

**TOWN OF PLAINVILLE
WARRANT FOR THE
SPECIAL TOWN MEETING
MONDAY, NOVEMBER 28, 2011
AT 7:00 P.M.**

THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

To either of the Constables of Plainville:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Plainville qualified to vote in town affairs, to meet in the Beatrice H. Wood Elementary School Auditorium, 72 Messenger Street, in said Plainville, on

Monday, November 28, 2011

At seven o'clock in the evening, then and there to act on the following articles, viz:

ARTICLE 1: To see if the Town will vote to amend and reduce the Fiscal Year 2012 Sewer budget by \$31,983 from:

Sewer Department	440		\$ 873,690
Salaries		\$ 72,150	
Expenses.....		\$ 791,540	
Equipment.....		\$ 10,000	

To:

Sewer Department	440		\$ 841,707
Salaries		\$ 72,150	
Expenses.....		\$ 759,557	
Equipment.....		\$ 10,000	

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Water and Sewer Commissioners)*

ARTICLE 2: To see if the Town will vote to raise and appropriate, or transfer from available funds, \$52,316.44 or any other sum for the payment of bills of a previous fiscal year payable to the Town of North Attleboro for Plainville's share of Operations and Maintenance costs associated with the shared Waste Water Treatment Facility, or do or act in any manner relative thereto. *(Sponsor: Board of Water and Sewer Commissioners)*

ARTICLE 3: To see if the Town will vote to raise and appropriate, or transfer from available funds, \$72.98 or any other sum for the payment of a bill of a previous fiscal year payable to the Sun Chronicle which was incurred by the Sewer Department, or do or act in any manner relative thereto. *(Sponsor: Board of Water and Sewer Commissioners)*

ARTICLE 4: To see if the Town will vote to transfer \$1,758, or any other sum from Trash Enterprise Retained Earnings to the Fiscal Year 2012 Trash Salary Account, or do or act in any manner relative thereto. *(Sponsor: Board of Health)*

Associates, Inc., recorded in the Norfolk County Registry of Deeds in Plan Book 507 at page 237, with said roadway bounded and described as follows:

Beginning at a granite bound located on the westerly sideline of Messenger Street a distance of 53.65' north of the intersection of the westerly Messenger Street sideline and North Attleborough Town Line, said point being the point of curvature of a curve to the left in the sideline of Terry Lane; thence running along said curve left with a radius of 35 feet a distance of 54.98 feet to a granite bound, thence running

N 73° 35' 05" W along the sideline of Terry Lane a distance of 161.15 feet to a granite bound, said point being the point of curvature of a curve to the left in the sideline of Terry Lane; thence running along said curve to the left with a radius of 35.00 feet a distance of 27.64' to a granite bound, said bound being the point of tangency; thence running

N 61° 10' 00" E along the sideline of Terry Lane a distance of 411.73 feet to a granite bound, said point being the point of curvature of a curve to the right in the sideline of Terry Lane, said curve having a radius of 200.00 feet; thence running along said curve to the right a distance of 281.35 feet to a granite bound, said point being the point of tangency; thence running

N 38° 14' 00" W along the sideline of Terry Lane a distance of 422.60 feet to a granite bound, said point being the point of curvature of a curve to the right having a radius of 200.00 feet; thence running along said curve to the right a distance of 565.06 feet, to a granite bound, said point being the point of tangency; thence running

S 56° 21' 19" E along the sideline of Terry Lane a distance of 636.04 feet to a granite bound, said point being the point of curvature of a curve to the left having a radius of 450.00 feet; thence running along said curve to the left a distance of 135.32 feet to a granite bound, said point being the point of tangency; thence running

S 73° 35' 05" E a distance of 162.56 feet to a granite bound, said point being the point of curvature of a curve to the left having a radius of 35.00 feet; thence running along said curve a distance of 54.98 feet to a granite bound located on the westerly sideline of Messenger Street; thence running

S 16° 24' 25" W along the westerly sideline of Messenger Street a distance of 135.00 feet to the point of beginning.

