

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

ATM May 17, 2016 Warrant Explanations

*****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
Tuesday, May 17, 2016
7:00 p.m.**

Annual Town Election, Tuesday, May 10, 2016, 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, 2016 at 7:00 p.m. at the Southwick Regional High School, 93 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 the Town Clerk is 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, 2016 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 Cemetery Commissioner for a one-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 Park and Recreation Commission member for a two-year term. Two Park and Recreation Commission members each for a one-year term. One Planning Board member for a five-year term. One Planning Board member for a two-year term. One Water Commissioner for a three-year term. One Board of Health member for a three-year 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 REGIONAL HIGH SCHOOL AUDITORIUM ON TUESDAY, May 17, 2016, 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 29th day of April in the year of the Lord Two Thousand and Sixteen.

ARTICLE 1 EXPLANATION:

Town Election acted on May 10, 2016, for the above individuals: See the ballot posted on the Town of Southwick's web page at www.southwickma.org.

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 2 EXPLANATION:

This is a General Housekeeping Article to authorize the Selectmen to operate Town Government.

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 3 EXPLANATION:

This is a General Housekeeping Article to authorize the Selectmen to operate Town Government.

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 4 EXPLANATION:

This is a General Housekeeping Article to authorize the Selectmen to operate Town Government.

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 5 EXPLANATION:

This is a General Housekeeping Article to authorize the Selectmen to operate Town Government.

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 6 EXPLANATION:

This is a General Housekeeping Article to authorize the Selectmen to operate Town Government. It allows for temporary borrowings in anticipation of receiving tax receipts, grants, bond proceeds, etc. that fund the operations of the Town.

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: Building Inspector, Animal Control, Library, Emergency Management, Park and Recreation, Town Clerk, Computer, Town Hall/Public Safety Buildings, Police, Fire, Lake Management, DPW (various Divisions), and EMS 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, 2016 to June 30, 2017 or to take any other action relative thereon.

Requested by the Finance Committee

ARTICLE 7 EXPLANATION:

Approving the Fiscal Year 2017 Budget will allow for the proper allocation of resources for the continuing operation and welfare of the town, while providing the fundamental fiduciary responsibilities in our current economy.

ARTICLE 8. DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION. To See if the Town will vote to authorize revolving funds for certain town departments under M.G.L. C. 44 § 53E½ for the fiscal year beginning July 1, 2016, or take any other action relative thereto.

MOTION: That the Town reestablish revolving funds for certain town departments under M.G.L. C. 44 § 53E½ for the fiscal year beginning July 1, 2016, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	Spending Limit	Disposition of Fund Balance
Inspector's Revolving	Inspectors	Inspection permits	Inspectors salaries	\$40,000	Balance available for expenditure in following fiscal year
HAZ-MAT Revolving	Police & Fire	HAZ-MAT fines	Personnel training, purchasing supplies & equip, maint & repair of equip & vehicles & anything related to HAZ-MAT response	\$40,000	Balance available for expenditure in following fiscal year
Boat Ramp Revolving	Lake Mgmt	Boat Ramp access	Salaries & boat ramp expenses	\$32,000	Balance available for expenditure in following fiscal year
Harbormaster Revolving	Police	Fines for Lake removals	Salaries & expenses regarding removal & storage of items removed from lake	\$20,000	Balance available for expenditure in following fiscal year
Local Lake Permitting Revolving	Police & Conservation	Lake permitting fees	Salaries & expenses regarding DEP regulations for lake structures	\$40,000	Balance available for expenditure in following fiscal year
Custodial Service Fund	Maintenance Dept.	Fees from use	Entities renting space	\$5,000	Balance available for expenditure in following fiscal year
COA Revolving Fund	COA	Fees/Charges	Fund Trips/Newsletter	\$10,000	Balance available for expenditures in following fiscal year
COA Classes Revolving Fund	COA	Fees/Charges	Fund Sr. Citizen Classes	\$10,000	Balance available for expenditure in following fiscal year
TOTAL SPENDING				\$197,000	

Requested by the Board of Selectmen

ARTICLE 8 EXPLANATION:

Reauthorizes all Revolving Accounts to operate some town government functions. Without so would require funds to come out of taxation.

