

**Town of Whately
Annual Town Meeting Warrant
May 9, 2013**

COMMONWEALTH OF MASSACHUSETTS

Franklin, SS.

To either of the Constables of the Town of Whately in the County of Franklin, GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet at the **Whately Elementary School, 273 Long Plain Road in Whately on Thursday, the ninth day of May next, at seven o'clock in the afternoon**, then and there to act on the following articles:

Article 1: To see if the Town will vote to accept the Annual Reports of the officers of the Town, and to hear any other reports of the Boards and Committees, or take any other action relative thereto.

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 2: To see if the Town will vote to authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2013, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17, or take any other action relative thereto.

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 3: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensating balance agreements with banking institutions having their principal offices in the Commonwealth during Fiscal Year 2014, as permitted by General Laws Chapter 44, Section 53F, or take any other action relative thereto.

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 4: To see if the Town will vote to apply for, accept, and expend any federal, state or private grant monies on behalf of the Town and authorize the Town Treasurer with the approval of the Board of Selectmen to borrow in anticipation of reimbursement or take any other action relative thereto.

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 5: To see if the Town will vote to authorize revolving funds for certain town departments under Massachusetts General Laws Chapter 44 s. 53 E ½ for the fiscal year beginning July 1, 2013, or take any other action relative thereto.

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY2014 Spending Limit	Disposition of FY14 Fund Balance	Spending Restrictions or Comments
Dog Licensing and Control Revolving Fund	Town Clerk, Animal Control Officer	Dog license fees, fines and late charges	Any lawful expense related to dog licensing, animal control officer operating expenses, or any expense related to the implementation of the town's Dog Control By-law	\$1,000	\$1,000 of balance available for expenditure, remainder to revert to General Fund	Funds may not be spent for the salaries of any full-time employees
Recreation Revolving Fund	Recreation Commission by majority vote of its membership	Sports program registration fees, building and park rental fees, donations and proceeds from fund-raisers	Any lawful expense related to the activities, programs, and facilities operated by the Recreation Commission	\$10,000	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees
Library Revolving Fund	Trustees of S. W. Dickinson Memorial Library, by majority vote of its membership	Fees from overdue books and videos and fees from copy machine use	Any lawful expense associated with the activities and programs of the S. W. Dickinson Memorial Library	\$1,000	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees
Public Hearings Revolving Fund	Town Clerk	Fees for costs of public hearings	Costs related to hearings: advertising, recording fees, and other expenses	\$2,500	Balance available for expenditure.	Funds may not be spent for the salaries of any full-time employees
Cordwood Sales Revolving Fund	Tree Warden, Highway Superintendent	Revenues from sale of cordwood.	Purchase of replacement trees on town property.	\$2,500	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees.
Cemetery Commissioner Revolving Fund	Cemetery Commissioners	Opening Graves Fees	Costs of contractor expenses for digging graves and commissioners expenses for burial	\$1,000	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees
Trench Permit	Highway Superintendent and Police Department	Trench Permit Fees	Costs of enforcement of Trench Permit Regulation	\$1,000	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees
Recycling and Solid Waste Revolving Fund	Solid Waste Committee and Board of Health	Recycling Revenues	Any lawful expense associated with the operation of the Town's solid waste and recycling programs, membership in and services of the Franklin County Solid Waste Management District and purchase of recycled content or environmentally preferable products.	\$15,000	Balance available for expenditure	Funds may not be spent for the salaries of any full-time employees
Total Spending:				\$34,000		

Article 6: To see if the Town will fix the salaries or compensation of the elected officers of the town for Fiscal Year 2014 as follows or take any other action relative thereto:

	FY14 (1.7% COLA)
Moderator	\$114.51
Selectmen – Chair	\$1,746.30
Members	\$1,603.16
Town Clerk	\$15,698.37
Assessors – Chair	\$1,746.30
Members	\$1,603.16
Water Commissioners	\$687.07
School Committee	\$336.03
Elector: Oliver Smith Will	\$10.00
Board of Health – Chair	\$830.21
Members	\$687.07
Constables	\$12.98 hr
Cemetery Commissioners – Sextons	\$11.77 hr
Opening Graves Fee	\$550/grave

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 7. To see if the town will vote to appropriate **\$94,132.00** or any other sum or sums of money from the Water Department Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2013 (detail below) or take any other action relative thereto.

