TOWN WARRANT FOR THE ANNUAL TOWN MEETING 2014 THE COMMONWEALTH OF MASSACHUSETTS, FRANKLIN, SS.

To either of the Constables of the Town of Shelburne in the County of Franklin, Greetings: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs, to meet at **MEMORIAL HALL, 51 BRIDGE STREET, SHELBURNE**, on **Tuesday, the Seventh day of MAY, at SEVEN O'CLOCK in the AFTERNOON** and then and there to act upon the following articles:

ARTICLE 1. To hear the annual reports of the officers of the Town and to act thereon.

ARTICLE 2. To see if the Town will vote to set the salaries of the Elected Officials within the Town in accordance with MGL. Chapter 41, Section 108 as follows, or take any other action relative thereto.

Moderator	\$ 149	Chairman, Sewer Commissioner	\$	270
Chairman, Board of Selectmen	\$ 2,638	Sewer Commissioner	\$	270
Selectmen	\$ 2,338	Sewer Commissioner	\$	270
Selectmen	\$ 2,338	Town Clerk	\$19	9,881
Chairman, Board of Assessors	\$ 2,501	Town Collector	\$20	5,564
Assessor	\$ 2,117	Tree Warden	\$	811
Assessor	\$ 2,117			

ARTICLE 3. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2013, in accordance with the provisions of the Massachusetts General Laws Chapter 44, Section 4, and to issue a note or notes therefore, 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, or take any other action relative thereto.

ARTICLE 4. To see if the Town will vote to authorize the Board of Selectmen 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, or take any action relative thereto.

ARTICLE 5. To see if the Town will vote to appropriate funds provided to the Town by the State under Chapter 90 and such other funds as the Commonwealth of Massachusetts Highway Department may provide, and to authorize the Board of Selectmen to enter into contracts with Commonwealth of Massachusetts Highway Department for Chapter 90 monies allocated to the Town by the State, or take any action relative thereto.

ARTICLE 6. To see if the Town will vote to appropriate sums of money for the following purposes and to raise the required amounts by taxation, or otherwise provide, or take any other action relative thereto.

