

True and attested copies of the warrants were posted by Constable, David J. Labrie in five of the towns voting precincts and mailed out electronically and through US Postal Service to town meeting members on April 26, 2017. All additional local by-law requirements were met prior to hosting this meeting in the auditorium of South Hadley Town Hall.

The Annual Town Meeting was called to order at 6:31 P.M. by Town Moderator, Edward J. Ryan, Jr. after he adjourned the Special Town Meeting. There were ninety members present out of one hundred and nineteen qualified town meeting members. Greetings were read by the Moderator. Peter Gagne and Len Finkowski were appointed tellers for the session.

The following business was transacted:

Article 1- Acceptance of Treasurer to Borrow

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2017, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and to renew any note or notes as may be given in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17.

Article 2- Acceptance of Treasurer Banking

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to authorize the Town Treasurer, with the approval of the Selectboard, to enter into compensating balance agreements with bank offices having their principal offices in the Commonwealth during Fiscal Year 2018, as permitted by Massachusetts General Laws Chapter 44, Section 53 (F).

Article 3-Right to Defend

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to authorize the Selectboard to defend all suits that may be brought against the Town during Fiscal Year 2018 and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable.

Article 4- Acceptance of Grants

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to authorize the Selectboard to apply for and accept such federal or state grants or monies as may be available and to authorize the Selectboard to expend any funds received there from in accordance with the terms of said grants.

Article 5- Acceptance of Chapter 90

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to accept a sum of money for highway improvements under the authority of Massachusetts General Laws Chapter 90 and other applicable law; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by borrowing, or by any combination of these methods; authorize the Selectboard to apply for, accept, expend and borrow in anticipation of state aid for such projects.

Article 6- Chapter 41 Compensation

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to fix the compensation of each officer as follows Selectboard \$2,000, Board of Assessors \$2,500, Moderator \$1.00.

Article 7- Revolving Buttery Brook Acct

VOTED: By a unanimous affirmative vote: control sheet attached.

Unanimously supported by Appropriation Committee.

The Town voted to reauthorize the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, to establish in the Town Treasury a revolving fund, which shall be kept separate and apart from all other monies by the Treasurer, and in which shall be deposited the receipts received limited to \$28,000 which may be spent by the Selectboard or its designee, without further appropriation during FY 2018 for the continued support and maintenance of Buttery Brook Park.

Article 8 - FY18 Operating Budget

VOTED: By a unanimous affirmative vote: control sheet attached.

Unanimously supported by Appropriation Committee.

The Town voted to raise and appropriate the sum of \$45,347,563 for Fiscal Year 2018 Operating Budget as described in Appendix A and further funded through the following means \$40,596,772 to be raised through taxation; \$660,904 from Unreserved Free Cash; \$3,500 from Boat Excise; \$15,000 from the Dog Agency Fund; \$11,800 from State Aid to Libraries; \$2,000 from Conservation Wetland Fund; \$179,711 from Cable Studio Account; \$78,000 from DHCD \$1,696,009 from WWTP Enterprise Receipts; \$ 871,430 from Landfill Enterprise Fund Receipts; \$150,000 from Landfill Enterprise Fund Balance and \$1,105,000 in Ledges Golf Club Receipts in the total amount of \$44,220,103 and therefore presented as balanced budget. APPENDIX A attached.

Article 9- FY 2018 Gaylord Memorial Library Budget

VOTED: By a majority vote: control sheet attached.

Majority supported by Appropriation Committee.

The Town voted to raise and appropriate the sum of \$78,861 for Fiscal Year 2018 Operating Budget as described in Appendix B and funded through taxation and to be managed and directed by the South Hadley Public Library Director, consistent with the January 11, 2017 memorandum of Agreement agreed by Town Meeting. Appendix B attached.

Article 10- Moratorium on Cannabis Sales

VOTED: By a majority vote: control sheet attached.

The Town voted to a moratorium in the Town of South Hadley on any licensure, permitting or otherwise allowing the sales of recreational cannabis/marijuana by any person, business or entity until July 1, 2018 to the extent allowed by the laws and /or regulations of the Commonwealth of Massachusetts or such time prior where the Town Meeting may consider rescinding or amending said moratorium.

