

**RESULTS OF
ANNUAL TOWN MEETING**

MAY 4, 2011

There were (74) seventy-four Town of Buckland voters in attendance, quorum being (7) seven, at the Annual Town Meeting held at the Mohawk Trail Regional School. Phoebe Walker served in her capacity as Moderator working from a warrant dated April 22, 2011 and posted by Constable, Robert D. Howson.

The meeting was called to order at 7:03pm

There was a moment of silence for Stefan Racz, former Selectman who passed away on February 25, 2011.

Jamie Godfrey, Director of the Senior Center, presented a copy of the Annual Report to Norma Poirier, daughter of Polly Hale. The report was dedicated to Polly Hale who passed away on December 20, 2010 at the request of former Selectman, Stefan Racz.

ARTICLE 1: Janice Purington, Town Clerk, reported the results of the Annual Town Election held on Monday, May 2, 2011. The results are as follows:

Board of Selectmen (3 Years)

Robert Andrew Dean	208
Scattered write-ins	2
Blanks	38

Board of Selectmen (Unexpired term)

Cheryl L. Dukes	207
Alexander Nappan	36
Scattered write-ins	2
Blanks	3

Board of Assessors (3 Years)

Pamela M. Guyette	220
Write-in	1
Blanks	27

Town Clerk (3 Years)

Janice D. Purington	233
Write-ins	0
Blanks	15

Board of Health (3 Years)

Terry Estes	18
Sue Roberts	6
Scattered write-ins	10
Blanks	214

Finance Committee (3 Years) VOTE FOR TWO

Benjamin S. Murray	183
John R. Riggan	180
Write-ins	1
Blanks	132

Moderator (1 Year)

Phoebe Walker	207
Write-ins	4
Blanks	37

Constable (3 Years)

Robert D. Howson	204
Write-ins	2
Blanks	42

Mohawk Regional School Committee (3 Years)

Christopher C. Skelly	210
Write-ins	1
Blanks	37

Recreation Committee (3 Years) VOTE FOR TWO

Cynthia J. Schwartz	216
Dennis West	3
Write-ins	2
Blanks	275

Buckland Library Trustee (3 Years)

Amy H. Love	210
Write-ins	2
Blanks	36

QUESTION #1

YES	191
NO	38
BLANKS	19

QUESTION #2

YES	172
NO	60
BLANKS	16

QUESTION #3

YES	173
NO	59
BLANKS	16

ARTICLE 2: (CONSENT VOTE) The Town voted and passed unanimously to take **Articles 3, 13, 17, 31, 32, 33 AND 34** 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.

Motion: Ms. Moderator, I move that the Town vote to take **Articles 3, 13, 17, 31, 32, 33, and 34** out of order in this warrant and to approve all of them as one vote without debate on any such articles, and further that the motions for each article be incorporated into this consent motion as printed below:

Article 3: That the Town vote to accept the reports of the Town Officers as printed in the 2010 Annual Town Report.

Article 13: That the Town vote to raise and appropriate the sum of \$1,500 for the purpose of funding the preservation of Town record books under the care of the Town Clerk.

Article 17: That the Town vote to reauthorize the Revolving Funds subject to the terms in the chart as presented in the Town Meeting Warrant.

Article 31: That the Town vote to authorize the Selectmen to purchase and/or dispose of any Town equipment.

Article 32: That the Town vote to authorize the Selectmen to accept and expend, as an available fund, any of the bond issue or operating budget monies (Chapter monies) from the Commonwealth of Massachusetts through the Massachusetts Highway Department.

Article 33: That the Town vote to authorize the Sewer Commissioners and Board of Selectmen to accept any grants for sewer line replacement and improvements at the Wastewater Treatment Facility.

Article 34: That the Town 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

The Board of Selectmen voted unanimously to support this article.

The Finance Committee voted unanimously to support this article.

