

TOWN OF WILLIAMSBURG
Annual Town Meeting
June 2, 2014

Articles 1 through 24 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 second 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 \$145.09 to pay JMS Auto Parts for purchases made to repair Highway Trucks in **Fiscal Year 2013 (FY13)**, and to take said sum from available funds, or take any other action relative thereto.
- Article 2** **To see if the town will vote** to raise and appropriate the sum of \$35.99 to pay The Aero All-Gas Co for purchases in **Fiscal Year 2013 (FY13)**, and to take said sum from available funds, or take any other action relative thereto.
- 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, or take any other action relative thereto.
- Article 4** **To authorize** the Moderator to choose a committee to expend the income from the Whiting Street Fund, or take any other action relative thereto.

- 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, 2015, 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 allow Hampshire Regional School District Administration to enter into a five year contract consisting of a three year base contract with the option to renew two additional years to provide bus transportation to Hampshire Regional High School, Chesterfield Goshen Regional School, Southampton Public Schools, Westhampton Public Schools, Williamsburg Public Schools, and vocational transportation or take any action relative thereto.
- Article 8** **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 9** **To see if the town will vote** to raise and appropriate or transfer from available funds a sum 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 10 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, 2014, or take any other action relative thereto.

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY15 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
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
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
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
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
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
Recreation Commission Revolving Fund	Recreation Commission	Fees specific to recreation programs	Pay cost of operating recreation programs.	\$30,000
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
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
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
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
Total Spending	Limit			\$111,500

- Article 11** **To see if the town will vote** to raise and appropriate the sum of \$224,805 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 2015, and take said sum from Water Enterprise Revenue, or take any other action relative thereto.

Salaries	\$ 2,800
<u>Expenses</u>	<u>\$ 222,005</u>
Total	\$ 224,805

- Article 12** **To see if the town will vote** to raise and appropriate \$229,705 composed of the amounts listed below, for the purpose of operating, maintaining and constructing the town sewer system for fiscal year 2015, and take said sum from Sewer Enterprise Revenue, or take any other action relative thereto.

Salaries	\$ 2,800
Operation & Maintenance	\$ 199,905
<u>Debt Service</u>	<u>\$ 27,000</u>
Total	\$ 229,705

- Article 13** **To see if the Town will vote** to raise and appropriate or transfer from available funds the sum of up to \$185,000 for the purchase of a dump truck with wing plow and sander equipped for the highway department, or take any other action relative thereto.

- Article 14** **To see if the Town will vote** to raise and appropriate or transfer from available funds the sum of \$16,000 for the purchase of eight (8) sets of turnout gear for the fire 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 a sum up to \$45,000 for the purchase of fire apparatus such as Self Contained Breathing Apparatus (SCBA), fire hose or ladders, 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 the sum of \$7,166 to resurface the tennis courts at Ellen Ames Field, or take any other action relative thereto.

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- Article 17** **To see if the town will vote** to raise and appropriate or transfer from available funds \$40,000 for architectural, assessment, cost estimating services and other planning and design services related to a feasibility study for a new Public Safety Complex and determine whether said sum shall be raised by taxation or taken from available funds, or take any other action relative thereto.
- Article 18** **To see if the town will vote** to raise and appropriate or transfer from available funds \$10,000 for the Building Repurposing Committee to carry out the charge of assessing municipal buildings and to report a recommendation to the Board of Selectmen and determine whether said sum shall be raised by taxation or taken from available funds, or take any other action relative thereto.
- Article 19** **To see if the town will vote** to raise and appropriate or transfer from available funds \$1,000 for the development of a forest management and stewardship plan for the Town's Briar Hill Road conservation land, or take any other action relative thereto.
- Article 20** **To see if the town will vote** to accept M.G.L Chapter 59, Section 5N, Reduction of property tax obligation of veteran in exchange for volunteer services, to allow the Board of Selectmen to establish a program effective July 1, 2014 to allow veterans, as defined in clause Forty-third of section 7 of chapter 4, to volunteer to provide services to the Town of Williamsburg in exchange for a reduction in the real property tax obligations of that veteran for an amount not to exceed \$1,000 in a given tax year. The Board of Selectmen may adjust the exemption to allow an approved representative for a person physically unable to provide such services and allow the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000; or take any other action relative thereto.
- Article 21** **To see if the town will vote** to amend the Town's Zoning Bylaw by adding a new Section 9.25, Registered Marijuana Dispensaries, and further to amend the Table of Contents to add to Section 9, "Registered Marijuana Dispensaries", and to amend Section 3.2 and to amend Section 18, Definitions, all as provided below, or take any other action relative thereto.