EXCEPTING THEREFROM

All land shown as Lots 15 through 22 inclusive, said lots located within the perimeter of Terry Lane as described above, and said excluded land having a boundary described as follows:

Beginning at a point located on the interior boundary line of Terry Lane, at a granite bound located approximately 298 feet west of the westerly sideline of Messenger Street on the northerly sideline of Lot 15; thence running

N 56° 21' 19" W along the inner sideline of Terry Lane a distance of 659.72 feet to a granite bound, said point being the point of curvature of a curve to the left with a radius of 150.00 feet; thence running along said curve to the left a distance of 423.80 feet to a granite bound, said point being the point of tangency; thence running

S 38° 14' 00" E along the inner sideline of Terry Lane a distance of 422.60 feet to a granite bound, said point being the point of curvature of a curve to the left having a radius of 150.00 feet; thence running along said curve to the left a distance of 211.01 feet to a granite bound, said bound being the point of tangency; thence running

N 61° 10' 00" W a distance of 337.81 feet to a granite bound, said bound being the point of curvature of a curve to the left having a radius of 35.00 feet; thence running along said curve a distance of 71.79 feet to a granite bound, said point being the point of tangency and the point of beginning.

And also EXCEPTING THEREFROM any and all utilities and their appurtenances owned by private utility companies including but not limited to electric, telephone, gas, data, or cable/information services.

All boundaries described above are per the plans of record for Eagles Landing Subdivision referenced above and are intended to be the same as shown thereon.

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

ARTICLE 5: To see if the Town will vote to raise and appropriate, or transfer from available funds, \$12,000 or any other sum to be used in combination with funds previously appropriated for the purpose of funding the Fiscal 2013 Maintenance and Re-inspection Program of all Real and Personal Property valuations within the Town of Plainville as required by the Commonwealth of Massachusetts, such funds to be expended under the direction of the Board of Assessors, or do or act in any manner relative thereto. (*Sponsor: Board of Assessors*)

ARTICLE 6: To see if the Town will vote to accept as a Public Way within the Town of Plainville, the following street to be known as Harness Path described as a certain parcel of land situated on the westerly side of Mirimichi Street in the Town of Plainville, in the County of Norfolk, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the westerly side of Mirimichi Street at the southerly corner of the described premises;
thence

- Northwesterly and curving to the left along the arc of a curve having a radius of twenty-five and no hundredths feet (25.00'), a length of forty-three and sixty-seven hundredths feet (43.67') to a point of tangency; thence
- N69°36'19"W a distance of one hundred thirty-two and eighty hundredths feet (132.80') to a point of curvature; thence
- Northerly and curving to the right along the arc of a curve having a radius of two hundred seventy-five and no hundredths feet (275.00'), a length of four hundred twenty-four and forty-three hundredths feet (424.43') to a point of tangency; thence
- N18°49'26"E a distance of one hundred thirty and forty-six hundredths feet (130.46') to a point of curvature; thence
- Easterly and curving to the right along the arc of curve having a radius of seventy and no hundredths feet (70.00'), a length of three hundred twenty-two and eighty-six hundredths feet (322.86') to a point of reverse curvature; thence
- Southerly and curving to the left along the arc of a curve having a radius of thirty and no hundredths feet (30.00'), a length of forty-four and twelve hundredths feet (44.12') to a point of tangency; thence
- S18°49'26"W a distance of thirty and ninety-six hundredths feet (30.96') to a point of curvature; thence
- Southerly and curving to the left along the arc of a curve having a radius of two hundred twenty-five and no hundredths feet (225.00'), a length of three hundred forty-seven and twenty-six hundredths feet (347.26') to a point of tangency; thence
- S69°36'19"E a distance of one hundred fifty-three and fifty hundredths feet (153.50') to a point of curvature; thence
- Easterly and curving to the left along the arc of a curve having a radius of twenty-five and no hundredths feet (25.00'), a length of thirty-four and sixty-four hundredths feet (34.64') to a point of tangency on the westerly side of Mirimichi Street; thence
- S31°00'30"W a distance of thirty-four and eighty-seven hundredths feet (34.87') to a point; thence
- S32°43'47"W a distance of sixty-four and ninety-eight hundredths feet (64.98') to the point of beginning, the previous two courses bounded by the westerly side of Mirimichi Street.

Meaning and intending to describe that parcel of land shown as Harness Path on a plan entitled, "As-Built Plan of Harness Path, 'Shepardville Woods' Plainville, MA"; dated: May 2010; scale: As Noted, prepared by: Bay Colony Group, Inc., 4 School Street, Foxborough, MA.

