

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

MAY 9, 2018

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 7, 2018 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:

Moderator	for one year
Selectboard	for three years
Board of Assessors	for three years
Board of Health	for three years
Buckland Library Trustee	for three years
Finance Committee	for three years
Finance Committee	for three years
Constable	for three years

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, 24 Ashfield Road, at 7:00 PM on Wednesday, May 9, 2018, then and there to act on the following articles:

ARTICLE 2: To see if the Town will vote to **ACCEPT THE REPORTS OF THE TOWN OFFICERS**, or take any action relating thereto.

ARTICLE 3: To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for **ELECTED OFFICIALS SALARIES** for FY2019, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2019 Budget detail report dated April 25, 2018 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 the purpose of funding the **TOWN OPERATING BUDGETS** for FY2019, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2019 Budget detail report dated April 25, 2018, 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 **SEVERAL SPECIAL LINE ITEMS** in the **TOWN OPERATING BUDGETS** for FY2019, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2019 Budget detail report dated April 25, 2018, 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 6: To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **MOHAWK SCHOOL DISTRICT OPERATING ASSESSMENT for FY2019**, 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 SCHOOL DISTRICT CAPITAL ASSESSMENT for FY2019**, or take any action relating thereto.

ARTICLE 8: To see if the Town will vote to allow the **MOHAWK SCHOOL DISTRICT TO BORROW A SUM OF MONEY, NOT TO EXCEED \$230,000** for repair work to Buckland-Shelburne Elementary School located at 75 Mechanic Street, Shelburne, Massachusetts, to include asbestos abatement and floor replacement, including the payment of costs incidental or related thereto, which purpose of the repair project will materially extend the useful life of the school and preserve the asset capable of supporting the required educational program. Said sum is to be expended under the direction of the School Building Committee, and to meet said appropriation, the District Treasurer, with the approval of the Chairman, is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority. 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 and taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½).

ARTICLE 9: To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for **TUITION AND TRANSPORTATION OF STUDENTS TO SMITH VOCATIONAL SCHOOL**, or take any action relating thereto.

ARTICLE 10: 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 FY2019**, or take any action relating thereto.

ARTICLE 11: To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **FRANKLIN COUNTY TECHNICAL SCHOOL CAPITAL ASSESSEMENT for FY2019**, or take any action relating thereto.

ARTICLE 12: To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money, to fund the **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 2019 Budget detail report dated April 25, 2018, or take any action relating thereto.

ARTICLE 13: 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 2019 Budget detail report dated April 25, 2018, or take any action relating thereto.

ARTICLE 14: 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 15: To see if the Town will vote to raise and appropriate, borrow or otherwise provide a sum of money to be placed in the **CAPITAL ACCOUNTS** shown in the chart below:

Account	Purpose	Amount	Source of Funds
Highway Department Stabilization Fund	Highway Equipment	\$20,000	Free Cash
Police Department Stabilization Fund	Police Department Equipment	\$10,000	Free Cash

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to fund a **SENIOR CENTER CAPITAL FUND**, said sum to be placed in a dedicated Senior Center Capital Fund Account held by the Town of Shelburne and expended in accordance with the Senior Center Consortium Agreement. The purpose of this fund would be to cover costs incurred in the research and exploration of possible sites, the renovation of an existing building or new construction of a suitable Senior Center or any other related costs, or take any other action relating thereto.

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to pay **DEBT EXPENSES RELATED TO TROPICAL STORM IRENE**, 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 to pay for the equipment, buildings, or facilities as shown in the chart below:

Purpose	Amount	Source of Funds
Highway Truck	\$140,000	Highway Stabilization Account
Transfer Station Compactor	\$15,000	Transfer Station Stabilization Account
Recreation Area Improvements	\$15,000	Raise and Appropriate and Free Cash

ARTICLE 19: 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 FY2018 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
Zoning Board of Appeals	Paying costs associated with ZBA Hearings	Fees for postage and advertising	Up to \$2,000	Chair, Zoning Board of Appeals
Planning Board	Paying costs associated with Planning Board Hearings	Fees for hearings, postage and advertising	Up to \$2,000	Chair, Planning Board

ARTICLE 20: To see if the Town will vote to **ACCEPT THE FOLLOWING AMENDMENTS TO THE MOHAWK TRAIL REGIONAL AGREEMENT** (note: the amendments below are to be effective July 1, 2018):

Strike the following language in Section I(A):

A member appointed by the Rowe School Committee would serve as a non-voting member of the Committee as described in Section IX (G) of this Agreement.

