

# **DOINGS AT THE MAY 4, 2023 ANNUAL TOWN MTG**

Registrars Linda Klemyk, Mary Loy Laurenza and Laura Bladja were checkers for this meeting. The meeting was called to order by Moderator, Kirk Whatley @ 7:00pm @ Hopkins Academy. A total of 179 voters were checked off for this meeting. Proper return of service for the warrant was noted and Pledge of Allegiance was given. The 2023 Annual Report dedications were read. Fire Chief Michael Spanknebel announced and held a Pinning Ceremony for newly promoted Fire personnel. The Moderator explained the procedure for town meeting and that he would be using *Town Meeting Time*.

**Article 1:** Notice was given for ATE on May 16, 2023 8am – 9pm @ Hadley Senior Center

**MOTION:** Motion was made and seconded that the Town take Articles 2-6, 12-14 out of order and that they be “Passed by Consent” and further allow all officers, department heads and agents of the Town to address Town Meeting on matters as may be informational.

**Article 2:** Moved that the Town authorize the Select Board to apply for and expend Massachusetts Small Cities Program grants or monies, or any Federal or State grants or monies, received as set forth in the appropriate application.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

**Article 3:** Moved that the Town appropriate funds provided to the Town by the State under Chapter 90 Type money and such other funds as the Massachusetts Department of Transportation Highway Division may provide, and to authorize the Select Board to enter into contracts with Massachusetts Department of Transportation Highway Division for Chapter 90 Type money allocated to the Town by the State.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

**Article 4:** Moved that the Town vote to authorize the Treasurer with the approval of the Select Board, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2023 in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4 and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year, in accordance with Massachusetts General Laws, Chapter 44, Section 17.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

**Article 5:** Moved that the Town transfer **\$50,000.00** from Water Reserves to the Water Plant Filtration Stabilization fund as per the provisions of Massachusetts General Law Chapter 40, Section 5B, for the purpose of repairing and replacing water plant filtration membranes and associated expenses.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

**Article 6:** Moved that the Town authorize, in accordance with M.G.L. c. 30B, §12 (b), the Town Administrator or Select Board to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Select Board.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

**Article 12:** Moved that the Town act on the report of the Community Preservation Committee on the fiscal year 2023 budget and reserve for later appropriation the following sums of money from the Community Preservation Fund estimated annual revenues:

Open Space Preservation	\$50,000.00
Historic Preservation	\$50,000.00
Housing	\$50,000.00

and appropriate the sum of **\$10,000.00** from the Community Preservation Fund estimated FY2021 annual revenues for all necessary and proper expenses of the Community Preservation Committee for the year, including any administrative expenses.

**The Moderator declared all articles included in the Consent Agenda passed unanimously.**

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Article 13 Motion as shown in Consent agenda: Moved the Town vote to extend the deadline for projects funded by the Community Preservation Act funds as listed, in Article 13

Meeting	Description	Account Number	Deadline Extension
ATM 2021	Clock repair 1st Cong Church	21-000-5240-210011	One Year
ATM 2020	Goodwin Memorial study	21-610-5300-210006	One Year

The Moderator declared all articles included in the Consent Agenda passed unanimously.

Article 14 Motion as shown in Consent Agenda: Moved that the Town vote to transfer the prior town meeting article to their original funding source, or take any action relative thereto.

Meeting	Description	Account Number	Balance	Transfer to
STM 2021	Gnatek mural restored	21-610-5300-210014	\$40.00	CPA General
ATM 2021	N Hadley Cemetery	21-491-5800-210007	\$29,550.00	CPA Historic

The Moderator declared all articles included in the Consent Agenda passed unanimously.

Article 7: Motion was made and seconded that the Town vote to transfer from available funds, as printed in the warrant \$9,506.50 to cover costs associated with the FY 2023 budget

Vendor	Charge	From
Pioneer Valley Mosquito Control District	\$5,000.00	Free Cash
Lyndon Tree Care and Landscaping	\$1,950.00	Free Cash
Tata & Howard	\$2,500.00	Water Reserves
WB Mason	\$56.50	Water/Sewer Reserves

The Moderator declared Article 7 passed unanimously.

