

COMMONWEALTH OF MASSACHUSETTS
SOUTH HADLEY, MASSACHUSETTS

WARRANT
Hampshire, ss.

TO: Either of the Constables of the Town of South Hadley

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of South Hadley that the SPECIAL TOWN MEETING will be held in the TOWN HALL AUDITORIUM on Tuesday, the 19th day of November, 2013, at 7:00 p.m. or as soon thereafter as the subject matter of this warrant can then and there be reached, and the Town Clerk is required to notify and warn the Town Meeting Members then and there to meet and act on the following Articles:

Article 1; Whereas the Town of South Hadley seeks to recover costs and make the property available for development.

Motion; I move the Town vote to declare surplus and allow for sale the property located at Canal/High/Main Street (map ID: 4/D 15) commonly referred to as the Fibermark Building.

Article 2; Whereas the need may arise to remove the blighted and derelict building owned by the Town and commonly known as the "Fibermark Building" and to provide a path to prosperous development of said property.

Motion; I move the Town raise and appropriate and/or transfer from Unreserved Free Cash in the Treasury, the sum of \$95,000 or a greater of lesser sum for the purpose of funding the demolition of the Fibermark Building located at Canal Street.

Article 3; Whereas the Massachusetts Building Code continues to add new regulations and complexity and whereas this department strives to meet the mandates and collect the appropriate fees to sustain and recover costs associated with code enforcement And whereas the intent is to expand availability in the Building Department as the Commissioner is required to be in the field for inspections.

Motion; I move the Town raise and appropriate and/or transfer from Unreserved Free Cash, the sum of \$4,500 to increase Fiscal Year 2014 funding for the Assistant Building Inspector position line item.

Article 4; To see if the Town South Hadley will vote under Massachusetts General Laws (Ter. Ed.) Chapter 121B, Section 4, as amended, to establish a Redevelopment Authority and in that connection to make any and all determinations and declarations deemed necessary or desirable, and take any action in relation thereto. Second, a city or town must (a) determine whether or not the municipality actually needs a Redevelopment Authority and then (b) vote to establish the Redevelopment Authority. In determining its need for a Redevelopment Authority, a city or town should consider problems under c. 121B, Section 45, such as the existence of decadent, substandard or blighted open areas, high unemployment or underemployment, the existence of unsanitary or unsafe residential structures, insufficient infrastructure, the shortage of developable land or the existence of other obstacles to private investment.

Motion; I move the Town, whereas there exists in the Town of South Hadley (a) substandard, decadent or blighted open areas; and (b) that each constitutes a serious and growing menace, injurious and inimical to the safety, health, morals and welfare of residents; and (c) that the menace of such decadent, substandard or blighted open areas are beyond remedy and control solely by regulatory process in the exercise of the

police power and cannot be dealt with effectively by the ordinary operations of private enterprise; that whereas it is hereby determined that a Redevelopment Authority is needed for: (a) the acquisition, planning, clearance, conservation, rehabilitation or rebuilding of such decadent, substandard and blighted open areas for residential, governmental, recreational, educational, hospital, business, commercial, industrial or other purposes; Now therefore it is hereby moved: that the Redevelopment Authority shall be organized and established under the provisions of the Massachusetts General Laws (Ter. Ed.) Chapter 121B, Section 4 and acts in amendment thereof and in addition thereto.

Article 5; Whereas the need arises to fully fund the South Hadley Police Department salary line item, as this issue was deferred previously when the cost was projected to be approximately \$86,000 and discussed at the prior Annual Town Meeting. Through new provisions in the contract and diligent oversight by Chief David Labrie the needed amount has been reduced significantly.

Motion; I move the Town raise and appropriate and/or transfer from Unreserved Free Cash in the Treasury the sum of \$57,000 for the purpose of funding Police Department compensation accounts for fiscal year 2014.

Article 6; Whereas, it has been a common and accepted practice to hold elections on Tuesdays and acceptable to the public, the Town Clerk recommends the following motion.

Motion; I move the Town amend "Section 200 Annual Election" of the General Bylaws to read as follows;

"The annual election of Town Officers shall be held on the second Tuesday of April each year."

Article 7; Whereas, as part of a reorganization to bring efficacy, compliance and orderliness to municipal functions, and furthermore in anticipation of additional such changes for fiscal year 2014; now, therefore, Administration requests previously appropriated funds in the FY 14 budget to be reassigned to the "Wage and Class Merit Plan" line item. These excess funds are available due to positions being unfilled or readjusted. This transfer will also allow the Board of Assessors to seek through procurement a contract service for data collection.