Strike the following language in Section III(F):

The Committee shall accept for enrollment in the District High School, pupils from the Town of Rowe on a tuition basis and upon such terms as are set forth in Section IX of this Agreement. The Committee may accept for enrollment in the regional district schools pupils from towns other than the member towns and the Town of Rowe on a tuition basis and upon such terms as it may determine. In either case, income received by the District from tuition pupils shall be deducted from the total operating costs in the next annual budget to be prepared after the receipt thereof, prior to apportionment under Section IV of this Agreement to the member towns.

and replace said language with the following:

Pursuant to Chapter 371 of the Acts of 1993, the Committee shall accept for enrollment in the District Middle/High School, all pupils from the Town of Rowe in grades seven through twelve on a tuition basis and upon such terms as are set forth in the tuition agreement entered into by the Committee and the Rowe School Committee. Such pupils shall include all Rowe pupils who are entitled to attend the District

Middle/High School irrespective of the specific and particular educational needs of any pupil from said Town of Rowe, and irrespective of whether such education for any pupil from said Town of Rowe is provided at the District High School or at any other school as may be approved by said Committee (note: Rowe shall be financially responsible for resident pupils who choose to attend a vocational school). The Committee may accept for enrollment in the regional district schools pupils from towns other than the member towns and the Town of Rowe on a tuition basis and upon such terms as it may determine. In either case, income received by the District from tuition pupils shall be deducted from the total operating costs in the next annual budget to be prepared after the receipt thereof, prior to apportionment under Section IV of this Agreement to the member towns.

Strike the entirety of Section IX as follows, and renumber the remaining Sections:

SECTION IX

EDUCATION OF PUPILS FROM THE TOWN OF ROWE

(A) Special Education Pupils from the Town of Rowe

The Committee shall provide for the education of all pupils from the Town of Rowe in grades seven through twelve who are entitled to attend the District High School irrespective of the specific and particular educational needs of any pupil from said Town of Rowe, and irrespective of whether such education for any pupil from said Town of Rowe is provided at the District High School or at any other school as may be approved by said Committee.

(B) Transportation of Pupils from the Town of Rowe

The Committee shall provide for the transportation of pupils from the Town of Rowe who are entitled to attend the District High School, to and from said District High School to the extent that such transportation is provided for pupils from member towns who are entitled to attend said District High School. The Committee shall provide for the transportation of pupils from the Town of Rowe who are entitled to attend the District High School, to and from any other school as may be approved by said Committee to the extent that such transportation is provided for pupils from member towns who are entitled to attend said District High School, to and from any other school as may be approved by said Committee.

The Town of Rowe shall bear the cost of transportation for elementary pupils attending the Rowe elementary school.

(C) Tuition Basis for Pupils Grades 7-12 from the Town of Rowe

The cost of tuition to the District High School for each pupil in grades seven through twelve who attends the District High School or any other school as may be approved by the Committee, and who resides in the Town of Rowe shall be paid by said Town of Rowe to the District during the fiscal year when each such pupil is actually in attendance. The basis of the cost of tuition to the District High School or any other school as may be approved by said Committee for each fiscal year shall be established as follows: The total Maintenance and Operating Budget for said District High School as defined in Subsection VI(D) of this Agreement, for that fiscal year, reduced by the anticipated amounts of receipts from the Commonwealth of Massachusetts to be used by the Committee to defray such budgeted maintenance and operating charges for that fiscal year, and further reduced by the anticipated amounts of surplus revenue from the District treasury to be used by the Committee to defray such budgeted maintenance and operating charges for that fiscal year, and further reduced by the amounts received from towns paying tuition to the district, consistent with the terms of Subsection III(F) of this Agreement; the balance (viz. the net operating and maintenance budget for said fiscal year) to be

divided by the total enrollment of pupils in the District High School from member towns as of October 1 of the previous fiscal year and the resulting balance further divided by one and one-tenth (1.1); the final balance to equal the cost of tuition for one pupil for one complete school year.

(D) Reduction of the Cost of Tuition for Pupils Resident in the Town of Rowe

In the event the Committee reduces the net operating and maintenance costs assessed to the member towns for any fiscal year, by reduction of the Operating and Maintenance Budget for said fiscal year or by the application of additional amounts of revenue, irrespective of the source thereof, to reduce the net operating and maintenance costs assessed to said member towns for that fiscal year, the cost of tuition to the Town of Rowe for the education of its pupils during said fiscal year shall be likewise reduced in accordance with the provisions of Subsection IX(D).

