

DOINGS AT THE MAY 2, 2019 ANNUAL TOWN MTG

Registrars Gladys Nicolson, Beverly Rhodes and Patricia Coombs were checkers for this meeting. The meeting was called to order by Moderator, Randall Izer @ 7:06pm @ Hopkins Academy. A total of 226 voters were checked off for this meeting (out of 3887). Proper return of service for the warrant was noted and Pledge of Allegiance was given. The 2018 Annual Report dedications were read. Christian Stanley gave the State of the Town Report. The Moderator explained the procedure for town meeting and that he would be using *Town Meeting Time*.

MOTION: Motion was made and seconded that the Town take Articles 1, 2, 3, 5, and 6 out of order and that they be “Passed by Consent” in accordance with the Motions shown on the Consent Agenda distributed this evening, and further allow all officers, department heads, and agents of the Town to address the Town Meeting on matters as may be informational.

Article 1 Motion as shown in Consent agenda: 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 2 Motion as shown in Consent agenda: 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 3 Motion as shown in Consent agenda: 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, 2019 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 Motion as shown in Consent agenda: Moved that the Town transfer **\$26,000.00** from Water Reserves to the Water Plant Filtration Stabilization fund as per the provisions of MGL 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 Motion as shown in Consent agenda: Moved that the Town act on the report of the Community Preservation Committee on the fiscal year 2020 budget and reserve for later appropriation the following sums of money from the Community Preservation Fund estimated annual revenues:

Open Space Preservation	\$25,000.00
Historic Preservation	\$25,000.00
Housing	\$25,000.00

and appropriate the sum of **\$2,000.00** from the Community Preservation Fund estimated FY2020 annual revenues for all necessary and proper expenses of the Community Preservation Committee for the year.
The Moderator declared all articles included in the Consent Agenda passed unanimously.

Article 4 PASSED OVER

Article 8 Motion was made and seconded that **\$_17,454,743_** be appropriated as set forth in individual budget appropriations listed under the column “FY’20 Finance Recommended”, as described in Table A General Fund Budget in the handout entitled “Finance Committee Budget FY2020 Annual Town Meeting 2019” as presented at Annual Town Meeting and incorporated by reference herein, and as funding therefor; to transfer for local revenue, funds raised via taxation, and any other available funds; to raise and appropriate and transfer from available funds

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the total sum of \$ **17,454,743**, as estimated in Table A.1 of the Annual Town Meeting warrant, each item considered to be a separate appropriation.

The Moderator declared Article 8 as ready by Finance Committee passed

Article 9 Motion was made and seconded that the sum of \$ **949,860** as set forth in the column “ FY’20 Finance Recommended” in the handout entitled “Finance Committee Budget FY2020 Annual Town Meeting 2019” as presented at Annual Town Meeting and incorporated by reference herein, up to and including line entitled “Total Budget Appropriation” be appropriated to the FY2020 Wastewater Division Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.

Wastewater Division Enterprise Fund		FY 2019 Budget	FY 2020 Recommended
\$ 440	Wastewater Salaries	\$ 313,608	\$ 332,655
	Wastewater Expenses	\$ 474,550	\$ 476,650
	Wastewater Debt	\$ 126,305	\$ 130,555
	Wastewater Reserve	\$ 10,000	\$ 10,000
	Total Budget Appropriation	\$ 924,463	\$ 949,860
	Deductions from Gross Revenue	\$ 212,381	\$ 209,481
	Total Division Expense	\$ 1,136,844	\$ 1,159,341

And further, moved that the sum of \$ **1,088,153** as set forth in the column “ FY’20 Finance Recommended” in the handout entitled “Finance Committee Budget FY2020 Annual Town Meeting 2019” as presented at Annual Town Meeting and incorporated by reference herein, up to and including line entitled “Total Budget Appropriation” be appropriated to the FY2020 Water Division Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.

Water Division Enterprise Fund		FY 2019 Budget	FY 2020 Recommended
450	Water Salaries	\$ 359,224	\$ 379,440
	Water Expenses	\$ 509,535	\$ 510,369
	Water Debt	\$ 167,839	\$ 188,344
	Water Reserve	\$ 10,000	\$ 10,000
	Total Budget Appropriation	\$ 1,046,598	\$ 1,088,153
	Deductions from Gross Revenue	\$ 205,467	\$ 193,205
	Total Division Expense	\$ 1,252,065	\$ 1,281,358

And further moved that the sum of \$ **68,822** as set forth in the “ FY’20 Finance Recommended” in the handout entitled “Finance Committee Budget FY2020 Annual Town Meeting 2019” as presented at Annual Town Meeting and incorporated by reference herein,, up to and including line entitled “Total Budget Appropriation” be appropriated to the FY2020 Hadley Media Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.