ARTICLE 9. To see if the Town will appropriate \$275,000 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.

MOTION: That the sum of \$275,000 is hereby appropriated to pay costs of purchasing and originally equipping an ambulance, and for the payment of all other costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor.

Requested by the Board of Selectmen

ARTICLE 9 EXPLANATION:

This vote allows the Town to replace its front line ambulance with a new unit and put the current one as a back-up. We are proposing to replace the unit with the debt rolling off from the old unit. The process to replace the unit can take 6-9 months.

ARTICLE 10. To see if the Town will appropriate \$116,000 to pay additional costs of purchasing and installing an above-ground fuel storage tank at the DPW Facility at 661 College Highway, 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.

MOTION: That the sum of \$116,000 is hereby appropriated to pay additional costs of purchasing and installing an above-ground storage tank, and for the payment of all other costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Sections 7 and 8 of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor. The amount appropriated by this vote shall be expended in addition to the \$100,000 previously appropriated by the Town to pay costs of this project, resulting in a total appropriation for this project of \$216,000.

Requested by the Board of Selectmen and Buildings and Grounds

ARTICLE 10 EXPLANATION:

The Town Maintenance Staff have informed us the lifespan of the current below ground fuel tanks at the Depot Street location is nearing the end. The proposed above ground tanks you are voting on at this meeting have been approved at the new DPW Garage location as part of the Planning Board approval for the site. The initial bids came in higher so this vote will authorize additional funds to meet the updated engineer estimated cost for the project.

ARTICLE 11. To see if the Town will vote to change the name of the Board of Selectmen to the "Select Board" and further to authorize the amendment of the Code of the Town of Southwick, and all regulations, policies, agreements, contracts, as well as any and all other references within the Town or to which the Board of Selectmen are a party or otherwise named from the Board of Selectmen to the "Select Board", or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 11 EXPLANATION:

This was a request initiated by some citizens to change the name of the Selectmen to Select Board to make the title more gender neutral.

ARTICLE 12. To act on the report of the Community Preservation Committee on the Fiscal Year 2017 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 2016 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 2017 with each item to be considered a separate reserve.

Proposed Fiscal Year 2017 Community preservation Reserves

- To reserve \$43,100 from FY2017 Community Preservation Fund revenues for Open Space.
- To reserve \$43,100 from FY2017 Community Preservation Fund revenues for Historic Resources.
- To reserve \$43,100 from FY2017 Community Preservation Fund revenues for Community Housing.
- To reserve \$301,700 from FY2017 Community Preservation Fund revenues for Community Preservation General Unreserved Fund.

Reserves

Open Space	\$43,100
Historic Resources	\$43,100

Community Housing	\$43,100
General Unreserved	<u>\$301,700</u>
TOTAL	\$431,000

Estimated FY2017 revenues = State match to be received on 10/15/16	\$179,000
+ estimated new surcharge collections for FY2017	<u>\$252,000</u>
Total	\$431,000

State match = FY2016 CPA commitments minus abatements

Estimated new surcharge collections for FY2017 = FY2016 collections

10% of estimated FY2017 revenues equal the amount reserved for each CPA purpose, Historical, Open Space and Community Housing, as required by law.

70% of estimated FY2017 revenues equal the amount reserved for the Community Preservation General Unreserved Fund

Requested by the Community Preservation Committee

ARTICLE 12 EXPLANATION:

Annual budget as required by State Law. Mandatory 10% reserve for Open Space, 10% reserve for Historic, and 10% reserve for Housing, the remainder in General Unreserved Fund that may be spent on any projects eligible for CPA funds.

ARTICLE 13. To act on the report of the Community Preservation Committee on the Fiscal Year 2017 Community Preservation Budget and appropriate 4% (\$12,068), 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 \$12,068 as recommended by the Community Preservation Committee.

