

*True and attested copies of the warrants were posted by Constable, David J. Labrie in five of the towns voting precincts and mailed out electronically and through US Postal Service to town meeting members on ~~April 23~~<sup>May 9</sup>, 2018. All additional local by-law requirements were met prior to hosting this meeting in the auditorium of South Hadley Town Hall.*

*The Annual Town Meeting was called to order at 6:35 P.M. by Town Moderator, Edward J. Ryan, Jr. after he adjourned the Special Town Meeting. There were one hundred and two members present out of one hundred and nineteen qualified town meeting members. Greetings were read by the Moderator. Peter Gagne and Ray Rondeau were appointed tellers for the session.*

*The following business was transacted:*

#### **Article 1- Acceptance of Treasurer to Borrow**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted 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, 2018, 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.

#### **Article 2- Acceptance of Treasurer Banking**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted 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 2019, as permitted by Massachusetts General Laws Chapter 44, Section 53 (F).

#### **Article 3-Right to Defend**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted to authorize the Selectboard to defend all suits that may be brought against the Town during Fiscal Year 2019 and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable.

#### **Article 4- Acceptance of Grants**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted 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.

#### **Article 5- Acceptance of Chapter 90**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted 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.

**Article 6- Chapter 41 Compensation****VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted to fix the compensation of each officer as follows Selectboard \$2,000, Board of Assessors \$2,500, Moderator \$1.00.

**Article 7- Revolving Buttery Brook Acct****VOTED: By a unanimous affirmative vote: control sheet attached.****Unanimously supported by Appropriation Committee.**

The Town voted 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 limited to \$28,000 which may be spent by the Selectboard or its designee, without further appropriation during FY 2019 for the continued support and maintenance of Buttery Brook Park.

**Article 8 - FY18 Operating Budget****VOTED: By a unanimous affirmative vote: control sheet attached.****Unanimously supported by Appropriation Committee.**

The Town voted to raise and appropriate the sum of \$45,120,999 for Fiscal Year 2019 Operating Budget as described in Appendix A and further funded through the following means \$40,830,397 to be raised through taxation; \$591,460 from Unreserved Free Cash; \$3,500 from Boat Excise; \$15,000 from the Dog Agency Fund; \$11,800 from State Aid to Libraries; \$2,000 from Conservation Wetland Fund; \$173,949 from Cable Studio Account; \$41,275 from DHCD \$1,722,575.00 from WWTP Enterprise Receipts; \$814,840.00 from Landfill Enterprise Fund Receipts; \$200,000 from Landfill Enterprise Fund Balance and \$650,000 in Ledges Golf Club Enterprise Receipts and \$64,203 from Ledges Golf Club Enterprise Fund Balance in the total amount of \$45,120,999.00 and therefore presented as balanced budget. APPENDIX A attached.

**Article 9- Ledges Agreement****VOTED: By a majority vote: control sheet attached.**

The Town voted to allow the Selectboard to enter into a contract not to exceed ten (10) years for the operation and maintenance of all services and functions of the Ledges Golf Course consistent with IRS Code 26 CFR 601.601 and all other state and federal regulations relative to municipal contracts.

**Article 10- Canal Park/Ted Belsky Outlook****VOTED: By a unanimous affirmative vote: control sheet attached.****Unanimously supported by Appropriation Committee.**

The Town voted to transfer from Unreserved Free Cash the sum of \$40,000 for the purpose of Phase II improvements to Ted Belsky Outlook.

**Article 11- Public Water Testing****VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted to create a General By-law to allow to test water in public buildings and other municipal facilities for the presence of lead and copper. The appliances and systems tested should be those which could likely and/or reasonably present a health consequence for the public. A report of all testing should be available on the Town of South Hadley website and a copy posted in each building participating in said test. This testing should be overseen, and regulations promulgated, by the South Hadley Board of Health and be consistent with the Massachusetts Department of Environmental Protection, and as further

expressed in Appendix “B”. The Health Director may subsequently instruct the municipal agent in control of a building or facility which does not meet the health and safety standards for lead and copper to expand testing to additional outlets or appliances and to take action forthwith to mitigate the exposure to the public.

**Article 12-Water Testing**

**Unanimously supported by Appropriation Committee.**

**VOTED: By a majority vote: control sheet attached.**

The Town voted to transfer from Unreserved Free Cash the sum of \$10,000 to be used by the Board of Health to begin water testing of public appliances in fiscal year 2019.

**Article 13- Police Cruiser**

**Unanimously supported by Appropriation Committee.**

**Unanimously supported by Capital Planning Committee.**

**VOTED: By a majority vote: control sheet attached.**

The Town voted to transfer from Unreserved Free Cash the sum of \$42,000 to purchase a Police Cruiser to replace a cruiser from fleet.

**Article 14 – Senior Center Bond**

**Unanimously supported by Appropriation Committee.**

**Unanimously supported by Capital Planning Committee.**

**VOTED: By a unanimous affirmative vote: control sheet attached.**

The Town voted to appropriate and borrow the sum of Six Hundred Thousand Dollars (\$600,000) to pay the costs associated with development of feasibility studies or engineering and architectural services for plans and specifications relative to the design and construction of a new Senior Center located at 45 Dayton Street, (as amended; typo) including but not limited to development of related bid specifications, material testing of the present structure located at the site, and preparation of a refined project estimate, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectboard, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further, that any premium received by the Town 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**Article 15 – Senior Center Planning**

No Motion

**Article 16 – Composition of BOH**

**VOTED: DEFEATED**

The Town did not vote to amend the By-laws of South Hadley Chapter 18 Subsection 18-5 A. (4), by deleting “Three members” and inserting “four” and further adding after “elected for three years;” insert “with the Health Director serving as full participating fifth member” with the additional member to be added by election or as otherwise prescribed at the next Annual Town Election.

