

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

MAY 2, 2016

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 2, 2016 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
Board of Selectmen	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
Tree Warden	for three years
Constable	for three years
Mohawk Trail School Committee	for three years

Question One: Shall the Town of Buckland be allowed to exempt from the provisions of proposition town and one-half, so called, the amounts required to pay the town's share of the bonds issued to pay for repair work to the Buckland Shelburne Elementary School, to include asbestos abatement and floor replacement, asphalt repairs/replacement and repair/rebuild exterior brick pilasters totaling \$295,292?

YES – or – NO

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 4, 2016, then and there to act on the following articles:**

ARTICLE 2: (CONSENT VOTE) To see if the Town will vote to **take Articles 3, 18, 28, 29, 30 AND 31 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 FY2017, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2017 Budget detail report dated April 22, 2016, 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 FY2017, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2017 Budget detail report dated April 22, 2016, 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 FY2017, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2017 Budget detail report dated April 22, 2016, 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 FY2017**, 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 FY2017** 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 FY2017**, or take any action relating thereto.

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

(B) Procedure

Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member town (which shall be acted upon as provided in Section XVI), may be initiated by a vote of a majority of all the members of the Committee or by a petition signed by 10% of the registered voters of any one of the member towns. In the latter case, said petition shall contain at the end thereof a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said town and said petition shall be presented to the secretary of the Committee. In either case, the secretary of the Committee shall mail or deliver a notice in writing to the board of selectmen of each of the member towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signature in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual or special town meeting called for the purpose, an article stating the proposal or the substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns, acceptance by each town to be a majority vote at a town meeting as aforesaid.

And replacing said language with the following:

(B) Procedure

Any proposal for amendment of this Agreement, except a proposal for amendment providing for the withdrawal of a member town (which shall be acted upon as provided in Section XV), may be initiated by a vote of a majority of all the members of the Committee or by a petition signed by 10% of the registered voters of any one of the member towns. In the latter case, said petition shall contain at the end thereof a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said town and said petition shall be presented to the

secretary of the Committee. In either case, the secretary of the Committee shall mail or deliver a notice in writing to the board of selectmen of each of the member towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signature in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual or a special town meeting called for that purpose, an article stating the proposal or the substance thereof. Except as provide below in paragraph (C) of this Section, such amendment shall take effect upon its acceptance by two-thirds (2/3rds) of the member towns, acceptance by each town to be a majority vote at a town meeting.

(C) Approval of an Amendment Requiring the Closure of a District School

Any amendment the impact of which would be the required closure of a District school, whether initiated by a member town or by the Committee, will take effect only upon its acceptance by two-thirds (2/3rds) of the member towns provided that the town(s) whose students are principally served by the District school to be closed must have voted to accept the amendment, acceptance by each town to be a majority vote at a town meeting. Further, any amendment to this paragraph (C) will take effect only upon its acceptance by all of the member towns, acceptance by each town to be a majority vote at a town meeting.

ARTICLE 11: To see if the Town will vote to **ALLOW THE DISTRICT TO BORROW**, a sum of money, not to exceed \$295,292 for repair work to the Buckland-Shelburne Elementary School located at 75 Mechanic Street in Shelburne, Massachusetts, to include asbestos abatement and floor replacement, asphalt repairs/replacement and repair/rebuild exterior brick pilasters, including the payment of costs incidental or related thereto, which propose repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum 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 on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½), 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 for the **FRANKLIN COUNTY TECHNICAL SCHOOL OPERATING ASSESSMENT for FY2017**, or take any action relating thereto.

ARTICLE 13: 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 14: 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 2017 Budget detail report dated April 22, 2016, 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, 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 2017 Budget detail report dated April 22, 2016, or take any action relating thereto.

ARTICLE 16: 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 17: 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 18: (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 FY2017 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 19: 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	\$50,000	Free Cash
Police Equipment	Police Department Stabilization Fund	\$15,000	Free Cash
Town Technology	Technology Stabilization Fund	\$3,000	Free Cash
Town Hall Repairs	Town Hall Repairs Account	\$20,000	Raise and Appropriate

ARTICLE 20: To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to the **GENERAL STABILIZATION FUND**, or take any action relating thereto.

ARTICLE 21: To see if the town will vote to appropriate, transfer from available funds, the sum of \$100,000 and authorize the Treasurer with the approval of the Board of Selectmen to apply Grant Funds and Donated Funds, for the purpose of acquiring for active recreational purposes, a certain parcel of land with buildings thereon, identified on Assessors Map 6-3 as Parcel 12, consisting of 3.25 acres, more or less, and known as Buckland Vet’s Field a/k/a Cricket Field, and any and all costs related thereto, and to

authorize the Board of Selectmen to acquire said parcel by purchase, give and/or eminent domain, said parcel to be under the management of the Buckland Recreation Committee under the provisions of Massachusetts General Laws, Chapter 45, Section 3, and as it may hereafter be amended, and to authorize the Board of Selectmen to file any and all applications for and to accept, on behalf of the Town, grants and/or reimbursements from the Commonwealth of Massachusetts under the Urban Self-Help Act (301 CMR 5.00) and/or any other funds, gifts, and grants, including those under any federal or state programs, in any way connected with the scope of this article, including those in aid of active recreation land, and to enter into any and all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to effectuate the forgoing acquisition.

ARTICLE 22: To see if the town will vote to accept Section 20 of the Massachusetts General Laws, Chapter 32B and to establish a separate fund known as the “Other Post Employment Benefits Liability Trust Fund” as authorized by said Section 20, which would enable the town: (a) to create a funding schedule for such fund, and (b) in future years to appropriate sums to reduce the unfunded actuarial liability of future retiree health benefit and other post-employment benefits, all in accordance with said statute, or take any action relating thereto.

