

Town of Mansfield
SPECIAL TOWN MEETING

MOTIONS



**November 7, 2020
12:00 PM**

**Mansfield Department of Public Works
- Highway Division -
500-C East Street
Mansfield, MA**

CALL TO ORDER: 12:00 PM

Article 1 Motion 1:

I move that Two Million Fifty-Seven Thousand Nine Hundred Forty-Nine Dollars (\$2,057,949.00) be hereby appropriated to the Finance Committee Reserve Fund for Transfer from the FY 2021 Tax Levy and other General Revenues of the Town.

Article 1 Motion 2:

I move that the sum of Two Hundred Thousand Dollars (\$200,000.00) be hereby transferred from Free Cash in the treasury of the Town (Undesignated Fund Balance) to be spent by the Town Manager (a) to defray the reallocation of the State’s Regional Transit Assessment and (b) to defray certain personal services expenses of the Parking Enterprise Fund.

Article 1 – Motion 3:

I move that Article 5, Motion 4 of the June 23, 2020 Annual Town meeting, be deleted and replaced with the following appropriation so that Article 5, Motion 4 would read as follows:

I move that Ninety-Eight Thousand, Ninety-Nine Dollars and Forty Cents (\$98,099.40) be hereby appropriated from Parking Enterprise Fund Revenues and One Hundred One Thousand, Five Hundred Ninety-Six Dollars (\$101,596.00) be hereby appropriated from Parking Enterprise Fund Retained Earnings (for a total amount to be appropriated of One Hundred Ninety-Nine Thousand, Six Hundred Ninety-Five Dollars and Forty Cents (\$199,695.40)), together with Thirty Thousand Dollars (\$30,000.00) which had been previously appropriated at the Annual Town Meeting on June 23, 2020, for a new total Parking Enterprise Budget amount of Two Hundred Twenty-Nine Thousand, Six Hundred Ninety-Five Dollars and Forty Cents (\$229,695.40), to be expended by the Town Manager with the approval of the Director of the Mansfield Department of Public Works on maintenance, operation, improvements, access and egress to parking lots and other costs related to the Town-owned Commuter Rail Parking Lots (as previously defined in Article 7 of the April 24, 2012 Annual Town Meeting) for the ensuing 12 month period beginning July 1, 2020 in the column entitled **2021 [revised]** as set forth below:

Parking Enterprise Fund	FY2020 Budget	FY2021 [approved]	FY2021 [revised]	Diff. (\$)	Diff. (%)
Personal Services	\$129,268.00	\$132,047.00	\$57,964.80	(\$74,082.20)	-56.10%
Other Expenses	\$266,343.00	\$267,778.00	\$71,928.00	(\$195,850.00)	-73.14%
Reserve Fund	\$6,600.00	\$6,700.00	\$36,700.00	\$30,000.00	447.76%
Employee Benefits	\$33,806.00	\$36,637.00	\$29,309.60	(\$7,327.40)	-20.00%
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Indirect Costs	\$24,556.00	\$25,293.00	\$25,293.00	\$0.00	0.00%
Unfunded Liability	\$8,500.00	\$8,500.00	\$8,500.00	\$0.00	0.00%
Transfers Out	\$175,756.00	\$175,756.00	\$0.00	(\$175,756.00)	-100.00%
Total	\$644,829.00	\$652,711.00	\$229,695.40	(\$423,015.60)	-64.81%

Article 2:

I move that the sum of Five Thousand Seventy-Eight Dollars (\$5,078.00) be hereby transferred from the sources listed below to pay the following unpaid prior year's bills as shown below:

Previous Years' Unpaid Bills

Department	Vendor	Amount
Public Buildings	Finn's Graphics	\$1,668.00
DPW - Highway	VHB	\$950.00
DPW - Highway	Shady Tree Landscaping	\$2,460.00
Totals		\$5,078.00

Funding Sources:

Free Cash in the Treasury of the Town (Undesignated Fund Balance):	\$5,078.00
Totals	\$5,078.00

Article 3: I move that the sum of Thirty Thousand Dollars (\$30,000.00) be hereby transferred from Free Cash in the Treasury of the Town (Undesignated Fund Balance) to defray a portion towards the expenses of the FY2022 Five-Year Revaluation of all properties in the Town as required by the Massachusetts Department of Revenue.

Article 4: I move that the sum of Forty Thousand Dollars (\$40,000.00) be hereby transferred from Free Cash in the Treasury of the Town (Undesignated Fund Balance) to defray a portion of the expenses of the next ten-year cyclical inspection of all properties in the Town as required by the Massachusetts Department of Revenue.

