

Received
Town of South Hadley

APR 25 2017
04:53 PM
Town Clerk

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 ANNUAL TOWN MEETING will be held in the TOWN HALL AUDITORIUM on Wednesday May 10, 2017 at 6:15 PM 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. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2017, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and to renew any note or notes as may be given in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17, or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to enter into compensating balance agreements with bank offices having their principal offices in the Commonwealth during Fiscal Year 2018, as permitted by Massachusetts General Laws Chapter 44, Section 53 (F), or take any other action relative thereto.

ARTICLE 3. To see if the Town will vote to authorize the Selectboard to defend all suits that may be brought against the Town during Fiscal Year 2018 and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable, or take any other action relative thereto.

ARTICLE 4. To see if the Town will vote to authorize the Selectboard to apply for and accept such federal or state grants or monies as may be available and to authorize the Selectboard to expend any funds received there from in accordance with the terms of said grants, or take any other action relative thereto.

ARTICLE 5. To see if the Town will vote to accept a sum of money for highway improvements under the authority of Massachusetts General Laws Chapter 90 and other applicable law; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by borrowing, or by any combination of these methods; authorize the Selectboard to apply for, accept, expend and borrow in anticipation of state aid for such projects, or take any other action relative thereto.

ARTICLE 6. To see if the Town will vote to fix the salary and compensation of the following elective officers of the Town of South Hadley during fiscal year 2018 as provided by

Massachusetts General Laws, Chapter 41, Section 108, as amended: Moderator, Selectboard Members, Assessors, or take any other action relative thereto.

ARTICLE 7. To see if the Town will vote to reauthorize the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, to establish in the Town Treasury a revolving fund, which shall be kept separate and apart from all other monies by the Treasurer, and in which shall be deposited the receipts received that may be spent by the Selectboard or its designee, without further appropriation during fiscal year 2018 for the continued support and maintenance of Buttery Brook Park, or take any other action relative thereto.

ARTICLE 8. To see if the Town will vote to raise and appropriate and transfer from available funds the sum of \$45,347,563 or a greater or lesser sum, to constitute the Operating Budget for fiscal year 2018 all as more specifically set forth in "Appendix A" attached hereto and made a part here of, or take any other action relative thereto.

ARTICLE 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$78,861 or a greater or lesser amount to constitute the Gaylord Memorial Library budget for Fiscal Year 2018 and as specifically set forth in "Appendix B" attached hereto, or take any other action relative thereto.

ARTICLE 10: To see if the Town will vote to allow a moratorium be placed on retail sales or establishment of a retail operations for the purpose of selling recreational cannabis in the Town of South Hadley. The moratorium would be in effect for permits or licenses applied for, sought or otherwise requested until July 1, 2018 in order to allow the Town to put in place appropriate zoning, health regulations or other necessary conventions or protections for the safe and proper retail distribution of cannabis/marijuana in all forms, or take any other action relative thereto.

ARTICLE 11: To see if the Town will vote to create a General By-law to allow the South Hadley Police Department to fingerprint applicants for Ice Cream Vendor Permits and to use said fingerprints to search Ice Cream Vendor License applicant's criminal history in accordance with MGL Chapter 270 subsection 25 and MGL Chapter 6 section 172B ½ (accepted STM 1/11/17) and as expressed in "Appendix C", or take any other action relative thereto.

ARTICLE 12: To see if the Town will vote to create a General By-law to allow the Town of South Hadley to withhold permits for any property which has outstanding taxes and fess owed to the municipality including but limited to taxes, fee or liens consistent with Chapter 40 subsection 58 (accepted STM 1/11/17) and as expressed in "Appendix D", or take any other action relative thereto.

ARTICLE 13: To see if the Town shall accept changes and amendments to the South Hadley General By-laws and intended to make the By-laws consistent with Massachusetts General Court Chapter 458 of the Acts of 2012, and to further create a more consistent representation of the practices and needs of the town and as expressed in "Appendix E", or take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay the costs of capital projects to provide that, in accordance with Section 20 of Chapter 44 of the Massachusetts General Laws, the premium

received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

ARTICLE 15: To see if the Town will accept Red Bridge and East Red Bridge Lane(s) from Westbrook Road as further defined in the "Mountainbrook Definitive Plan Overall Lot Plan" and approved by the South Hadley Planning Board and as described in Appendix "F", or take any other action relative thereto.

ARTICLE 16: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$20,000 as a grant match for the River to Range Phase II Project, or take any other action relative thereto.