**Article 17 – Solar Photovoltaic Installation**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law. Standing vote count by tellers. 79 in favor 17 opposed.**

**VOTED: Moderator declared the article passed by a majority vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend Chapter 255 (Zoning) of the Town’s Code in regard to Solar Photovoltaic by amending: Section 255-10, Terms Defined, to insert various new terms and their definitions and to reorder the various terms alphabetically; in Section 255-19 Use Regulations Schedule by inserting new uses related to Solar Photovoltaic Installations, and in Article VII, Supplemental District Regulations, by inserting a new Section 255-48 Solar Photovoltaic Installations as detailed in the Planning Board’s Report to Town Meeting and as expressed in Appendix “C. (PB) *but voted to delete under Section 255-10 in the Planning Board Report the following language relative to Large-scale Photovoltaic installations: “The parcel must be at least 25 acres in size” and to insert therein the following language: “Every abutting property shall be visually screened from the large-scale photovoltaic installation through any one or combination of the following: location, distance, plantings, existing vegetation and fencing (not to exceed six (6) feet in height.)”*

**Article 18 – Renewable Energy Uses**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law.**

**VOTED: Moderator declared the article passed by a unanimous affirmative voice vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend Chapter 255 (Zoning) of the Town’s Code in regard to Renewable Energy by amending: Section 255-10, Terms Defined, to insert various new terms and their definitions and to reorder the various terms alphabetically and in Section 255-19 Use Regulations Schedule by inserting new uses related to Renewable Energy, as detailed in the Planning Board’s Report to Town Meeting and as expressed in Appendix “D”. (PB)

**Article 19 – Residential Development Sign**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law.**

**VOTED: Moderator declared the article passed by a unanimous affirmative voice vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend Chapter 255 (Zoning) of the Town’s Code in regard to Signs by amending: Section 255-10, Terms Defined, to insert a new term “Residential Development Sign” and its definition and to reorder the various terms alphabetically and in Subsection 255-85; Subpart “B” by inserting additional paragraphs for Residential Development Signs detailing the standards and provisions for such signs as detailed in the Planning Board’s Report to Town Meeting or otherwise expressed in Appendix “E”. (PB)

**Article 20 – Smart Growth Language**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law.**

**VOTED: Moderator declared the article passed by a unanimous affirmative voice vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend Chapter 255 (Zoning) of the Town's Code in Article IV Districts, Section 255-15 Overlay Districts, by including an Overlay District entitled South Hadley Falls Smart Growth District; and Article VII Supplemental District Regulations, Section 255-23(A) General Regulations that Apply to All Smart Growth Zoning Districts by generally correcting references to Section 255-23 and its subsections and by incorporating additional language and revisions to the various subsections 255-23(A)(1) through 255-23(A)(17); and Article VII Supplemental District Regulations, Section 255-23(B) Establishment and Delineation of Smart Growth Zoning Districts in Subsection 255-23(B)(1) South Hadley Falls Smart Growth Zoning District Paragraph 255-23(B)(1)(b)[1] Allowed Uses to clarify the uses allowed as part of a Mixed Use Development and Paragraph 255-23(c)(3) as detailed in the Planning Board's Report to Town Meeting and as expressed in Appendix "E". (PB)

### **Article 21– Newton Street Smart Growth**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law. Standing vote count by tellers. 79 in favor 17 opposed.**

**VOTED: Moderator declared the article passed by a majority vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend in the Zoning By-Law Article IV Districts Subsection 255-15 Overlay Districts, by including an Overlay District entitled Newton Street Smart Growth District; Article VII Supplemental District Regulations, Subsection 255-123 South Hadley Smart Growth Districts by inserting a new Subpart (C) Newton Street Smart Growth District, (pursuant to M.G.L. Chapter 40R and 760 CMR 59.00 and M.G.L. Chapter 40S) as detailed in the Planning Board's Report to Town Meeting and as expressed in Appendix "G". (PB) *but voted to amend Section 2, C., (c) Dimensional and Other Requirements as follows: Maximum Building Height shall be changed from four (4) stories or sixty-five (65) feet, whichever is less; to four (4) stories or fifty-five (55) feet, whichever is less, except within one hundred and fifty (150) feet of Newton Street or Lyman Street and then shall be three (3) stories or fifty (50) feet, whichever is less.*

### **Article 22– Newton Smart Map**

**Unanimously supported by the Planning Board.**

**Moderator declared the article would need to pass by a 2/3 majority vote being a change in a zoning by-law.**

**VOTED: Moderator declared the article passed by a unanimous affirmative voice vote.**

**VOTED: By a 2/3 majority vote: control sheet attached.**

The Town voted to amend the Zoning Map to delineate the boundaries of the new Newton Street Smart Growth District as detailed in the Planning Board's Report to Town Meeting and as expressed in Appendix "H". (PB)

Meeting adjourned at 9:45 P.M.

**A TRUE COPY ATTEST:**



Carlene C. Hamlin, Town Clerk