I. Water Enterprise Revenues	FY 2014
User Fees	\$94,132.00
Enterprise Available Funds	\$0.00
Investment Income	\$0.00
Total Revenues	\$94,132.00

II. Costs Appropriated for the Enterprise Fund

Direct Costs	
Salaries	\$24,077.00
Operating expenses	\$37,820.00

Total Costs Appropriated for Enterprise Fund \$61,897.00

III. Costs Appropriated for General Fund to be charged to the Enterprise Fund

Indirect Costs	
Health Insurance	\$13,680.00
Medicare & Social Security	1080.00
Workers Comp. Ins.	560.00
Life Insurance	60.00
Retirement	4,315.00
Property Insurance	3,040.00
Selectmen's Office	1,255.00
Legal Counsel	530.00
Audit	180.00
Town Buildings	720.00
Treasurer/Collector Dept.	4,618.00
Accountant	423.00
Harpers Payroll	50.00
Payroll Preparation	34.00
Town Vehicles Fuel	1,690.00

Total Costs Appropriated for the General Fund \$32,235.00

Total Costs \$94,132.00

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

Article 8: To act on the report of the Finance Committee on the Fiscal Year 2014 budget and to raise and appropriate or transfer from available funds, money for the operation of the town's departments and the payment of debt service and all other necessary and proper expenses for the year, or take any other action relative thereto. (Water Department Enterprise Fund costs are appropriated in Article 8)

Proposed Fiscal Year 2014 Budget

The Finance Committee recommends that the amounts shown in the column captioned "FY14 Finance Committee Recommendations with water removed" be raised or appropriated or transferred from available funds for FY14 department operating purposes, debt service and other town expenses.

	FY13 Voted Budget	FY14 Finance Committee Recommendation with Water Removed
<u>Gen. Govt.</u>		
Selectmen's Office	66,845.00	69,099.00
Legal Counsel	9,785.00	10,070.00
Audit	5,820.00	5,820.00
Town Report	800.00	800.00
Town Bldg. Oper.	23,310.00	23,280.00
Town Clerk	23,900.00	24,054.00
Town Accountant	13,497.00	13,655.00
Harpers Payroll	5,000.00	4,950.00
Payroll Preparation	3,258.00	3,280.00
Acct Software	1,000.00	1,000.00
Treasurer/Collector	40,013.10	41,556.00
Tax Takings	5,000.00	5,000.00
Assessors	31,460.00	34,060.00
Planning Board	1,825.00	1,841.00
Zoning Bd. Appeals	1,291.00	1,422.00
Finance Comm.	150.00	150.00
Moderator	145.00	150.00
Cons. Comm.	500.00	500.00
Historical Comm.	200.00	200.00
Agricultural Commission	200.00	1,500.00
Computer replacement	2,800.00	
Connect CTY	2,400.00	2,500.00
Website Update	4,000.00	
Housing Committee	200.00	200.00
Municipal Building Comm.		400.00
Sub-Total:	243,399.10	245,487.00

Cult., Rec., Serv.

Tri-Town Beach	4,252.70	4,253.00
Recreation Comm.	8,200.00	8,200.00
Cemetery Comm.	4,528.00	4,597.00
Library	45,520.00	48,159.00
Council on Aging	9,533.00	10,602.00
Veterans	9,739.00	9,739.00

Sub-Total:	81,772.70	85,550.00
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Public Health

Board of Health	2,415.00	2,505.00
Health Agent	14,388.00	13,636.00
Solid Waste Disp.	36,712.00	36,130.00
Hazardous Waste	800.00	800.00
FC Waste Dist.	4,094.00	4,650.00

Sub-Total:	58,409.00	57,721.00
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Public Safety

Fire	44,181.00	45,511.00
Ambulance	23,978.00	56,143.00
Police	151,598.00	162,999.00
Quinn Bill Incentive	3,890.00	4,333.00
Animal Control	2,576.00	3,310.00
Animal Inspection	443.00	449.00
Emergency Mgt.	1,055.00	1,025.00
FC Inspection Prog.	6,500.00	6,500.00

Sub-Total:	234,221.00	280,270.00
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Public Works**Highway Dept.**

Salaries	113,098.00	114,497.00
Gen. Highways	73,600.00	73,600.00
Winter Roads	111,161.00	118,823.00
Road Machinery	20,955.00	20,955.00
Garage Maint.	5,880.00	5,680.00
Trees	5,000.00	5,000.00
Sub-Total:	329,694.00	338,555.00

<u>Water Dept.</u>		
Salaries	2,630.40	2,675.00
Operations		
Sub-Total:	2,630.40	2,675.00
Total Public Works	332,324.40	341,230.00

<u>Ins. & Benefits</u>		
Prop. & Liab. Ins.	32,200.00	34,960.00
Health Insurance -Town	363,360.00	101,320.00
Health Insurance - School		276,000.00
Medicare & Soc. Sec.	21,895.00	22,920.00
Workers Comp. Ins.	13,440.00	14,440.00
Life	1,641.00	1,740.00
Unemp. Ins.	10,000.00	1,000.00
Retirement	119,188.25	144,484.00
Police & Fire Insurance	5,000.00	6,000.00
Division of Medicaid Assis.	1,500.00	1,500.00
Sub-Total:	568,224.25	604,364.00