Requested by the Community Preservation Committee

ARTICLE 13 EXPLANATION:

CPC FY2017 Administrative & Operating expenses set aside. The statute allows 5% of the funds to be set aside but the CPC voted to set aside 4% of the funds anticipated for FY2017.

ARTICLE 14. To see if the Town will vote to appropriate and transfer the sum of \$34,669.00 from the Community Preservation Act Housing Fund to the Southwick Housing Authority in order to replace 17 post-lights, including posts, bases, heads and wiring, at the property known as Depot Court located on Southwick Assessors Map 89, Parcel 26. Recorded at the Hampden County Registry of Deeds, Massachusetts Book 3755 Page 385, or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$34,669.00 from the Community Preservation Act Housing Fund to the Southwick Housing Authority in order to replace 17 post-lights, including posts, bases, heads and wiring at the property known as Depot Court located on Southwick Assessors Map 89, Parcel 26. Recorded at the Hampden County Registry of Deeds. Massachusetts Book 3755, Page 385, or take any other action relative thereto.

Requested by the Community Preservation Committee
and Southwick Housing Authority

ARTICLE 14 EXPLANATION:

The lights and light posts for this Housing Authority property are in desperate need of repair and replacement. This is a safety issue and needs to be addressed as soon as possible to help bring the safety standards of these units into compliance.

ARTICLE 15. To see if the Town will vote to appropriate and transfer the sum of \$541,890.00 from the Community Preservation General Fund in order to install at the parcel known as Whalley Park on 42 Powder Mill Road, lights for the softball field, the 90ft baseball field, the pavilion, the play-scape and all currently unlit roads, and parking lots. Install electricity for the pavilion and the stage area. Purchase 6 picnic tables and 10 benches or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$541,890 from the Community Preservation General Fund in order to install at the parcel known as Whalley Park on 42 Powder Mill Road, lights for the softball field, the 90ft baseball field, the pavilion, the play-scape and all currently unlit roads and parking lots. Install electricity for the pavilion and the stage area. Purchase 6 picnic tables and 10 benches or take any other action relative thereto.

Requested by the Community Preservation Committee
and Park and Recreation Commission

ARTICLE 15 EXPLANATION:

Park and Recreation wants to provide additional features at Whalley Park to finish off the project including lighting for the softball field, the large baseball field, the pavilion, the play-scape and all parking areas during evening events. The picnic tables would provide families with a place to sit in the shade while having a picnic or just enjoying the park. The bleachers will provide seating for spectators during the games and the benches would provide the players with a place to sit while resting.

ARTICLE 16. To see if the Town will vote to appropriate and transfer the sum of \$6,800.00 from Community Preservation Housing Fund to the Southwick Housing Authority in order to replace seventeen (17) windows, install window trim on the interior and dispose of the old windows, to support energy efficiency for Special Needs Home on 212 Sheep Pasture Road Map100, Parcel 39. The deed is recorded at the Hampden County Massachusetts Registry of deeds Book 5036, Page 137. Or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$6,800.00 from Community Preservation Housing Fund to the Southwick Housing Authority in order to replace seventeen (17) windows, install window trim on the interior and dispose of the old windows, to support energy efficiency for Special Needs Home on 212 Sheep Pasture Road Map100, Parcel 39. The deed is recorded at the Hampden County Massachusetts Registry of deeds Book 5036, Page 137. Or take any other action relative thereto.

Requested by the Community Preservation Committee
and Southwick Housing Authority

ARTICLE 16 EXPLANATION:

This Housing Authority property is in desperate need of replacement windows. The current windows are leaking valuable energy and the new replacement windows will be an energy cost saver for the Housing Authority and help bring these units into compliance with current energy standards.

