

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

Doings at the Annual Town Meeting May17, 2016

DOINGS AT THE ANNUAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS Tuesday, May 17, 2016

The Annual Town Meeting was called to order by the Moderator, James Putnam at 7:00 PM on Tuesday, May 17, 2016 Southwick Tolland Granville Regional High School, 93 Feedings Hills Road, in the Auditorium, with approximately 161 registered voters in attendance.

The following registered voters were appointed as tellers for the meeting:

Joan Choiniere Michael McMahon
Alan Slessler

A Pledge Allegiance to the Flag of the United States was recited.

The National Anthem was sung by Ms Alice Rogers' music class. In attendance was Haleigh Barton, Mikaila Davenport, Emily Elton, Mikayla Hayden, Sabrina Hebert, Richard Marcil, Molly McLaughlin, Aaron Sherlin, and Ashley Sherlin.

A moment of silence was observed for: *(reflects those who have passed away since May 19, 2015)*

Leroy W. Cook – Election Poll Worker
Donald F. Sullivan – Volunteer Fire Fighter
Marilyn Chunglo – Library Trustee
Ronald F. Jackson – Finance Committee

All US Servicemen and Women

Advancement Placement United States Government Class.
(Assistance with microphones and lighting)

Brian Deyo

A motion was made and seconded to allow the following non-voters on to the town meeting floor:

Michelle L. Hill,
Town Clerk, Treasurer, Collector
Benjamin Coyle,
Town Counsel Attorney
Dr. John Barry,
Superintendent
Carol DellaGiustina,
Town Accountant
Art Lawler,
Building Inspector

Russell Anderson,
Southwick Fire Chief
Chris Faria,
Southwick DPW
David Ricardi,
Southwick Chief of Police
Stephen Presnal,
Business Manager

UNANIMOUS

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.

A motion was made and seconded to dispense with the reading of the warrant in its entirety and to act upon each Article separately

A motion was made and seconded to combine articles 2 through 5 under one vote as they are considered housekeeping articles.

ARTICLE 2. The Town of Southwick voted 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.

ARTICLE 3. The Town of Southwick voted to instruct the Selectmen to appoint minor officers.

ARTICLE 4. The Town of Southwick voted to authorize the Board of Selectmen to sell or trade obsolete equipment.

ARTICLE 5. The Town of Southwick voted 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.

Articles 2-5**PASSED
UNANIMOUS**

ARTICLE 6. The Town of Southwick voted 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.

**PASSED
UNANIMOUS**

ARTICLE 7. The Town of Southwick voted 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.

Finance Committee:

The Finance Committee recommends that the Town vote to raise and appropriate the sum of \$10,955,963 and appropriate and transfer from free cash \$930,000 and appropriate and transfer from the sale of lots \$6,800 and appropriate and transfer from the recycling grant the sum of \$5,000 and

appropriate and transfer from overlay surplus the sum of \$50,000 and appropriate and transfer from sewer retained earnings the sum of \$151,000 and appropriate and transfer from water retained earnings the sum of \$199,844 for the grand total of \$12,298,607 which represents the general fund budget in the amount of \$9,051,396 and the water fund budget of \$1,279,844 and the sewer fund budget of \$1,421,839 and the emergency medical services budget for \$545,528.

**PASSED
UNANIMOUS**

ARTICLE 8. DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION. The Town of Southwick voted to authorize revolving funds for certain town departments under M.G.L. C. 44 § 53E½ for the fiscal year beginning July 1, 2016.

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	

**PASSED
UNANIMOUS**

ARTICLE 9. The Town of Southwick voted to 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.

**PASSED
UNANIMOUS**

ARTICLE 10. The Town of Southwick voted to 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.

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.

**PASSED
DECLARED 2/3 VOTE**

ARTICLE 11. The Town of Southwick voted 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".

**ARTICLE PASSED
YES - 74
NO - 56**

ARTICLE 12. The Town of Southwick voted 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

**PASSED
UNANIMOUS**

ARTICLE 13. The Town of Southwick voted 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.

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.

