

TOWN OF WILLIAMSBURG
Annual Town Meeting
June 3, 2013

Articles 1 through 20 of the Annual Town Meeting.

Hampshire SS:

To the Constable of the Town of Williamsburg

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet at the Williamsburg Town Offices, 141 Main Street, in said town on Monday, the third of June next, at seven o'clock in the evening, then and there, to act on the following articles.

- Article 1** **To see if the town will vote** to raise and appropriate the sum of \$8.59 to pay the Williamsburg Pharmacy for purchases made to repair the town office floor in **Fiscal Year 2012 (FY12)**, and to take said sum from available funds, or take any other action thereon.
- Article 2** **To see if the town will vote** to raise and appropriate the sum of \$65.00 to pay Leo Dextraze for land maintenance work at town offices in **Fiscal Year 2012 (FY12)**, and to take said sum from available funds, or take any other action thereon.
- Article 3** **To see if the town will vote** to empower the Board of Selectmen, Board of Water/Sewer Commissioners, Board of Assessors, Board of Health, Board of Appeals, Finance Committee, and the Trustees of Libraries to appoint their own members to town departments at such salaries or wage rates as shall be established by the Board of Selectmen.
- Article 4** **To authorize** the Moderator to choose a committee to expend the income from the Whiting Street Fund.

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- Article 5** **To see if the town will vote** to adopt a Capital Improvement Plan, as prepared by the Capital Planning Committee and whose budget has been accepted by the Finance Committee, including recommended capital improvements for the following five fiscal years, or take any other action relative thereto.
- Article 6** **To see if the town will vote** to fix a salary and compensation of all elected and appointed officers of the town for the twelve month period ending June 30, 2014, as provided in Section 108, Chapter 41, General Laws as amended, and to see if the town will vote to raise and appropriate such sums of money as shall be deemed necessary to defray the expenses of the period, or take any other action relative thereto.
- Article 7** **To see if the Town will vote** to accept monies from the Massachusetts Department of Transportation, and to expend said monies, including but not limited to Chapter 90 funds, for the maintenance and reconstruction of Town roads and bridges without further appropriation, or take any other action relative thereto.
- Article 8** **To see if the town will vote** to raise and appropriate or transfer from available funds \$100,000 for the Stabilization Fund and determine whether said sum shall be raised by taxation, taken from available funds, or take any other action relative thereto.
- Article 9** **To see if the town will vote** to transfer a sum not to exceed \$6,000.00 from Water Retained Earnings to Water Expenses for upgrades to the meter reading equipment, or take any other action relative thereto.
- Article 10** **To see if the town will vote** to transfer a sum not to exceed \$6,000.00 from Sewer Retained Earnings to Sewer Expenses for upgrades to the meter reading equipment, or take any other action relative thereto.

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Article 11 Departmental Revolving Funds Authorization. To see if the town will vote to authorize revolving funds for certain town departments under Massachusetts General Laws Chapter 44 §53E1/2 for the fiscal year beginning July 1, 2013, or take any other action relative thereto.

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY14 Spending Limit
Gas Inspector Revolving Fund	Gas Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 1,500.00
Electrical Inspector Revolving Fund	Electrical Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 7,500.00
Plumbing Inspector Revolving Fund	Plumbing Inspector	Fees charged for inspections required under the permit process	Salary of the Inspector and expenses related to the issuance of permits.	\$ 3,500.00
Transfer Station Open Box Revolving Fund	Board of Health	Fees and charges for services related to the Transfer Station and disposal areas.	Disposal costs of the open box and management of the Transfer Station and disposal areas.	\$18,000.00
Planning Board Revolving Fund	Planning Board	Fees charged specific to proposed sub-divisions within Williamsburg and new construction	Expenses associated with proposed sub-divisions within Williamsburg and other related expenses associated with new buildings	\$30,000.00
Dog Control Revolving Fund	Town Clerk	Fees specific to dogs	Expenses associated with licensing and controlling dogs and to pay the Dog Officer salary.	\$ 5,000.00
Recreation Commission Revolving Fund	Recreation Commission	Fees specific to recreation programs	Pay cost of operating recreation programs.	\$30,000.00
Council on Aging Revolving Fund	Council on Aging Executive Director	Fees specific to advertising in the newsletter	Pay for printing and distribution of the Council on Aging newsletter	\$ 2,000.00
Conservation Commission Revolving Fund	Conservation Commission	Fees specific to NOI/WPA Filing fees.	Pay expenses associated with WPA filing fees for administration and Enforcement of Wetlands Protection Act.	\$ 5,000.00
Board of Appeals Revolving Fund	Board of Appeals	Fees specific to applications	Pay expenses associated with processing of applications, purchase of laptop computer and software for record keeping	\$ 6,000.00
Fire Dept Revolving Fund	Fire Chief	Fees specific to inspections (smoke, CO, etc.)	Salary of the Inspector and expenses related to the issuance of permits.	\$ 3,000.00
Total Spending	Limit			\$111,500.00

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- Article 12** **To see if the town will vote** to raise and appropriate the sum of \$251,663.00 composed of the amounts listed below, for the purpose of operating and maintaining the town's water system, including the laying of mains for fiscal year 2014, and take said sum from Water Enterprise Revenue, or take any other action relative thereto.

