

SPECIAL TOWN MEETING WARRANT
October 24, 2013

Hampshire, ss.

To the Constable of the Town of Hadley in the County of Hampshire:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet in Hopkins Academy on Thursday, the twenty-fourth day of October 2013 at 7:00 p.m. to act on the following articles:

Article 1

To see if the Town will vote to amend the Fiscal Year 2014 Budget by amending the vote on Article 5 of the Warrant of the Annual Town Meeting held on May 2, 2013 by amending line items to be presented at town meeting, or take any action relative thereto.

FROM	TO
122 Selectmen Other Salaries \$42,519	Select Board Other Salaries \$44,534
135 Town Accountant Salaries \$66,490	Salaries \$67,824
141 Assessors Other Salaries \$60,940	Other Salaries \$62,160
145 Town Treasurer Salary \$56,053 Other Salaries \$30,600	Salary \$57,149 Other Salaries \$31,148
146 Tax Collector Salary \$52,308 Other Salaries \$32,174	Salary \$55,212 Other Salaries \$33,928
161 Town Clerk Salary \$48,800 Other Salaries \$12,758	Salary \$51,540 Other Salaries \$13,147
193 Insurance Property Insurance \$125,906 945 Accident \$39,591	Property Insurance \$111,000 Accident \$41,698
210 Police Salaries \$798,429	Salaries \$804,496
220 Fire Salaries \$228,852	Salaries \$204,597
241 Build. Inspector Salaries \$78,658	Salaries \$80,075
242 Gas Inspector Salary \$3,254	Salary \$3,292
422 Highway Const. Salaries \$401,526	Salaries \$421,726
541 Council on Aging Salaries \$61,426	Salaries \$61,367
543 Veterans' Services Expenses \$77,200	Expenses \$104,200

599 Cable TV/Publ Salary \$13,731	Salary \$14,483
610 Public Library Salaries \$123,161 Expenses \$66,817	Salaries \$127,750 Expenses \$67,735
630 Park Commission Other Salaries \$45,589	Other Salaries \$46,409
912 Retirement \$758,285 Workers' Comp. \$108,000 OPEB \$41,222	Retirement \$744,184 Workers' Comp. \$98,000 OPEB \$82,444
440 Sewer Dept. Salaries \$274,370	Salaries \$274,525
450 Water Dept. Salaries \$337,118 Other Expenses \$532,413	Salaries \$337,798 Other Expenses \$538,413
TOTAL	TOTAL
\$14,823,327	\$14,885,971

And further to see if the Town will vote to amend the appropriation as follows:
 To raise and appropriate \$_____,
 appropriate from Sewer Receipts \$_____
 and transfer from Sewer Reserves \$_____
 and appropriate from Water Receipts \$_____
 and, transfer from Water Reserves \$_____,
 and transfer \$_____ of Free Cash
 and take for the maintenance and operation of the town in Fiscal Year 2014 as
 recommended by the Finance Committee, including debt and interest, or take any action
 relative thereto.

Select Board recommends 5-0-0
 Finance Committee recommendation pending

Article 2

To see if the Town will vote to ratify the collective bargaining agreements for the
 Police Department and the Department of Public Works and further to raise and
 appropriate, take from Free Cash, transfer from Water Reserves, transfer from
 Wastewater Reserves, and otherwise provide **\$85,621.00** for the retroactive pay
 differential for Fiscal Year 2013, July 1, 2012 through June 30, 2013, or take any action
 relative thereto.

Select Board recommendation pending
 Finance Committee recommendation pending

Article 3

To see if the Town will transfer from Free Cash **\$6,000.00** for expenses and
 wages associated with electrical inspections associated with the Mill Valley Road solar
 installation, or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Article 4

To see if the Town will vote raise and appropriate, transfer from Free Cash, transfer from funds available, or otherwise provide **\$244,000.00** to be placed in the Capital Stabilization Account, or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Capital Planning Committee recommends 5-0-0

Article 5

To see if the Town will vote to raise and appropriate, transfer from funds available, or transfer from Capital Stabilization **\$108,839.00** for the following capital projects, or take any action relative thereto.