	2013	2013	2013	2014	2014	Increase
4/9/2013	Voted	Adjusted	Actual	Request	Reccom	Decrease
GENERAL GOVERNMENT	609,630	4,275	613,905	601,764	599,011	-2.4%
114 5100 Moderator's Salary	145		145	148	148	2.1%
122 5100 Selectmen's Salaries	7,136		7,136	7,314	7,314	2.5%
122 5110 Town Administrator	53,645		53,645	54,986	54,986	2.5%
122 5400 Selectmen's Expense	2,160		2,160	2,160	2,160	0.0%
131 5400 Finance Committee Expense	130		130	130	130	0.0%
132 5400 Reserve Account	2,700		2,700	2,700	2,700	0.0%
135 5110 Auditor's Salary	30		30	0	0	-100.0%
135 5400 Accounting Services	14,328		14,328	14,827	14,827	3.5%
135 5420 Audit Town Records	9,000		9,000	9,000	9,000	0.0%
141 5110 Assessor's Salary	6,570		6,570	6,735	6,735	2.5%
141 5400 Assessor's Expense	3,910		3,910	6,425	4,425	13.2%
141 5110 Assistant Assessor Salary	21,601		21,601	22,141	22,141	2.5%
141 5420 Assessor' Contracted Service	3,000		3,000	3,000	3,000	0.0%
145 5100 Treasurer's Salary	18,182		18,182	19,110	19,110	5%
145 5120 Assistant Treasurer's Salary	439		439	450	450	2.5%
145 5400 Treasurer's Expense	1,585		1,585	1,585	1,585	0.0%
145 5420 Payroll Expense	3,100		3,100	3,113	3,113	0.4%
145 5410 Tax Title	3,200		3,200	3,200	3,200	0.0%
146 5100 Town Collector's Salary	25,914		25,914	26,564	26,564	2.5%
146 5110 Town Collector Certification	1,000		1,000	1,000	1,000	0.0%
146 5400 Town Collector's Expense	5,645		5,645	5,645	5,645	0.0%
146 5410 Town Collection Software	4,860		4,860	4,860	4,860	0.0%
151 5400 Legal Expense	9,500		9,500	9,500	9,500	0.0%
161 5100 Town Clerk's Salary	19,396		19,396	19,881	19,881	2.5%
161 5400 Town Clerk's Expense	1,050		1,050	1,000	1,000	-4.8%
161 5420 Town Reports	1,020		1,020	1,100	1,100	7.8%
161 5430 Preservation of Records	2,000		2,000	2,000	2,000	0.0%
162 5400 Election Expense	8,450	2,500	10,950	4,150	4,150	-62.1%
162 5410 Registrars	1,610		1,610	1,685	1,685	4.7%
171 5400 Conservation Commission	800		800	800	800	0.0%
175 5400 Planning Board	2,192	1,775	3,967	4,135	3,382	-14.7%
176 5400 Zoning Board Expense	1,825		1,825	1,865	1,865	2.2%
182 5400 S.F. Village Partnership	5,000		5,000	7,000	7,000	40.0%
192 5400 Town Office Expense	6,500		6,500	6,500	6,500	0.0%
192 5410 Computer Account	1,540		1,540	1,540	1,540	0.0%
192 5420 Town Web Site	2,600		2,600	2,600	2,600	0.0%
192 5430 Memorial Hall Expense	15,440		15,440	15,440	15,440	0.0%
192 5440 Wired West Membership Fee	1,000		1,000	1,000	1,000	0.0%
192 5450 Memorial Hall Internet Access	2,220		2,220	2,220	2,220	0.0%
192 5460 Elevator Maintenance Acct.	9,800		9,800	9,800	9,800	0.0%
192 5470 Town-Wide Notification Sys.	2,463		2,463	2,463	2,463	0.0%
193 5400 Property & Liability Insurance	38,979		38,979	38,979	38,979	0.0%
193 5410 Officers Bonding	1,000		1,000	1,000	1,000	0.0%
199 5400 Longevity Pay	4,500		4,500	3,500	3,500	-22.2%
691 5400 Historic Commission	200		200	200	200	0.0%
691 5410 APR Local Match	2,500		2,500	1,250	1,250	-50.0%
691 5420 Land Preservation	2,500		2,500	1,250	1,250	-50.0%