<u>Unclassified</u>		
Temp. Loan Int.	2,000.00	2,000.00
Reserve Fund	20,000.00	20,000.00
FR Council of Govt.	17,391.00	19,574.00
Physicals & Tests	936.00	1,200.00
Town Vehicles Fuel	31,680.00	32,110.00
Vaccinations		
Educational Inc.(T.Clerk & T.C)	2,000.00	2,000.00
Sub-Total:	74,007.00	76,884.00

Total Town Govt.:	1,592,357.45	1,691,506.00
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Schools

<u>Elementary</u>		
Operating	1,495,953.00	1,517,126.00
Transportation		
Fixed Assets		
Sub-Total:	1,495,953.00	1,517,126.00

<u>Frontier</u>		
Operating	877,587.00	877,100.00
Exist. Cap. Costs		
Transportation	22,089.00	22,493.00
Sub-Total:	899,676.00	899,593.00
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<u>FC Technical</u>		
Operating	135,202.00	124,763.00
Sub-total:	135,202.00	124,763.00
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Smith Vocational Tuition	49,750.00	32,000.00
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Total Schools:	2,580,581.00	2,573,482.00
Total Town & Sch:	4,172,938.45	4,264,988.00
<u>Long term-Debt</u>		
Frontier Bond	35,206.00	25,953.00
Dump Truck	49,504.00	48,552.00
Elementary Roof		
Police Cruiser		
Sub-Total:	84,710.00	74,505.00
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Total Operating Budget	4,257,648.45	4,339,493.00

Majority vote required

*Recommended by Selectmen
Recommended by Finance Committee*

The following four articles are to fund the Capital Plan for FY2014,

Article 9. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$12,000** to be used with \$2,000 in the Ambulance Donations account to purchase a power stretcher for the ambulance or take any other action relative thereto.

Majority vote required

*Recommended by Finance Committee
Recommended by Selectmen
Recommended by Capital Planning Improvement Committee*

Article 10. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$8,700** for improvements to the handicapped ramp and entrance to the S. W. Dickinson Library or take any other action relative thereto.

Majority vote required

*Recommended by Finance Committee
Recommended by Selectmen
Recommended by Library Trustees
Recommended by Capital Planning Improvement Committee*

Article 11. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$84,983** to be combined with \$87,906 of Community Preservation Funds voted under Article 19 for the architectural and engineering services from design to construction documents for the renovation and addition at the Town Hall or take any other action in relation to.

Majority vote required

*Recommended by Finance Committee
Recommended by Selectmen
Recommended by Capital Improvement Planning Committee
Recommended by Historical Commission
Recommended by Municipal Building Committee
Recommended by Planning Board*

Article 12. To see if the Town will vote to raise and appropriate, take from available funds, or otherwise provide the sum of \$67,500 for safety and security updates, \$5,750 for HVAC and electrical improvements, and \$30,000 for the replacement of a pick-up truck and \$30,000 for a student transport van for a grand total of \$133,250 for the Frontier Regional School District, or take any other action relative thereto:

Allocated costs:

Conway	\$17,242.55
Deerfield	\$60,295.62
Sunderland	\$35,058.08
Whately	<u>\$20,653.75</u>
Total	\$133,250.00

*Recommended by Finance Committee
Recommended by Selectmen
Recommended by Capital Improvement Planning Committee
Recommended by Frontier Regional School Committee*

Article 13. To see if the Town will vote to transfer from FY12 Free Cash to the Stabilization Account the sum of **\$50,000.00** or take any other action relative thereto.

2/3 rd's vote required

*Recommended by Finance Committee
Recommended by Selectmen*

Article 14. To see if the Town will vote to transfer from FY12 Free Cash to the Capital Stabilization Account earmarked towards the future purchase of an ambulance the sum of **\$20,000.00** or take any other action relative thereto.

2/3 rd's vote required

*Recommended by Finance Committee
Recommended by Selectmen*

Article 18. To see if the Town will vote, pursuant to G.L. c.44B, to appropriate and transfer the sum of **\$11,000** from the Community Preservation Fund Historic Preservation Reserves and **\$76,906** from the Community Preservation Fund budgeted reserve, for a total of \$87,906 to be combined with \$84,983 from the Capital Plan (Article 12) to be used for architectural and engineering services for the Town Hall project under the direction of the Board of Selectmen from design through construction documents or take any other action relative thereto. This article is contingent upon the passage of Article 12.