SECTION 9.25 REGISTERED MARIJUANA DISPENSARIES

9.25-1 Purpose

The purpose of this section is to provide for the orderly placement of Registered Marijuana Dispensaries (RMDs), including all locations for cultivation, processing and dispensing of marijuana and marijuana products, as defined in and in accordance with

105 CMR 725.000 of the Massachusetts Department of Public Health, as it may be revised, replaced or amended from time to time, in areas where such a facility is not inconsistent with the neighborhood character.

9.25-2 General

RMDs may be allowed by Special Permit and Site Plan Review within the Village Mixed District. RMDs will not be allowed in the Village Residential or Rural Districts. A RMD must be located a minimum of 300 feet (to be measured in a straight line from the nearest points of each property line) from a public or private school, child care facility, or any other location or facility where children commonly congregate.

The special permit will be limited to the RMD entity approved by the Massachusetts Department of Public Health who shall also be the applicant for the special permit. The special permit will lapse if the permit holder ceases to operate the RMD, or upon expiration or termination of the applicant's registration with the Massachusetts Department of Public Health.

9.25-3 Reporting Requirements

Permitted RMDs shall file an annual report with the Planning Board and the Select Board no later than January 31st of each year, providing a copy of all current applicable state licenses for the facility and/or its owners. The RMD must certify that it is in complete compliance with all state and local regulations and bylaws currently in force. The RMD must identify any violations of state and local regulations and bylaws in the past year, and all measures it has taken to correct those violations and prevent recurrence.

9.25-4 Application Requirements

In addition to all of the application requirements for Special Permits and Site Plan Reviews provided for in Sections 5 and 6 of the Town's Zoning Bylaw, applications for a RMD facility shall include the following:

- a) The name and address of each owner of the RMD.
- b) Documents showing that the RMD has or is qualified to receive a Certificate of Registration and complies with all applicable state regulations currently in force for RMDs.
- c) Evidence of site control and right to use the site for a RMD.
- d) Documents that demonstrate that the Site Plan and all planned activities on the site are in compliance with all state and local laws, regulations and bylaws.
- e) Evidence that sufficient controls are in place such that a person with an unimpaired sense of smell at the exterior of the RMD will be unable to detect any odor from processing or other activities on the site of the RMD.
- f) Plans to demonstrate that the design of the RMD will minimize any adverse visual or economic impacts on abutters and other parties in interest.
- g) Documentation that the RMD plan has adequately addressed issues of traffic demand, circulation flow, and parking, particularly at peak periods of activity at the RMD, and its impact on neighboring uses.

And to add a line to the Table in Section 3.2, Business Uses, for Registered Marijuana Dispensary (RMD), between Recreational Business and Restaurant, to indicate that the RMD is allowed only in the VM or Village Mixed District, subject to a Special Permit

and Site Plan Review, and that RMDs are not allowed in either the Village Residential District or the Rural District.

And to add the following definition of a RMD to Section 18, Definitions:

Registered Marijuana Dispensary: The site or sites where a not-for-profit entity, as defined under Marijuana Treatment Center in 105 CMR 725.000 of the Massachusetts Department of Public Health, as it may be revised, replaced or amended from time to time, cultivates, prepares or possesses medical marijuana and marijuana products, and where it dispenses medical marijuana and marijuana products to registered qualifying patients or their personal caregivers.

Article 22 **To see if the Town will vote** to amend the Town's Zoning Bylaw by deleting Section 4.6, TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS, and further to amend the Table of Contents to remove from Section 4, "Temporary Moratorium on Medical Marijuana Treatment Centers:", or take any other action relative thereto.

Article 23 **To see if the town will vote** to authorize the Board of Selectmen (i) to enter into an agreement for payments-in-lieu-of-taxes pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, in the amount of \$12,000.00 per megawatt with a minimum annual payment of \$24,000, which amount shall escalate at a rate of 1.5 percent each year, for personal property attributable to a solar photovoltaic facility located (or to be located) on privately owned land on Kellogg Road, Williamsburg (shown on Assessor's Map 7G, Parcels 44 and 47), and (ii) to take all other actions necessary or convenient to implement and administrate such agreement; or take any other action relative thereto.

Article 24 **To see if the town will vote** to amend the vote under Article #6 of the Annual Town Meeting June 1, 2009 such that the purpose for which the funds are raised and appropriated shall include the Anne T. Dunphy School Project and not be limited to the hiring of a licensed design consultant to design a renovation for the Anne T. Dunphy School, 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 14th of May, Two Thousand Fourteen.

Paul H. Murphy
Nemir H. Barakat
Stenud E. Mark

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: 5-19-14

William W. Loomis
Constable of Williamsburg