Hadley Media Enterprise Fund		FY 2019 Budget	FY 2020 Recommended
599	Hadley Media Salaries	\$ 17,340	\$ 17,767
	Hadley Media Expenses	\$ 40,371	\$ 46,230
	Hadley Media Reserve	\$ 10,000	\$ 4,825
	Total Budget Appropriation	\$ 67,711	\$ 68,822
	Deductions from Gross Revenue	\$ 14,890	\$ 22,018
	Total Division Expense	\$ 82,601	\$ 90,840

Moderator declared Article 9 passed unanimously.

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Article 10 Motion A Motion was made and seconded that the Town transfer:

1. **\$40,000** from Water Reserves for Cleaning Callahan Well #2 for the Department of Public Works;
2. **\$40,000** from Sewer Impact Fees for a septage truck for the Department of Public Works; and
3. **\$2,000** from Water Reserves, **\$2,000** from Sewer Reserves, and **\$2,000** from raise and appropriate for information technology for the Department of Public Works.

The Moderator declared Motion A of Article 10 passed unanimously.

Article 10 Motion B Motion was made and seconded that the Town appropriate **\$6,550.00** to pay costs of a capital asset schedule for the Select Board including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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.

The Moderator declared Motion B of Article 10 passed 207-1.

Article 10 Motion C Motion was made and seconded that the Town appropriate **\$7,000.00** to pay costs of voting booths for the Town Clerk including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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.

The Moderator declared Motion C of Article 10 passed 207-1.

Article 10 Motion D Motion was made and seconded that the Town appropriate **\$10,500.00** to pay costs of furniture for the Select Board including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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.

The Moderator declared Motion D of Article 10 passed 206-2.

Article 10 Motion E Motion was made and seconded that the Town appropriate **\$75,000.00** to pay costs of acquiring a Skid Steer for the use of the Highway Division of the Department of Public Works including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters to exclude the amounts to pay for the bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called.

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

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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.

The Moderator declared Motion E of Article 10 passed 193-15.

Article 10 Motion F Motion was made and seconded that the Town appropriate **\$30,000.00** to pay costs of acquiring a Hot Box Unit for the use of the Highway Division of the Department of Public Works including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters to exclude the amounts to pay for the bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called.

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.

The Moderator declared Motion F of Article 10 passed 196 – 12.

Article 10 Motion G Motion was made and seconded that the Town appropriate **\$60,000.00** to pay costs of acquiring a Mini-Excavator for the use of the Highway Division of the Department of Public Works including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters to exclude the amounts to pay for the bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called.

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.

The Moderator declared Article G of Article 10 passed 193-15.

Article 10 Motion H Moved that the Town appropriate **\$100,000.00** to pay costs of cleaning and repairing ditches by the Highway Division of the Department of Public Works including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters to exclude the amounts to pay for the bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called.

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.

Some questions on this article, support but how much total? Multi-million dollar project. Stabilization account to save?

The Moderator declared Motion H of Article 10 passed 200-8.

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Article 11 Motion was made and seconded that the Town amend Chapter 86, Section 86-9, relating to tax liens revolving funds as administered by the Treasurer, by increasing the annual expenses allowed from \$5,000 to \$7,500 and increasing the maximum allowable balance as of June 30 from \$10,000 to \$12,000.

The Moderator declared Article 11 passed unanimously.

Article 12 Motion was made and seconded that the Town accept the provisions of MGL Chapter 200A, Section 9A relating to the disposition of unclaimed property.

The Moderator declared Article 12 passed.

Article 13. Motion was made and seconded that the Town raise and appropriate **\$19,000.00** to add to the Police Detail Revolving Fund established under MGL Chapter 44, Section 53C

The Moderator declared Article 13 passed.

Article 14. Motion was made and seconded that the Town appropriate **\$210,000.00** from the Community Preservation General Fund for the purpose of acquiring an agricultural preservation restriction (APR) on all or a portion of the parcel of property known as the Szala Farm (Assessors Map 12D, Parcel 8; Assessors Map 13, Parcel 49), and the authorize the Select Board to enter into such agreements on behalf of the Town as may be necessary for the Town to be a co-holder of said APR. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

The Moderator declared Article 14 passed.

Article 15. Motion was made and seconded that the Town transfer **\$56,590.00** from Transfer of Development Rights and transfer **\$93,410.00** from Conservation Land Fund for the purpose of acquiring an agricultural preservation restriction (APR) on all or a portion of the parcel of property known as the Szala Farm (Assessors Map 12D, Parcel 8; Assessors Map 13, Parcel 49), and the authorize the Select Board to enter into such agreements on behalf of the Town as may be necessary for the Town to be a co-holder of said APR.