	2013	2013	2013	2014	2014	Increase
	Voted	Adjust	Actual	Req.	Recomm	Decrease
GENERAL GOVERNMENT (cont);	277,265	0	277,265	265,813	265,813	-4.1%
752 5900 Interest Expense	2,500		2,500	1,250	1,250	-50.0%
830 5310 FRCOG - Core	15,253		15,253	16,828	16,828	10.3%
830 5340 FRCOG - Highway	2,200		2,200	2,310	2,310	5.0%
830 5350 FRCOG - Reg. Health Service	0		0	500	500	100.0%
911 5400 County Retirement	74,137		74,137	74,867	74,867	1.0%
912 5400 Worker's Compensation	23,985		23,985	23,985	23,985	0.0%
913 5400 Un-Employment Insurance	7,500		7,500	7,500	7,500	0.0%
914 5400 Health Insurance	127,024		127,024	127,844	127,844	1%
914 5410 Life Insurance	822		822	797	797	-3.0%
916 5400 Medicare	10,744		10,744	9,932	9,932	-7.6%
917 5410 Social Security	13,100		13,100	0	0	-100.0%
PUBLIC SAFETY	236,501		236,801	252,420	252,420	6.6%
210 5110 Police Department Salaries	174,362		174,362	188,408	188,408	8.1%
210 5400 Police Department Expense	33,700		33,700	35,500	35,500	5.3%
210 5130 Constable	60		60	60	60	0.0%
220 5110 Fire Marshall	50		50	51	51	2.0%
220 5400 Forest Fires	50		50	50	50	0.0%
291 5100 Emergency Management Dir.	271		271	278	278	2.6%
291 5400 Emergency Mgmnt Expense	356	300	656	956	956	45.7%
292 5100 Animal Control Officer	3,412		3,412	3,497	3,497	2.5%
292 5400 Animal Control Expense	567		567	567	567	0.0%
294 5110 Tree Warden	791		791	811	811	2.5%
294 5400 Shade Tree Maintenance	6,630		6,630	6,630	6,630	0.0%
294 5410 Shade Tree Replacement	612		612	612	612	0.0%
424 5400 Street Lights	15,640		15,640	15,000	15,000	-4.1%
EDUCATION	1,903,552		1,903,552	1,954,557	1,954,557	2.7%
310 5400 Mohawk Trail Reg. School	1,696,918		1,696,918	1,782,074	1,782,074	5.0%
320 5410 Vocation Tuition	27,671		27,671	0	0	-100%
320 5400 Franklin County Tech School	178,963		178,963	172,483	172,483	-3.6%
HIGHWAYS	409,768		409,768	392,277	392,277	-4.3%
422 5400 Maintenance	293,560		293,560	289,969	289,969	-1.2%
423 5400 Snow & Ice Removal	102,046		102,046	90,146	90,146	-11.7%
422 5410 Buildings & Grounds	14,162		14,162	12,162	12,162	-14.1%
HEALTH-SANITATION	92,601		92,601	93,216	93,216	0.7%
241 5400 Building Inspection Program	6,500		6,500	6,500	6,500	0.0%
293 5400 Animal Inspector	569		569	583	583	2.5%
439 5420 Solid Waste Mgmnt. District	4,547		4,547	5,045	5,045	11.0%
433 5400 Refuse Collection	71,040		71,040	71,040	71,040	0.0%
439 5400 Hazardous Waste Day	1,500		1,500	1,500	1,500	0.0%
440 5100 Sewer Commissioner Salaries	810		810	810	810	0.0%
512 5100 Board of Health Salaries	2,603		2,603	2,668	2,668	2.5%
512 5400 Board of Health Expense	2,938		2,938	3,276	3,276	11.5%
512 5420 Housing Inspection Program	2,094		2,094	1,794	1,794	-14.3%

*Members of the Selectboard and Finance Committee do not recommend the MTRSD budget

	2013	2013	2013	2013 2014 20		Increase
	Voted	Adjust	Actual	Request	Recomm	Decrease
RECREATION	22,036	0	22,036	17,536	17,536 17,536	
630 5400 Recreation	1,611		1,611	1,611	1,611	0.0%
630 5410 Cowell Gym Maintenance	19,000		19,000	14,500	14,500	-23.7%
692 5430 Bridge of Flowers	325		325	325	325	0.0%
692 5410 Military Band	1,100		1,100	1,100	1,100	0.0%
HUMAN SERVICES	172,429		172,429	183,736	183,736	6.6%
491 5400 Care of Hill Cemetery	0		0	2,400	2,400	100%
543 5410 Care of Veteran's Graves	825		825	825	825	0.0%
543 5400 Veteran's Benefits	44,000		44,000	44,000	44,000	0.0%
543 5420 Veteran's Center	3,531		3,531	3,436	3,436	-2.7%
541 5400 Council on Aging	66,355		66,355	74,800	74,800	12.7%
541 5420 Senior Center Lease	2,700		2,700	2,700	2,700	0.0%
610 5400 Shelburne Free Public Library	27,979		27,979	28,130	28,130	0.5%
610 5410 Arms Library	25,494		25,494	25,900	25,900	1.6%
610 5420 Pratt Building Maintenance	700		700	700	700	0.0%
692 5400 Memorial Day	845		845	845	845	0.0%
	2013	2013	2013	2014	2014	Increase
	Voted	Adjust	Actual	Request	Recomm	Decrease
BUDGET SUMMARY	3,446,517	4,275	3,451,092	3,495,506	3,492,753	1.2%
Totals:						
General Government	609,630	4,275	613,905	601,764	599,011	-2.4%
Public Safety	236,501	0	236,801	252,420	252,420	6.6%
Education	1,903,552	0	1,903,552	1,954,557	1,954,557	2.7%
Highways	409,768	0	409,768	392,277	392,277	-4.3%
Health & Sanitation	92,601	0	92,601	93,216	93,216	0.7%
Recreation	22,036	0	22,036	17,536	17,536	-20.4%

