

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

Annual Town Meeting Warrant. May 17, 2011

*****NOTE: THIS DOCUMENT REPRESENTS THE ACTUAL WARRANT SIGNED BY THE BOARD OF SELECTMEN AND POSTED BY THE CONSTABLE AT SOUTHWICK TOWN HALL, SOUTHWICK POST OFFICE AND SOUTHWICK PUBLIC LIBRARY.*****

WARRANT FOR THE ANNUAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS May 17, 2011

Annual Town Election, Tuesday, May 10, 2011, at 7:00 a.m. to 8:00 p.m. at the Southwick Town Hall, 454 College Highway for Precincts I, II, and III.

Annual Town Meeting Tuesday, May 17, 2011 at 7:00 p.m. at the Southwick High School, Feeding Hills Road, in the Auditorium.

HAMPDEN SS. To either of the Constables of the Town of Southwick in the County of Hampden

GREETINGS:

ARTICLE 1. 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 town affairs to meet and assemble at the TOWN HALL, 454 COLLEGE HIGHWAY, PRECINCTS I, II, & III, in said Southwick on Tuesday, May 10, 2011 between the hours of 7:00 A.M. and 8:00 P.M. to elect on one ballot the following officers: One Selectman for a three-year term, One Selectman for one term, Two Regional School District Committee members each for a three-year term. One Assessor for a three-year term. One Cemetery Commissioner for a three-year term. One Dickinson School Trustee for a three-year term. Two Library Trustees each for a three year term. Two Park and Recreation Commission members each for a three-year term. One Planning Board member for a five-year term. One Water Commissioner for a three year term. One Board of Health member for a three-year term. One Moderator for a three-year term.

Also, 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 town affairs to meet and assemble at the SOUTHWICK-TOLLAND REGIONAL HIGH SCHOOL AUDITORIUM ON TUESDAY, May 17, 2011, at 7:00 P.M. then and there for the Annual Town Meeting and to act on the following articles:

Given under our hand at said Southwick this 2nd day of May in the year of the Lord Two Thousand and Eleven.

ARTICLE 2. To see if the Town will vote to accept the reports as published in the Annual Town Report of the Selectmen, Assessors, Town Accountant, Town Clerk, Water Commissioners and all others to be acted thereon, or take any other action thereon.

Requested by the Board of Selectmen

ARTICLE 3. To see if the Town will vote to instruct the Selectmen to appoint minor officers or to take any other action relative thereon.

Requested by the Board of Selectmen

ARTICLE 4. To see if the Town will vote to authorize the Board of Selectmen to sell or trade obsolete equipment or take any action relative thereon.

Requested by the Board of Selectmen

ARTICLE 5. To see if the Town will vote to authorize the Board of Selectmen to apply for and accept any and all grants from private entities, the Federal Government or the Commonwealth of Massachusetts for the purposes for which said grants are authorized, or to take any other action relative thereon.

Requested by the Board of Selectmen

ARTICLE 6. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds, notes, and certificates of indebtedness for a period of not more than two years in accordance with M.G.L. Chapter 44, Section 17 or take any other action relative thereon.

Requested by the Board of Selectmen

ARTICLE 7. To see if the Town will vote to fix the compensation of elected officers and town employee salaries where stipulated, provide for a reserve fund, provide a sum of money for Capital Outlay for the following Town Departments: Public Safety Buildings, Computer, Town Hall, Library, Police, Fire, Lake Management, DPW (various divisions), and Emergency Management and determine the sum of money the Town will raise and appropriate including appropriations from available funds to defray charges and expenses of the Town including debt and interest for the ensuing FY July 1, 2011 to June 30, 2012 or to take any other action relative thereon.