(E) Schedule of Payment of Tuition Costs by the Town of Rowe

The Town of Rowe shall pay for the tuition of its pupils to the District High School, or any other school as may be approved by the Committee, such amounts as are in accordance with the provisions of Subsection IX (D), and shall make such payments twice each fiscal year at the following time: 1) not later than January 31 of each fiscal year; 2) not later than June 30 of each fiscal year.

(F) Payment of Capital Costs by the Town of Rowe

The Town of Rowe shall have the opportunity to pay a portion of capital costs as defined in Subsection IV (B) for capital projects at District High School. The Committee shall negotiate the rate of a voluntary contribution with the Rowe School Committee at the time of each capital project.

(G) Representation on the Committee

The School Committee of the Town of Rowe may appoint one of its members to represent the Town of Rowe at meetings of the Committee. The Committee shall allow such representative all powers of discussion, debate and deliberation including, but not limited to, participation in such meetings of the Committee while in executive session, but such representative shall not have the power to vote on any matter which comes before the Committee.

(H) Administrative Support Services for Rowe Pupils Grade K-6

The Town of Rowe shall have the opportunity to utilize the services of the Superintendent of Schools and central administration, and Director of Pupil Services who also directs special education, for administration of the Rowe Elementary School and bear the costs thereof.

(I) Distribution of Assets in the Event of Dissolution of the District

In the event of the dissolution of the District, its assets shall be distributed to the member towns and the Town of Rowe on the basis of each town’s respective aggregate payment of capital cost to the District.

ARTICLE 21: To see if the Town will vote to **AMEND THE MOHAWK TRAIL REGIONAL DISTRICT AGREEMENT** by striking the following language contained in Section III(E) – Vocational and Trade School Pupils:

Any pupil residing in a member town which is not a member of a vocational regional school district who is desirous of attending a trade or vocational school outside the District shall have all the privileges of attending such a school as are now or may be hereafter provided for by law. The cost of tuition for attending such a school and the cost of transportation, when necessary, shall be assessed by the District upon the town wherein the student resides, providing, however, that the District school does not offer the vocational courses.

and replacing said language with the following:

Any pupil residing in a member town which is not a member of a vocational regional school district who is desirous of attending a trade or vocational school outside the District shall have all the privileges of attending such a school as are now or may be hereafter provided for by law. Such towns shall be responsible for the education of such pupils at such out-of-district schools in accordance with the provisions of Chapter 74 of the General Laws and acts amendatory thereto. The cost of tuition for attending such schools shall be borne by the town wherein the pupil resides.

The Committee, acting on the behalf of these towns, shall furnish transportation services, as needed, for town pupils who attend a trade or vocational school outside the District, and the cost of transportation (when necessary) shall be assessed by the District upon the town wherein the pupil resides. The cost of transportation during a fiscal year shall be assessed to the towns in the same fiscal year at such times and in such manner as the Committee and the towns shall agree. The award of any contract for such transportation services shall be made by the Committee, subject to the advice and consent of the involved towns.

To facilitate these arrangements and promote cooperation between the towns and the Committee, an Advisory Committee shall be appointed each year following annual town elections and the annual reorganization of the Committee. Each town which is not a member of a vocational regional school district shall, by its board of selectmen, appoint one member and one alternate to the Advisory Committee. The Committee, by its chair, shall appoint one member and one or more alternates to the Advisory Committee. The Advisory Committee shall have five voting members, each member to have one vote.

ARTICLE 22: To see if the Town will vote to accept the following amendments to the Mohawk Trail Regional Agreement:

Strike the following language in Section III(A):

Residents of the member towns and all residents of the Town of Rowe in grades seven through twelve will be eligible to attend school at the Mohawk Trail Regional High School, currently located on Route 112 in Buckland, Massachusetts.

and replace said language with the following:

Residents of the member towns in grades six through twelve and all residents of the Towns of Rowe, Hawley, and Charlemont in grades seven through twelve will be eligible to attend school at the Mohawk Trail Regional High School, currently located on Route 112 in Buckland, Massachusetts.

Strike the following language in Section IV(D):

(1) Grades 7-12

Operating and capital costs, as defined above, associated with grades seven to twelve (7-12) inclusive of the District school or schools shall be deemed District costs and the member towns shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.

(2) Grades pre-K-6

(a) Costs associated with the operation of grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed operating costs of the District and the member towns

shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.

