

SPECIAL TOWN MEETING WARRANT
October 27, 2016

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-seventh day of October 2016 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 2017 Budget by amending the vote on Article 9 of the Warrant of the Annual Town Meeting held on May 5, 2016 as follows:

	FROM	TO
122 Select Board Other Salaries	\$46,702	\$50,283
141 Assessors Other Salaries	64,359	65,324
141 Assessors Expenses	20,672	21,922
145 Treasurer Salary	58,293	59,167
145 Treasurer Other Salaries	42,992	43,637
146 Tax Collector Salary	59,174	60,062
Other Salaries	37,655	38,220
161 Town Clerk Salary	57,183	58,041
Other Salaries	14,781	15,003
210 Police Salaries	959,233	959,878
Expenses & Salaries	169,218	217,696
220 Fire Salaries	237,918	238,898
241 Building Inspector Salaries	89,080	90,304
242 Gas Inspector Salary	3,341	3,391
243 Plumbing Inspector Salary	5,826	5,913
301 Education	6,672,091	6,747,091
422 Highway Construction Salaries	462,919	464,722
Expenses	296,153	309,753
440 Wastewater Salaries	293,375	293,813
450 Water Salaries	293,375	294,855
541 Council on Aging Salaries	75,451	80,241
599 HPAT Salaries	44,139	44,801
610 Public Library Salaries	129,001	129,881
630 Park Commission Other Salaries	53,861	60,987
710 Principal	859,133	867,900
750 Interest	110,517	101,750
914 Health Insurance	1,225,000	1,200,000
919 OPEB	0	251,125
	<u>TOTAL</u>	<u>TOTAL</u>
	\$16,773,740	\$17,166,958

And further that the Town amend the appropriation as follows:

Raise and appropriate the sum of \$ _____,
 and appropriate from Sewer Receipts \$ _____,
 and appropriate from Water Receipts \$ _____,
 and transfer from Sewer Reserve \$ _____,
 and transfer from Water Reserve \$ _____,
 and take from MSBA Debt Fund Reserve \$ _____,
 and appropriate from Hadley Public Access Cable Franchise Receipts \$ _____,
 and transfer from the November 2014 Premium Balance \$ _____,
 and transfer from Free Cash \$ _____,
 for the maintenance and operation of the town in fiscal year 2017 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.

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

Article 2

To see if the Town will vote to transfer **\$87,161.00** from the Hadley Public Access Television Cable Franchise Gift Account to the Hadley Public Access Television Enterprise Fund, or take any action relative thereto.

Select Board recommends 4-1-0
 Finance Committee recommends 4-0-0

Article 3

To see if the Town will vote to transfer the following balances:

Meeting	Description	Account Number	Balance	Transfer to
ATM 2015	Town Hall Asbestos Project	30-196-5820-S09	\$3,660.40	Capital Stabilization
STM 2014	North Hadley Roof & Cupola	30-198-5825-S11	\$2,969.67	Capital Stabilization
STM 2015	Police Telephone System	30-210-5800-C05	\$45.47	Capital Stabilization
STM 2015	Police Ballistics Gear	30-210-5800-C07	\$19.60	Capital Stabilization
ATM 2015	Police Fire Arms & Ammo	30-210-5872-A10	\$71.30	Capital Stabilization
STM 2014	Public Safety Truss	30-222-5820-S10	\$25.00	Capital Stabilization
STM 2014	Public Safety Overhead Doors	30-222-5831-S10	\$50.00	Capital Stabilization
ATM 2014	DPW John Deere	30-422-5850-A10	\$278.88	Capital

	Loader			Stabilization
ATM 2014	Library West Steps	30-610-5840-A10	\$307.02	Capital Stabilization
ATM 2015	Sewer Laurana Lane	32-440-5860-030	\$24,796.62	Sewer Reserves
ATM 2014	Sewer Pump Stations	32-440-5825-510	\$9,969.48	Sewer Impact Fund
ATM 2014	Water Master Plan	31-450-5300-A#2	\$11,000.00	Water Reserves

And further to adjust borrowing authorizations as follows:

Meeting	Description	Account Number	Original Authorized Borrowing Amount	Amended Authorized Borrowing Amount
ATM 2015	Police Cruiser	30-210-5870-A12	\$42,000	\$41,964
STM 2013	DPW Dump Truck	30-422-5850-S06	\$192,000	\$191,967.88
ATM 2016	DPW Backhoe	30-422-570-S23	\$150,000	\$130,000
STM 2012	DPW Tractor	30-429-5891-A10	\$48,000	\$47,021.92
STM 2006	DPW Loader	30-429-5850-A#5	\$75,000	\$73,762.50
STM 2003	SPEED Van	30-000-3580-037	\$45,500	\$38,200

Or take any action relative thereto.

Select Board recommends 5-0-0
Finance Committee recommends 4-0-0

Article 4

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Or take any action relative thereto.

Select Board recommends 5-0-0
Finance Committee recommends 4-0-0

Article 5

To see if the Town will vote to raise and appropriate, transfer from Capital Stabilization, authorize the Treasurer to borrow, transfer from Water Reserves, transfer from Sewer Reserves, transfer from HPAT reserves, transfer from funds available, or otherwise provide **\$1,832,850.00** for expenses associated with the following projects:

DESCRIPTION	DEPARTMENT	AMOUNT	SOURCE
IT	General Government	\$34,350	Cash
Cruisers	Police	\$90,000	Borrow
Locker Room Upgrade	Police	\$10,000	Cash
Security Door Upgrade	Fire	\$21,000	Cash
Chipper	DPW	\$55,000	Borrow
Skid Steer	DPW	\$60,000	Borrow
Staff Vehicle	DPW	\$30,000	Borrow
Foreman Light Truck	DPW	\$40,000	Borrow
Fuel System Upgrade	DPW	\$16,000	Cash
Stormwater Management MS4	DPW	\$390,000	Borrow -- SRF
Dike Phase 2 (Subsurface Investigation)	DPW	\$121,000	Borrow
Clarifier Upgrade	DPW	\$85,000	Cash – Sewer Impact Funds
Route 9 Sewer Assessment	DPW	\$30,000	Cash – Sewer Reserves
Sewer Manhole Mapping	DPW	\$10,000	Cash – Sewer Reserves
Water Valve Mapping	DPW	\$20,000	Cash – Water Reserves
Callahan Well Filter Replacement	DPW	\$153,000	Cash – Water Capital Fund + Water Reserves
Unidirectional Flushing	DPW	\$45,000	Cash – Water Reserves
Mount Warner Prolonged Pump Test	DPW	\$20,000	Cash – Water Reserves
Technology	Library	\$10,000	Cash
Technology Replacement HA/HES	School	\$75,000	Borrow
Network Replacement	School	\$65,000	Borrow
Air Conditioners HES	School	\$400,000	Borrow
HPAT Equipment	Hadley Public Access Television	\$7,500	Cash – HPAT Capital Funds
HVAC System	Public Safety	\$45,000	Borrow

	Complex		
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Or take any action relative thereto.

Select Board recommendation pending
Finance Committee recommendation pending
Capital Planning Committee recommendation pending

Article 6

To see if the Town will vote to authorize the Treasurer to borrow **\$3,600,000.00** to design and build a substation for the Fire Department, or take any action relative thereto.

Select Board recommends 3-2-0
Finance Committee recommendation pending
Capital Panning Committee recommendation pending

Article 7 Submitted by Petition

To see if the Town will appropriate a sum of money to pay costs of designing, constructing and originally equipping a new Senior Center on the 2.6 acre parcel of Town-owned land known as the “Hooker School” lot located behind the current Senior Center, and to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing or otherwise provided, or take any other action relative thereto.

Select Board recommends 4-1-0
Finance Committee recommendation pending
Capital Panning Committee recommendation pending

Article 8 Submitted by Petition

We the undersigned “Residents” of Hadley petition the Zoning Board of Appeals and the Board of Selectmen to take the appropriate action to construct a North Hadley Fire Sub Station on land presently owned by the Town of Hadley known as the “North Hadley Hall” ball field or takes any action there to.