Requested by the Finance Committee

ARTICLE 8. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: to re-authorize the Revolving Funds under M.G.L. Chapter 44 Section 53E 1/2 for FY2012 entitled "Inspector's Revolving Fund", the establishment of which is for the purpose of compensating various inspectors employed by the Town for services rendered and said fund shall not exceed \$40,000.00 limit on the funds on deposit, or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 9. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: to re-establish a revolving fund pursuant to M.G.L. Chapter 44, Section 53E 1/2 for FY2012 entitled "Public Safety Departments Revolving Account" the use of which is for the Fire and Police Departments in the Town of Southwick to offset costs of training personnel; purchasing supplies and equipment; costs of maintenance and repairs of equipment and vehicles; and salaries paid to details, all related to HAZ-MAT response, and said fund shall not exceed \$40,000.00 limit on the funds on deposit, or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 10. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: To reauthorize a revolving fund under M.G.L. Chapter 44, Section 53E 1/2 that may be spent by the Lake Management Committee without further appropriation, during FY 2012 to pay for salaries, expenses, operations, contractual service, and ramp repairs and improvements regarding the management of the lakes. The revolving fund entitled Revolving Boat Ramp Account is to be credited with all fees and charges received during FY 2012 from persons using the boat ramps. The Lake Management Committee may spend \$32,000.00 for Lake Management operations in revolving fund monies for the program during FY 2012. The unencumbered and unreserved balance in the revolving fund at the end of FY 2011 shall be carried over into FY 2012 or take any other action relative thereon.

Requested by the Lake Management Committee

ARTICLE 11. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: To reauthorize a revolving fund under M.G.L. Chapter 44, Section 53E 1/2 that may be spent by the Police Department without further appropriation, during FY 2012 to pay for salaries, expenses, operations and contractual services regarding Harbormaster Operations for the removal and storage of snowmobiles, boats, ATV's, etc., from lakes. The revolving fund entitled "Harbormaster Revolving Account" is to be credited with all fees and charges received during FY 2012 from person(s) requiring Harbormaster services for the removal and storage of snowmobiles, boats, ATV's, etc., from lakes. Expenditures for FY 2012 shall not exceed \$20,000.

Requested by the Police Department

ARTICLE 12. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: To reauthorize a revolving fund under M.G.L. Chapter 44, Section 53E 1/2 that may be spent by the Police Department and the Conservation Commission without further appropriation, during FY 2012 to pay for salaries, expenses, operations and contractual services regarding the Massachusetts Division of Environmental Protection Program authorized under Massachusetts General Laws Chapter 91, Local Permitting Program concerning lake water structures. The revolving fund entitled "Local Lake Permitting Revolving Account" is to be credited with all fees and charges received during FY 2012 for the permitting of lake water structures. The Police Department and Conservation Commission may spend up to \$40,000.00 for lake patrol and lake structure inspection in this revolving fund for the program during FY 2012. The unencumbered and unreserved balance in the revolving fund at the end of FY 2011 shall be carried over into FY 2012 or take any other action relative thereon.

Requested by the Police Department,
Conservation Commission
and Lake Management Committee

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$8,215,316 for the Southwick-Tolland Regional School District assessment for Fiscal Year 2012 commencing July 1, 2011 and ending on June 30, 2012, or take any other action thereon.

Regional School Southwick-Tolland
Regional School District

ARTICLE 14. To see if the Town of Southwick will vote not to disapprove certain additional debt authorized by the Southwick-Tolland Regional School Committee under a vote dated April 5, 2011, which reads as follows:

"Voted: approve authorization to incur debt by the issuance and sale of bonds or notes for the amount of \$600,000 for the purchase of all items specified in the attached School District's Fiscal Year 2012 Capital Improvement Plan," or take any other action relative thereon. requested by the Southwick-Tolland

Regional School Southwick-Tolland
Regional School District

ARTICLE 15. To act on the report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation Budget and to set up a budgeted reserve for later appropriation of monies from the Community Preservation Fund annual revenues or available funds for the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year. Pursuant to Massachusetts General Laws, Chapter 44B from the estimated FY 2012 Community Preservation Fund, appropriation to be set aside as follows.