ARTICLE 17. To see if the Town will vote to appropriate and transfer the sum of \$54,000.00 from the Community Preservation General Fund in order to rehabilitate and make the area known as the Prifti Park Play-scape ADA accessible and usable for the general public. The area known as the Prifti Park Play-scape shall have a Conservation Restriction or Deed Restriction placed upon the parcel ensuring the longevity of the park no later than three years from completion. And any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$54,000.00 from the Community Preservation General Fund in order to rehabilitate and make the area known as the Prifti Park Play-scape ADA accessible and usable for the general public. The area known as the Prifti Park Play-scape shall have a Conservation Restriction or Deed Restriction placed upon the parcel ensuring the longevity of the park no later than three years from completion. And any other action relative thereto.

Requested by the Community Preservation Committee,
Board of Selectmen
and Park and Recreation Commission

ARTICLE 17 EXPLANATION:

The Town is required to rehabilitate and bring up to State/Federal ADA Codes the playscape at Prifti Park near Town Hall. It will also meet recommendations from our insurance company. This is a highly used park in our downtown area and serves many families. The work will address accessibility, improve protective surfaces for falls, remove outdated portions, and repair fencing.

ARTICLE 18. To see if the Town will vote to appropriate and transfer the sum of \$26,950.00 from the Community Preservation Act Housing Fund to the Southwick Housing Authority in order to repair water damaged ceilings, sand finished ceilings, paint ceilings, walls and paint doors facing entryways. The property known as Depot Court is located on Southwick Assessors Map 89, Parcel 26, and Recorded at the Hampden County Registry of Deeds. Massachusetts Book 3755, Page 385, or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$26,950.00 from the Community Preservation Act Housing Fund to the Southwick Housing Authority in order to repair water damaged ceilings, sand finished ceilings, paint ceilings, walls and paint doors facing entryways. The property known as Depot Court is located on Southwick Assessors Map 89, Parcel 26, and Recorded at the Hampden County Registry of Deeds. Massachusetts Book 3755, Page 385, or take any other action relative thereto.

Requested by the Community Preservation Committee
and Southwick Housing Authority

ARTICLE 18 EXPLANATION:

This Housing Authority property is in desperate need of repair for the water damage that was incurred to this structure. These repairs will help bring the unit into compliance with current housing standards.

ARTICLE 19. To see if the Town will vote to appropriate and transfer the sum of \$30,000.00 from the Community Preservation Historical Fund to the Southwick Cemetery Commission in order to replace the deteriorating fence around the parcel known as the old cemetery. Property is located on Southwick Assessors Map 1111, Parcel 004. Recorded at the Hampden County Registry of Deeds Book 2099, Page 5105, or take any other action relative thereto.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$30,000.00 from the Community Preservation Historical Fund to the Southwick Cemetery Commission in order to replace the deteriorating fence around the parcel known as the old cemetery. Property is located on Southwick Assessors Map 1111, Parcel 004. Recorded at the Hampden County Registry of Deeds Book 2099, Page 5105, or take any other action relative thereto.

Requested by the Community Preservation Committee
and Cemetery Commission

ARTICLE 19 EXPLANATION:

The Cemetery Commission needs to replace the severely deteriorating wood fence around the Old Cemetery on College Highway with a replacement fence. The new fence shall match the old in design, color texture and other visual qualities.

ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,923,906.00 for the Southwick-Tolland-Granville Regional School District assessment for Fiscal Year 2017 commencing July 1, 2016 and ending on June 30, 2017, or take any other action thereon.

Requested by the Southwick-Tolland-Granville Regional School District

ARTICLE 20 EXPLANATION:

This warrant article requests approval of the assessment from Southwick-Tolland-Granville Regional School District for next year's operating budget. The proposed FY '17 budget is a level services budget for the District as it will fund existing programs for the 2016-2017 school year. The overall increase to the operational budget for next year is 1.66%.

This warrant article also requests approval for the Town of Southwick to pay their debt service on the school building project. The final bond for the school building project debt is included in this warrant article. The additional debt results in a 2% increase. Consequently, the total increase for both the operating budget and the debt service is 3.66%. Debt service for the building project will stay at the same level in ensuing years.