ARTICLE 7. To see if the Town will vote to **raise and appropriate or otherwise provide the sum of \$56,587** to be used **to fund the Mohawk Trail Regional School District capital budget for fiscal year 2014**, or take any other action relative thereto.

0

172,429

183,736

183,736

6.6%

172,429

Human Services

ARTICLE 8. To see if the Town will vote to appropriate **\$35.00** from the **Ozro Miller Trust Fund Account**, said sum to be transferred to **the Memorial Day Expense Account # 001-692-5400**, or take any other action relative thereto.

ARTICLE 9. To see if the Town will vote to **transfer the sum of \$11,900 from the Stabilization Account #830-919-5400** for the **purchase of bullet proof vests and related safety equipment**, or take any other action relative thereto.

ARTICLE 10. To see if the Town will vote to **raise by taxation** the sum of **\$30,184 and authorize the town to hire a third, full time police officer; transferring the sum of \$15,843 to the police salary account # 001 210 5110** (this amount represents the net amount of compensation needed after reducing the allocation for Reserve Officers) and **transferring the sum of \$14,341 to the Group Insurance Account # 001 914 5400** for related health benefits, or to take any action relative thereto." **ARTICLE 11.** To see if the Town will vote to **transfer the sum of \$901 from the Cowell Gym User Fee Account #245-630-5400;** said **sum to be added to the Recreation Account #001-630-5400 and shall be used to supplement the Cowell Gym Director's Salary**, or take any other action relative thereto.

ARTICLE 12. To see if the Town will vote to transfer \$15,000 from the Stabilization Account #830-919-5400, said sum to be added to the town's special purpose stabilization account entitled: Roof Replacement/Repair Account # 831-919-5400 for future repair and/or replacement of town-owned roofs, or take any other action relative thereto.

ARTICLE 13. To see if the Town will vote **to transfer \$15,000 from the Stabilization Account #830-919-5400**, said sum to be added to the town's special purpose stabilization account entitled: **Municipal Vehicle Replacement Account #832-919-5400** to be used for **replacement of town-owned vehicles**, or take any other action relative thereto.

ARTICLE 14. To see if the Town will vote to **transfer** the sum of **\$30,000** from the **Municipal Vehicle Replacement Stabilization Account # 832-919-5400** for the **purchase of a used** ³/₄ **ton single-wheel**, **diesel pick-up truck and associated equipment (snowplow and safety warning lights) for the Highway Department**, or take any other action relative thereto.

ARTICLE 15. To see if the Town will vote to **transfer \$7,000** from the **Stabilization Account #830-919-5400**, said sum to be used for the **purchase of a reversible**, **power angled snow plow for the Highway Department**, or take any other action relative thereto.

ARTICLE 16. To see if the Town will vote to **transfer \$4,000** from the **Stabilization Account #830-919-5400**, said sum to be used for the purchase of **voting booths** that are compliant with Election requirements, or take any other action relative thereto.

ARTICLE 17. To see if the Town will vote to **transfer \$10,000** from the **Stabilization Account #830-919-5400**, said sum to be transferred into the **Computer Account # 001 192 5410** to cover **technical consulting costs for centralizing the management and backup of the town's computers, and the purchase of three new computers and associated software,** or take any other action relative thereto.