Protective Equipment	Fire Department	\$9,800
Web-Based Fire Reporting System	Fire Department	\$9,900
Fire Fighting Gear	Fire Department	\$3,850
Waste Oil Burner	DPW	\$6,653
Garage Door and Windows	DPW	\$10,150
Emergency Communications System	Police/Dispatch	\$56,986
Sander Unit	DPW	\$11,500

TOTAL:		\$108,839

Select Board recommends 4-0-1

Finance Committee recommends Protective Equipment, Web-Based Fire Reporting System, and Fire Fighting Gear unanimously 3-0-0; Waste Oil Burner recommended by a vote of 2-1-0; Garage Doors and Windows recommendation pending; Emergency Communications System recommended 3-0-0; Sander unit recommended to be purchased in Snow and Ice Budget

Capital Planning Committee recommends Protective Equipment, Web-Based Fire Reporting System, and Fire Fighting Gear unanimously 5-0-0; item 4 recommended by a vote of 3-2-0; Garage Doors and Windows recommended against 4-1-0; Emergency Communications System recommended 5-0-0; Sander unit recommended 5-0-0

Article 6

To see if the Town will vote to raise and appropriate, transfer from Free Cash, authorize the Treasurer to borrow or otherwise provide **\$192,000.00** to purchase a dump

truck for the Department of Public Works, and further to authorize the Select Board to sell the 1988 Mack dump truck, or take any action relative thereto.

Select Board recommends 4-0-1

Finance Committee recommendation pending

Capital Planning Committee recommends 5-0-0

Article 7

To see if the Town will vote to raise and appropriate, transfer from Free Cash, authorize the Treasurer to borrow, or otherwise provide **\$83,000.00** to purchase a dump truck for the Department of Public Works, and further to authorize the Select Board to sell the 1996 Ford one ton truck, or take any action relative thereto.

Select Board recommends 3-1-1

Finance Committee recommendation pending

Capital Planning Committee recommends to pass over
5-0-0

Article 8

To see if the Town will vote to raise and appropriate, transfer from Free Cash, or otherwise provide **\$18,000.00** to purchase a vehicle for the Department of Public Works, or take any action relative thereto.

Select Board recommends against 4-0-1

Finance Committee recommendation pending

Capital Planning Committee recommends against 5-0-0

Article 9

To see if the Town will vote to repurpose excess borrowing associated with the Connecticut levee repair project as voted at the Annual Town Meeting held on May 7, 2009 to replace the culvert at Russell Brook on River Drive, or take any action relative thereto.

Select Board recommends 4-0-1

Finance Committee recommends 2-0-1

Capital Planning Committee recommends 5-0-0

Article 10

To see if the Town will vote to raise and appropriate, transfer from funds available, authorize the Treasurer to borrow, or otherwise provide **\$986,000.00** to replace and repair the Pump Stations 1 and 4 for the Department of Public Works, or take any action relative thereto.

Select Board recommends 4-0-1

Finance Committee recommends 3-0-0

Capital Planning Committee recommends 5-0-0

Article 11

To see if the Town will vote to transfer from Water Reserves **\$60,900.00** to construct a water line extension on Shattuck Road and associated costs, or take any action relative thereto.

Select Board recommends 4-0-1

Finance Committee recommends 3-0-0

Capital Planning Committee recommends 4-0-1

Article 12

To see if the Town will vote to raise and appropriate, take from Water Reserves, take from funds available, or otherwise provide **\$47,495.00** for water tank mixers and associated installation costs for the Water Division, or take any action relative thereto.

