

## **ANNUAL TOWN MEETING ARTICLES**

**Tuesday, May 26, 2015**

**7:30 P.M.**

**Hawlemont Regional Elementary School**

- Article 1: To act on the Report of the Town Officers.
- Article 2: To see if the Town will vote to authorize the Board of Selectmen to apply for and accept any and all Federal and State grants or gifts from individuals or non-profit organizations which may become available during the fiscal year 2016.
- Article 3: To see if the Town will authorize the Treasurer to enter into a compensating balance agreement or agreements for fiscal year 2016, pursuant to Chapter 44, Section 53F of the Massachusetts General Laws.
- Article 4: To see if the Town will vote to transfer from its Fund Balance Reserved for Landfill Debt Account the sum of \$52,500 to be used for the FY 16 interest and principal due on the Tri - Town Landfill debt, or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 5: To see if the Town will vote pursuant to the provisions of Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, to authorize the establishment of a Dog Fund revolving account for the fiscal year beginning July 1, 2015. Revenue sources for this fund will come from dog license fees and other charges as provided by Chapter 140, S. 136A-174D. The funds will be used by the Town Clerk and the Animal Control Officer to offset expenses related to administration of licenses and other animal control matters. The maximum amounts that may be spent from the fund for fiscal year 2016 is limited to \$2,500, or take any other action relative thereto.
- Article 6: To see if the Town will vote pursuant to the provisions of Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, to establish a revolving fund for the receipts related to the Town's recycling program and expenditures for the operation of the Town's solid waste and recycling programs, membership in and services of the Franklin County Solid Waste Management District, and the purchase of recycled content or environmentally preferable products, to be under the authority of the Board of Selectmen and not to exceed \$5,500 in expenditures in FY16, or take any other action relative thereto.
- Article 7: To see if the Town will vote to raise and appropriate, or otherwise provide, a sum or sums to defray the fiscal 2016 operation and capital budgets of the Town, and to establish the salaries for its Town Officers, or take any other action relative thereto.

- Article 8: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, the sum of \$5,000 for the FY 2018 Audit Fund, or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 9: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide \$10,200 for the purpose of paying certain costs associated with the Hawlemont preschool program, or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 10: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, the sum of \$6,230.00 to purchase radios for the Highway Department, or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 11: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide, the sum of \$5,000 to purchase and transport equipment associated with participating in the Federal Surplus Property program, or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 12: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide the sum of \$1,750,000 for the Town's share of the costs of construction and installation of a high-speed broadband network, including the payment of all costs incidental or related thereto, such project to be carried out by the Town's Municipal Light Plant; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under Chapter 44, Section 8(8) of the General Laws, or any other enabling authority; that the Board of Selectmen and any other Town official is authorized to take any other action necessary or convenient to carry out this project; provided, however, that the amounts appropriated hereunder shall be expressly contingent upon approval by the voters of the Town of a Proposition 2 ½ so called, debt exclusion question pursuant to G.L. c. 59. S21C(k), or take any other action relative thereto.
- Recommended by the Finance Committee
- Article 13: To see if the Town will vote to authorize the Board of Selectmen to enter into a five year contract with the Massachusetts Department of Environmental Protection and Waste Management Recycle America, LLC for recycling services at the Springfield Materials Recycling Facility, or take any other action relative thereto.
- Article 14: To see if the Town will vote to allow the district to borrow a sum of money, not to exceed \$250,700 to be expended under the direction of the School Building Committee for repair work to the Mohawk Trail Regional Middle & High School located at 26 Ashfield Road in Buckland, Massachusetts, to include boiler, doors, locker room,

security, ventilation, and window upgrades totaling \$250,700. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required education program, or take any other action relative thereto.

Not recommended by the Finance Committee

Article 15: To see if the Town will vote to allow the Mohawk Trail Regional School District to borrow a sum of money, not to exceed \$90,000 to be expended under the direction of the School Committee to purchase a school bus to be used district wide totaling \$90,000. The bus would replace a bus owned by the district in excess of ten years, or take any other action relative thereto.

Recommended by the Finance Committee

Article 16: To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by striking the following language contained in Section III(B):

Subject to the provisions of this section, it is intended that all residents of the member towns of Ashfield, Buckland, Colrain, Heath, Plainfield, and Shelburne (the “K-12 Member Towns”) in grades kindergarten to six, inclusive, will receive their education in facilities located in the District: Ashfield and Plainfield residents at Sanderson Academy; Colrain residents at the Colrain Central School; Buckland and Shelburne residents at the Buckland-Shelburne Regional School and Heath residents at the Heath Elementary School.

and replacing said language with the following:

Subject to the provisions of this section, it is intended that elementary students residing in the members towns of Ashfield, Buckland, Colrain, Heath, Plainfield and Shelburne (the “K-12 Member Towns”) will receive their education in facilities located in the District and will be assigned as follows: Ashfield and Plainfield residents to Sanderson Academy; Colrain residents to Colrain Central School; Buckland and Shelburne residents to Buckland Shelburne Elementary School; and Heath residents to Heath Elementary School. Notwithstanding the above, students may be educated in a District school other than as assigned above upon (i) a majority vote of the School Committee, and (ii) an affirmative vote by both (a) the member town or towns whose students are so assigned, and (b) the member town or towns served by the District school to which such students will be assigned, acceptance by each town to be a majority vote at an annual or special town meeting.