Motion was made and seconded to waive the reading of the individual line items-Unanimous

Article 8 Motion was made and seconded that the sum of \$20,461,072 be appropriated for the maintenance and operation of the Town in fiscal year 2024 and fix the salaries of all elected officials as recommended in the individual budget appropriations listed in the handout “Finance Committee FY’24 Budgets”, Table A General Fund Operating Budget, and as funding therefore; to raise and appropriate and transfer from available funds the amounts in Table A.1, as presented at the Annual Town Meeting and incorporated by reference herein.

The Moderator declared Article 8 passed 149-1.

Article 9 Motion was made and seconded that the sum of \$940,254, as recommended in the handout “Finance Committee FY’24 Budgets”, Table B Enterprise Fund Operating Budget & Expenses, be appropriated to the FY2024 Wastewater (Sewer) Division Enterprise Fund to be expended for the respective purposes set forth, and as funding therefore, raise and appropriate and transfer from available funds the amounts in Table B.1, as presented at the Annual Town Meeting and incorporated by reference herein.

And further, move that the sum of \$1,307,431, as recommended in the handout “Finance Committee FY’24 Budgets”, Table B Enterprise Fund Operating Budget & Expenses, be appropriated to the FY2024 Water Division Enterprise Fund to be expended for the respective purposes set forth, and as funding therefore, raise and appropriate and transfer from available funds the amounts in Table B.1, as presented at the Annual Town Meeting and incorporated by reference herein.

And further, move that the sum of \$78,554, as recommended in the handout “Finance Committee FY’24 Budgets”, Table B Enterprise Fund Operating Budget & Expenses, be appropriated to the FY2024 Hadley Media Enterprise Fund to be expended for the respective purposes set forth, and as funding therefore, raise and appropriate and transfer from available funds the amounts in Table B.1, as presented at the Annual Town Meeting and incorporated by reference herein.

The Moderator declared Article 9 passed unanimously.

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**Article 10** Motion was made and seconded that the Town appropriate \$402,307 from Free Cash and Ambulance Receipts Reserve, a Special Fund authorized by M.G.L. c.40, § 5F, for the purpose of receiving fees from the Town Ambulance services, such expended amounts to be refunded form the Special Revenue Fund by a vote at a future Town Meeting.

The Fire Chief gave a lengthy presentation in support of this article. Motion was made and seconded to move to the question.

**The Moderator declared Article 10 passed 149-1.**

**Article 11** Motion was made and seconded that the Town authorize the total expenditures for the revolving funds set forth in Section 86-9 of the Town Bylaws and pursuant to M.G.L c44, § 53E ½ for the fiscal year beginning July 1, 2023 to be expended in accordance with the bylaws heretofore approved and further, to see if the Town will vote to **dissolve** the Weights and Measures, N. Hadley Hall Rentals and Planning Department revolving funds and return the remaining balance of **\$39,472.61** to the General Fund.

Fund	Spending Limit
Burial	\$7,000
Recyclables	\$15,000
Dog Control	\$2,000
Park and Recreation	\$50,000
Lost Books	\$1,000
Tax Liens	\$7,500
Conservation Administration	\$1,000
Council on Aging Van	\$3,000
Inspections Permit Software	\$10,000
Tax Title	\$10,000

**The Moderator declared Article 11 passed unanimously.**

**Article 15** Motion was made and seconded that the Town transfer **\$18,000** from the Community Preservation Act Historic Fund to the Hadley Historical Society for the restoration and preservation of 10 historic needlepoint samplers from the late 18<sup>th</sup> to early 19<sup>th</sup> century, said funds to be expended under the direction of the Town Administrator within two years of the date of Town Meeting approval; any unspent funds will automatically be returned to the foregoing Community Preservation Act fund by that date.