ARTICLE 3: (Consent) The Town voted and passed unanimously to **ACCEPT THE REPORTS OF THE TOWN OFFICERS.**

ARTICLE 4: The Town voted and passed unanimously to raise and appropriate the sum of **\$42,095 for ELECTED OFFICIALS SALARIES for FY2012**, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2012 Budget report dated April 20, 2011.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 5: The Town voted and passed unanimously to raise and appropriate the sum of **\$1,464,591 for TOWN OPERATING BUDGETS for FY2012**, as line item appropriation, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2012 Budget report dated April 20, 2011.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 6: The Town voted and passed unanimously to raise and appropriate the sum of **\$36,150 for SEVERAL SPECIAL LINE ITEMS in the Town Operating Budgets for FY2012**, as line item appropriations, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2012 Budget report dated April 20, 2011, and, further to authorize that unspent amounts in said line items may be carried forward for use in following fiscal years without further appropriation.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 7: The Town voted and passed unanimously to raise and appropriate the sum of **\$1,770,167 for the MOHAWK K-12 SCHOOL DISTRICT OPERATING ASSESSMENT for FY2012.**

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 8: The Town voted and passed unanimously to raise and appropriate the sum of **\$37,786 for the MOHAWK K-12 SCHOOL DISTRICT CAPITAL ASSESSMENT for FY2012.**

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 9: The Town voted and passed unanimously to raise and appropriate the sum of **\$156,026 for the FRANKLIN COUNTY TECHNICAL SCHOOL OPERATING ASSESSMENT for FY2012.**

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 10: The Town voted and passed unanimously to raise from anticipated receipts from the Town of Shelburne (pursuant to the Operation Agreement) and revenue of the Buckland user assessment the sum of \$214,359 which is the estimated cost of OPERATION AND MAINTENANCE OF THE SHELburne FALLS WASTEWATER TREATMENT FACILITY (ENTERPRISE FUND), as line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal 2012 Budget report dated April 20, 2011.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 11: The Town voted and passed unanimously to raise from anticipated receipts from the Buckland user assessment the sum of \$16,510 and to transfer from the Sewer Enterprise fund the sum of \$16,510 for a total of \$33,020 which is the estimated cost of CAPITAL AND DEBT EXPENSES OF THE SHELburne FALLS WASTEWATER TREATMENT FACILITY (ENTERPRISE FUND), as line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal 2012 Budget report dated April 20, 2011.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 12: The Town voted and passed unanimously to raise and appropriate the sum of \$5,000 for the purpose of funding the Shelburne Falls Area Partnership.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 13: (Consent) The Town voted and passed unanimously to raise and appropriate the sum of \$1,500 for the purpose of funding the preservation of Town record books under the care of the Town Clerk.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 14: The Town voted and passed unanimously to raise and appropriate the sum of \$25,000 to fund ROAD REPAIR AND REPAVING.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 15: The Town voted and passed unanimously to raise and appropriate the sum of \$5,000 for legal, consulting and/or engineering costs related to construction of a Public Works Facility.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 16: The Town voted and passed unanimously to transfer the sum of \$4,000 from Overlay Surplus for costs related to the design and installation of a TOWN WEBSITE.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 17: (Consent) The Town voted and passed unanimously to REAUTHORIZE, PURSUANT TO M.G.L. CHAPTER 44, SECTION 53E½, THE FOLLOWING REVOLVING FUNDS SUBJECT TO THE TERMS IN THE CHART AS PRESENTED IN THE TOWN MEETING WARRANT:

NAME of ACCOUNT	PURPOSE	SOURCE OF FUND	MAXIMUM FY2010 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
Recreation Summer Camp	Paying costs associated with running the Recreation Summer Camp	Camper Fees	Up to \$20,000	Recreation
Parking Tickets	Paying costs associated with payment and collection of Parking Tickets and Fees	Parking Ticket Fees	Up to \$1,000	Parking Clerk

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 18: The Town voted to transfer to a new Town Hall repairs account from the following Special revenue Fund Accounts:

Insurance Claim Town Hall, the sum of \$29,818.33
Town Hall Renovations, the sum of \$9,647.78
Municipal Building, the sum of \$654.17
For a total of \$40,120.28 to pay for costs associated with Town Hall repairs and renovations.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 19: The Town voted and passed unanimously to transfer the sum of \$12,000 from Free Cash to the Police Department Equipment Stabilization Fund.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 20: The Town voted and passed unanimously to transfer the sum of \$25,000 from Free Cash to the Highway Department Equipment Fund.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 21: The Town voted and passed unanimously to transfer the sum of \$3,500 from Free Cash to the TRANSFER STATION EQUIPMENT STABILIZATION FUND.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 22: The Town voted and passed unanimously to transfer the sum of \$3,000 from Free Cash to the ELECTIONS EQUIPMENT STABILIZATION FUND.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 23: The Town voted and passed unanimously to transfer the sum of \$2,000 from Free Cash to the TECHNOLOGY STABILIZATION FUND.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 24: The Town voted and passed unanimously to raise and appropriate the sum of \$30,000, transfer the sum of \$118,363 from Free Cash, and transfer the amount of \$20,640 from overlay surplus for a total of \$169,003 to the GENERAL STABILIZATION FUND.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 25: The Town voted and passed unanimously to transfer up to \$31,500 from the police Department Stabilization Account for the purpose of buying a NEW POLICE VEHICLE.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 26: The Town voted to transfer up to \$47,000 from the Highway Department Stabilization Account for the purpose of buying a new HIGHWAY TRUCK.