Salaries	\$ 2,800.00
Expenses	\$ 98,063.00
<u>Debt Service</u>	<u>\$150,800.00</u>
Total	\$251,663.00

- Article 13** **To see if the town will vote** to raise and appropriate \$169,108.00 composed of the amounts listed below, for the purpose of operating, maintaining and constructing the town sewer system for fiscal year 2014, and take said sum from Sewer Enterprise Revenue, or take any other action relative thereto.

Salaries	\$ 2,800.00
Operation & Maintenance	\$139,308.00
<u>Debt Service</u>	<u>\$ 27,000.00</u>
Total	\$169,108.00

- Article 14** **To see if the Town will vote** to raise and appropriate or transfer from available funds the sum of \$40,000 for the purchase of a 2013 Ford Interceptor Utility vehicle equipped for the police department, or take any other action relative thereto.

- Article 15** **To see if the Town will vote** to raise and appropriate or transfer from available funds the sum of \$40,000 for the purchase of a F350 or equivalent truck equipped for the highway department, or take any other action relative thereto.

- Article 16** **To see if the Town will vote** to raise and appropriate or transfer from available funds a sum up to \$15,000 for the purchase and installation of insulation in the Meekins Library, or take any other action relative thereto.

- Article 17** **To see if the Town will vote** to raise and appropriate or transfer from available funds the sum of \$35,000 for the stabilization and repair of the old Town Hall, or take any other action relative thereto.

Article 18 **To see if the Town will vote** to amend the Town's Zoning Bylaw by adding a new Section 2.7, amend Section 3.2, adding a new 9.30, Ground-mounted Solar Photovoltaic Installation requirements, adding Definitions to Section 18 required by the Solar Photovoltaic Installation requirements, adding the Solar Photovoltaic Installation requirements to the Table of Contents, and to renumber Section 7 to simplify the listing of the Town's overlay districts, and add a Solar Photovoltaic Overlay, and making such other changes to numbering or style of the Bylaw to clarify and make the Bylaw internally consistent, or take any other action relative thereto.

Article 19 **To see if the Town will vote** to amend the Town's Zoning Bylaw by adding a new Section 4.6, Temporary Moratorium on Medical Marijuana Treatment Centers, that would provide as follows, and further to amend the Table of Contents to add to Section 4, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

Section 4.6.1 Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health promulgated regulations effective May 24, 2013. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a specifically permitted use in the Town of Williamsburg. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider these issues. Such a study will consider the potential impact of State regulations on local zoning, and will consider amending our Zoning Bylaw. The State Regulations are expected to provide guidance to the Town in regulating medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers to allow sufficient time to address these issues, and to propose bylaws consistent with sound land use planning goals and objectives.

Section 4.6.2 Definition

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health as a Registered Marijuana Dispensary, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section 4.6.3 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto.

Article 20

To see if the Town will vote to: (1) authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, a perpetual easement, to be held jointly with the City of Northampton, for trail purposes, including, but not limited to, the right to construct, reconstruct, install, repair, maintain, operate, use, inspect, patrol and allow the public to use for multi-use, non-motorized trail purposes, upon property now or formerly of Karen J. McElroy, on the easterly side of South Main Street, further described in a deed recorded with the Hampshire Registry of Deeds in Book 7994, Page 185, the design of said trail to be at the discretion of the Board of Selectmen and the City of Northampton; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition; (2) authorize the Board of Selectmen to convey a parcel of land shown on a plan entitled "Plan of Land in Williamsburg (Haydenville), MA," dated December 11, 2012, prepared by Northeast Survey Consultants, said plan on file with the Town Clerk, and being a portion of property of the Town acquired by a deed from the City of Northampton, recorded with the Hampshire Registry of Deeds in Book 10329, Page 57, upon which property the City of Northampton has an easement for multi-use trail purposes, as reserved in the deed recorded with the Hampshire Registry of Deeds in Book 10329, Page 57, which property includes a portion of a garage now or formerly of Karen J. McElroy, and such other property so that the garage complies with the setback provisions of the Zoning By-Law, such conveyance contingent upon the conveyance to the Town of the trail easement described in item number 1, above, and authorize the Board of Selectmen to convey said parcel on such terms and conditions, and for such consideration, including no consideration, as the Board of Selectmen deems appropriate, which property is protected by the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts; and (3) authorize the Board of Selectmen to petition the Massachusetts General Court for approval of the conveyance by the Town of Williamsburg of a fee interest, and a release by the City of Northampton of an easement interest, in the parcel described in item number 2, above, under Article 97 of the Amendments to the Massachusetts Constitution, if such approval is deemed by the Board of Selectmen to be needed, or take any other action relative thereto.

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And you are hereby directed to serve this warrant by posting up attested copies hereof in at least five places in said town seven days before the date thereof, as within directed.

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

Given under our hand this 16th of May, in the year of our Lord, Two Thousand Thirteen.

Muriel L. Barnette
Paul H. Deely

Board of Selectmen

Hampshire SS:

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Williamsburg by posting up attested copies of the same in at least five places in said town seven days before the date thereof, as within directed.

Date:

5-20-13

William W. Loomis
Constable of Williamsburg