**The Moderator declared Article 15 passed 149-1.**

**Article 16** Motion was made and seconded that the Town transfer **\$20,700** from the Community Preservation Act Open Space Fund to the Friends of Lake Warner for a study to develop a long-range management plan to preserve, protect and manage the lake, said funds to be expended under the direction of the Town Administrator within two years of the date of Town Meeting approval; any unspent funds will automatically be returned to the foregoing Community Preservation Act fund by that date.

**The Moderator declared Article 16 passed 148-2.**

**Article 17** Motion was made and seconded that the Town appropriate and transfer **\$15,000** from the Community Preservation Act Historic Fund to the Hadley Historic Commission for four signs with historical information and images, an update to the West Street Walking Tour, and a new audio driving tour. Said funds to be expended under the direction of the Town Administrator within two years of the date of Town Meeting approval; any unspent funds will automatically be returned to the foregoing Community Preservation Act fund by that date.

**The Moderator declared Article 17 passed 148-2.**

**Article 18** Motion was made and seconded that the Town appropriate the sum of **\$40,000** from Community Preservation Historic Set Aside Fund, for the Select Board to engage a firm to undertake a reuse feasibility study for the Russell School. Said funds to be expended under the direction of the Town Administrator within two years of the date of Town Meeting approval; any unspent funds will automatically be returned to the foregoing Community Preservation Act fund by that date.

**The Moderator declared Article 18 passed 140-10.**

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**Article 19** Motion was made and seconded that the Town transfer the sum of up to \$50,000 from Free Cash to the Capital Stabilization Fund.  
**The Moderator declared Article 19 passed 149-1.**

**Article 20** Motion was made and seconded that the Town appropriate **\$10,000** from Free Cash as an initial contribution to a special purpose Compensated Time Fund under G.L Ch. 44, s.33B. Said fund is to be used, without further appropriation, for the payment of unused vacation and sick leave time to which an employee is entitled under previously established contract or town personnel policy.  
**The Moderator declared Article 20 passed 148-2.**

**Article 21** Motion was made and seconded that the Town increase the rate of interest that accrues on property taxes deferred by eligible seniors under G.L. Chapter 59 Section 5 Clause 41A from 4% to 8%, with such increased rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2023.  
**The Moderator declared Article 21 passed 148-2.**

**Article 22** Motion was made and seconded that the Town amend Section III, Table of Uses and Section 1.B. Definitions of the Zoning Bylaw as set forth in Article 22 of the Warrant.

Planning Board Member Jim Maksimoski gave an oral presentation recommending this change

**The Moderator declared Article 22 passed unanimously.**

To see if the Town will vote to amend the Zoning Bylaw as follows:  
To amend Section III, Table of Uses, by adding the following allowed uses under the section heading Commercial/Retail:

COMMERCIAL/RETAIL	R	AR	LoB	LiB	B	I	STANDARDS & CONDITIONS
Food Truck	N	A	A	A	A	A	SEE NOTE 6

To amend Section III, Table of Uses, by adding the following Note 6:

6. The Town of Hadley, through the Select Board (the Board) and serving as the Licensing Board, regulates the retail sale of food or beverage from Food Trucks pursuant to Chapter 101 of the Massachusetts General Laws that governs so-called Hawkers, Peddlers and Transient Vendors. In addition, Food Truck Vendors (Mobile Food Vendors) are required to obtain a food service permit, pursuant to 105 CMR 590.000 State Sanitary Code – Minimum Sanitation Standards for Food Establishment and the Town Board of Health relevant regulations.

And to Amend Section I.B, Definitions, by adding:  
**Food Truck** shall be defined as a readily movable trailer, cart or motorized wheeled vehicle, designed and equipped to cook, or prepare or serve food and shall include any food truck, food cart, canteen truck, catering truck, breakfast truck, lunch truck, lunch wagon, beverage truck, beverage cart, or any other food vehicle or setup that is mobile.

The Moderator declared the meeting dissolved @ 8:53pm.

ATTEST:

Jessica Spanknebel  
Town Clerk  
Hadley, MA