ARTICLE 18. To see if the Town will vote to **transfer \$6,000 from the Stabilization Account #830-919-5400,** said to be used sum for the purchase of a **new copier machine** for Town Hall, or take any other action relative thereto.

ARTICLE 19. To see if the Town will vote to transfer up to \$20,000 from the special purpose Roof/Replacement/Repair Stabilization Account # 831-919-5400; said sum shall be earmarked for the Pratt Memorial Library Building Roof Replacement Project, or take any other action relative thereto.

ARTICLE 20. To see if the Town will vote to **raise and appropriate or otherwise provide the sum of \$103,167**, said sum is the **Town of Shelburne's share of the cost of Operation and Maintenance of the Shelburne Falls Wastewater Treatment Facility which will be raised by anticipated revenue from the Shelburne User Assessment**, or take any other action relative thereto.

ARTICLE 21. To see if the Town will vote to **raise and appropriate or otherwise provide the sum of \$11,500**, said sum is the **Town of Shelburne's cost of Operation and Maintenance of the Shelburne Pumping Station which will be raised by anticipated revenue from the Shelburne User Assessment**, or take any other action relative thereto.

ARTICLE 22. To see if the Town will vote to **transfer** the sum of **\$7,840.00** from the **Sewer Enterprise reserve Fund Account #60-3-190-000** to be added to the **Wastewater Treatment expense account #610-440-5400** to pay the **second payment** on the \$35,000 loan that was borrowed to pay for Shelburne's share of the replacement costs of 710ft (more or less) of the Conway Street Trunk line that was damaged by flood water, or take any other vote or votes relative thereto.

ARTICLE 23. To see if the Town will vote to **appropriate or otherwise provide**, the sum of \$25,000, for the **Town of Shelburne's share of Reed Bed Excavation and Maintenance costs at the Shelburne** Falls Wastewater Treatment Facility, and to meet this obligation transfer \$15,000 from the Sewer Enterprise Reserve Fund #603-3-190-000 and the sum of \$10,000 using anticipated revenue from the Shelburne User Assessment, or take any other action relative thereto.

ARTICLE 24. To see if the Town will vote to **authorize pursuant to the provisions of M.G.L. Chapter 44, section 53E** ¹/₂ **the following revolving funds,** or take any other action relative thereto.

Police Department: to receive firearms license and permit fees, authorizing the Police Chief to expend up to \$3,000 without further appropriation from such fund to pay the Commonwealth its' share of such fees and to use the remaining balance for firearms licensing related expenditures;

Town Clerk: to receive dog licensing fees, authorizing the Town Clerk to expend up to \$1,500 without further appropriation from such fund to pay for various expenses in relation to the licensing and care of dogs;

Board of Health: to receive Inspection Fees and fines, and to authorize the Board to expend money up to \$3,000 without further appropriation from such fund for the purpose of paying costs associated with said inspections;

Zoning Board of Appeals: to receive Advertising and Hearing Application Fees, and to authorize the Board to expend up to \$1,000 without further appropriation from such fund for the purpose of paying costs associated with said hearings;

Recreation Committee: to receive Cowell Gym user fees; and to authorize the Committee to expend up to \$1,500 without further appropriation from such fund for recreational related programs and supplies.

Open Space Committee: to receive monies generated by activities of the Shelburne Open Space Committee including sales of brochures, and authorize the Shelburne Open Space Committee to expend up to \$500 without further authorization from such funds to further activities and publications of the Open Space Committee.

Animal Control: to receive monies generated by dog-related fines and/or donations; and to authorize the Board of Selectmen to expend up to \$1,000 without further authorization from such funds for expenditures relating to animal care.

ARTICLE 25. To see if the Town will vote to amend **Section 17. b**) **Temporary Moratorium** of the Town of Shelburne, Massachusetts, Zoning By-Law to read:

"Notwithstanding any other provision in the Town of Shelburne Zoning Bylaw to the contrary, no special or building permit may be issued for the construction of any wind turbine energy system, until **Annual Town Meeting, 2014.** The purpose of this temporary moratorium is to allow sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives."