However, it is also the intent of this Agreement that the closure of a District elementary school building and the reassignment of all students being educated in that building may not be accomplished under this section. Rather such action requires an amendment to this Agreement, the process for which is contained in Section XIV.

Article 17: To see if the Town will vote to raise and appropriate, borrow, or otherwise provide, a sum of money not to exceed \$2,500 to be expended for the purchase and installation of a street sign located on Route 2 at the School's entrance to be used jointly by the Town of Charlemont and the Elementary School totaling \$2,500, or take any other action relative thereto.

Not recommended by the Finance Committee

Article 18: To see if the Town will vote to allow the District to borrow a sum of money not to exceed \$94,652 to be expended under the direction of the School Committee for repair work to the Hawlemont Elementary School located at 10 School Street, Charlemont, Massachusetts, to include school sign installation, roof & foundation repairs, lighting & security camera upgrades and the district's share of a school bus totaling \$94,652. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required education program, or take any other action relative thereto.

Not recommended by the Finance Committee

Article 19: To see if the Town will vote to transfer from Surplus Revenue (Free Cash) the sum of \$88,089, to complete infrastructure repairs from Tropical Storm Irene, or take any other action relative thereto.

Recommended by the Finance Committee

Article 20: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide, the sum of \$15,600 to replace Fire Department turn out gear, or take any other action relative thereto.

Recommended by the Finance Committee

Article 21: To see if the Town will raise and appropriate, borrow, transfer from available funds, or otherwise provide, the sum of \$5,000 to replace Fire Department equipment (hose), or take any other action relative thereto.

Recommended by the Finance Committee

Article 22: To see if the Town will raise and appropriate, borrow, transfer from available funds, or otherwise provide, the sum of \$40,000 to repair the Fire Station, or take any other action relative thereto.

Recommended by the Finance Committee

Article 23: To see if the Town will vote to raise and appropriate \$5000 for Charlemont's 250 Committee to fund a Laser Light show for the purpose of celebrating the town's 250th Anniversary in the year 2015, or take any other action relative thereto

Article 24: To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide, the sum of \$1,650 to purchase 3 GPS Systems, or take any other action relative thereto.

Recommended by the Finance Committee

Article 25: Conservation Commission bylaw

To see if the Town will vote to adopt the following General By-law:

There shall be a Conservation Commission consisting of 5 members, appointed by the Board of Selectmen, with all duties and authority stated in the Wetlands Protection Act and related regulations. Said Conservation Commission shall be comprised of five residents of the Town with the initial appointments beginning July 1, 2016. One appointment shall be for one year, two appointments shall be for two years, and two appointments for three years, with all subsequent appointments to be for three year terms.

or take any other action relative thereto.

Article 26: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act in the form below, establishing a 3-member elected Board of Health: provided, however that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

**An Act establishing a 3 member Board of Health in the Town of Charlemont.**

*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 sections 1 and 2 of Chapter 41 of the General Laws or any other general or special law to the contrary, there shall be 3 members of the Board of Health in the Town of Charlemont

Section 2. In order to provide for a reduction in the number of members from 5 to 3, there shall appear on the ballot at the first annual election occurring at least 64 days following the effective date of this act, the office of the Board of Health, with the instruction to vote for 3 candidates and such other information as will aid the voters. The candidate receiving the highest number of votes at the election shall serve a term of 3 years, the candidate receiving the second highest number of votes shall serve a term of 2 years and the candidate receiving the third highest number of votes shall serve a term of 1 year. Next to the name of any incumbent Board of Health member appearing on the ballot as a candidate for election to said office shall appear the words, "candidate for re-election". No other term of office for a Board of Health member shall appear on the ballot at such election. Upon election of 3 Board of Health members, the terms of the incumbent members of the 5 member Board shall terminate and the Board of Health

shall be immediately reconstituted as a 3 member board. Thereafter, all members of the Board of Health shall be elected to terms of 3 years.

Section 3. This act shall take effect upon its passage.

Article 27: To see if the Town will vote to transfer from its Surplus Revenue (Free Cash) a sum to the Town Stabilization Account, or take any other action relative thereto.

Article 28: To see if the Town will vote to transfer from its Surplus Revenue (Free Cash) a sum for the purpose of reducing the tax levy for FY 2016, or take any other action relative thereto.