- (b) All capital costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed capital costs of the District and the member towns shall be assessed their respective net shares thereof in accordance with the provisions of section IV(E) of this Agreement.
- (c) If any member town or towns should construct an elementary school, the respective member town or towns will assume responsibility for all capital costs.

and replace said language with the following:

(1) Middle/High School

Operating costs, as defined above, associated with grades seven to twelve (7-12) inclusive of the District school or schools shall be deemed District costs and the member towns, shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.

Capital costs, as defined above, associated with grades six to twelve (6-12) inclusive of the District school or schools shall be deemed District costs and the member towns, shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.

(2) Elementary Schools

- (a) Costs associated with the operation of grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed operating costs of the District and the pre-K-12 member towns shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.
- (b) All capital costs incurred by the Committee and associated with grades pre-Kindergarten to five, inclusive, of the District schools shall be deemed capital costs of the District and the pre-K-12 member towns shall be assessed their respective net shares thereof in accordance with the provisions of section IV(E) of this Agreement.
- (c) If any member town or towns should construct an elementary school, the respective member town or towns will assume responsibility for all capital costs.

Strike the following language in Section IV(E):

Apportionment of Capital Costs Grades pre-K-6

(1) Ashfield, Plainfield

Capital costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving pupils from the Towns of Ashfield and Plainfield shall be apportioned to the Towns of Ashfield and Plainfield as follows:

To Ashfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Ashfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2), computing the ratio which the sum of the enrollments of pupils at said

school(s), resident in the Town of Ashfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of the enrollment of pupils at the Ashfield Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1) + (2)), and dividing such sum by two.

To Plainfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Plainfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2), computing the ratio which the sum of the enrollments of pupils at the Ashfield Plainfield district school(s), resident in the Town of Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of enrollment of pupils at the Ashfield and Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1)+(2)), and dividing such sum by two.

(2) Buckland, Shelburne

Capital costs incurred by the committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Buckland and Shelburne shall be apportioned to the Towns of Buckland and Shelburne as follows:

To Buckland: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Buckland, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at the said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

To Shelburne: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Shelburne, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

and replace said language with the following:

Apportionment of Capital Costs Grades pre-K-5

(1) Ashfield, Plainfield

Capital costs incurred by the Committee and associated with grades pre-Kindergarten to five, inclusive, of the District school or schools serving pupils from the Towns of Ashfield and Plainfield shall be apportioned to the Towns of Ashfield and Plainfield as follows:

To Ashfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Ashfield bears to the total of the population of the Towns of Ashfield and Plainfield; and by (2), computing the ratio which the sum of the enrollments of pupils at said school(s), resident in the Town of Ashfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of the enrollment of pupils at the Ashfield Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1) + (2)), and dividing such sum by two.

To Plainfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Plainfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2), computing the ratio which the sum of the enrollments of pupils at the Ashfield Plainfield district school(s), resident in the Town of Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of enrollment of pupils at the Ashfield and Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1)+(2)), and dividing such sum by two.

(2) Buckland, Shelburne

Capital costs incurred by the committee and associated with grades pre-Kindergarten to five, inclusive, of the District school or schools serving the pupils from the Towns of Buckland and Shelburne shall be apportioned to the Towns of Buckland and Shelburne as follows:

To Buckland: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Buckland, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at the said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

To Shelburne: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Shelburne, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be

included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

Strike the following language in Section IV(F):

(F) Apportionment of Capital Costs Grades 7-12

and replace said language with the following:

(F) Apportionment of Capital Costs Grades 6-12

Strike the following language in Section IV(J):

The District School Committee shall not interfere with a town’s or Local Education Council’s use of trust funds or other special funds, including separate town meeting articles, intended for the enhancement of the educational opportunities for that town’s pupils at the pre-K-6 grades only. The operations budget shall not be reduced by the receipt of such funds.

and replace said language with the following:

The District School Committee shall not interfere with a town’s or Local Education Council’s use of trust funds or other special funds, including separate town meeting articles, intended for the enhancement of the educational opportunities for that town’s pupils at the pre-K-5 grades only. The operations budget shall not be reduced by the receipt of such funds.

ARTICLE 23: To see if the Town will vote, pursuant to Chapter 164, Section 134 of the Massachusetts General Laws, to grant the Select Board the authority to research, develop and participate in a contract, or contracts, **TO AGGREGATE THE ELECTRICITY LOAD OF RESIDENTS AND BUSINESSES** in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, or take any action relating thereto.

ARTICLE 24: To see if the Town will vote to accept the provisions of G.L. c. 64L, §2(a) authorizing the Town to **IMPOSE A LOCAL SALES TAX** at the statutory rate of three-quarters of a percent (0.75%), of the gross receipts of the vendor on the sale of restaurant meals originating within the Town, or take any action relating thereto.