Article 5 - Motion 1:

I move that the sum of One Hundred Forty-Five Thousand Dollars (\$145,000.00) be hereby appropriated to be spent by the Town Manager for the following various Capital Improvement projects for the Town of Mansfield Sewer Enterprise including all costs incidental and related thereto:

Department	Description	Amount
DPW-Sewer Enterprise	4 x 4 Dump Truck	\$95,000.00
DPW-Sewer Enterprise	1-Ton 4 x 4 Pick-Up Truck	\$50,000.00
Totals		\$145,000.00

and to meet this appropriation One Hundred Forty-Five Thousand Dollars (\$145,000.00) be hereby appropriated from Sewer Enterprise Fund Retained Earnings.

Article 5 - Motion 2:

I move that the sum of Thirteen Million, Nine Hundred Twenty Thousand Dollars (\$13,920,000.00), to be spent by the Town Manager, is appropriated for the purpose of financing the costs of designing, upgrading, constructing and/or replacing various Water Department facilities and infrastructure, including the Cate Springs Well, the Walsh Well, the Prescott Well (#s 8 & 9) and SCADA upgrades, and including the payment of all costs incidental and related thereto, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board, is authorized to borrow Thirteen Million, Nine Hundred Twenty Thousand Dollars (\$13,920,000.00) and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Town Manager, with the approval of the Select Board, is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Article 5 - Motion 3:

I move that the sum of Four Hundred Eighty-Five Thousand Dollars (\$485,000.00) be hereby appropriated, to be spent by the Town Manager, to pay costs of five (5) vehicles (3 pick up trucks and 2 dump trucks), including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow Four Hundred Eighty-Five Thousand Dollars (\$485,000.00) under and pursuant to G. L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town of Mansfield upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G. L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Article 6: I move that the sum of One Hundred Thousand Dollars (\$100,000.00) be hereby transferred from Free Cash in the Treasury of the Town (Undesignated Fund Balance) to be deposited in the Future Payment of Accrued Liabilities for Compensated Absences Reserve Fund.

Article 7: I move that the sum of Six Thousand Three Hundred, Sixty-Eight Dollars and Twenty Cents (\$6,368.20) be hereby appropriated, to be spent by the Town Manager, to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town of Mansfield including, but not limited to, the Complete Streets Program established in section 1 of chapter 90I of the Mass. General Laws and other programs that support alternative modes of transportation; and to meet this appropriation, Six Thousand Three Hundred, Sixty-Eight Dollars and Twenty Cents (\$6,368.20) be hereby transferred from

the Commonwealth Transportation Infrastructure Fund Receipts Reserved for Appropriation Fund.

Article 8: I move that the sum of Seven Hundred Ninety-One Thousand, Eight Hundred Seventeen Thousand Dollars (\$791,817.00) be hereby transferred from Free Cash in the Treasury of the Town (Undesignated Fund Balance) to the Finance Committee Reserve Fund.

Article 9: I move that the sum of One Million, Two Hundred Thirty-Five Thousand, One Hundred Two Dollars (\$1,235,102.00) be hereby transferred from the Sewer Enterprise Fund - Retained Earnings to the Sewer Enterprise Fund - Reserve Fund For Transfer.

Article 10: I move that the sum of Two Hundred Five Thousand, Two Hundred Eighty-Six Dollars (\$205,286.00) be hereby transferred from the Water Enterprise Fund - Retained Earnings to the Water Enterprise Fund - Reserve Fund For Transfer.

Article 11: I move that the sum of Seventy-Eight Thousand, Seven Hundred Twenty Dollars (\$78,720.00) be hereby transferred from the Airport Enterprise Fund - Retained Earnings to the Airport Enterprise Fund - Reserve Fund For Transfer.

Article 12: I move that the sum of One Hundred One Thousand, Five Hundred Ninety-Six Dollars (\$101,596.00) be hereby transferred from the Parking Enterprise Fund - Retained Earnings to the Parking Enterprise Fund - Reserve Fund For Transfer.

Article 13: I move that the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) be hereby transferred from Free Cash (undesignated fund balance) for FY2021 debt service for the Plymouth Street Fire Station improvements loan.

Article 14: I move that the sum of One Hundred Thousand Dollars (\$100,000.00) be hereby transferred from Free Cash (undesignated fund balance) for FY2021 debt service for the Tower One repairs loan.