MOTION: To see if the town will vote to set up a budgeted reserve from the Community Preservation Fund annual revenues the amounts recommended by the Community Preservation in Fiscal Year 2012 with each item to be considered a separate reserve.

Proposed Fiscal Year 2012 Community Preservation Reserves

- To reserve \$36,164 from FY2012 Community Preservation Fund revenues for Open Space.
- To reserve \$36,164 from FY2012 Community Preservation Fund revenues for Historic Resources.
- To reserve \$36,164 from FY2012 Community Preservation Fund revenues for Community Housing.
- To reserve \$298,334 from FY2012 Community Preservation Fund revenues for Community Preservation General Unreserved Fund.

Reserves

Open Space	\$36,164
Historic Resources	\$36,164
Community Housing	\$36,164
General unreserved	\$253,146
Total	\$361,638

Estimated FY2012 revenues = State match to be received on 10/15/11	\$120,546
+ estimated new surcharge collections for FY2012	\$241,092
Total	\$361,638

State match = FY2011 CPA commitments minus abatements

Estimated new surcharge collections for FY2012 = FY2011 collections

10% of estimated FY2012 revenues equal the amount reserved for each CPA purpose, Historical, Open Space and Community Housing, as required by law.

70% of estimated FY2012 revenues equal the amount reserved for the Community Preservation General Unreserved Fund

Requested by the Community Preservation Committee

ARTICLE 16. To act on the report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation Budget and appropriate 4% (\$10,126), of the monies from the Community Preservation General Unreserved Fund for the administrative and operating expenses of the Community Preservation Committee, or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate from the Community Preservation General Unreserved Fund \$10,126 as recommended by the Community Preservation Committee.

Requested by the Community Preservation Committee

ARTICLE 17. To see if the Town will vote to appropriate and transfer the sum of \$72,793.00 from FY2012 Community Preservation Historical Reserves in order to Preserve/Archive the Town of Southwick Historical documents and take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$72,793.00 from FY2012 Community Preservation Historical Reserves in order to Preserve/Archive the Town of Southwick Historical documents and take any other action relative thereto.

Requested by the Community Preservation Committee

ARTICLE 18. To see whether the Town will accept Section 20 of Chapter 32B of the General Laws, as added by Chapter 479 of the Acts of 2008, in order to allow the establishment of an Other Post Employment Benefits Liability Trust Fund for the accumulation of funds to reduce the unfunded actuarial liability of health care and other post-employment benefits, or take any other action relative thereto.

Requested by the Finance Committee

ARTICLE 19. To see if the Town will vote to accept as a Town way, Falcon Crest, as shown as an unnamed way on the street layout plan entitled Pine Knoll II Zone R-20 Subdivision of Property, Southwick, Massachusetts for: Greenwood Devel., Inc., 658 Cooper Street, Agawam, MA – Dated Aug. 31, 1989, Rev. 11-15-89 Scale 1" = 80' . . .D.L. Bean. . ." which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 281, Page 104; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift an easement to use said street for all purposes for which public ways are used in the Town of Southwick; or to take any other action relative thereto.

Requested by Planning Board and DPW

ARTICLE 20. To see if the Town will vote to accept as a Town way, Pine Knoll, as shown as an unnamed way on the street layout plan entitled "Pine Knoll II Zone R-20 Subdivision of Property, Southwick, Massachusetts for: Greenwood Devel., Inc., 658 Cooper Street, Agawam, MA – Dated Aug. 31, 1989, Rev. 11-15-89 Scale 1" = 80' . . .D.L. Bean. . ." which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 281, Page 104; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift certain stormwater drainage easements including an easement to use said street for all purposes for which public ways are used in the Town of Southwick; or to take any other action relative thereto.

