

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

Annual Town Meeting Warrant, May 18, 2010

*****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 18, 2010

Annual Town Election, Tuesday, May 11, 2010, 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 18, 2010 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 11, 2010, 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. 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. One Park and Recreation Commission member 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 Housing Authority member for a five-year term. One Housing Authority member for remainder of term. Two Constables each 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 18, 2010, 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 3rd day of May in the year of the Lord Two Thousand and Ten.

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 appropriate \$200,000 to pay costs of purchasing and originally equipping an ambulance, and for the payment of all other costs incidental and related thereto; to determine whether this amount should be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

Requested by the Board of Selectmen and Fire Department

ARTICLE 8. To see if the Town will appropriate \$700,000 to pay costs of constructing and originally equipping two water system pump stations to be located in the Coes Hill Road and Granville Road areas of the Town, and for the payment of all other costs incidental and related thereto; to determine whether this amount should be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

Requested by the Water Commissioners

ARTICLE 9. 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: Town Clerk, Public Safety Buildings, Computer, Town Hall, 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, 2010 to June 30, 2011 or to take any other action relative thereon.

Requested by the Finance Committee

ARTICLE 10. 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 → for FY2011 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 11. 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 → for FY2011 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 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 → that may be spent by the Lake Management Committee without further appropriation, during FY 2011 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 2011 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 2011. The unencumbered and unreserved balance in the revolving fund at the end of FY 2010 shall be carried over into FY 2011 or take any other action relative thereon.

Requested by the Lake Management Committee

ARTICLE 13. To see if the Town will adopt the following vote or to take any other action thereon:
Vote: to reauthorize a revolving fund under M.G.L. Chapter 44, Section 53E → that may be spent by the Police Department without further appropriation, during FY 2011 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 2011 from person(s) requiring Harbormaster services for the removal and storage of snowmobiles, boats, ATV's, etc., from lakes. Expenditures for FY 2011 shall not exceed \$20,000.

Requested by the Police Department

ARTICLE 14. 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 53E1/2 that may be spent by the Police Department and the Conservation Commission without further appropriation, during FY 2011 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 2011 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 2011. The unencumbered and unreserved balance in the revolving fund at the end of FY 2010 shall be carried over into FY 2011 or take any other action relative thereon.

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

ARTICLE 15. To see if the Town will adopt the following vote or to take any other action thereon:

Voted: to re-authorize a revolving fund pursuant to M.G.L. Chapter 44, Section 53E → entitled "Sidewalk Revolving Account" to use the proceeds accrued from the Planning Board's waiver of sidewalks as permitted in the Subdivision of Land Rules and Regulations under Ch.315 of the Southwick Town Code for the repair, replacement and installation of sidewalks elsewhere in the community as recommended by the DPW Director and approved by the Board of Selectmen and further that said expenditures shall not exceed \$200,000 for FY 2011, or take any action thereto.

Requested by the Board of Selectmen and Planning Board

ARTICLE 16. To see if the Town will appropriate and transfer the sum of \$75,000.00 from the Sewer Capital Account for expenses incurred related to the necessary easements, appraisals, legal, engineering and other incidental costs for the Sewer Parallel Interceptor Extension in the City of Westfield, as well as the Phase 2 Collector System in the Town of Southwick.

Or take any other action thereto.

Requested by the Board of Selectmen and DPW

ARTICLE 17. To see if the Town of Southwick will vote to raise and appropriate or transfer from available funds the sum of \$8,109,414 for the Southwick-Tolland Regional School District assessment for FY

2011 commencing July 1, 2010 and ending on June 30, 2011, or take any other action thereon.

Requested by the Southwick-Tolland Regional School District

ARTICLE 18. 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 6, 2010, which reads as follows:

“Voted: approve authorization to incur debt by the issuance and sale of bonds or notes for the amount of \$350,000 for the purchase of all items specified in the attached School District’s FY 2011 Capital Improvement Plan” or take any other action relative thereon.

Requested by the Southwick-Tolland Regional School District

ARTICLE 19. That the Town of Southwick authorize the Southwick-Tolland Regional School District to incur debt by the issuance and sale of bonds or notes in the amount of \$250,000 for a feasibility study of the Woodland Elementary School at 80 Powder Mill Road, Southwick, MA. The existing Woodland Elementary School property is located on the south side of three (3) parcels of Town owned land totaling 110 acres. The site is bordered by private wooded land and American Legion Post 338 to the south, Southwick Recreation Center and Powder Mill Road to the west, Rt. 57, Feeding Hills Road, to the north and private residences and Town owned wooded land, including the public water supply, to the east. The parcel of land is shared with Powder Mill Middle School, Southwick-Tolland Regional High School, Southwick Public Library, and playing fields utilized by the Southwick-Tolland Regional Schools and the Community at large. Said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Southwick-Tolland Regional School Committee is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority; that the Town and the School District acknowledge that the Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Southwick-Tolland Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Regional School District, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Regional School District and the MSBA.