The Moderator declared Article 15 passed.

Article 16. Motion was made and seconded that the Town appropriate **\$83,091.00** from the CPA General Fund for the purpose of acquiring an agricultural preservation restriction (APR) on all or a portion of the parcel of the property known as the Niedbala Farm (Assessors Map 4F, Parcel 15), and to authorize the select Board to enter into such agreements on behalf of the Town as may be necessary for the Town to be a co-holder of said APR. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

The Moderator declared Article 16 passed

Article 17 Motion was made and seconded that the Town transfer **\$20,773.00** from the Transfer of Development Rights Fund for the purpose of acquiring an agricultural preservation restriction (APR) on all or a portion of the parcel of the property known as the Niedbala Farm (Assessors Map 4F, Parcel 15), and to authorize the Select Board to enter into such agreements on behalf of the Town as may be necessary for the Town to be a co-holder of said APR

The Moderator declared Article 17 passed.

Article 18 Motion was made and seconded that the Town transfer **\$500.00** to the Historical Commission to fund an inspection and preservation plan for two historic 1740-era maps of Hadley. Funding would come from the Historical Set Aside Fund. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA Historical Set Aside Fund.

The Moderator declared Article 18 passed.

Article 19 Motion was made and seconded that the Town transfer **\$32,000.00** to the Hadley Park and Recreation Department for work as proposed on application dated 1/9/19 for finishing construction of Zatyryka Park. Funding would come from the CPA General Fund. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

The Moderator declared Article 19 passed.

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Article 20 Motion was made and seconded that the Town transfer **\$1,517.00** to the Friends of Lake Warner per the application as amended 1/17/19 to construct a boardwalk on conservation land boarding Lake Warner. Funding would come from the CPA General Fund. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

The Moderator declared Article 20 passed.

Article 21 Motion was made and seconded that the Town transfer **\$810.00** to the Friends of Lake Warner per the application dated 12/29/18 for water testing of Lake Warner for conservation purposes. Funding would come from the CPA General Fund. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

The Moderator declared Article 21 passed.

Article 22 Motion was made and seconded that Town transfer **\$185,000.00** to the Hadley School Committee/School Department for Phase 1 of improvements of the Hopkins Academy playing fields per the proposal dated 12/18/18. Funding would come from the CPA General Fund. Conditions include: The applicant would have 2 years to spend the funding, and if not spent, any remaining funds would revert back to CPA General Fund.

School Superintendent spoke to this emphasizing fields are for all town use not just schools.

The Moderator declared Article 22 passed.

Article 23 Motion was made and seconded that the Town authorize the Hadley Select Board to grant a nonexclusive utility easement to NStar Electric Company (doing business as Eversource Energy) over a portion of town-owned land identified as Parcel 41-32 known as 46 Middle Street, and to allow NStar Electric Company (doing business as Eversource Energy) to utilize the Town's interest in the easement described in the Easement Relocation Agreement recorded at Book 13130, Page 102 in the Hampshire County Registry of Deeds for purposes of a nonexclusive utility easement.

The Moderator declared Article 23 passed.

Article 24 Motion was made and seconded that the Town authorize the Select Board to petition the General Court to release land protected under Article 97 of the Constitution of the Commonwealth of Massachusetts.

Much discussion. Some want to take out of protection to sell property, some want to keep the property citing water access/green space. No one knows where \$\$ come from to keep it and just tear down NHH.

The Moderator declared Article 24 failed.

Article 25 Motion was made and seconded to pass over this article. *Bill Dwyer states moot point as it is already considered protected recreational land*

The Moderator declared Art 25 Passed Over.

Article 26 Motion was made and seconded that the Town amend the Bylaws of the Code of the Town of Hadley as delineated in Article 26 of the Annual Town Meeting warrant for May 2, 2019 and incorporated by reference herein.

The Moderator declared Article 26 passed.

Article 27 Motion was made and seconded that the Town amend the Zoning Bylaws of the Code of the Town of Hadley as delineated in Article 27 of the Annual Town Meeting warrant for May 2, 2019 and incorporated by reference herein.

Much debate on whether restrictions in this bylaw protects Hadley residents or hurts Hadley's local farmers (no open grown). Many see both sides...pass for now, amend later

The Moderator declared Article 27 passed 190-18.

Article 28 Motion was made and read by the petitioners of this article as printed in the warrant and was seconded that Hadley vote on

Resolution in Support of Changing the State Motto and Seal of Massachusetts

The Moderator declared Article 28 passed.

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The Moderator declared the meeting dissolved @ 10:35pm.

ATTEST:

Jessica Spanknebel
Town Clerk
Hadley, MA