

SPECIAL TOWN MEETING WARRANT
October 22, 2015

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 second day of October 2015 at 7:00 p.m. to act on the following articles:

Article 1

To see if the Town will vote to raise and appropriate, take from Free Cash, or otherwise provide **\$39,206.00** for the following budget adjustments in FY 2015:

	FROM	TO
196 Town Hall Expenses	\$65,826	\$74,685
210 Police Salaries	790,502	812,866
222 Communication Expense	44,880	48,880
423 Snow and Ice	168,222	169,378
425 Street Lights	18,000	19,616
750 Debt Interest	112,548	113,759

Or take any other action relative thereto.

Select Board recommends 3-0-1

Finance Committee recommendation pending

Article 2

To see if the Town will vote to amend the Fiscal Year 2016 Budget by amending the vote on Article 5 of the Warrant of the Annual Town Meeting held on May 7, 2015 by amending line items to be presented at town meeting, or take any action relative thereto.

	FROM	TO
122 Select Board Other salaries	\$45,449	\$47,420
135 Town Accountant Salaries	69,184	0
Town Accountant Expenses	26,425	Town Accountant Salaries & Expenses 95,609
141 Assessors Other Salaries	63,408	64,359
145 Treasurer Other Salaries	37,070	37,626
146 Tax Collector Salary	58,300	59,174
Other Salaries	35,828	37,655
161 Town Clerk Salary	54,408	57,183
Other Salaries	13,836	14,781
193 Insurance	113,000	103,400

196 Town Hall expenses	67,150	71,150
210 Police Salaries	872,353	878,986
220 Fire Salaries	223,924	229,304
222 Communication Salaries	224,101	224,212
241 Building Inspector Salaries	86,787	89,080
242 Gas Inspector Salary	3,292	3,341
243 Plumbing Inspector Salary	5,740	5,826
422 Highway Construction Salaries	442,386	445,930
440 Wastewater Salaries	282,700	283,131
440 Wastewater Debt Principal & Interest	140,302	141,884
450 Water Salaries	356,440	358,342
541 Council on Aging Salaries	71,879	75,451
610 Public Library Salaries	122,729	127,946
630 Park Commission Other Salaries	49,887	52,202
710 Long-Term Debt Principal	759,507	767,597
750 Long-Term Debt Interest	113,990	116,090
912 Workers Comp	50,000	65,594
919 OPEB	0	245,000
	<u>TOTAL</u>	<u>TOTAL</u>
	\$15,914,790	\$16,222,878

And further that the Town amend the appropriation as follows:

Raise and appropriate the sum of \$_13,466,525_____,
and appropriate from Sewer Receipts \$_803,020_____,
and appropriate from Water Receipts \$_1,182,690_____,
and transfer from Water Reserves \$_____31,018_____,
and transfer from Sewer Reserves \$_____232,376_____,
and take from MSBA Debt Fund Reserve \$_2,444_____,
and transfer from the November 2014 Premium Balance \$_____928_____,
and transfer from Free Cash \$_503,877_____,
for the maintenance and operation of the town in fiscal year 2016 as recommended by the Finance Committee, including debt and interest, and to fix the salary of all elected officials, including, if appropriate, Select Board, Town Clerk, Town Collector, Town Treasurer, Town Assessors, Town Constables, Board of Health, Elector under the Oliver Smith Will, Planning Board, and Park and Recreation Commission, and to provide a reserve fund, or take any action relative thereto.

Select Board recommends 4-0-0
Finance Committee recommendation pending

Article 3

To see if the Town will vote to accept the provisions of MGL Chapter 44, Section 53F^{3/4} (inserted by Chapter 352 of the Acts of 2014) for the purpose of establishing a separate revenue account (a receipts reserved for appropriation account) to be known as the “PEG Access and Cable Related Fund”, into which shall be deposited cable television license proceeds, which funds may be appropriated by Town Meeting for cable-related purposes in accordance with law, including, but not limited to: (1) support of public, educational, or government (“PEG”) access

cable television services; (2) monitoring compliance of the cable operator with the cable television license(s); or (3) preparing for the renewal of the cable license(s), or take any action relative thereto.