Article 11- Ice Cream Vendor By-Law

Unanimously supported by By-Law Review Committee.

VOTED: By a unanimous affirmative vote: control sheet attached.

The Town voted to create a General By-law to allow the South Hadley Police Department to fingerprint applicants for Ice Cream Vendor Permits and to use said fingerprints to search Ice Cream Vendor License applicant's criminal history in accordance with MGL Chapter 270 subsection 25 and MGL Chapter 6 section 172B ½ (accepted STM 1/11/17) and as expressed in "Appendix C".

Ice Cream Truck Vendors

TBD Purpose.

This bylaw implements the requirements of M.G.L. ch. 270, § 25 and the regulations promulgated thereunder, as may be amended, relative to the permitting of ice cream trucks within the Town of South Hadley.

TBD Definitions.

ICE CREAM

Any frozen dairy or frozen water-based food product.

ICE CREAM TRUCK

Any motor vehicle used for selling, displaying or offering to sell ice cream.

ICE CREAM TRUCK VENDING

The selling, displaying or offering to sell ice cream or any other prepackaged food product from an ice cream truck.

PERMITTING AUTHORITY

The South Hadley Chief of Police or a qualified person authorized by him.

TBD Permit required; violations and penalties.

No person shall engage in ice cream truck vending in the Town of South Hadley unless s/he shall have been issued a valid permit to do so by the Permitting Authority. Such permit shall be conspicuously displayed and clearly visible on the windshield of any ice cream truck operated or from which ice cream or any other prepackaged food product is sold. Whoever violates this section shall be assessed a fine of \$500. Each day that such person is in operation in violation of this section may be considered a separate violation.

Permits issued hereunder shall conform to regulations, rules, forms and policies of the Massachusetts Department of Public Safety.

Article 12-Permits Withheld

Unanimously supported by By-Law Review Committee.

VOTED: By a majority vote: control sheet attached.

The Town voted to create a General By-law to allow the Town of South Hadley to withhold permits for any property which has outstanding taxes and fees owed to the municipality including but limited to taxes, fee or liens consistent with Chapter 40 subsection 58 (accepted STM 1/11/17) and as expressed in "Appendix D".

Chapter "# To be Assigned" Refusal to issue permits and or licenses due taxes or fees owed

1 The Tax Collector shall provide a delinquency list annually as of July 1 to any department issuing permits, licenses or otherwise charging a fee. The information contained within the annual delinquency list should be updated for specific properties, corporations or taxpayers upon request of any department made to the Tax Collector or the Tax Collector's Office during the year.

2. No department shall grant or issue a permit or license to any person or entity which appears on the annual delinquency list, until such time the permit and/or license has been allowed to be issued by a department until such time as a payment is made or agreement accepted by the Tax Collector.
3. The Local Licensing Authority (South Hadley Selectboard) will not issue an alcoholic beverage license without review and approval by the Tax Collector for any applicant who has outstanding fees, taxes or otherwise has lien(s) due the Town of South Hadley. The Local License Authority may revoke any license if the licensee is subsequently found to be in violation of this by-law in respect to taxes or fees outstanding to the Town of South Hadley.
4. All powers contained within this South Hadley General By-law and the administration thereof must be consistent with Massachusetts General Laws and in particular Chapter 40 Section 57; *Local licenses and permits; denial, revocation or suspension for failure to pay municipal taxes or charges.*

Article 13- By-Law Change

Supported by the By-Law Review Committee

VOTED: By a majority vote: control sheet attached.

The Town voted to accept the bylaw as printed in the warrant and further expressed in "Appendix E". Appendix E attached.

Article 14 – Bond Premium Reduction

VOTED: By a majority vote: control sheet attached.

The Town voted to allow the Town of South Hadley to apply any premium from a bond issuance to the project cost by the amount of the premium received and applied, in accordance with MGL Ch22, s20.

Article 15 – East Red Bridge Lane, Red Bridge Lane Acceptance

Unanimously supported by the Planning Board.

VOTED: By a majority vote: control sheet attached.