Requested by Planning Board and DPW

ARTICLE 21. To see if the Town will vote to accept as a Town way, Deer Run Road, as shown as an unnamed way on the street layout plan entitled "Pine Knoll III Zone R-20 Subdivision of Property Southwick, Massachusetts for: Pine Knoll, Inc., 658 Cooper Street, Agawam, Mass – Dated Nov. 22, 1994, Rev. Nov. 13, 1997, Rev. March 19, 1999 Scale 1" = 100' . . .D.L. Bean. . ." which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 313, Page 120; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift certain utility easements, sanitary sewer, access easements, stormwater drainage easements and slope easements including an easement to use said street for all purposes for which public ways are used in the Town of Southwick; or to take any other action relative thereto.

Requested by Pine Knoll, Inc.

ARTICLE 22. To see if the Town will vote to accept as a Town way, Lauren Lane, formerly known as Foxwoods Drive, as shown on the street layout plan entitled "Pine Knoll III Zone R-20 Subdivision of Property Southwick, Massachusetts for: Pine Knoll, Inc., 658 Cooper Street, Agawam, Mass - Dated Nov. 22, 1994, Rev. Nov. 13, 1997, Rev. March 19, 1999 Scale 1" = 100' . . .D.L. Bean. . ." which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 313, Page 120; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift certain utility easements, sanitary sewer, access easements, stormwater drainage easements and slope easements including an easement to use said street for all purposes for which public ways are used in the Town of Southwick; or to take any other action relative thereto.

Requested by Pine Knoll, Inc.

ARTICLE 23. To see if the Town will authorize the Board of Selectmen to enter into a Stormwater Drainage Easement with Mark W. Henke and Neilda J. Henke for purposes of laying, constructing, using, replacing and maintaining a stormwater drainage system, and any appurtenances thereto, including but not

limited to pipes, swales, basins, fences and plantings over an area of land consisting of approximately 1,121 square feet, as more full shown as "Proposed Stormwater Easement Area = 1,121 s.f." on a Plan prepared by D.L. Bean, Inc. dated May 11, 2010 (a copy of which is located in the Town Clerk's Office), said Proposed Stormwater Easement is located on a portion of the parcel of land known and designated as 140 Summer Drive, Southwick, Massachusetts, the deed for which is recorded in the Hampden County Registry of Deeds in Book 7121, Page 81, and the Town is not required to pay any consideration to said Mark W. Henke and Neilda J. Henke for obtaining the Easement, or take any other action relative thereto.

Requested by the DPW

ARTICLE 24. To see if the Town will authorize the Board of Selectmen to enter into a Permanent Utility Easement and Access and Egress Easement with T. Peacock, Inc. for purposes of constructing, erecting, maintaining, replacing and using a Water Booster Pump Building and all appurtenant pipes, lines conduits, valves, meters, electrical lines and meters as may be needed to operate the pumping station over an area of land consisting of approximately 1,587.1 square feet, as more full shown as "Proposed Water Booster Pump and Permanent Utility Easement = 1,587.1 sq.ft." on a Plan prepared by D.L. Bean, Inc. dated January 6, 2011, and an access and egress easement to access the Water Booster Pump Building over an area of land designated as "Access and Egress for Water Booster Pump Building" on said plan (a copy of which is located in the Town Clerk's Office), said Permanent Utility Easement and Access and Egress Easement is located on a portion of the parcel of land known and designated as 627 College Highway, Southwick, Massachusetts, the deed for which is recorded in the Hampden County Registry of Deeds in Book 10252, Page 353, and the Town is not required to pay any consideration to said T. Peacock, Inc. for obtaining the Easement, or take any other action relative thereto.

Requested by the DPW

Given under our hands at said Southwick this 2nd day of May the year of the Lord two thousand and eleven.

BOARD OF SELECTMEN

Arthur G. Pinell, Chairman

David A. St. Pierre, Vice-Chairman

HAMPDEN SS.,

Pursuant to the within warrant I have notified and warned the inhabitants of the Town of Southwick by posting up attested copies of the same at three (3) public places in said Town Seven (7) days before the date thereof, as within directed.

Constable of Southwick, MA

Kelly A. Magni

A TRUE COPY ATTEST:

Michelle L. Hill, Town Clerk

POSTED: TOWN HALL, POST OFFICE, LIBRARY