ARTICLE 21. To see if the Town of Southwick will vote not to disapprove certain additional debt authorized by the Southwick-Tolland-Granville Regional School Committee under a vote dated April 5, 2016, 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 School District's Fiscal Year 2017 Capital Improvement Plan," or take any other action relative thereon.

Requested by the Southwick-Tolland-Granville Regional School District

ARTICLE 21 EXPLANATION:

This warrant article requests approval for the capital borrowing that the District pursues annually to replace transportation vehicles, add classroom technology/equipment and begin to repair paving in driveways/parking areas. The total amount of borrowing has been reduced from \$600,000 to \$350,000 consistent with the agreement put in place several years ago regarding reduced spending.

ARTICLE 22. To see if the Town will vote to amend the Code of the Town of Southwick by adding a new Section 69.12.1 to Chapter 69 entitled: "Enforcement of Loose Livestock/Farm Animal" as follows and further that non-substantive changes to the lettering and number of the Code of the Town of Southwick to be consistent with the Code of the Town of Southwick:

"Section 69.12.1. Enforcement of Loose Livestock/Farm Animal

It shall be the duty of the Animal Control Officer, and any assistant Animal Control Officer appointed by the Board of Selectmen, to apprehend any Livestock/Farm Animal found running at large and to inform the owner of said livestock to recapture and contain said animals.

The Animal Control Officer shall keep a register and make a complete record of each incidence. The record shall contain the following information: breed, color sex if known of each Livestock/Farm Animal, number of each that is lose, the name and address of owner, if known; the date and place of each incident and the location where the livestock is being kept. The owner of any loose livestock when known shall be notified verbally or in writing of such incident or if the owner is unknown, written notice shall be posted with the Police Department.

The following schedule shall apply to a violation of this bylaw:

First Offense: Written Warning

Second and Each Subsequent Offense: \$10.00

Or take any other action relative thereto.

Requested by the Animal Control Officer

ARTICLE 22 EXPLANATION:

The Animal Control Department is requesting this by-law change for the safety of the people on the roadways. Livestock being loose on the roadway is extremely dangerous. State Law allows a Town to implement a \$10.00 per incident charge to livestock owners for loose livestock.

ARTICLE 23. To see if the Town will vote to amend the General Bylaws of the Town of Southwick by adding a new Chapter 38, Article 5, §38-5 "Prohibition of Selectman from holding any other elective or compensated office" as follows:

"A selectman may not hold any compensated appointive town office or employment under government of the Town of Southwick during the term for which he/she is elected, nor any compensative appointive town office

or employment for one year thereafter. Also, that any member of the Board of Selectmen serving in such capacity at the time of adoption of this section shall be allowed to complete his/her term of office on the Board prior to being subject to the requirements of this vote."

Or take any other action relative thereto.

Requested by the Board of Selectmen

ARTICLE 23 EXPLANATION:

The reason for this article is because of the inherent conflict that arises when a Selectman is also a Town Employee. A Southwick Board of Selectmen is the personnel board, sewer commissioners, fire commissioners, police commissioners, even dog hearing officials. As the personnel board, we negotiate pay rates and working conditions for all Town employees. Due to conflict of interests, a Town employee serving as a Selectman would be unable to act on critical issues that come before the Board when there would be a conflict with their other position in Town. For example, if a police officer was also a Selectman, he or she could not act or vote on any issue that concerns the police department. Having 3 Selectmen that are not encumbered from making decisions in the best interest of the Town and the Town's taxpayers should be paramount. In addition, the Chief Administrative Officer, employed by the Board of Selectmen, is in charge of the day to day operations of the Town. Therefore, a Town employee who is a Selectman would report to the CAO, but also be the employer of the CAO. We have had two instances in the last decade of having Town employees attempt to serve on the Board. In both cases, it was clear that the conflict that naturally arises takes away from the person's ability to fully perform their job as a Selectman. In a Town of almost 10,000 people, we should be able to find 3 people that are not employed by the Town that are willing and capable to serve as a Selectman.