Motion; I move to transfer previously appropriated funds from the following accounts, in the sum of \$82,673 to account 11361-510001 Wage and Classification-Merit Plan and to further transfer from account Assessor's "Senior Clerk" 11411-51364 to Professional and Technical 11412-52140 the sum of \$6,441

From P/S

Budget Name	Budget Account #	Amount
Assessors	11411-51364	\$26,441.00
Clerk/Treasurer	1115011-513591	\$13,786.50
Clerk/Treasurer	1115021-513591	\$13,786.50
Youth Commission	11241-51060	\$4,600.00
Selectboard	11221-51364	\$14,000.00
Emergency Management	12911-51042	\$2,500.00

From O/E

Budget Name	Budget Account #	Amount
Human Resources/Temp Staffing	11372-52122	\$14,000.00

Article 8; Whereas, the Town has come into possession of properties by various means which do not clearly serve a public purpose and which have value both by way of sale and potential development. Furthermore, said parcels are cost centers from a risk and maintenance perspective which the municipality would be well served to avoid.

Motion; I move the Town declare the following properties surplus and available for sale by way of appropriate procurement or other means consistent with Massachusetts General Laws.

351 East Street

2 Acres of Black Stevens Property (rest to Conservation)

Corner lot Bridge and Lamb

Article 9; Whereas, the Sustainability and Energy Commission acts as an advisory committee to the Selectboard, other boards/committees and to the citizenry on matters related to being energy, resource and environmentally aware of the limits of our bounty. As this awareness expands there is need to expand the commission and allow a provision to have one member at any time, duly appointed by the South Hadley Selectboard be a resident of a place other than South Hadley. This member is to possess an interest in serving, valuable skill sets related to the work of the committee and/or may represent an organization within the borders of South Hadley.

Motion; I move to amend Section 423.2 of the Town of South Hadley By-laws to read as follows;

"423.2 Membership

The Sustainability and Energy Commission shall consist of no less than five (5) and no more than twelve (12) members to be appointed by the Selectboard. Membership of the Commission may include representatives of the following interests, boards, and entities:

- *South Hadley Electric Light Department (SHELD)*
- *Department of Public Works*
- *School Committee*
- *Planning Board*
- *Mount Holyoke College*
- *Residents and residential property owners*
- *Businesses and persons engaged in real estate and land development*
- *Board of Water Commissioners for each Fire District*

Bylaws@State.ma.us

The Commission member designated by Mount Holyoke College may, or may not, be a South Hadley resident. This exception considers the likelihood that the designated representative is a Mount Holyoke College staff member who resides in a location other than South Hadley.

The Commission may establish working groups to address specific projects or areas of emphasis to support master plan implementation. The Selectboard will be advised in writing of the purpose, membership, and duration of all working groups. Working group membership must include at least one regular Commission member, who will normally chair the subcommittee."

Article 10; To see if the Town will vote to amend the Zoning By-Law in regard to Home Occupations by amending: **Section 3, DEFINITIONS**, Subpart **(B) Definitions**, by deleting the existing definition of “Home Occupation” and inserting a new, revised definition of “Home Occupation”; in **Section 7, SUPPLEMENTAL DISTRICT REGULATIONS**, Subpart **(A) Home Occupations**, by deleting the existing Subpart (A) in its entirety and inserting a new Subpart (A) to provide a multi-tier categorization of “home occupations” and specify requirements for each category of “home occupation” as well as procedures applicable to permitting of each category; and in **Section 5, USE REGULATIONS**, Subpart **(D), Use Regulations Schedule** to establish in which districts each of the categories of “Home Occupation” may be permitted and how they may be permitted (by right, Site Plan Review, Special Permit, or Prohibited) as set forth in the Planning Board’s Report to Town Meeting, or take any other action thereto.

Article 11; To see if the Town will vote to amend the Zoning By-Law in regard to Building Heights by amending: **Section 6, DIMENSIONAL REGULATIONS**, Subpart **(B) Dimensional Regulations Schedule** by altering some of the minimum front setback requirements and the maximum building heights allowed in the Business A-1, Business A, Business B, and Business C zoning districts including, but not limited to, alteration or deletion of one or more of the footnotes pertaining to such limits as set forth in the Planning Board’s Report to Town Meeting, or take any other action thereto.

Article 12; To see if the Town will vote to amend the Zoning By-Law in regard to Medical Marijuana Facilities by amending: **Section 3, DEFINITIONS**, Subpart **(B) Definitions**, by inserting definitions for facilities related to the cultivation, production, and/or distribution of medical marijuana and moving the terms to their correct location alphabetically and sequentially altering the numbers of other terms; in **Section 5, USE REGULATIONS**, Subpart **(D), Use Regulations Schedule** to establish in which districts various Medical Marijuana facilities and activities may be permitted and how they may be permitted (by right, Site Plan Review, Special Permit, or Prohibited); and in **Section 7, SUPPLEMENTAL DISTRICT REGULATIONS**, inserting a new Subpart **(Y) entitled Medical Marijuana Facilities and Operations** to provide standards and details under which the various types of Medical Marijuana Facilities may be permitted as set forth in the Planning Board’s Report to Town Meeting, or take any other action thereto.