

**TOWN OF BUCKLAND  
ANNUAL TOWN WARRANT  
COMMONWEALTH OF MASSACHUSETTS  
FRANKLIN SS.**

**MAY 4, 2015**

To either of the Constables of the Town of Buckland in the Commonwealth of Massachusetts, you are hereby directed to notify and warn said inhabitants of said Town, qualified to vote in elections and in town affairs, to **meet at the Town Hall, 1 William Street, in said Town on Monday May 4, 2015 next at ten o'clock in the forenoon** then and there to act on the following article:

**ARTICLE 1:** To see if the Town will instruct the Town Clerk to report on the election of officers and ballot questions as follows:

<b>Moderator</b>	<b>for one year</b>
<b>Board of Selectmen</b>	<b>for three years</b>
<b>Board of Assessors</b>	<b>for three years</b>
<b>Board of Health</b>	<b>for three years</b>
<b>Buckland Library Trustee</b>	<b>for three years</b>
<b>Finance Committee</b>	<b>for three years</b>
<b>Finance Committee</b>	<b>for three years</b>
<b>Finance Committee</b>	<b>for two years</b>

For this purpose the polls will be opened at **ten o'clock AM** and will be closed at **eight o'clock PM**.

You are further directed to notify and warn said inhabitants of said Town, qualified to vote in town affairs, to **meet at the Mohawk Trail Regional High School at 7:00 PM on Wednesday, May 6, 2015, then and there to act on the following articles:**

**ARTICLE 2: (CONSENT VOTE)** To see if the Town will vote to **take Articles 3, 22, 25, 26, 27 AND 28 out of order in this warrant and take action to approve all of them as one vote without debate on any such articles**, provided that upon request of any voter at this meeting made before the vote is taken, an article shall be dropped from the list of consent articles and shall be acted upon in the ordinary course and order of business at this meeting, or take any action relating thereto.

**ARTICLE 3: (Consent)** To see if the Town will vote to **ACCEPT THE REPORTS OF THE TOWN OFFICERS**, or take any action relating thereto.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for **ELECTED OFFICIALS SALARIES** for FY2016, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2016 Budget detail report dated April 22, 2015, or take any action relating thereto.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the purpose of funding the **TOWN OPERATING BUDGETS** for FY2016, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2016 Budget detail report dated April 22, 2015, or take any action relating thereto.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the purpose of funding **SEVERAL SPECIAL LINE ITEMS** in the **TOWN OPERATING BUDGETS** for FY2016, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2016 Budget detail report dated April 22, 2015, and, further to authorize that unspent amounts in said line items may be carried forward for use in following fiscal years without further appropriation, or take any action relating thereto.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **MOHAWK K-12 SCHOOL DISTRICT OPERATING ASSESSMENT for FY2016**, or take any action relating thereto.

**ARTICLE 8:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **MOHAWK K-12 SCHOOL DISTRICT PRE-SCHOOL EDUCATION ASSESSMENT for FY2016** to provide free pre-school education to District students, or take any action relating thereto.

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **MOHAWK K-12 SCHOOL DISTRICT CAPITAL ASSESSMENT for FY2016**, or take any action relating thereto.

**ARTICLE 10:** To see if the Town will vote to **AMEND THE MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT** by striking the following language contained in Section III (B):

Subject to the provisions of this section, it is intended that all residents of the member towns of Ashfield, Buckland, Colrain, Heath, Plainfield, and Shelburne (the “K-12 Member Towns”) in grades kindergarten to six, inclusive, will receive their education in facilities located in the District: Ashfield and Plainfield residents at Sanderson Academy; Colrain residents at the Colrain Central School; Buckland and Shelburne residents at the Buckland-Shelburne Regional School and Heath residents at the Heath Elementary School.

and replacing said language with the following:

Subject to the provisions of this section, it is intended that elementary students residing in the members towns of Ashfield, Buckland, Colrain, Heath, Plainfield and Shelburne (the “K-12 Member Towns”) will receive their education in facilities located in the District and will be assigned as follows: Ashfield and Plainfield residents to Sanderson Academy; Colrain residents to Colrain Central School; Buckland and Shelburne residents to Buckland Shelburne Elementary School; and Heath residents to Heath Elementary School. Notwithstanding the above, students may be educated in a District school other than as assigned above upon (i) a majority vote of the School Committee, and (ii) an affirmative vote by both (a) the member town or towns whose students are so assigned, and (b) the member town or towns served by the District school to which such students will be assigned, acceptance by each town to be a majority vote at an annual or special town meeting.

However, it is also the intent of this Agreement that the closure of a District elementary school building and the reassignment of all students being educated in that building may not be accomplished under this section. Rather such action requires an amendment to this Agreement, the process for which is contained in Section XIV.

**ARTICLE 11:** To see if the Town will vote **TO ACCEPT THE AMENDED MOHAWK TRAIL REGIONAL AGREEMENT**, on file with the Town Clerk’s office, which provides for the addition of the Town of Rowe as a 7-12 member of the District effective July 1, 2016, or take any action relating thereto.