Select Board recommends 3-0-1
 Finance Committee recommendation pending

Article 4

To see if the Town will vote raise and appropriate, transfer from Free Cash, transfer from funds available, or otherwise provide **\$242,986.00** to be placed in the Capital Stabilization Account, or take any action relative thereto.

Select Board recommends 3-1-0
 Finance Committee recommendation pending
 Capital Planning Committee recommendation pending

Article 5

To see if the Town will vote to transfer from the Capital Stabilization Account, authorize the Treasurer to borrow, or otherwise provide **\$1,050,520** for the following capital projects:

Capital Purchase -----	Department -----	Cost -----	Funding Source -----
School Bus	School Department	\$140,000	Borrow
Ford F550	DPW Highway	85,000	Capital Stab.
Ford F550	DPW Highway	85,000	Capital Stab.
International 7600	DPW Highway	200,000	Borrow
Backhoe	DPW Highway	155,000	Borrow
Pick Up Truck	DPW Sewer	55,000	Sewer Reserves
Clarifier Rehabilitation	DPW Sewer	207,000	Sewer Impact Fees
Light Truck	DPW Water	50,000	Water Reserves
Telephone System	Police	10,000	Capital Stab.
Rifles	Police	8,000	Capital Stab.
Ballistic Helmets & Gear	Police	11,120	Capital Stab.
Radar Units	Police	1,500	Capital Stab.
Air Packs	Fire	5,500	Capital Stab.
Split Air Conditioner	Library	7,500	Capital Stab.
Server Room	Fire	29,900	Borrow
TOTAL		\$1,015,520	

And to meet this appropriation by borrowing \$524,000, transferring \$213,620 from the Capital Stabilization Account, transferring \$55,000 from Sewer Reserves, transferring \$207,000 from Sewer Impact fees, and transferring \$50,000 from Water Reserves.

Or take any action relative thereto.

Select Board recommends 3-0-1
Finance Committee recommendation pending
Capital Planning Committee recommendation pending

Article 6

To see if the Town will vote to authorize the Treasurer to borrow **\$377,628.00** for capital expenses associated with capital projects for town departments within the Water Enterprise funds:

Capital Purchase	Department	Cost	Funding Source
Route 9 Water Lines Replacement	DPW (Water)	\$377,628	Borrow
		377,628	

Or take any action in relation thereto.

Capital Planning Committee recommends 3-0-0
Finance Committee recommendation pending
Select Board recommends 3-0-1

Article 7

To see if the Town will vote to amend the vote taken at the May 7, 2015 Annual Town Meeting on Article 8 concerning a sewer line replacement on Laurana Lane by deleting the sum of \$275,000 to be transferred from Sewer Reserves and substituting the sum of \$248,690, or take any action relative thereto.

Finance Committee recommendation pending
Select Board recommends 3-0-1

Article 8

To see if the Town will vote to authorize the School Department to expend \$95,993.00 from insurance proceeds to repair damage and associated costs at the Hopkins Academy library, or take any action relative thereto.

Finance Committee recommendation pending
Select Board recommends 4-0-0

Article 9

To see if the Town will vote to accept as a public way Laurel Drive, as shown on a plan entitled "Plan for the Subdivision of Land in Hadley, Mass. Belonging to Edward Berestka" dated January 1976, recorded in the Hampshire County Registry of Deeds in Plan Book 101, Page 1 and on file with the Town Clerk, and as shown on a plan entitled "Plan of Land in Hadley, Mass Owned by Edward Berestka Et Ux Showing Proposed Road and Eight Lots" dated

April 1968, recorded in the Hampshire County Registry of Deeds in Plan Book 73, Page 118 and on file with the Town Clerk, as heretofore laid out by the Select Board and described as follows:

Beginning at a concrete bound set at the intersection of the southerly sideline of Chmura Road and the easterly sideline of Laurel Drive, thence running;
S 14°05'50" W a distance of five hundred seventy five and 86/100 (575.86) feet to a concrete bound set, thence running;
Southeasterly, southerly, south westerly, westerly, and northwesterly along the arc of a curve to the left having a radius of fifty and 00/100 (50.00) feet an arc length of one hundred ninety one and 98/100 (191.98) feet to a concrete bound set, thence running;
N 81°16'05" W a distance of one hundred twenty three and 60/100 (123.60) feet to a concrete bound set, thence running;
N 82°50'14" W a distance of four hundred two and 25/100 (402.25) feet to a concrete bound set, thence running;
N 81°23'17" W a distance of six hundred twenty five and 71/100 (625.71) feet to a concrete bound set, thence running;
Southwesterly along the arc of a curve to the left having a radius of twenty and 00/100 (20.00) feet an arc length of nineteen and 71/100 (19.71) feet to a concrete bound set in the southeasterly sideline of Hockanum Road (Route 47), thence running;
N 42°14'02" E along the said southeasterly sideline of Hockanum Road a distance of one hundred eight and 08/100 (108.08) feet to a concrete bound set, thence running;
Southerly and southeasterly along the arc of a curve to the right having a radius of twenty and 00/100 (20.00) feet an arc length of forty three and 12/100 (43.12) feet to a concrete bound set, thence running;
S 81°23'17" E a distance of five hundred forty nine and 01/100 (549.01) feet to a concrete bound set, thence running;
S 82°29'51" E a distance of four hundred twenty and 09/100 (420.09) feet to a concrete bound set, thence running;
N 07°12'07" E a distance of four and 99/100 (4.99) feet to a concrete bound set, thence running;
S 79°03'47" E a distance of one hundred thirty five and 50/100 (135.50) feet to a concrete bound set, thence running;
Northeasterly along the arc of a curve to the left having a radius of fifty and 00/100 (50.00) feet an arc length of eighteen and 18/100 (18.18) feet to a concrete bound set, thence running;
N 14°05'50" E a distance of five hundred seventy nine and 69/100 (579.69) feet to a concrete bound set in the aforementioned southerly sideline of Chmura Road, thence running;
S 71°40'43" E along the said Chmura Road a distance of fifty and 14/100 (50.14) feet to the set concrete bound at the point of beginning.

Containing 2.1565 acres, more or less.

And, further to authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, easements to use Laurel Drive for all purposes for which public ways are used in the Town of Hadley and any and all drainage, utility, access or other easements related thereto; or take any vote in relation thereto.

Select Board recommendation pending

Article 10

To see if the Town will vote to accept as a public way Hawley Road, as heretofore laid out by the Select Board:

The land in Hadley, Hampshire County, Massachusetts, shown as the roadway of the subdivision on plan of land entitled, "Hawley Road, Definitive Plan for the Subdivision of Land in Hadley, Massachusetts" prepared by A. A. Solander, Engineer, South Hadley, Mass., dated March 2, 1970 and recorded in the Hampshire County Registry of Deeds in Plan Book 75, Page 118, more particularly bounded and described as follows:

Beginning at a gun barrel set on the Northerly side of Mt. Warner Road, which gun barrel marks the southeasterly corner of the premises to be conveyed and the southwesterly corner of land now or formerly of F. M. and E. L. Bielunis; thence N 18° 11' 10" W along the westerly sideline of said land now or formerly of F. M. and E. L. Bielunis a distance of 299.97 feet to a Gun Barrel set; thence on a curve to the right having a radius of 205' a arch length of 47.71 feet to a point; thence northerly a distance of 76.14 feet to a point; thence on a curve to the right an arch length of 26.76 feet to a point; thence N 71° 48' 50" E a distance of 107.44' to a point at land now or formerly of F. J. & H. M. & J. F. Kentfield, the last four courses being along Lot 15 as shown on said plan; thence northwesterly a distance of 50' to a point at the southwesterly corner of Lot 14 as shown on said plan; thence westerly a distance of 86.15' to a concrete bound to be set; thence on a curve to the right, an arch length of 35.57' to a concrete bound to be set; thence on a curve to the left having a radius of 125' and arch length of 66.84 feet to a concrete bound to be set; thence N 36° 55' 15" W a distance of 80.10 feet to a point, the last four courses being along Lot 14 as shown on said plan; thence continuing N 36° 55' 15" W a distance of 56.19' to a point; thence on a curve to the right having a radius of 300' an arch length of 69.16 feet to a point, the last two courses being along the westerly sideline of Lot 13 shown on said plan; thence continuing on a curve to the right having a radius of 300' an arch length of 31.91 feet to a point; thence N 17° 37' W a distance of 93.14 feet to a point, the last two courses being along the westerly sideline of Lot 12 shown on said plan; thence continuing N 17° 37' W along the westerly side of Lot 11 shown on said plan a distance of 125.00 feet to a point; thence continuing N 17° 37' W a distance of 31.86 feet to a concrete bound to be set; thence on a curve to the right having a radius of 275' an arch length of 74.23 feet to a concrete bound to be set; thence on a curve to the left having a radius of 40' an arch length of 19.57 feet to a point, the last three courses being along the westerly side of Lot 10 shown on said plan; thence continuing along the southerly side of a 4.248 acre parcel of land shown on said plan, on a curve to the left having a radius of 40' an arch length of 120.92 feet to a point; thence continuing on a curve to the left having a radius of 40' an arch length of 24.40 feet to a concrete bound to be set; thence on a curve to the right having a radius of 42' an arch length of 33.35 feet to a concrete bound to be set; thence southeasterly a distance of 27.03 feet to a concrete bound to be set; thence continuing southeasterly a distance of 58.82 feet to a point, the last four courses being along the easterly side of Lot 9 shown on said plan; thence continuing southeasterly along the easterly line of Lot 8 shown on said plan a distance of 132.25 feet to a point; thence continuing southeasterly a distance of 58.93 feet to a concrete bound to be set; thence on a curve to the left an arch length of 66.31 feet to a point; the last two courses being along Lot 7 shown on said plan; thence continuing on a curve to the left an arch length of 51.61 feet to a concrete bound to be set; thence

southeasterly a distance of 73.52 feet to a point, the last two courses being along Lot 6 shown on said plan; thence continuing southeasterly a distance of 62.78 feet to a concrete bound to be set; thence on a curve to the right an arch length of 41.98 feet to a concrete bound to be set; thence S 4° 51' 07" E a distance of 23.69 feet to a point, the last three courses being along the easterly sideline of Lot 5 shown on said plan; thence continuing S 4° 51' 07" E along the easterly sideline of Lot 4 shown on said plan a distance of 125.00 feet to a point; thence continuing S 4° 51' 07" E a distance of 16.31 feet to a concrete bound to be set; thence on a curve to the left an arch length of 59.34 feet to a concrete bound to be set; thence southeasterly a distance of 50.21 feet to a point, the last three courses being along the easterly sideline of Lot 3 shown on said plan; thence continuing southeasterly along the easterly sideline of Lot 2 shown on said plan a distance of 125.01 feet to a point; thence continuing southeasterly a distance of 105.10 feet to a concrete bound to be set; thence on a curve to the right an arch length of 31.31 feet to a point marking the southerly most easterly point of Lot 1 shown on said plan, the last two courses being along the easterly sideline of Lot 1 shown on said plan; thence N 71° 31' E along the northerly sideline of Mt. Warner Road a distance of 69.89 feet to the Gun Barrel set at the point of beginning.

To convey a portion of the premises described in deed of G. R. & S. Corporation to Russell & Roberts Builders, Inc. (now known as Roberts Builders, Inc.) dated October 22, 1970 and recorded in the Hampshire County Registry of Deeds in Book 1583, Page 107.

