to Benefit Lot 28-13 (16,717 +/- S.F.)" shown on the aforementioned plan, said easement for the benefit of and appurtenant to certain Town-owned property, known as "Tyler Memorial Park," described in a deed recorded with the Worcester South Registry of Deeds in Book 2258, Page 440, and being Tax Map 28-13, provided, however, no gate may be placed at the commencement of or within the easement area, except at the terminus thereof; said easements to be on such other terms and conditions as the Board of Selectmen deems appropriate, Plan as shown on **Attachment # 3**, or take any action relative thereto.

(Planning Board)

**ARTICLE 15:** To see if the Town will vote to adopt the “Stretch Energy Code” set forth in the State Building Code at 780 CMR 115.AA as it may be amended from time to time, by amending the General By-laws of the Town of Warren by inserting the following new Article XVIII entitled “Stretch Energy Code”:

Article XVIII STRETCH ENERGY CODE

1. Adoption

The Town of Warren has adopted the provisions of 780 CMR 115.AA, the so-called “Stretch Energy Code”, as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

2. Purpose

The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

Or take any action relative thereto.

(Planning Board)

**ARTICLE 16:** To see if the Town will vote to amend the Warren Zoning By-law Section 13, , Mill Conversion Overlay District (MCO) and Zoning Map, to include 70 Pulaski Street (Assessor’s Map 21, Lot 62; 10.8 acre parcel w/buildings) or take any action relative thereto. Copies of the Zoning By-Law Amendment and Map are available in the offices of the Planning Board; Town Clerk, and Board of Selectmen and on the Town’s website [www.warren-ma.gov](http://www.warren-ma.gov) and attached to this Warrant as **Attachment # 4**. Or take any action relative thereto.

2/3 vote

(Planning Board)

**ARTICLE 17:** To see if the Town will vote to amend the Town’s General By-Laws, Article IX, Use of Public Ways and Places, Section 12: Sanitary Landfill as shown on **Attachment # 5**, with the proposed text shown in **bold** font, deleted text shown in ~~striketrough~~ font, repealed sections shown in ~~underlined-striketrough~~ font, and the lack of text formatting indicating no change from the existing requirements, and included for informational purposes only or take any action relative thereto. Copies of these Use of Public Ways and Places By-Law amendments are also available in the offices of the Board of Selectmen. Or take any action relative thereto.

(Board of Health)

**ARTICLE 18:** To see if the Town will vote to amend the Town’s General By-laws, Article X, Section 14-. Rubbish, Litter. Section L. and Section M. as shown on **Attachment # 6**, with the proposed text shown in **bold font**, deleted text shown in ~~striketrough font~~ and the lack of text formatting indicating no change from the existing requirements, and included for informational purposes only or take any action relative thereto. Copies of the Town By-Law amendments are also available in the office of the Board of Selectmen. Or take any action relative thereto.

(Selectmen)

**ARTICLE 19:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow \$44,662.00 for the purpose of purchasing and equipping one (1) fully marked police SUV patrol unit with related equipment and in-car video to be used for police patrol, or take any action relative thereto.

[SB]

(Chief of Police)

**ARTICLE 20:** To see if the Town will vote to accept funds made available from the Commonwealth of Massachusetts for highway projects approved by the Mass. Department of Transportation, Highway Division or take any action relative thereto.

(Highway Surveyor)

**ARTICLE 21:** To see if the Town will vote to authorize the Treasurer to enter into compensating balance agreements during Fiscal Year 2017 as permitted by G. L. c. 44, s.53F, or take any action relative thereto.

(Treasurer)

**ARTICLE 22:** To see if the Town will accept accounts in trust, the income of which is to be expended for the perpetual care maintenance of burial lots at Pine Grove Cemetery for certain individuals per the 1909 Plan of said cemetery, or take any action relative thereto.

(Treasurer)

**ARTICLE 23 :** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation entitled “An Act Authorizing the Town of Warren to Continue the Employment of Dennis Desrosiers as set forth below, provided however, that the General Court shall be authorized to make ministerial, clerical, and editorial changes of form only to said bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and to authorize the Board of Selectmen to approve such amendments, or take any other action relative thereto.

**An Act authorizing the Town of Warren to continue the employment of Dennis Desrosiers**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, Dennis Desrosiers, a member of the fire department of the town of Warren, may continue to serve in such position until August 26, 2019, until the date of his retirement, or until the date he is relieved of his duties by the Fire Chief, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Town may, at its own expense, require that Dennis Desrosiers be examined by an impartial physician designated by the Town to determine such capability.

SECTION 2. This act shall take effect upon its passage.

(Selectmen)

**ARTICLE 24:** To see if the Town will vote to authorize the Tree Warden and/or Deputy Tree Warden to be compensated from the Forestry Expense Account for emergency tree work at a rate of \$20.00 per hour, not to exceed a total of \$1,200.00 during FY 2017, or take any action relative thereto.

(Tree Warden)

**ARTICLE 25:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow \$14,300.00 for the purpose of purchasing two (2) new Multi-Gas Meters and one (1) Thermal Imaging Camera for the Fire Department to replace current old and obsolete units, or take any action relative thereto.

(Fire Chief)

**ARTICLE 26:** To see if the Town will authorize the establishment of a special purpose stabilization fund to be known as the Warren Town Hall Repair and Restoration Stabilization Fund for repair/restoration projects to the Warren Town Hall and to raise and appropriate, transfer from available funds or borrow \$10,000.00 to fund the account, or take any action relative thereto.