Select Board recommends 4-1-0
Finance Committee recommendation pending
Capital Panning Committee recommendation pending

Article 9 Submitted by Petition

We the undersigned Voter and Resident of Hadley petition the Board of Selectmen to submit this article to the October 27, 2016 town meeting. Article to read as follows:

“Shall the Town of Hadley move to demolish the “North Hadley Hall” within a (2)two year period from the date of this town meeting to take any action there to.”

Select Board recommends 3-2-0
Finance Committee recommendation pending
Capital Planning Committee recommendation pending

Article 10

To see if the Town will vote to authorize the use of the site of the current Hooker School located on the westerly half of the existing 2.763 acre lot owned by the Town of Hadley (Hampshire County Registry of Deeds Book 766 Page 411) for demolition of the existing structure and construction of a proposed new library building, contingent upon the receipt of a Library Construction Grant from the Massachusetts Board of Library Commissioners and appropriation of local funding of the balance of project costs, or take any action relative thereto.

Select Board recommends 3-2-0
Finance Committee recommendation pending
Capital Planning Committee recommendation pending

Article 11

To see if the Town will vote to accept the preliminary design for the Hadley Library as presented by architects, Johnson Roberts Associates and approved by the Goodwin Memorial Library Board of Trustees, and further vote to authorize the Trustees of the Hadley Library to apply for any state funds which might be available to defray all or part of the cost of the design, construction and equipping of the library project and to authorize the Library Building Committee and/or Select Board and/or Library Trustees to accept and expend any such funds when received without further appropriation, or take any action in relation thereto.

Select Board recommends 3-2-0
Finance Committee recommendation pending
Capital Planning Committee recommendation pending

Article 12

To see if the Town will vote to adopt MGL Chapter 40, Section 22F, which allows municipal boards or officers to set reasonable permit and license fees without a town meeting vote, or take any action relative thereto.

Select Board recommends 3-2-0
Finance Committee recommends 4-0-0
Capital Planning Committee recommendation pending

Article 13

To see if the Town will vote to amend the following fees:

FROM TO

All-Alcoholic, On-Premise (Restaurant)	\$3,000	\$3,500
All-Alcoholic, On-Premise (Club)	1,500	1,500
Malt and Wine, On-Premise (Restaurant)	1,700	1,900
All-Alcoholic, Off-Premise (Package Store)	2,500	3,000
Malt and Wine, Off-Premise (Package Store)	1,700	1,900
1-Day Special (Profit Organizations)	300	350
1-Day Special Malt & Wine (Nonprofit orgs.)	20	20
1-Day Special All-Alcoholic (Nonprofit orgs.)	35	35
Administrative Processing Fee	0	15

And further to see if the Town will vote to amend the following fees for weights and measures:

	FROM	TO
Balances and Scales		
Over 10,000 lbs.	\$200	225
5,000 to 10,000 lbs.	125	150
1,000 to 5,000 lbs.	80	100
100 to 1,000 lbs.	50	70
0 to 100 lbs.	35	45
Weights		
Avoirdupois	5	7
Metric	5	7
Apothecary	5	7
Troy	5	7
Capacity Measures		
Vehicle tanks each indicator	35	45
Each 100 gallons or fraction thereof	25	35
Liquid, 1 Gallon or less	10	15
Liquid Measuring Meters		
Inlet ½" or less (oil, grease)	35	40
Inlet, more than ½" to 1" (gasoline pumps)	35	40
Inlet more than 1", Vehicle Tank Pump (oil trucks)	80	90
Inlet more than 1", Vehicle Tank Gravity (oil trucks)	80	90
Bulk Storage	80	90
Pumps		
Each stop on pump	10	15
Retail Scanner Price Verification		
1-3 Registers	100	125

4-11 Registers	200	250
12+ Registers	400	450
Other		
Taxi Meters	50	75
Odometer – Hubometer	50	75
Leather Measurer (semi-annual)	20	30
Fabric Measuring	35	45
Wire-Rope-Cordage	35	45
Yard Sticks	20	25
Tapes	20	25
Mil Jars (per gross) Dry Measures	15	20
Reverse Vend	35	45
Adjusting Repairs – Special Facilities	15	20

Select Board recommends 4-1-0
Finance Committee recommends 4-0-0

Article 14

To see if the Town will vote to amend Chapter 86-5 of the Code of the Town of Hadley relating to licenses and permits of delinquent taxpayers by adding the following new text after the existing paragraph:

Issuance of licenses and permits by any town department is contingent on the party receiving the license to be in good standing concerning the payment of any municipal taxes or charges.