**ARTICLE 12:** To see if the Town will vote to **ALLOW THE DISTRICT TO BORROW**, a sum of money, not to exceed \$250,700 to be expended under the direction of the School Building Committee for repair work to the Mohawk Trail Regional Middle & High School located at 26 Ashfield Road in Buckland, Massachusetts, to include boiler, doors, locker room, security, ventilation, and window upgrades totaling \$250,700. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required education program. This borrowing shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½), or take any action relating thereto.

**ARTICLE 13:** To see if the Town will vote to **ALLOW THE DISTRICT TO BORROW**, a sum of money, not to exceed \$90,000 to be expended under the direction of the School Committee to purchase a school bus to be used district wide totaling \$90,000. The bus would replace a bus owned by the district in excess of ten years. This borrowing shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½), or take any action relating thereto.

**ARTICLE 14:** To see if the Town will vote to **ALLOW THE DISTRICT TO BORROW**, a sum of money, not to exceed \$734,532, to be expended under the direction of the School Building Committee for repair work to the Buckland Shelburne Elementary School located at 75 Mechanic Street in Shelburne, Massachusetts, to include re-pointing/re-caulking and masonry repairs, asbestos abatement and floor replacement, asphalt repairs/replacement totaling \$734,532. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required education program. This borrowing shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½), or take any action relating thereto.

**ARTICLE 15:** To see if the Town will vote to **ALLOW THE DISTRICT TO BORROW**, a sum of money not to exceed \$100,000, to be expended under the direction of the School Building Committee for repair work to the Sanderson Academy located at 808 Cape Street in Ashfield, Massachusetts, to include boiler replacement and heat valve replacement totaling \$100,000. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required education program, or take any action relating thereto.

**ARTICLE 16:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **FRANKLIN COUNTY TECHNICAL SCHOOL OPERATING ASSESSMENT for FY2016**, or take any action relating thereto.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money, which is the estimated cost of **OPERATION AND MAINTENANCE OF THE SHELBURNE FALLS WASTEWATER TREATMENT FACILITY (ENTERPRISE FUND)** for which a sum of money will be raised from anticipated receipts from the Buckland user assessment as line item appropriation, and for which a sum of money will be raised from anticipated receipts from the Town of Shelburne (pursuant to the operation agreement), as recommended by the Finance Committee in the Town of Buckland Fiscal 2016 Budget detail report dated April 22, 2015, or take any action relating thereto.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money, which is the estimated cost of **CAPITAL and/or DEBT EXPENSES FOR THE SHELBURNE FALLS WASTEWATER TREATMENT FACILITY (ENTERPRISE FUND)** for

which a sum of money will be raised from anticipated receipts from the Town of Buckland user assessment as line item appropriation, and/or the Buckland Enterprise Fund Retained Earnings as recommended by the Finance Committee in the Town of Buckland Fiscal 2016 Budget detail report dated April 22, 2015, or take any action relating thereto.

**ARTICLE 19:** To see if the Town will vote to make the following changes to the Shelburne Falls Wastewater Treatment Facility Sewer By-Laws: Language to be deleted is struck through and language to be added is in bold italics inside [ ].

### ARTICLE III

Sec. 2. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent. A permit and inspection fee of ~~five (\$5.00)~~ ***twenty-five (\$25)*** dollars shall be paid to the Town at the time the application is filed.

### ARTICLE IV

Sec. 3. All costs and expense, incident to the installation and connection of the building sewer shall be borne by the owner~~[/], this includes a fee based on time and materials set by the Town and materials set by the Town D.P.W. to connect from the main line to the applicant's property line.~~ ***[The work done by the owner or the owner's contractor, shall be subject to inspection and done to the satisfaction of the Wastewater Treatment Facility Chief Operator or Assistant Chief Operator, and the Town Highway Superintendent.]*** The owner shall indemnify the town from any loss or damage that may direct or indirectly be occasioned by the installation of the building sewer.

Sec. 7. The building sewer shall be cast-iron soil pipe, ASTM Specification A74-42; vitrified clay sewer pipe, ASTM Specification C200-64T; or ~~asbestos-cement pipe, ASTM Specification C428-65T~~ ***[SDR-35 PVC pipe, ASTM Specification D3034.]*** Joints shall be tight and waterproof. Cement mortar joints will not be permitted. Any part of the building sewer that is located within five (5) feet of a water service pipe shall be constructed of cast-iron soil pipe with lead joints. Cast-iron pipe with lead joints may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast-iron soil pipe, except if laid on a suitable concrete bed or cradle. Nonmetallic material may be permitted as approved by the Superintendent.