And, further to authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, easements to use Hawley Road for all purposes for which public ways are used in the Town of Hadley and any and all drainage, utility, access or other easements related thereto; or take any vote in relation thereto.

Select Board recommendation pending

Article 11

To see if the Town will vote to amend the vote taken on Article 4 of the Annual Town Meeting held on May 7, 2015 by inserting and authorizing the following revolving fund for the Park and Recreation Commission under MGL Chapter 44, Section 53E½:

Revolving Fund	Authorized the Spend	Revenue Source	Use of Fund	FY 2016 Spending Limit	Surplus Cap
Park and Recreation	Park and Recreation Commission	Program Fees	Salaries and expenses associated with Park and Recreation programs	\$50,000	\$20,000

Or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommendation pending

Article 12

To see if the Town will vote to change the use of the property known as Zatyрка Park, more particularly described as Assessors Map 11A, Lots 1 and 2, from highway purposes and transfer the property to the Select Board for general municipal purposes and the purpose of sale and to authorize the Select Board to enter into any agreements and execute any and all instruments to effectuate the foregoing acquisition, or take any action relative thereto.

Capital Planning Committee recommends provided clear ownership is established 3-0-0

Select Board recommends 5-0-0

Finance Committee recommendation pending

Article 13

To see if the Town will vote establish a park and recreation stabilization fund and to transfer from Free Cash **\$1.00** and to receive, by future town meeting action, said proceeds from the sale of Zatyрка Park to be used pursuant to MGL Chapter 44, Section 63, or take any action relative thereto.

Capital Planning Committee recommendation pending

Select Board recommends 5-0-0

Finance Committee recommendation pending

Article 14

To see if the Town will vote to raise and appropriate, transfer from Free Cash, transfer Capital Stabilization, or otherwise provide **\$1,800.00** to survey and appraise the property known as Zatyрка Park (Assessors Map 11A, Lots 1 and 2), or take any action relative thereto.

Capital Planning Committee recommendation pending

Select Board recommends 4-0-0

Finance Committee recommendation pending

Article 15

To see if the Town will vote to transfer from the Russell School Stabilization Account **\$100,124.00** to cover the costs to repair and renovate municipal buildings and associated design and engineering, or take any action relative thereto.

Capital Planning Committee recommendation pending

Select Board recommends 4-0-0

Finance Committee recommendation pending

Article 16

To see if the Town will vote to appropriate **\$1,650.00** from Community Preservation Act historic set aside funds for the preservation and/or rehabilitation of the historic Goodwin Memorial Library, specifically, to fund a brick walkway, such funds to be granted to the Trustees of the Goodwin Memorial Library pursuant to a grant agreement entered into with the Select Board, or take any action relative thereto.

Community Preservation Act Committee recommends (6 yes, 0 no, 0 abstain, and 3 absences)
 Finance Committee recommendation pending
 Select Board recommends 3-0-1

Article 17

To see if the Town will vote to amend Section III USE REGULATIONS of the Hadley Zoning Bylaw by entirely deleting Note 6 wherever it appears in this section, or take any action relative thereto.

Article 18

To see if the Town will vote to amend Sections 4.1 and 4.2 of the Hadley Zoning Bylaw by replacing it with the following:

Section 4.1 - A dwelling or building or structure hereafter erected in any district shall be located on a lot having not less than the minimum requirements set forth in the table in Section 4.2 and not more than one dwelling shall be built upon any such lot. No existing lot shall be changed as to size or shape so as to result in the violation of the requirements set forth in Section 4.2.