Good standing shall mean that the tax payer has paid all local municipal taxes and charges, or who has filed a good faith application for an abatement, or who has entered into a good faith payment schedule with the Treasurer, or his/her designee.

The Collector shall provide delinquency lists to permit-issuing departments on May 1st and November 1st of each year, or on the next business day following, if those dates fall at a time when Town Hall is closed.

And further to amend Chapter 86-6 (A) by deleting the ~~lined out~~ language and adding the language in ***bold italics*** as follows:

- A. The Tax Collector or other municipal official responsible for records of all Town taxes, assessments, betterments and other municipal charges, hereinafter referred to as the “Tax Collector,” shall annually ***or may periodically***, furnish to each department, board, commission or division, hereinafter referred to as the “licensing authority,” that issues licenses or permits, including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the “party,” that has neglected or refused to pay any local taxes,

fees, assessments, betterments or other municipal charges ~~for not less than a twelve month period~~ and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

Or take any action relative thereto.

Select Board recommends 5-0-0

Finance Committee recommends 4-0-0

Article 15

To see if the Town will vote to transfer the care, custody and control of a parcel of land referred to as Parcel 1, which Parcel 1 contains 2,457 square feet, more or less, and is described more particularly below, from the Board of Water Commissioners or other board or officer currently having custody thereof for water supply or protection purposes to the Select Board for general municipal purposes and for the purpose of conveyance and further to authorize the Select Board to convey said Parcel 1 on such terms and conditions and for such consideration as the Select Board deems appropriate, which consideration may include acquisition of land in lieu of consideration, and to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain in in consideration of the disposal of Parcel 1, the parcel of land referred to as Parcel 2 and described more particularly below, for general government purposes, and, further, to authorize the Select Board to seek legislative approval of the state for such transfer and conveyance, if applicable, under Article 97:

Parcel 1

Beginning at a found concrete bound, said bound being at the south west corner of land of Norman E. and Janet Sue Brown (Book 1486, Page 282) thence running N 04°01'36" E along land of the Town of Hadley Water Department a distance of eighty two and 58/100 feet (82.58') to a set iron pin; thence turning and running S 30°49'30" E along remaining land of said Brown a distance of one hundred four and 15/100 feet (104.15') to a set iron pin at land of the said Town Hadley Water Department; thence turning and running N 83°11'30" W along land of the said Town of Hadley Water Department a distance of fifty nine and 59/100 feet (59.59') to the concrete bound at the point of beginning. Containing 2,457 square feet, more or less.

Parcel 2

Starting at a found concrete bound, said bound being at the north west corner of land of Norman E. and Janet Sue Brown (Book 1486, Page 282) thence running S 04°01'36" W along land of said Brown a distance of two hundred forty and 23/100 feet (240.23') to a set iron pin, thence turning and running N 30°49'30" W along land of The Town of Hadley Water Department a distance of twenty one and 00/100 feet (21.00') to a set iron pin; thence turning and running N 04°01'36" E along land of the said Town of Hadley a distance of two hundred twenty two and 88/100 feet (222.88') to a set iron pin in the Southerly sideline of Chmura Road; thence turning and running S 86°31'52" E along the

said southerly sideline of Chmura Road a distance of twelve and 00/100 feet (12.00') to the concrete bound at the point of beginning. Containing 2,778 square feet, more or less.

Or take any action relative thereto.