2/3 vote

(Selectmen)

**ARTICLE 27:** To see if the Town will vote to transfer the unexpended funds in the amount of \$3,400.00, remaining from the appropriation by the Town in Article 8 of the May 12, 2015 Annual Town Meeting, for the purpose of acquiring tree(s) and/or tree box or planting materials for locating trees in the Downtown Project area and any related tree location expense(s), or take any action relative thereto.

(Selectmen)

**ARTICLE 28:** To see if the Town will except the provisions of Massachusetts General Law, Chapter 149, Section 148C, earned sick time. The law allows all part time Town employees to accrue up to 40 hours of sick time. They would accrue 1 hour sick leave for every 30 hours worked, up to a total of 40 hours. They are not entitled to use more than 40 hours in 1 year. They shall not be entitled to use accrued earned sick time until the 90<sup>th</sup> calendar day following commencement of their employment.

(Citizen Petition)

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, transfer, or borrow from available funds \$11,000.00 to fund the costs of the purchase, display and any associated expenses for fireworks for the Town's 275 Birthday Celebration or take any action relative thereto.

(Citizen Petition)

**ARTICLE 30:** To see if the Town will vote to authorize the Board of Selectmen to create a new position. This position will be called Warren Town Administrator. The Board of Selectmen will have to create a petition and a job description with strong powers. This will be done under a Special Act. The Selectmen will have to create an article for Town Meeting asking the voters for approval to submit a petition to the General Court for the Special Legislation necessary to create the position of Town Administrator for the Town of Warren Massachusetts. Transitional Provisions are a requirement to adopt this position.

(Citizen Petition)

**ARTICLE 31:** To see if the Town of Warren will vote to approve the restricting of the noises produced from the Warren Town Hall clock tower during the night-time hours. Purpose: This will only restrict sounds generated from bells, chimes, and any noises produced by amplified sounds from any electrical and mechanical devices designed to make noise. The only exceptions will be: 1. The emission of sound for the purpose of alerting persons to an emergency. 2. The sound generated for emergency work or maintenance of the building. 3. The sound generated from Police and Fire department such as sirens and alarms. Definitions: A. Night time hours shall mean the hours between 8:00 p.m. to 7:00 a.m. every day of the week. B. Warren Clock tower shall mean the structure above the main roof line of the Town Hall.

(Citizen Petition)

**ARTICLE 32:** To see if the Town will authorize the establishment of the following revolving funds in accordance with G. L. c. 44, s.53E½:

Building Department: a fund for the purpose of accepting fees for building permits and to authorize the Board of Selectmen to pay the Building Inspector compensation and expenses amounting to 40% of said fees to a limit of \$13,000.00 with any balance in excess of \$1,000.00 remaining in said fund at close of FY17 to be returned to the General Fund;

Town Clerk: a fund for the purpose of accepting fees for the licensing of dogs to be expended without further appropriation by the Town Clerk for dog licenses and tags, Town Clerk fees and other expenses related to licensing of dogs and the enforcement of state and local laws pertaining to dogs to a limit of \$2,000.00 with the balance in excess of \$500.00 remaining in said fund at the close of FY17 to be returned to the General Fund;

Board of Health: a fund for the purpose of accepting fees charged for plumbing and gas permits and to authorize the Board of Health to pay plumbing and gas inspectors from that account compensation amounting to one half of fees from inspections to a limit of \$7,000.00 with any balance in excess of \$1,000.00 remaining in said fund at close of FY17 to be returned to the General Fund;

Board of Health: a fund for the purpose of accepting fees for percolation tests and disposal works construction permits and authorize the Board of Health to pay one of its members or its agent for inspections associated with said permits and tests to a limit of \$6,000.00 with any balance in excess of \$1,000.00 remaining in said fund at close of FY17 to be returned to the General Fund;

Cable Advisory Committee: a fund for the purpose of accepting subscriber fees from Comcast to be expended by the Cable Advisory Committee for the payment of expenses related to the maintenance and operation of the Warren Community Access Cable TV to a limit of \$20,000.00;

or take any action relative thereto.

And you are directed to serve this Warrant by posting attested copies of the Warrant therefore as follows: one copy at the Shepard Municipal Building, one copy at the Warren Post Office, one copy at the West Warren Post Office, and one copy at the Community Board adjacent to the Senior Center seven days at least before the time for holding said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk.  
Given under our hands this **19<sup>th</sup> day of April** in the year **Two Thousand Sixteen**

**WARREN BOARD OF SELECTMEN**

\_\_\_\_\_  
**Dario F. Nardi, Chairman**

\_\_\_\_\_  
**Robert E. Lavash, Sr., Vice-Chairman**

\_\_\_\_\_  
**James A. Gagner, Jr., Clerk**

A True Copy Attest:

\_\_\_\_\_  
Lorena Prokop  
Administrative Secretary

WORCESTER SS:

Pursuant to the within warrant, I have notified the inhabitants of the Town of Warren, herein described to meet at the time and place and for the purpose within mentioned, by posting up attested copies of the Warrant therefore as follows: one copy at the Shepard Municipal Building, one copy at the Warren Post Office, one copy at the West Warren Post Office, and one copy at the Community Board adjacent to the Senior Center, fourteen days at least before the time for holding said meeting.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016 @ \_\_\_\_\_ AM/PM

CONSTABLE \_\_\_\_\_