ARTICLE 23: To see if the town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited in the Other Post Employment Benefits Liability Trust Fund in order to offset future health insurance costs for retirees, or take any action relating thereto.

ARTICLE 24: To see if the Town will vote, to establish a new Farmer Series Pouring Brewery and Winery Permit and Permit Fee of \$500.00, and further, that said fee may be amended from time to time by the Board of Selectmen, or take any other action relative thereto.

ARTICLE 25: 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:

- Section 8. ~~When a public sewer becomes available, the building sewer shall be connected to said sewer within three hundred and sixty (360) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank run gravel or dirt.~~ ***This language shall be added in it's entirety to Article III, Section 5.***
- ~~Section 9.~~ Shall be renumbered to ***[Sec. 8]***

Article IV:

- Section 7: ... ~~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...~~
- Section 10: ... ~~Joints for asbestos cement pipe shall be O-ring gasket joints.~~ ***[No Asbestos Cement Pipe will be installed]***
- Section 11: ... ~~If no branch or tee is available, a connection may be made by tapping the existing sewer by an approved method, then inserting a vitrified clay “Y” or “T” saddle, all encased in concrete.~~ ***[flexible “Wye or Tee saddle.]***

Article V:

- Section 3. d. ... ~~Solid or viscous substance in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of sewage works such as, but not~~

limited to, stone, gravel, ashes...paper dishes, cups, milk containers, *[non-woven wipes described as “flushable,” disposable toilet brush heads]*, etc., either whole or ground by garbage grinders.

- Section 4. ...The substances prohibited are: ... *[m. Any unused pharmaceuticals, liquid or pills.]*

ARTICLE 26: To see if the Town will vote to authorize the Town Clerk to assign appropriate numbers to by-law sections, subsections, paragraphs and subparagraphs, where none are approved by Town Meeting, and, if such are approved by Town Meeting, after consultation with the Board of Selectmen, to make non-substantive, editorial revisions to ensure consistent and appropriated sequencing and numbering, provided that such editorial revisions shall be identified by a footnote or other convention as necessary, or take any action relating thereto.

ARTICLE 27: We, the following registered voters of the Town of Buckland, petition the following article to be placed on the Annual Town Meeting Warrant scheduled for 04 May 2016, to see if the Town of Buckland would vote to approve the following Resolution:

**BUCKLAND WILL BECOME A MEMBER OF
THE MUNICIPAL COALITION AGAINST THE PIPELINE (MCAP)**

WHEREAS, both of the following resolutions passed by a sizable majority at Buckland Special Town Meetings: the “*Resolution to Ban ‘Fracked’ Gas Pipelines and Champion Renewable Energy*” on 19 June, 2014 and the “*Community Rights Resolution*” on 25 September, 2014; and

WHEREAS, the Municipal Coalition Against the Pipeline (MCAP) is a coalition of Massachusetts municipalities that have voted to oppose the Tennessee Gas Pipeline Company (TGP)’s Northeast Energy Direct Pipeline (NED), and/or passed similar resolutions to ban “fracked” gas pipelines; and

WHEREAS, the mission of MCAP states that it “...is a coalition of municipal governments working together to prevent construction of the Northeast Energy Direct pipeline (NZED)...”; and

WHEREAS, Buckland’s joining MCAP is in alignment with the “*Resolution to Ban ‘Fracked’ Gas Pipelines and Champion Renewable Energy*”; and

WHEREAS, a provision of the *Resolution to Ban ‘Fracked’ Gas Pipelines and Champion Renewable Energy* “...call[s] on our Selectboard to stand in opposition to TGP’s high pressured pipeline and now allow it within our town borders.”

WHEREAS, although Buckland is not currently on the proposed path of NED, Buckland stands to be adversely affected by, for example, severe damage to our roadways from regular passage of extremely heavy equipment, and the obligation to participate in mutual aid during any future pipeline-related accidents; and

WHEREAS, municipalities working together will increase their effectiveness in applying political pressure to prevent the construction of NED, as well as exploring and pursuing legal avenues to oppose the pipeline and to protect residents, property and public lands.

NOW, THEREFORE, BE IT RESOLVED:

That the Town of Buckland, Massachusetts hereby joins as a coalition member of the Municipal Coalition Against the Pipeline. The Town will have one vote in each MCAP deliberation and decision. Buckland will be represented in MCAP by a member of the Buckland Select Board or an individual (or group of individuals who may rotate attendance at MCAP meetings) appointed by the Buckland Select Board. The Buckland representative(s) will be individual(s) who are in agreement with the above-mentioned Resolutions passed in 2014 as well as the mission of MCAP.

ARTICLE 28: (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 29: (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.

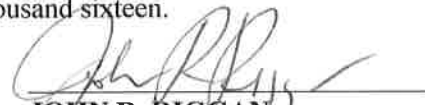
ARTICLE 30: (Consent) To see if the Town will vote to **AUTHORIZE THE SEWER COMMISSIONERS AND BOARD OF SELECTMEN TO APPLY FOR AND ACCEPT ANY GRANTS FOR SEWER LINE REPLACEMENT AND IMPROVEMENTS AT THE WASTEWATER TREATMENT FACILITY**, or take any action relating thereto.

ARTICLE 31: (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.

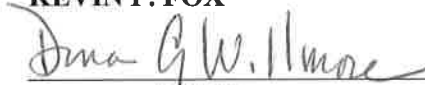
You are directed to serve this warrant by posting attested copies thereof at the Post Office and Public Library, Buckland Center and Buckland Town Hall, 17 State Street, in said town, seven days at least, before the time of holding said election and meeting.

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 12th day of April, in the year two thousand sixteen.



JOHN R. RIGGAN

KEVIN P. FOX


DENA G. WILMORE

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: _____