YES 52 NO 5

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 27: The Town voted authorize the Selectboard to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services.

YES 59 NO 3

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee took no action on this article.*

ARTICLE 28: The Town voted to enact Chapter XIII of the Town of Buckland General Bylaws as printed in the warrant, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the “Stretch Energy Code”, including future editions, amendments or modifications thereto

CHAPTER XIII STRETCH ENERGY CODE

(Adopted 5-4-2011 ATM)

Section 1 Definitions

Section 2 Purpose

Section 3 Applicability

Section 4 Authority

Section 5 Stretch Code

Section 1 Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three year cycle. Since July 1, 2010, the baseline energy conservation requirements of the MA State Building Code defaulted to the latest published edition, currently the IECC 2009, with Massachusetts amendments as approved by the Board of Building Regulations and Standards. Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 8th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

Section 2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

Section 3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

Section 4 Authority

A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix. 780 CMR 115.AA may be adopted or rescinded by any municipality in the commonwealth in the manner prescribed by law.

Section 5 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Buckland General Bylaws, Chapter XIII.

The Stretch Code is enforceable by the inspector of buildings or building commissioner.

The Board of Selectmen took no action on this article.

The Finance Committee took no action on this article.

ARTICLE 29: The Town voted to transfer the care, custody, management and control from the Board of Selectmen for tax title purposes to the Board of Selectmen for the purpose of sale, two parcels of land located

off Bray Road, **as identified in the warrant, and to authorize the Board of Selectmen to convey said parcels on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate.**

YES 50

NO 2

The Board of Selectmen voted unanimously to support this article.

The Finance Committee voted unanimously to support this article.

ARTICLE 30: (Citizen Petition) The Town of Buckland, MA **voted to create** an AD HOC committee composed of interested resident volunteers of all viewpoints to advise the town Board of Health and Board of Selectmen on issues pertaining to the operation of residential and commercial wood burning devices and activities within the town borders.

The committee will collect information and make recommendations on the following:

The effects of wood burning on the air quality of the town and its impact on health of town residents, and on which types of devices have the most negative impacts.

Identifying best procedures for utilizing wood burning devices to minimize negative impact on the health and safety of town residents, and identifying the most effective methods to disseminate this information to town residents who burn wood.

To collect information on federal, county, state or private programs which support financially and/or with technical expertise the exchanging of pre-EPA standards, wood burning devices for those which meet federal EPA standards (i.e. stove swap-out programs). To recommend as to how the town could obtain these funds and implement these programs.

To make recommendations regarding reasonable by-laws which the town residents/town meeting could choose to adopt in the future regulating the use of wood burning devices for the purpose of protecting the health and safety of town residents.

Other information gathering and recommendations pertinent to the use of wood burning devices not mentioned above.

The Board of Selectmen took no action on this article.

The Finance Committee took no action on this article.

ARTICLE 31: (Consent) The Town **voted and passed unanimously** to **AUTHORIZE THE SELECTMEN TO PURCHASE AND/OR DISPOSE OF ANY TOWN EQUIPMENT.**

The Board of Selectmen voted unanimously to support this article.

The Finance Committee voted unanimously to support this article.

ARTICLE 32: (Consent) The Town **voted and passed unanimously** to **AUTHORIZE THE SELECTMEN TO ACCEPT AND EXPEND, AS AN AVAILABLE FUND, ANY OF THE BOND ISSUE OR OPERATING BUDGET MONIES** (Chapter monies) from the Commonwealth of Massachusetts through the Massachusetts Department of Transportation.

The Board of Selectmen voted unanimously to support this article.

The Finance Committee voted unanimously to support this article.

ARTICLE 33: (Consent) The Town **voted and passed unanimously** 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.**

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

ARTICLE 34: (Consent) The Town voted and passed unanimously 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.

*The Board of Selectmen voted unanimously to support this article.
The Finance Committee voted unanimously to support this article.*

The Meeting dissolved at 9:22pm

*Attest: _____
Janice D. Purington, Town Clerk*