ARTICLE 17: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$15,000 as a grant match for the Valley Bike Share for fiscal year 2018, or take any other action relative thereto.

ARTICLE 18: To see if the Town will vote to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard expend the sum of \$231,350 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of undertaking redevelopment improvements for the Fred Smith Park (inclusive of Parcels #001 and #002 on Assessor's Map #5C and parcel #082 on Assessors Map 5A). The Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 45, Section 3, and as it may hereafter be amended and other Massachusetts statutes relating to public parks and playgrounds, the properties are to be placed under the management and control of the Selectboard as park land (exclusive of the Olde Firehouse Museum building and a ten foot setback surrounding the structure), or take any other action relative thereto.

Article 19; To see if the Town will vote to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard expend the sum of \$245,200 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of trail related improvements in the Bachelor Brook-Stony Brook Conservation Area to implement the River to Range Trail Phase 3. The Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and

other Massachusetts statutes relating to conservation land, the properties have been placed under the management and control of the Conservation Commission as Conservation land, or take any other action relative thereto.

ARTICLE 20; To see if the Town will vote to raise and appropriate and/or transfer from Unreserved Free Cash the sum of \$143,000 to procure and purchase the following items Police Cruiser \$48,000, DPW Truck S-1 \$45,000 Commercial Mower \$50,000 as recommended to the Selectboard, by the Capital Planning Committee, or take any other action relative thereto.

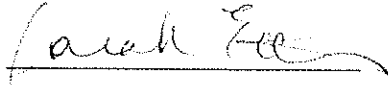
ARTICLE 21. To see if the Town will accept a General By-law to ban the use of plastic bags in certain categories and situations beginning July 1, 2018; this acceptance includes common retail plastic bags with or without die-cut handles. It does not include bio-degradable bags, re-usable bags, small item bags (i.e. newspaper, small item bags, thin film bags for raw fish, meat poultry etc.) as expressed in "Appendix G", or take any other action relative thereto.

ARTICLE 22: To see if the Town will vote to create a chapter in the General By-laws entitled "Stretch Energy Code" and accept for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to "Appendix 115.AA of the Massachusetts Building Code, 780 CMR Stretch Energy Code", including future editions, amendments or modifications thereto as expressed in "Appendix H", or take any other action relative thereto.

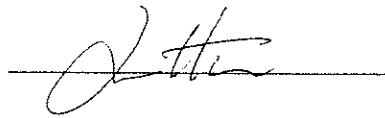
ARTICLE 23; To see if the Town will vote to allow a change of the Board of Health from the present three member elected board to a become a five member board with four members appointed by the Selectboard to three year staggered terms with the Health Director serving as the fifth member in accordance with the all the provisions and requirements of Massachusetts General Law "Chapter 41 section 1B Appointed Town Offices and Boards", or take any other action relative thereto.

ARTICLE 24: To see if the Town will vote to amend in the Zoning By-Law **Section 3** **DEFINITIONS**, Subpart **(B) Definitions** to insert the term and define "Microbrewery" and renumber the definitions in alphabetical order; **Section 5 USE REGULATIONS**, Subpart **(E) Use Regulations Schedule** to incorporate the use "Microbrewery" into the Industrial Uses classification and provide whether they are permitted by Right, Site Plan Review, and/or Special Permit in various zoning districts and change the use "Retail Sales" (in the Business Uses classification" from "prohibited" in the Industrial A zoning district to "permitted by Site Plan Review" in the Industrial A zoning district subject to a footnote and insert a footnote regarding restrictions on the "Retail Sales" use in the Industrial A zoning district (as detailed in the Planning Board Report) or take any other action relative thereto. (Proposed by the Planning Board).

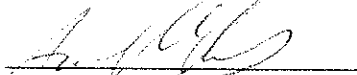
Given under our hands this 18th day of April 2017:



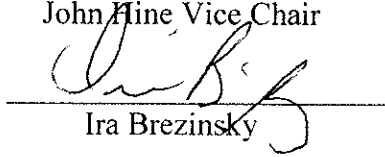
Sarah Etelman, Chair



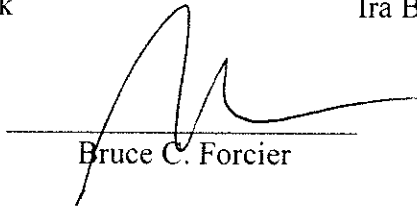
John Fine, Vice Chair



Andrea Miles, Clerk



Ira Brezinsky



Bruce C. Forcier

**SELECTBOARD
TOWN OF SOUTH HADLEY**

