

Town of South Hadley  
Bylaw Review Committee

AGENDA

For

Meeting of June 9, 2021

5:30 PM

Parking Lot at St. Theresa's Church

9 East Parkview Drive

South Hadley, MA 01075

1. To consider and make recommendation regarding Article 10 of the Annual Town Meeting Warrant of June 9, 2021
2. To consider and make recommendation regarding Article 14 of the Annual Town Meeting Warrant of June 9, 2021
3. Adjournment

**ARTICLE 10.** *To see if the Town will vote to accept Massachusetts General Law Chapter 60 subsection 62A regarding Tax Payment Agreements and tax title processes contained within and related to the South Hadley Financial Policies and adopt the following bylaw to implement same, or take any other action thereto.*

*Amend the Town of South Hadley General Bylaws by adding a new Chapter as follows:*

*Chapter 142 Redemption of tax title real estate.*

*142-1 Written Tax Title Agreements Authorization: Pursuant to the provisions of MGL c. 60,*

*§ 62A, the Treasurer of the Town of South Hadley ("Town") may enter into a written payment*

*agreement ("Agreement") with any person(s) entitled to redeem ownership of parcels of real*

*estate ("Redeemer") which have been taken by the Town as a result of nonpayment of real estate*

taxes. The Agreement shall be executed by the Town and Redeemer and shall set forth the terms and conditions for payment of the delinquent taxes, interest and any other costs, fees or charges associated with same.

142-2 Eligibility: The Redeemer of the following assessment categories of real property shall be eligible to enter into an Agreement provided for in the preceding paragraph:

- (1) Commercial property.
- (2) Residential property.
- (3) Industrial; and
- (4) Open space.

142-3 Conditions for Agreement: The following conditions must be met prior to the Town and Redeemer entering into a written Agreement.

(1) The Town has not filed a petition to foreclose the rights of redemption with the Land Court, and the recording date of the Instrument of Taking recorded in the Hampshire Registry of Deeds or Hampshire Registry District of the Land Court must be no more than 10 years from the date of the proposed Agreement.

(2) All real estate taxes due for the current fiscal year assessed against the parcel must be paid to date.

(3) The Redeemer, at the time of execution of said Agreement, must pay to the Town a minimum of 25% of the amount due to redeem the parcel. The Redeemer must then agree to pay the remaining balance due to the Town in equal monthly installments over a period not to exceed five years.

(4) The Agreement may not be longer than five (5) years in duration.

142-4 Credit Availability: After the Town has received 75% of the total amount due, the

Redeemer shall be entitled to a credit equal to 25% of the accrued interest on the tax title

account. This credit shall be applied against the final installment payment(s) due under the Agreement.

142-5 Freezing Foreclosure Action: During the term of the Agreement, the Treasurer may not bring an action to foreclose the tax title of the Redeemer unless payments are not made in accordance with the schedule provided in the Agreement or timely payments are not made on other amounts due to the municipality that constitute a lien on the same parcel.

**ARTICLE 14.** To see if the Town will vote to amend Chapter 72 of the Town of South Hadley General Bylaws, Section 72-15 to permit the use of hand-held devices for the purpose of taking and tallying votes at town meeting as follows (bold and underlined new and strike through removed):

**72-15 Determination of Voting**  
All votes, including those requiring two-thirds approval or more, shall be taken in the first instance by a "yes" and "no" voice vote. If the Moderator is in doubt as to the vote s/he shall call for a show of hands or for a standing vote, or, if seven or more voters immediately question the vote, the Moderator shall call for a standing vote. Alternatively, at the discretion of the Moderator, the meeting may use hand-held electronic devices to make and tally votes.