ARTICLE 26. To see if the Town will vote to amend the following sections of the Town of Shelburne, Massachusetts, Zoning By-Law as follows:

Section 6.2 Special Permit Rules and Regulations: The last sentence of this paragraph shall read, "Copies of Special Permit Applications and related documents shall be submitted to the Board of Health, the Planning Board, and the Conservation Commission, who shall have <u>35</u> days within which to comment."

Section 2.5 Bed and Breakfast: Delete the last sentence of this definition – "Bed & Breakfast establishments which can accommodate five or more persons per night will be required to meet additional Building Code requirements related to fire safety."

Section 2.27 – Municipal or Non-Profit Trail: The first line of the definition should be changed to read – "Any trail, walkway or pathway open to the general public and intended for non-motorized, <u>except mobility assisting devises used by handicapped persons</u>, recreational use."

Section 12.0 Mobile Homes and Campers, General Regulations.

Section 12.1.3: in line 4, change the word "ordinances" to "bylaw." Section 12.1.6.4.4: in line 1, change the word "ordinances" to "bylaw."

Section 4.3. Table of Use Regulations:

1. For these three special permits in the RA district add an asterisk that says "Except as land designated as Chapter 40A Section 3, as allowed by right."

Agricultural & Recreational Uses "Agricultural Manufacturing with 5,000 square feet or less of enclosed floor area" Business Uses "Kennel or Animal Shelters" Industrial Uses "Sawmill" 2. Rename "Business Uses" section to "Commercial/Business Uses." 3. Rename "Automotive Repair Garage" to "Motor Vehicle Service or Repair" and move it from the Industrial listings to the Commercial/Business Lists.

Motor Vehicle Service or Repair	<u>RA</u>	<u>vr</u>	<u>VC</u>	<u>C</u>	<u>1</u>
	N	N	SP	SP	SP
4. Add a new classification to Industrial Uses:					
Welding or Metal Fabrication	<u>RA</u>	<u>VR</u>	<u>VC</u>	<u>C</u>	<u>I</u>
	N	N	SP	SP	SP

ARTICLE 27. To see if the Town will vote to **replace Section 16.0 Telecommunications Bylaw** of the Town of Shelburne, Massachusetts Zoning Bylaw **with a new Section 16.0 Telecommunications Bylaw** of the Town of Shelburne, Massachusetts Zoning Bylaw. A copy of the proposed replacement of Section 16.0 Shelburne, Massachusetts, Telecommunications Bylaw is available in the Town Clerk's Office for review and will be available at Town Meeting.

ARTICLE 28. (PETITION ARTICLE)

We petition to have the following resolution placed on the warrant for the 2013 Annual Town Meeting in the Town of Shelburne.

Whereas, Baystate Franklin Medical Center in Greenfield is the only hospital in Franklin County, the most rural county in Massachusetts;

Whereas, local access to a full-service community hospital is essential to the health and well being of the residents of Franklin County; and;

Whereas, some important services previously available at Franklin Medical Center are now only available at Baystate Medical Center in Springfield; and;

Whereas, the lack of public transportation and the long distance between parts of Franklin County and Springfield presents a challenge for many residents; and;

Whereas, it is critical for the health of Franklin County residents that they have access to the broadest range of quality health care services in Franklin County,

Therefore be it resolved that the Town of Shelburne, calls upon Baystate Health System to commit all necessary resources to ensure the provision of all needed services and to commit to the long-term viability of a full-service community hospital at Baystate Franklin Medical Center which will meet the health care needs of the residents of Franklin County; and;

Be it further resolved that the Town Clerk be directed to send copies of this resolution to Mark Tolosky, President, and Chief Executive Officer of Baystate Health System, and to Chuck Gijanto, Present of Baystate Regional Markets.