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

ARTICLE 7: To see if the Town will vote to accept as a Public Way within the Town of Plainville, the following street to be known as Terry Lane along with municipal infrastructure and other physical improvements thereon, as such land is shown on plans titled "Definitive Subdivision Plans - Eagles Landing, Messenger Street, Plainville, MA" prepared by S.L. Rolfe & Associates, Inc., sealed by Arthur F. Borden, PLS, endorsed by the Plainville Planning Board on December 16, 2002, recorded in the Norfolk County Registry of Deeds as Plan Book 504 at page 63, and on a plan titled "Eagles Landing - Plan of Land" dated March 4, 2003, endorsed by the Plainville Planning Board on April 4, 2003, prepared by Arthur F. Borden &

ARTICLE 8: To see if the Town will vote to accept a Drainage Easement to construct, operate, and maintain a Detention Pond and related appurtenances including storm water management and quality devices, located on land identified as Lot 7 on plans titled "Definitive Subdivision Plans - Eagles Landing, Messenger Street, Plainville, MA" prepared by S.L. Rolfe & Associates, Inc., sealed by Arthur F. Borden, PLS, endorsed by the Plainville Planning Board on December 16, 2002, recorded in the Norfolk County Registry of Deeds as Plan Book 504 at page 63.

Said Easement is shown, bounded, and described on Exhibit A attached to the Warrant for this Special Town Meeting.

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

ARTICLE 9: To see if the Town will vote to amend the determination made under Article 38 of the June 7, 2010 Annual Town Meeting that 100% of all local costs associated with the sewer extension project authorized under Article 38 be repaid by betterment to the bettered properties in the area affected by said project, and to determine instead that 100% of such costs shall be paid by the Town so that the repayment of those funds borrowed for the completion of the project authorized by Article 38 will need to be raised and appropriated, or transferred from available funds, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

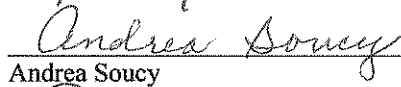
ARTICLE 10: To see if the Town will vote to amend the vote under Article 38 of the June 7, 2010 Annual Town Meeting by adding Valerie Drive to the streets listed in said Article 38 as being within the area shown on *Phase 2 of the Town of Plainville Sewer System Map*, Valerie Drive having been shown on said Phase 2 Sewer System Map and indicated as among those streets in need of sewer service in certain sections of the Town of Plainville and listed as such in the following documents: *Report on Sewage and Sewage Treatment in the Town of Plainville Massachusetts, March 1966; Eastern and Western Study Area Wastewater Facilities Plan, December 1983; and the Final Report Wastewater Facilities Plan Update Town of Plainville Massachusetts, March 2007*, but Valerie Drive having been inadvertently not listed in said Article 38, or do or act in any manner relative thereto. (*Sponsor: Water and Sewer Commissioners*)

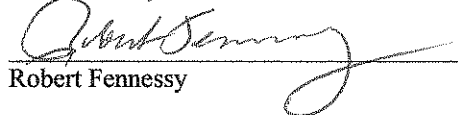
And you are directed to serve this Warrant by posting copies thereof in six (6) public places, in said Town, Fourteen (14) days at least before the time of holding said meeting.

Hereof, fail not, and make due return of the Warrant with your doing thereon, to the Town Clerk at or before the time and place of said meeting as foresaid.

Given under our hands this 7th day of November, in the year of our Lord two thousand and eleven.


Robert Rose, Chairman


Andrea Soucy

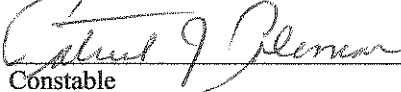

Robert Fennessy

A true copy Attest:


Ellen M. Robertson, Town Clerk

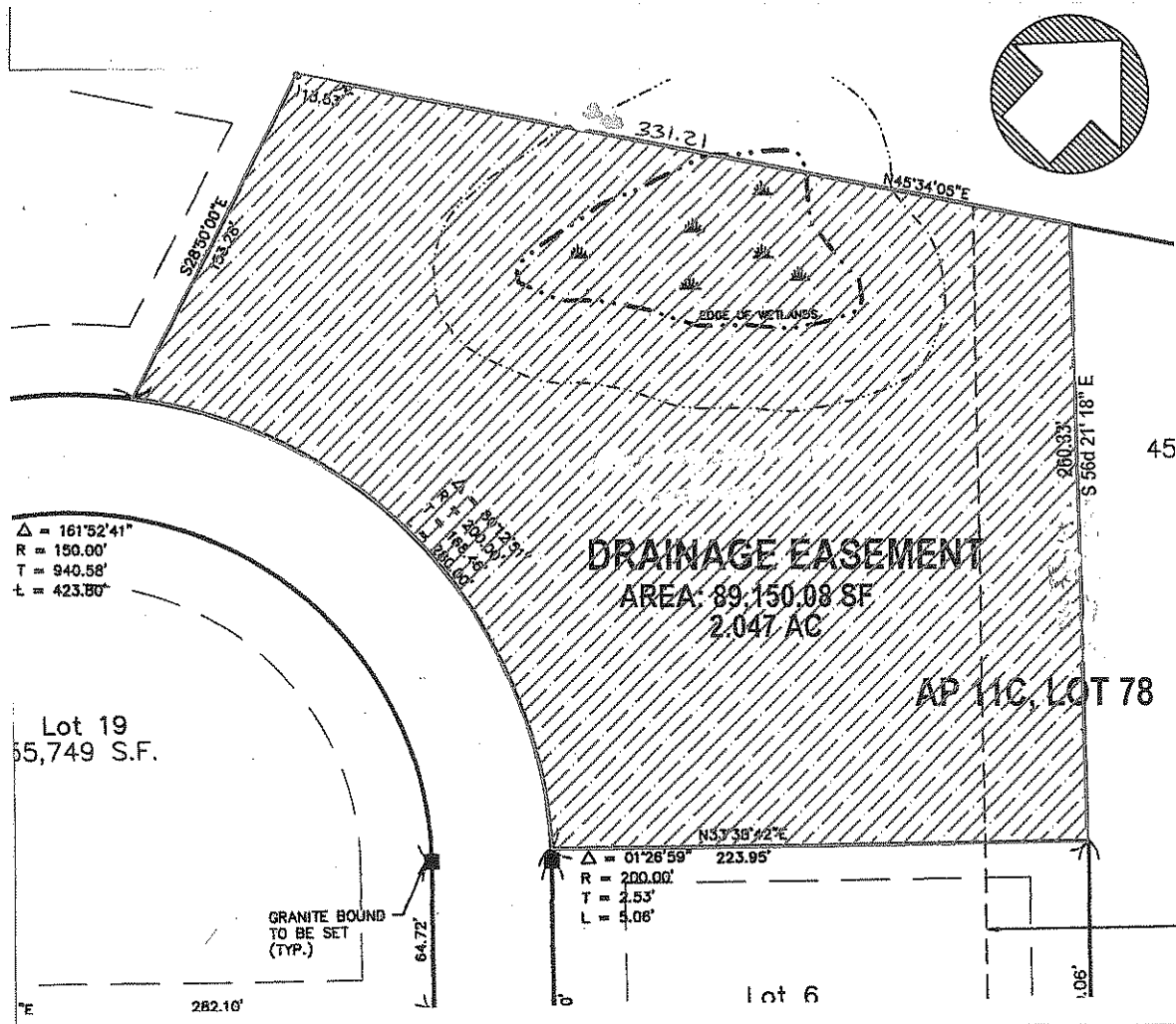
November 8, 2011

I have this day posted six (6) copies in six (6) public places in the Town of Plainville and have returned one signed copy to the Town Clerk.

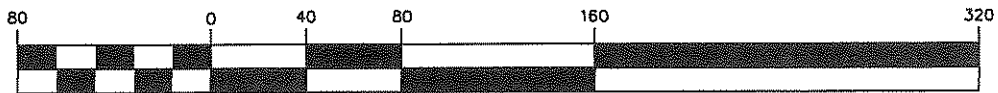

Constable

November 8, 2011

EXHIBIT A DRAINAGE EASEMENT PLAN



GRAPHIC SCALE



(IN FEET)
1 inch = 80 ft.

PREPARED BY:

LAW OFFICE OF JAMES D. SIMMONS
LAND PLANNING GROUP

LAND PLANNING ◦ RE/PROPERTY LAW ◦ REGULATORY AFFAIRS
188 WASHINGTON STREET, PLAINVILLE, MASSACHUSETTS 02762
TEL: 508-695-8999 FAX: 508-695-9982

EASEMENT PLAN

AP 11C, LOT 78

DRAINAGE LOT 7

EAGLES LANDING - TERRY LANE, PLAINVILLE, MA
DATE: OCTOBER 31, 2011

SHEET

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1 OF 1