The Town voted to accept East Red Bridge Lane and red Bridge Lane as a town way as described in the warrant and depicted in Appendix F, attached.

Article 16 – River to Range Grant II Match

VOTED: By a unanimous affirmative vote: control sheet attached.

Unanimously supported by Appropriation Committee.

The Town voted to transfer from unreserved free cash the sum of \$20,000 to be used as a "grant match" for River to Range Phase II Project.

Article 17 – Valley Bike Share Program

VOTED: By a majority vote: control sheet attached.

Unanimously supported by Appropriation Committee.

The Town voted to transfer from unreserved Free Cash the sum of \$15,000 to be used as a "grant match" for Valley Bike Share Program.

Article 18 – Smith Park Land and Water Conservation Grant

VOTED: By a majority vote: control sheet attached.

The Town voted to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard to expend the sum of \$231,350 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of undertaking redevelopment improvements for the Fred Smith Park (inclusive of Parcels #001 and #002 on Assessor's Map #5C and parcel #082 on Assessors Map 5A). The

Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 45, Section 3, and as it may hereafter be amended and other Massachusetts statutes relating to public parks and playgrounds, the properties are to be placed under the management and control of the Selectboard as park land (exclusive of the Old Firehouse Museum building and a ten foot setback surrounding the structure), or take any other action relative thereto.

Article 19 – River to Range Grant III Match

VOTED: By a majority vote: control sheet attached.

The Town voted to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard to expend the sum of \$245,200 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of trail related improvements in the Bachelor Brook-Stony Brook Conservation Area to implement the River to Range Trail Phase 3. The Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to conservation land, the properties have been placed under the management and control of the Conservation Commission as Conservation land, or take any other action relative thereto.

Article 20 – Unreserved Free Cash Capital Expenditures

VOTED: By a majority vote: control sheet attached.

Unanimously supported by Appropriation Committee.

The Town voted to transfer from unreserved Free Cash the sum of \$143,000 to procure and purchase a police cruiser for \$48,000, DPW Truck S-1 \$45,000 and Commercial Mower \$50,000.

Article 21– Plastic Ban Ban

VOTED: By a majority vote: control sheet attached.

The Town voted to accept a General By-law to ban the use of plastic bags in certain categories and situations beginning July 1, 2018; this acceptance includes common retail plastic bags with or without die-cut handles. It does not include bio-degradable bags, re-usable bags, small item bags (i.e. newspaper, small item bags, thin film bags for raw fish, meat poultry etc.) as expressed in “Appendix G”, attached.

Article 22– Stretch Code

VOTED: By a majority vote: control sheet attached.

The Town voted to enact a chapter or section in the General By-laws 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 Stretch Energy Code”, including future editions, amendments or modifications to said code, with an effective date of January 1, 2018 and consistent with published “Appendix H”, attached.

Article 23– BOH Composition**VOTED: By a majority vote: control sheet attached.**

Main motion was defeated.

Amended motion was voted in as follows:

The Town voted that two ballot questions be placed on the next Annual Town Ballot.

- 1.) Shall the Town increase the BOH from 3-5 Members with the 5th Member being the Health Director?
- 2.) Shall the BOH Members be appointed by the Selectman or continue to be elected?

Amended motion passed by voice vote of 43 in favor – 35 against.
(Written motion attached)**Article 24–Zoning Brewery****Unanimously supported by the Planning Board.****Moderator declared that the article would need to pass by a 2/3 majority vote since it's a zoning by-law article. Moderator called for a voice vote.****VOTED: Moderator declared a unanimous affirmative vote by voice vote. Moderator declared that the article passed by a 2/3 majority vote.**

The Town voted to accept the changes to the South Hadley Zoning By-Laws as printed in the warrant to include "Microbrewery" in Section 3 Subpart (B) Definitions and to further include in Section 5 Use Regulations Subpart E Use "Regulations Schedule" "Microbrewery" in the Industrial uses and further allow Retail Sales in Industrial A zones by Site Plan review and as further detailed in the Planning Board Report.

Meeting adjourned at 10:24 P.M.

A TRUE COPY ATTEST:

Carlene C. Hamlin, Town Clerk