Article 15: I move that the motion voted pursuant to Article 22 of the June 23, 2020 Annual Town meeting be amended by the insertion of the phrases “the Town of Mansfield through the” and “and/or Airport Commission” in the first paragraph of said Article 22 motion so that the paragraph, as revised, would read as follows;

“...vote to authorize the Town of Mansfield through the Select Board and/or Airport Commission, to acquire by purchase, gift or eminent domain certain Approach Surface “Avigation Easements” for the unobstructed passage of aircraft in and through all airspace located at or above the surface of the certain real Estate Property described below:”

Article 16: I move that the Select Board be hereby authorized to acquire, by purchase, gift, and/or eminent domain, by way of a confirmatory taking to the extent not already owned by the Town of Mansfield, the following described properties, or easements and/or temporary construction easements as indicated below, for use as a recreational trail and underground sewer lines, including but not limited to construction, drainage, utility, access, and/or related purposes,

in, on, and under parcels of land abutting and/or near Fruit Street and Harding Lane, and the other parcels of land as shown on plans entitled “Plan and Profile of Rail Trail Extension in the Town of Norton and Mansfield Bristol County Preliminary Right of Way Plans,” dated January 24, 2018 and prepared by BETA. Inc”; and that the care, custody and control of a portion or portions of the parcel of land identified by the Assessors as the Parcels and Addresses set forth below for the above stated purposes be hereby transferred to the Select Board for maintenance, operation, repair and reconstruction of sewer wastewater lines, recreational trail uses, parking and other trail-related purposes; and, further, that the Select Board be authorized to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing transactions, as follows:

Map-Lot	Property Location
34-149	Fruit Street
34-130	362 FRUIT ST
36-164	445 FRUIT ST
36-165	459 FRUIT ST
36-166	471 FRUIT ST
36-167	477 FRUIT ST
36-168	481 FRUIT ST
36-169	485 FRUIT ST
36-170	489 FRUIT ST
36-171	491 FRUIT ST
36-172	495 FRUIT ST
36-173	499 FRUIT ST
36-174	503 FRUIT ST
36-175	507 FRUIT ST
36-176	511 FRUIT ST
36-177	515 FRUIT ST
36-178	519 FRUIT ST
36-28	9 HARDING LN
36-25	10 HARDING LN
36-29	15 HARDING LN

Article 17: I move that the relocated portions of Fruit Street, as heretofore reviewed and approved by the Select Board and Planning Board, as shown on a plan entitled “Fruit Street - Right of Way Relocation Plan,” dated August 31, 2020, prepared by Lighthouse Land Surveying, LLC, be hereby accepted, and Fruit Street relocated, as a public way and that the Select Board be hereby authorized to acquire, by gift, purchase, and or/eminent domain, the property so relocated or easements in said portions of relocated Fruit Street for public way purposes including any drainage, access, utility and/or other easements related thereto.

Article 18: I move that the Mansfield Select Board and/or Mansfield Airport Commission be hereby authorized to acquire, by purchase, gift, and/or eminent domain, by way of a confirmatory taking to the extent not already owned by the Town of Mansfield, the following described properties, or easements and/or temporary construction easements as indicated below, for use as a recreational trail and underground sewer lines, including but not limited to construction, drainage, utility, access, and/or related purposes, in, on, and under parcels of land abutting and/or near Fruit Street and Harding Lane, and the other parcels of land as shown on plans entitled “Plan and Profile of Rail Trail Extension in the Town of Norton and Mansfield Bristol County Preliminary Right of Way Plans,” dated January 24, 2018 and prepared by BETA. Inc”, in, on, and under parcels of land abutting and/or near the Mansfield Municipal Airport, and the other parcels of land approximately shown on plans entitled “Plan and Profile of Rail Trail Extension in the Town of Norton and Mansfield Bristol County Preliminary Right of Way Plans,” dated January 24, 2018 and prepared by BETA. Inc., for use as an airport, recreational trail, recreational trail parking, other trail-related purposes, and maintenance, operation, repair and reconstruction of the existing underground sewer interceptor line; that the use of said land through the Select Board be authorized for recreational and sewer purposes; and, further that the Select Board be authorized to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing transactions, as follows:

Map-Lot	Property Location
34-415	FRUITST
34-115	432 FRUITST
36-15	265 Fruit Street

Article 19: I move that the Mansfield Select Board be hereby authorized to acquire, by purchase, gift, and/or eminent domain, a perpetual stormwater easement described and identified in that plan entitled "*The Chocolate Factory Drainage And Access Easement Plan EAS-1*" dated September 22, 2020 and prepared by Allen & Major Associates, Inc., which easement shall be accessible to and used by the Town/Grantees for purposes of draining stormwater run off and maintaining any new drainage systems installed by the Grantor, and to allow the Town/Grantees to drain any stormwater/rainwater which may accumulate on any public way abutting or adjacent to the Chocolate Factory property, onto the property of the Chocolate Factory located at 150 Oakland Street, Mansfield, Massachusetts.