Majority vote required

*Recommended by the Community Preservation Committee
Recommended by Historical Commission
Recommended by Selectmen
Recommended by the Finance Committee
Recommended by Municipal Building Committee
Recommended by Planning Board*

Article 19. To see if the Town will vote, pursuant to G.L. c.44B, to appropriate and transfer from the Community Preservation Fund Open Space Reserves the sum of **\$11,340** as the town's match for a permanent Agricultural Preservation restriction on 10+ acres of farmland on River Road, Assessors Map 7 lot 12 currently owned by Mary Lou Green upon such terms and conditions as the Board of Selectmen in consultation with the Agricultural Commission shall deem appropriate, or take any other action relative thereto.

Majority vote required

*Recommended by the Community Preservation Committee
Recommended by Agricultural Commission
Recommended by Selectmen
Recommended by the Finance Committee*

Article 20. To see if the town will vote to amend the Code of Whately and the Whately Zoning Map dated March 31, 2010 and identified in Town of Whately Zoning Bylaws 171-4, to include Assessor's Map 32, Lots 44-1, 44, and 41 in the Commercial/Industrial District. (2) rezone the parcel on Assessors Map 20, Lot 10-1 on Christian Lane from Commercial/Industrial to Agricultural/Residential 1&2, (3) rezone two parcels on Map 25, parcels 25 and 26-2 to Commercial from Agricultural/Residential 1 to be consistent with their current status, or take any other action relative thereto. (See map attached.)

2/3rd's vote required

*Recommended by the Planning Board
Recommended by Selectmen*

Article 21. To see if the town will vote to amend the Town of Whately Zoning Bylaws and the Code of Whately as follows:

(1) clarify the definition of the Agricultural/Residential District 1 by adding the underlined text below to Article 171-3:

Agricultural/Residential District 1 [amended ATM 4-27-2010, Art 11] extending 400 feet back from the right of way on any existing road providing Lot Frontage, (2)change the permitted height of Large-Scale Ground-Mounted Solar Electric structures from 35 feet to 25 feet by changing Article 171-28.5 G. (3) by deleting "35" and replacing it with "25" as shown below:

(3) Height of Structures

The height of any structure associated with a Large-Scale Ground-Mounted Solar Electric Installation shall not exceed 25 feet.

2/3rd's vote required

*Recommended by the Planning Board
Recommended by Selectmen*

Article 22. To see if the town will vote to amend the Town of Whately Zoning Map dated March 31, 2010 by (1), removing the A/R1 zone from Interstate 91 and a number of driveways that were shown as town roads, (2) Adding five Commercial lots that had been omitted from the current zoning map; Map 32, Lots 7, 10, 11, 12, and 13, or take any other action relative thereto.

2/3rd's vote required

*Recommended by the Planning Board
Recommended by Selectmen*

Article 23. To see if the Town will vote to authorize the Board of Selectmen to enter into renewable energy purchase and/or net metering credit purchase agreements, including solar energy and related net metering credits, for terms of more than three years, and to take all actions necessary to implement and administer such agreements, or to take any other action relative thereto.

Majority vote required

Recommended by Selectmen

Article 24. To see if the town will vote to amend the vote taken at the April 24, 2001 Annual Town Meeting under Article 29 by adding the following section to the end of the current Board of Health Non-Criminal Disposition bylaw or take any other action relative thereto.

Well Regulations		
First Offense		\$100
Second Offense		\$200
Third Offense		\$300

Majority vote required

*Recommended by the Board of Health
Recommended by Selectmen*

Article 25. (By Petition) To see if the Town will vote on the following article petitioned by at least ten voters of the Town of Whately or take any other action relative thereto.

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

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

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

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

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

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

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

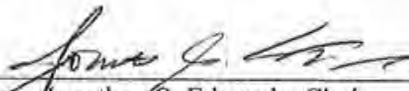
Be it further resolved that the Town Clerk be directed to send copies of this resolution to Mark Tolosky, President and Chief Executive Officer of Baystate Health System, and to Chuck Gijanto, President of Baystate Regional Markets.

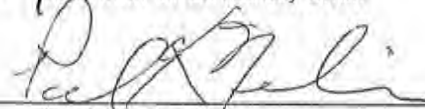
Majority vote required


And you are directed to serve this Warrant, by posting up attested copies thereof at the Town Hall, Post Office, S. White Dickinson Memorial Library and the Center School Offices in said Town, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this twenty-third day of April in the year two thousand and thirteen.


Jonathan S. Edwards, Chair


Paul K. Newlin


Joyce Palmer Fortune
Board of Selectmen
Town of Whately

A true copy, Attest:

Constable