Section 4.2 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

TABLE OF DIMENSIONAL AND DENSITY REGULATIONS											
It should be noted that additional dimensional and density regulations may apply as required in other applicable Overlay District, Special Permit and/or General Regulation sections of these Bylaws.											
District/Use	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Building Height		Max. Building Coverage	Maximum Cumulative Gross Floor Area
	Area (square feet)	Frontage (feet)	Depth (feet)	Width (feet)	Front (feet)	Side (feet)	Rear (feet)	Number of Stories	Feet	(%)	(square feet)
RESIDENTIAL											
All Uses	22,500	150	150	150	50	15	40	2½	35	30	NA
AGRICULTURAL RESIDENTIAL											
All Uses	30,000	175	150	150	50	15	40	2½	35	20	NA

LOCAL BUSINESS											
All Uses	30,000	175	150	150	50	15	40	2½	35	30	NA
LIMITED BUSINESS											
Residential Uses	30,000	175	150	150	50	15	40	2½	35	30	NA
All Business Uses	30,000	175	150	150	50	15	40	2½	35	30	2,500
All Other Uses	30,000	175	150	150	50	15	40	2½	35	30	NA
BUSINESS											
Agricultural, Single Family, Two-Family Conversions	30,000	175	150	150	50	15 (50 when abutting an AR District)	40 (50 when abutting an AR District)	3	42	30	NA
All Other Uses	30,000	175	150	150	50	15 (50 when abutting an AR District)	40 (50 when abutting an AR District)	3	42	30	• 75,000 for retail use
INDUSTRIAL											
All Uses	62,500	250	250	250	50	40 (50' when abutting an AR District)	40 (50' when abutting an AR District)	4	50	30	• 75,000 for retail use
OVERLAY DISTRICTS											
AQUIFER PROTECTION - All Uses (See Sect. XII)	40,000	200	150	150	50	15	40	2½	35	20	Same As Underlying District
FLOOD PLAIN DISTRICT – All Uses (See Sect. 5.3)	62,500	250	250	250	50	40	40	4	50	30	Same As Underlying District

FLOOD DISTRICT OVERLAY – All Uses (See Sect. XIII)	Same As Underlying District										
WIRELESS COMMUNICATIONS (See Sect. XIV)	Same As Underlying District				(See Sect. XIV)			1	Tower - 55 (Acc. Bldg - 15)	Same as Underlying District	Acc. Bldgs. - 400
FARMLAND PRESERVATION – All Uses (See Sect. XVII)	See Section XVII										
MUNICIPAL OVERLAY – All Uses (See Sect. XVIII)	Same As Underlying District										
VILLAGE CENTER – All Uses (See Sect. XIX)	Same As Underlying District										12,500 per Building
SENIOR HOUSING - All Uses (See Sect. XXVII)	58,080	50	NA	NA	(See Sect. XXVII)			2½	35	15	1,500 – Acc. Retail Uses

And further to see if the Town will vote to revise Section 5.3 to read as follows:

5.3 Flood Plain Restrictions - In a Flood Plain District uses otherwise permitted as set forth in Section III, may be authorized after finding by the Board of Appeals, after a hearing with due notice given, that said use will not endanger the health or safety of the occupants thereof. New residential uses are not permitted.

And further to see if the Town will vote to revise Section 27.5.6.2. to read as follows:

27.5.6.2. The lot or combination of lots upon which a senior housing development is located shall meet the dimensional requirements in Section 4.2. The Planning Board may waive any or all of the dimensional requirements when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Senior Housing Overlay Bylaw.

And further to see if the Town will vote to delete the following Sections and reserve for future use:

4.3.4. Side yard dimensions in a Business or Industrial District will be 50 feet when adjacent to an Agricultural-Residential District.

4.3.5. Rear yard dimensions in a Business or Industrial District will be 50 feet when adjacent to an Agricultural-Residential District.

27.5.5.3. Maximum height. No building shall exceed 35 feet in height.

Or take any action relative thereto.

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 _____ 2015

Guilford B. Mooring, II, Chair

John C. Waskiewicz, II

Molly A. Keegan

Joyce A. Chunglo

Gerald T. Devine

HADLEY SELECT BOARD

A true copy attest:

Constable of Hadley

Date: _____