Select Board recommends 4-0-1

Finance Committee recommends 3-0-0

Capital Planning Committee recommends 5-0-0

Article 13

To see if the Town will vote to rescind the excess borrowing authorization of \$705,213.00 for Hopkins School Building Repairs as authorized in Article 16 of the Annual Town Meeting held on May 1, 2008, or take any action thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Article 14

To see if the Town will vote to transfer from Community Preservation Act funds **\$6,200.00** for the preservation of approximately 8 acres of land off Aqua Vita Road, or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Community Preservation Act Committee recommends 8-0-1

Article 15

To see if the Town will vote to transfer from Community Preservation Act funds **\$19,900.00** for the preservation of 21.4 acres of prime farmland along Route 47, or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Community Preservation Act Committee recommends 8-0-1

Article 16

To see if the Town will vote to transfer from Community Preservation Act funds **\$10,000.00** for the preservation and protection of the historic Hadley School Bell on Hopkins Academy School grounds, or take any action thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

Community Preservation Act Committee recommends 8-0-1

Article 17

To see if the Town will vote to transfer from Community Preservation Act funds **\$23,100.00** to repoint the Town Hall foundation; parge coat the foundation; weather strip windows and doors; replace cellar windows; and associated restoration work, or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommendation pending

Community Preservation Act Committee recommends 8-0-0

Article 18

A PETITION FOR AN ARTICLE ON THE FALL TOWN MEETING WARRANT TO DECIDE THE USE OF THE FOLLOWING TOWN BUILDINGS:

- A. NORTH HADLEY HALL
- B. RUSSELL SCHOOL
- C. TOWN HALL

There is much speculation regarding the future of these buildings and it is time to place the options before the taxpayers of Hadley. Each building should be addressed separately in Article form at Town Meeting.

- A. North Hadley Hall was built in 1840. The estimated cost of repairs is \$636,000.00. The current assessed value is \$206,300.00.
Options:
 - 1. Vote to preserve this building which has no specified future use.
 - 2. Vote to sell this building with a historic deed restriction to preserve its historic appearance.
 - 3. Vote to demolish this building and retain the land for future Town use (eg. Fire station or recreation).
- B. Russell School was built in 1894. It is currently rented by a Charter School. This building needs extensive repairs and modernization. The estimated cost of this work is \$839,000.00. The assessed value of this building is \$404,000.00 and the assessed land value is \$443,600.00.
Options:
 - 1. Vote to preserve this building for its current use.

2. Vote to sell this building with a historic deed restriction to preserve its historic appearance.
 3. Vote to demolish this building and retain the land for future Town use.
- C. Town Hall was built in 1840. A recent report, done for the Historical Committee, states that cosmetic repairs to extend the use of this building are estimated at \$30,000.00. The building has an assessed value of \$299,400.00 and the land has an assessed value of \$724,500.00.
- Options:
1. Vote to preserve the building for its current use.
 2. Vote to sell this building with a historic deed restriction to preserve its historic appearance and move Town offices to the senior center after renovation of the senior center building.
 3. Vote to move Town offices to the senior center building after renovation of the senior center building and use Town Hall for another public use.

Each of the buildings should be presented as a separate Article at Town Meeting for a vote by Town Meeting members to direct the Select Board and other Town Boards and Committees to decide the use of each building. If the vote directs the Select Board to preserve the building, cost estimates shall be presented for each building stating the specific improvements to be made and the source of all funds necessary to complete the proposed improvements and the financial impact on the Town for each of the proposed building improvements. Article authorizing the repairs and funding for each building shall be presented separately and any vote for approval shall be done separately for each building.

A Town Building Committee shall be appointed by the Town Moderator to supervise and review all plans and construction to assure taxpayers that any and all funds are properly allocated and all improvements authorized by Town Meeting are completed in a timely and efficient manner. This Committee shall report to the Select Board on a regular basis and shall report to Town Meeting at the next regular or special meeting.

Art: To see what action the Town would direct select board to take regarding North Hadley Hall.

1. Preserve and Modernize – Estimated Cost \$636,000;
Current Valuation \$299,400 building; \$724,500 land.
2. Sell the property with a historic preservation restriction.
3. Demolish the building and retain the land for future Town use.

Art: To see what action the Town would direct the select board to take regarding Russell School.