ARTICLE 25: To see if the Town will vote to accept the provisions of M.G.L. Chapter 64N, §3 to **IMPOSE AN EXCISE TAX UPON THE RETAIL SALES OF MARIJUANA** or marijuana products by at the rate of three percent (3%), or take any other action relating thereto.

ARTICLE 26: To see if the Town will vote to accept the **PROPOSED CHANGES TO THE BUCKLAND ZONING BYLAW** as listed below, or take any action relative thereto.

All new language to the Bylaws is designated by being underlined - New Additions
All language being removed from the Bylaws is designated by being struck through - ~~Deletions~~

SECTION II: DEFINITIONS

HOME BASED BUSINESS: A business or profession operated as an accessory use to a home. See Section 4-4 of these bylaws for additional requirements.

STRUCTURE: anything constructed or erected, the use of which requires fixed location on the ground, or attachment to something located on the ground, including swimming pools having a capacity of 4,000 gallons or more, but not including and including walls or fences less equal to or greater than 6 feet high.

SECTION IV: USE REGULATIONS

4-3 TABLE OF USE REGULATIONS

a) The following Table of Use Regulations is hereby adopted as part of this Zoning Bylaw. The following codes shall apply:

Y = Yes, the use is permitted by right in that zoning district.

N = No, the use is not permitted in that zoning district.

SP = The use is allowed in that zoning district only if a special permit has been granted by the Zoning Board of Appeals.

SPP = The use is allowed in that zoning district only if a special permit has been granted by the Planning Board.

SPR = The Use is allowed in that zoning district only if a site plan review has been conducted under the approval of the Planning Board. See Section 12.

VC = Village Commercial

VR = Village Residential

RR = Rural Residential

C = Commercial

I = Industrial

HI = Historic Industrial

b) Changes to The Table of Use Regulations shall be as follows:

	VC	VR	RR	C	I	HI
Industrial Uses						
<u>Ground-Mounted Solar Electrical Generating Installations for municipal use and located on municipal property, occupying more than 1,000 square feet up to 5 acres (see Section XIV)</u>	<u>SPP</u> <u>and</u> <u>SPR</u>	<u>SPP</u> <u>and</u> <u>SPR</u>	<u>SPP</u> <u>and</u> <u>SPR</u>	<u>SPP</u> <u>and</u> <u>SPR</u>	<u>SPP</u> <u>and</u> <u>SPR</u>	<u>SPP</u> <u>and</u> <u>SPR</u>
Wind or Hydro Electric Generating Facilities	N	N	SP	SP	SP	SP

SECTION V: INTENSITY REGULATIONS

5-2 DIMENSIONAL SCHEDULE

Minimum Lot Area in sq. ft	Minimum Lot Frontage in sq. ft.	Front Yard Setback in feet	Side Yard Setback in feet	Rear Yard Setback in feet	Maximum Height in feet	Maximum* Lot Coverage
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5-3 EXCEPTION TO DIMENSIONAL REQUIREMENTS FOR YARDS

- a) The Zoning Board of Appeals may reduce, by Special Permit, the dimensional requirements for front, rear, and side yards related to building setbacks and related to setbacks for structures including walls and fences six feet and taller, provided that the Zoning Board of Appeals makes a determination that the proposed structure is consistent in scale or setback with the structures in abutting parcels and the immediate neighborhood.

ARTICLE 27: The following registered voters in the Town of Buckland support the inclusion of the following amendment to the Town’s By-Laws to be included in the Warrant for the May 9, 2018 Town Meeting: (BY PETITION)

Chapter XI: Dog By-Laws

Sec. 4 Removal of Pet Waste:


- a. No person owning or keeping a dog shall suffer, permit, or allow such a dog to leave feces in any public or private property of someone other than that of the dog’s owner or keeper within the Town of Buckland, without the approval of said property owner. Any person having custody and control of a dog in any such area shall carry with him or her proper equipment for the removal of feces. For purposes of this section, the means of removal shall be any tool, implement, or other device carried for the purpose of picking up and containing such feces. No person shall leave or dispose of said feces in any catch basin, drainage structure, waterway or on any public property or street except in a trash receptacle.
- b. Fines for failure to remove dog feces will be imposed and shall be \$25 per offense.
- c. Enforcement: the enforcing person for this article is the dog officer or his/her designee.

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 24th day of April, in the year two thousand eighteen.


DENA G. WILLMORE


KEVIN P. FOX


ZACHARY J. TURNER

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: 4/25/18