**PASSED
UNANIMOUS**

ARTICLE 14. The Town of Southwick voted 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. and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 3786, Page 526.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$34,669.00 from the Community Preservation Act Community 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. The property is owned by the Southwick Housing Authority and is shown on the Southwick Assessor's Map 89, Parcel 26 and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 3786, Page 526.

**PASSED
UNANIMOUS**

ARTICLE 15. The Town of Southwick voted to appropriate and transfer the sum of \$541,890.00 from the Community Preservation General Unreserved Fund in order to install at the parcel known as Whalley Park located at 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. The property is owned by the Town of Southwick and is shown on the Southwick Assessor's Map 090, Parcel 14 and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 19495, Page 325.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$541,890 from the Community Preservation General Unreserved 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. The property is owned by the Town of Southwick and is

shown on the Southwick Assessor's Map 090, Parcel 14 and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 19495, Page 325.

**PASSED
MAJORITY**

ARTICLE 16. The Town of Southwick voted 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 located at 212 Sheep Pasture Road. The property is owned by the Southwick Housing Authority and is shown on the Southwick Assessor's Map100, Parcel 39 and is more fully set described in a deed recorded in the Hampden County Registry of Deeds in Book 5036, Page 137.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$6,800.00 from Community Preservation Community 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 located at 212 Sheep Pasture Road. The property is owned by the Southwick Housing Authority and is shown on the Southwick Assessor's Map100, Parcel 39 and is more fully set described in a deed recorded in the Hampden County Registry of Deeds in Book 5036, Page 137.

**PASSED
MAJORITY**

ARTICLE 17. The Town of Southwick voted 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, in form and substance approved by Town Counsel, placed upon the parcel ensuring the longevity of the park no later than three years from completion. Prifti Park is located on a portion of the property owned by the Town of Southwick and is shown on the Southwick Assessor's Map 088, Parcel 001 and more fully described as a portion of the property described in a deed recorded in the Hampden County Registry of Deeds in Book 2283, Page 461.

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, in form and substance approved by Town Counsel, placed upon the parcel ensuring the longevity of the park no later than three years from completion. Prifti Park is located on a portion of the property owned by the Town of Southwick and is shown on the Southwick Assessor's Map 088, Parcel 001 and more fully described as a portion of the property described in a deed recorded in the Hampden County Registry of Deeds in Book 2283, Page 461.

**PASSED
UNANIMOUS**

ARTICLE 18. The Town of Southwick voted to appropriate and transfer the sum of \$26,950.00 from the Community Preservation Community 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 for the property known as Depot Court. The property is owned by the Southwick Housing Authority and is shown on the Southwick Assessor's Map 89, Parcel 26 and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 3786, Page 526.

MOTION: To see if the Town will vote to appropriate and transfer the sum of \$26,950.00 from the Community Preservation Act Community 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 for the property known as Depot Court. The property is owned by the Southwick Housing Authority and is shown on the Southwick Assessor's Map 89, Parcel 26 and more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 3786, Page 526.

PASSED

MAJORITY

ARTICLE 19. The Town of Southwick voted 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. The property is owned by the Town of Southwick and is shown on the Southwick Assessor's Map 111, Parcel 004 and is more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 2099, Page 510.

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. The property is owned by the Town of Southwick and is shown on the Southwick Assessor's Map 111, Parcel 004 and is more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 2099, Page 510.

**PASSED
MAJORITY**

ARTICLE 20. The Town of Southwick voted 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.

Moderator Jim Putnam declared the figure to be a typo and announced the new sum of \$10,923,907.

**PASSED
UNANIMOUS**

ARTICLE 21. The Town of Southwick voted 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".

**PASSED
UNANIMOUS**

ARTICLE 22. The Town of Southwick voted 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

**PASSED
MAJORITY**

ARTICLE 23. The Town of Southwick voted 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."

**PASSED
MAJORITY**

ARTICLE 24. The Town of Southwick voted 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.

ARTICLE FAILED

ARTICLE 25. The Town of Southwick voted 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.

ARTICLE FAILED

ARTICLE 26. The Town of Southwick voted 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.

**PASSED
UNANIMOUS**

A Motion was made and seconded to dissolve the Annual Town Meeting at 9:20 PM.

UNANIMOUS

A TRUE COPY ATTEST:

Michelle L. Hill, Town Clerk