Requested by the Southwick-Tolland Regional School District

ARTICLE 20. To act on the report of the Community Preservation Committee on the FY 2011 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 2011 Community Preservation Fund, appropriation to be set aside as follows, or take any other action relative thereto.

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 FY 2011 with each item to be considered a separate reserve.

Proposed FY 2011 Community Preservation Reserves

- To reserve \$42,620 from FY2011 Community Preservation Fund revenues for Open Space.
- To reserve \$42,620 from FY2011 Community Preservation Fund revenues for Historic Resources.
- To reserve \$42,620 from FY2011 Community Preservation Fund revenues for Community Housing.
- To reserve \$298,334 from FY2011 Community Preservation Fund revenues for FY2010 Community Preservation General Unreserved Fund.

Reserves

Open Space	\$42,620
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Historic Resources	\$42,620
Community Housing	\$42,620
General unreserved	\$298,334
Total	\$426,194

Estimated FY2011 revenues = State match to be received on 10/15/10	\$176,194
+ estimated new surcharge collections for FY2011	\$250.000
Total	\$426,194

State match = FY2010 CPA commitments minus abatements

Estimated new surcharge collections for FY2011 = FY2010 collections

10% of estimated FY2011 revenues equal the amount reserved for each CPA purpose, Historical, Open Space and Community Housing, as required by law.

70% of estimated FY2011 revenues equal the amount reserved for the Community Preservation General Unreserved Fund

Requested by the Community Preservation Committee

ARTICLE 21. To act on the report of the Community Preservation Committee on the FY 2011 Community Preservation Budget and appropriate 4% (\$11,933), 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 \$11,933 as recommended by the Community Preservation Committee.
Requested by the Community Preservation Committee

ARTICLE 22. To see if the Town will vote to delete in its entirety § 185-5. "Districts enumerated; maps. B." of the Code of the Town of Southwick and to replace it with the following:

§ 185-5. Districts enumerated; maps.

B. The boundaries of each of said zones set forth above in Subsection A(1) through A(9), inclusive, are hereby established as shown, defined, and bounded on a map on file in the Office of the Town Clerk of the Town of Southwick, Massachusetts, entitled "Town of Southwick, Massachusetts, Municipal Zoning Districts". This map, dated May 2010, and subsequent amendments thereto, together with explanatory matter thereon, is hereby incorporated by reference and made a part of this chapter.

Or take any other action thereto.

Requested by the Southwick Planning Board

ARTICLE 23. To see if the Town will vote to amend Section 1-9 (B) of the Code of the Town of Southwick by deleting the following: "**shall be the sum of \$25.00**" and replacing the deleted portion with the following language: "**shall be up to the sum of \$100.00**" or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 24. To see if the Town will authorize the Board of Selectmen to enter into a Sewer Main and Water Main Easement with Charles Berthiaume for purposes of constructing, reconstructing, installing, using, maintaining, repairing, replacing, removing or abandoning in place, inspecting and operating water mains, pipes, lines, conduits, pumps and appurtenances associated therewith over an area of land consisting of approximately 6,197 square feet, as more fully shown as "PE-1b-1" in a Plan recorded in the Hampden County Registry of Deeds in Book of Plans 321, Page 117, and the Town is not required to pay any consideration to said Charles Berthiaume for obtaining the Easement, or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 25. To see if the Town will vote to accept as Town ways, North Pond Road and Alcove Road as shown on the lot layout plan entitled "Lot Layout Definitive Subdivision Plan North Pond Views, Southwick, Mass. For Northeast Land Development Trust, Inc. Owner, Ecotec Environmental Associates, Inc....Scale 1" = 50' Date Sept. 1998" which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 311, Pages 109 and 110; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift certain easements including an easement to use said streets for all purposes for which public ways are used in the Town of Southwick and to accept a Stormwater Drain Easement as shown on said Plan Book 311, Pages 109 and 110; or to take any other action relative thereto.

Requested by the NE Land Development Trust, Inc.

Given under our hands at said Southwick this 3rd day of May the year of the Lord two thousand and ten.

BOARD OF SELECTMEN

Arthur G. Pinell, Chairman

David A. St. Pierre, Vice-Chairman

Nicholas Boldyga, Clerk

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 Magni

A TRUE COPY ATTEST:

Michelle L. Hill, Town Clerk

POSTED: TOWN HALL, POST OFFICE, LIBRARY