1. Preserve and Modernize – Estimated Cost \$839,000;
Current Valuation \$404,000 building; \$443,600 land.
2. Sell the property with a historic preservation restriction.
3. Demolish the building and retain the land for future Town Use.

Art: To see what action the Town would direct select board to take regarding the Town Hall.

1. Preserve and Modernize- Estimated Cost \$30,000;
2. Sell the property with a historic preservation restriction.
3. Move Town offices to the Senior Center building and use Town Hall for additional space without renovation.

Select Board recommends against 4-1-0
Capital Planning Committee recommends against
and recommends no town meeting action until the
present building study is brought before the
taxpayers 5-0-0

Article 19

To see if the Town will vote to amend the Code of the Town of Hadley by adding the following new section to Chapter 36 Business Establishments:

Section 36-2. Business Certificates.

The Building Inspector shall be the enforcement officer for violations of operating a business without a business certificate as required under MGL Chapter 110, Section 5.

Or take any action relative thereto.

Select Board recommends 5-0-0

Article 20

To see if the Town will vote to amend Chapter 218 of the Code of the Town of Hadley by adding a new Article as follows:

Article VII Line of Sight

Section 218 – 21. Line of Sight Restrictions.

A fence, hedge, wall or other enclosure may be maintained on any premises. In order to preserve and promote the safety of the public, any fence, hedge, or shrub or other growth or enclosure wall on the corner lot, boundary on a public way, driveway, or curb obstructing the view of motorists and situated within 15 feet of a public street or curb or side line thereof shall not be permitted by the owner or occupant of the premises to exceed the height of three feet above road grade, and any and all trees within said fifteen-foot area (shade trees to be subject to the provisions of MGL Chapter 87, Section 3) shall have limbs trimmed to the height of six feet above road grade, provided that on a corner lot no structure or vegetation shall be over three feet in height.

Section 218-22. Enforcement.

The Building Inspector shall enforce this bylaw.

Section 218-23. Violations and Penalties.

The penalty for violation of this bylaw shall be as follows: for the first offense, \$100; for the second and subsequent offenses, \$300.

Section 218-23. Noncriminal Disposition.

The violations set forth in this bylaw may be disposed of in keeping with the noncriminal disposition procedures set forth in MGL Chapter 40, Section 21D.

Or take any action in relation thereto.

Article 21

To see if the Town will vote to authorize the Select Board to petition the Legislature to enact legislation to expand the Town's quotas of liquor licenses; provided, that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding [section 17 of chapter 138](#) of the General Laws, the licensing authority of the town of Hadley may grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises, pursuant to [section 12 of chapter 138](#), to establishments located in the Route 9 business zone and the Route 47 limited business zone and the local business zone in the town of Hadley. The licensing authority shall not approve the transfer of the licenses to any other location nor transfer to any other new entity. The licenses shall be subject to all of said chapter 138 except said section 17.

Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the select board may restrict the all alcoholic beverage license to a holder of a common victualler license.

The board of selectmen shall determine reasonably whether an applicant or licensee meets the criteria set forth herein.

Notwithstanding any general or special law or any rule or regulation to the contrary, the select board shall not approve the transfer of such license to any other location or any other entity. The license may be re-issued by said select board at the same location if an applicant for the license files with the licensing authority a letter in writing from the department of revenue indicating that the license is in good standing with the department

and that all applicable taxes have been paid.

If the license granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the select board. Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, the select board may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

SECTION 2. This act shall take effect upon its passage.

Or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 3-0-0

And you are hereby directed to serve this warrant by posting attested copies in the usual places: one at the Town Hall, one at the Hadley Post Office, and one at the North Hadley Village Hall, and in said Town, fourteen days at least, not including the day of posting, before the time of holding said meeting.

Given under your hands this _____ day of _____ 2013

Daniel J. Dudkiewicz, Chair

Joyce A. Chunglo

Brian C. West

Guilford Mooring

John Waskiewicz
HADLEY SELECT BOARD

A true copy attest:

Constable of Hadley

Date: _____