Select Board recommends 5-0--0

Article 16

To see if the Town will vote to accept Gooseberry Lane as a Town way, as heretofore laid out by the Select Board, which way is shown on a plan of land entitled "Juniper Estates" definitive subdivision plan of land in Hadley Massachusetts prepared for Bercume Builders, Inc. scale 1" = 60' dated October 20, 1999 by Harold Eaton and Associates, Inc. Registered Land Surveyors, recorded in the Hampshire County Registry of Deeds, Plan Book 187, Page 53, a copy of which is on file with the Town Clerk, and further authorize the Select Board to acquire the land and/or easements in said way, by purchase, gift, and/or eminent domain, 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, including without limitation, a drainage easement on the portion of Lot 10 shown as "30; Wide Drainage Easement," as shown more particularly on said plan.

Or take any action in relation thereto.

Select Board recommends against 5-0-0

Article 17

To see if the Town will vote to amend the vote taken on Article 24 at the May 1, 2014 Annual Town Meeting extending the deadline for Kestrel Trust to utilize Community Preservation Act funds for the restoration and preservation of the Lake Warner Dam from December 31, 2016 to December 31, 2017, or take any action relative thereto.

Community Preservation Act Committee recommends 8-0 (with 1 member absent)

Article 18

To see if the Town will vote to transfer **\$15,000.00** from the Community Preservation Act Funds for design services associated with recreational purposes to restore and rehabilitate the property known as Hopkins Academy Playing Fields (Assessors Map 11A, Lots 1 and 2), or take any action relative thereto.

Community Preservation Act Committee recommends 7-0 (with 2 members absent)

Finance Committee recommends 4-0-0

Article 19

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:

§ 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 §4.2, and no 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 § 4.2.

§ 4.2 Table of Dimensional and Density Regulations

TABLE 4										
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 Bylaw.										
Districts	Minimum Lot Dimensions				Minimum Yard Dimensions					Max % Coverage of Building Including Accessory Buildings
	Area (sq. ft.)	Frontage (ft)	Depth (ft)	Width (ft)	Front (ft)	Side (ft)	Rear (ft)	Number of Stories	Height (ft)	
Residential	22,500	150	150	150	50	15	40	2-1/2	35	30%
Agricultural - Residential (Ag-Res)	30,000	175	150	150	50	15	40	2-1/2	35	20%
Limited Business & Local Business	30,000	175	150	150	50	15	40	2-1/2	35	30%
Business	30,000	175	150	150	50	15 (50 when adjacent to Ag-Res District)	40 (50 when adjacent to Ag-Res District)	3	42	30%
Aquifer Protection	40,000	200	150	150	50	Per the Underlying District		Per the Underlying District		20%
Industrial	62,500	250	250	250	50	40 (50 when adjacent to Ag-Res District)	40 (50 when adjacent to Ag-Res District)	4	50	30%
Flood Plain	Per the Underlying District - New Residential Construction Not Permitted									

Revise § 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.

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 § 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.

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.

Also to amend in these Zone Bylaws where ever a reference to Table 4.1 or 4.2 appears to replace it with Table 4

Or take any action relative thereto.

Article 20

To see if the Town will vote to amend Section XX Home Occupations by deleting the wording of § 20.2.2.22 in its entirety, and reserve this sub-section for future use.

Or take any action relative thereto.

Article 21

To see if the Town will vote to amend Section XXII Bed and Breakfast Facilities by deleting the following portion of § 22.5.1: “The special permit for a bed-and-breakfast facility shall be issued for an initial period of two (2) years in operation. Thereafter the special permit may be renewed for successive terms of up to five (5) years.”

Or take any action relative thereto.

Article 22

To see if the Town will vote to amend Section XXVI Accessory Apartment by Deleting the following portion of § 26.2.5: “The permit will expire after one (1) year and every three (3) years thereafter. The Planning Board may reissue the permit if all conditions continue to be met.

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, one in the Goodwin Memorial Library, 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 _____ 2016

Molly A. Keegan, Chair

Joyce A. Chunglo

Gerald T. Devine

John C. Waskiewicz, II

Donald J. Pipczynski
HADLEY SELECT BOARD

Constable of Hadley

Date: _____