Sec 8. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the ~~kilometer~~ ***[diameter]*** be less than ~~six (6)~~ ***four (4)*** inches. The slope of such ~~6-in.~~ ***four (4) inch*** pipe shall not be less than one-quarter (1/4) inch per foot. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with manholes or properly curved pipe and fittings, as approved by the Superintendent. A clean-out shall be located a minimum of four (4) inches above the basement floor.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, borrow or otherwise provide a sum of money to fund **ROAD REPAIR AND REPAVING**, or take any action relating thereto.

**ARTICLE 21:** To see if the Town will vote to raise and appropriate, borrow or otherwise provide a sum of money for legal, consulting/engineering, purchasing or renovation/construction costs related to a **HIGHWAY FACILITY**, or take any action relating thereto.

**ARTICLE 22: (Consent)** To see if the Town will vote to **AUTHORIZE, PURSUANT TO M.G.L. CHAPTER 44, SECTION 53E½, THE FOLLOWING REVOLVING FUNDS:**

NAME of ACCOUNT	PURPOSE	SOURCE OF FUND	MAXIMUM FY2014 EXPENDITURE	BOARD
Board of Health	Paying costs associated with Board of Health Inspections	Board of Health Fees	Up to \$20,000	Board of Health
Town Hall Maintenance	Paying costs associated with Town Hall Maintenance	Town Hall Rental Janitorial Fees	Up to \$2,000	Selectmen
Parking Tickets	Paying costs associated with payment and collection of Parking Tickets and Fees	Parking Ticket Fees	Up to \$1,000	Parking Clerk

**ARTICLE 23:** To see if the Town will vote to appropriate a sum or sums of money for the capital funds, equipment, buildings, facilities as shown in the chart below:

Purpose	Fund/Equipment	Amount	Source of Funds
Highway Equipment	Highway Department Stabilization Fund	\$35,000	Free Cash
Town Technology	Technology Stabilization Fund	\$3,000	Free Cash
Town Hall Repairs	Town Hall Repairs Account	15,000	Raise and Appropriate

**ARTICLE 24:** To see if the Town will vote to authorize the Board of Selectmen to enter into a five year contract with the Massachusetts Department of Environmental Protection and Waste Management Recycle America, LLC for recycling services at the Springfield Materials Recycling Facility, or take any action relating thereto.

**ARTICLE 25: (Consent)** To see if the Town will vote to **AUTHORIZE THE SELECTMEN TO PURCHASE AND/OR DISPOSE OF ANY TOWN EQUIPMENT**, or take any action relating thereto.

**ARTICLE 26: (Consent)** To see if the Town will vote to **AUTHORIZE THE SELECTMEN TO ACCEPT AND EXPEND, AS AN AVAILABLE FUND, ANY OF THE BOND ISSUE OR OPERATING BUDGET MONIES** (also called “Chapter” monies) from the Commonwealth of Massachusetts through the Massachusetts Department of Transportation, or take any action relating thereto.

**ARTICLE 27: (Consent)** To see if the Town will vote to **AUTHORIZE THE SEWER COMMISSIONERS AND BOARD OF SELECTMEN TO APPLY FOR AND ACCEPT ANY GRANTS FOR SEWER LINE REPLACEMENT AND IMPROVEMENTS AT THE WASTEWATER TREATMENT FACILITY**, or take any action relating thereto.

**ARTICLE 28: (Consent)** To see if the Town will vote to **AUTHORIZE THE BOARD OF SELECTMEN TO APPLY FOR AND ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT, COMMONWEALTH OF MASSACHUSETTS, OR ANY OTHER SOURCE**, and to expend the same for purposes received without further appropriation, or take any action relating thereto.

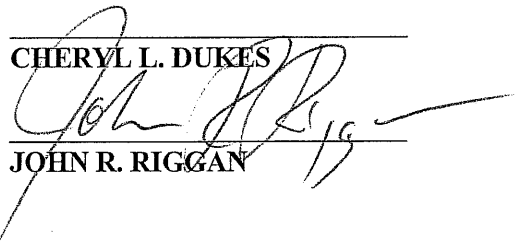
You are directed to serve this warrant by posting attested copies thereof at the Post Office and Public Library, Buckland Center and Buckland Town Hall, 17 State Street, in said town, seven days at least, before the time of holding said election and meeting.

Thereof fail not, and make due return of this warrant, with your doings, thereon, to the Town Clerk, at the time and place of the meeting as aforesaid.

Given under our hands this 17th day of April, in the year two thousand fifteen

  
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KEVIN P. FOX

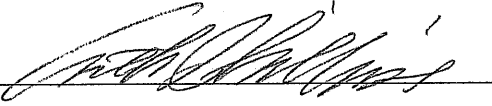
\_\_\_\_\_  
CHERYL L. DUKES

  
\_\_\_\_\_  
JOHN R. RIGGAN

CONSTABLE'S RETURN

FRANKLIN, SS

Pursuant to the within warrant I have notified and warned the inhabitants of the Town of Buckland by posting attested copies of same at three public places and at least seven days before the day hereof, as within directed.

CONSTABLE:   
\_\_\_\_\_

DATE: 4/17/15  
\_\_\_\_\_