ARTICLE 24. To see if the Town will vote to amend the adopted provisions of Massachusetts General Laws Chapter 44B, Section 3(e) by adopting exemption (4), exempting \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of Chapter 59 of the Massachusetts General Laws, to be effective for fiscal years beginning on or after July 1, 2017; provided that the adoption of such exemption also be submitted to the voters of the Town as a ballot question at the next regular Town or state election and accepted by a majority of the voters as required by the Community Preservation Act; or take any other action relative thereto.

Requested by Finance Committee

ARTICLE 24 EXPLANATION:

About a year ago, and in response to some citizens' inquiries regarding the CPA tax, the Board of Selectman asked the Town Clerk to survey the residents as to their interest in modifying the CPA tax. A questionnaire was included with the annual Town Census and the results of the survey, about 1,141 opinions. An issue on the questionnaire was whether or not to extend the first \$100,000 of valuation exemption to all property and the results were 248 in the affirmative with 205 in the negative. So the majority of the Finance Committee voted to put this question in the form of an article in an effort to give the community a voice in the process.

ARTICLE 25. To see if the Town will vote to amend the adopted provisions of Massachusetts General Laws Chapter 44B, Section 3(b) by decreasing the surcharge on real property from 3% to 1%, to be effective for fiscal years beginning on or after July 1, 2017; provided that the adoption of such amendment also be submitted to the voters of the Town as a ballot question at the next regular Town or state election and accepted by a majority of the voters as required by the Community Preservation Act; or take any other action relative thereto.

Requested by Finance Committee

ARTICLE 25 EXPLANATION:

About a year ago, and in response to some citizens' inquiries regarding the CPA tax, the Board of Selectmen asked the Town Clerk to survey the residents as to their interest in modifying or eliminating the CPA tax. A questionnaire was included with the annual Town Census and the results of the survey, about 1,141 responses, were as follows: 500 people wanted to keep the program unchanged; 225 people wanted to reduce the rate but keep the program; and 380 people wanted to

eliminate the program. (some opinions were not calculated due to no response on an issue) The majority of the Finance Committee felt that the townspeople essentially had already determined that they wished to retain the program but that there was sufficient reason to put the question on the ballot as to the percentage so that is the reason for this article.

ARTICLE 26. To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements (Congamond Road Construction Project) including sidewalks, storm drainage and widening of Congamond Road and its intersections with Sheep Pasture Road and Berkshire Avenue.

	Total # Parcel	Area (Square Feet)
In Fee	22	28,255 SF +/-
Permanent Easements	1	7,951 SF +/-
Temporary Easements	72	149,701 SF +/-

Further that the Selectmen may acquire these parcels or modification of these parcels or other required parcels through all legal means or take any other action relative thereto. This includes donations, purchase or eminent domain. The subject parcels are currently identified on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Congamond Road (Rt. 168) In the City/Town of Southwick Hampden County Preliminary Right of Way...Sheets 1 through 16 inclusive...Tighe & Bond Consulting Engineers..."

And further, to appropriate and transfer from Ch. 90 funds an amount of \$90,000.00 from Chap. 90 Funds to defray any associated right of way expenses connected with this project or to take any other action related thereto.

Requested by DPW
and Board of Selectmen

ARTICLE 26 EXPLANATION:

The Congamond Road Reconstruction Project includes road widening and repaving, new sidewalks, new stormwater drainage, relocation of utilities, and other improvements. The project will result in takings, permanent easements, and temporary easements on several parcels abutting the project.

This article will allow the Selectmen to vote to accept the takings and easements as laid out during design. All property owners affected by this project will be individually contacted to review the impacts to their property, and the owners will be awarded damages as deemed appropriate.

Given under our hands at said Southwick this 29th day of April the year of the Lord two thousand and Sixteen.

BOARD OF SELECTMEN

_____ Joseph J. Deedy, Chairman

_____ Russell S. Fox, Vice-Chairman

_____ Doug Moglin, 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

William Terry Jr.

A TRUE COPY ATTEST:

Michelle L. Hill, Town Clerk

POSTED: TOWN HALL, POST OFFICE, LIBRARY