

COMMONWEALTH OF MASSACHUSETTS
SOUTH HADLEY, MASSACHUSETTS

WARRANT

Hampshire, ss.

TO: Either of the Constables of the Town of South Hadley

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of South Hadley that the ANNUAL TOWN MEETING will be held in the TOWN HALL AUDITORIUM on Wednesday May 8, 2019 at 6:15 PM or as soon thereafter as the subject matter of this warrant can then and there be reached, and the Town Clerk is required to notify and warn the Town Meeting Members then and there to meet and act on the following articles and reports;

Report 1. Election of South Hadley Redevelopment Authority Member.

Report 2. Expenditure Schedule for Capital Bond, as required.

ARTICLE 1. To see if the Town will vote 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, 2019, 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, or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote 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 2020, as permitted by Massachusetts General Laws Chapter 44, Section 53 (F), or take any other action relative thereto.

ARTICLE 3. To see if the Town will vote to authorize the Selectboard to defend all suits that may be brought against the Town during Fiscal Year 2020 and to prosecute all suits on behalf of the Town, to engage counsel for same, and to settle such suits as they deem advisable, or take any other action relative thereto.

ARTICLE 4. To see if the Town will vote 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, or take any other action relative thereto.

ARTICLE 5. To see if the Town will vote 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, or take any other action relative thereto.

ARTICLE 6. To see if the Town will vote to fix the salary and compensation of the following elective officers of the Town of South Hadley during fiscal year 2020 as provided by Massachusetts General Laws, Chapter 41, Section 108, as amended: Moderator, Selectboard Members, Assessors, or take any other action relative thereto.

ARTICLE 7. To see if the Town will vote to amend its General Bylaws by adding a new Section entitled "Revolving Funds", as shown in Appendix AA, with the number of Such Section and internal formatting to be determined by General Code, and further to establish an expenditure limit for the Buttery Brook Park Revolving Fund for 2020 in the amount of \$20,000, or take any other action relative thereto.

ARTICLE 8. To see if the Town will vote to raise and appropriate and transfer from available funds the sum of \$46,528,187 or a greater or lesser sum, to constitute the Operating Budget for fiscal year 2020 as further articulated in "Appendix A" as attached, or take any other action relative thereto.

ARTICLE 9. To see if the Town will accept MGL Chapter 44 section 53F3/4 which allows a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019, or take any other action relative thereto.

ARTICLE 10. To see if the Town will vote to become a member in the Pioneer Valley Mosquito Control District for a minimum three year period, pursuant to Massachusetts General Laws Chapter 252, Section 5A and other applicable sections of said law; or take any action relative thereto.

ARTICLE 11. To see if the Town will vote to authorize the Selectboard to enter into a ten (10) year contract commencing on July 1, 2020 with a qualified vendor selected by the Massachusetts Department of Environmental Protection through competitive bid processes for the Town of South Hadley, subject to the Selectboard review and approval that the contract is in the best interest of the town and that Town Meeting votes to fund the agreement for Fiscal Year 2021 at the 2020 Annual Town Meeting for the recycling services, or take any action relative thereto.

ARTICLE 12. To see if the Town will vote to amend the South Hadley By-laws section 18-5 subsection (4) by striking "three (3)" and inserting "five (5)" which would change the Board of Health from the present three member elected board to a five member elected board with three year staggered terms as further articulated in "Appendix B". (Presented by petition)

ARTICLE 13. To see if the Town will vote to endorse a resolution for "Single Payer Healthcare in Massachusetts" as further articulated "Appendix C". (Presented by petition)

ARTICLE 14. To see if the Town will vote to amend Chapter 230, Article II of the General By-laws and establish a new subsection 230-6 Shared Mobility Device (SMD) to establish definitions related to SMDs and furthermore to establish a new subsection 230-8 to allow the Selectboard to create reasonable regulations to protect the public interest in respect to SMDs, as further articulated in "Appendix D", or take any action relative thereto.

ARTICLE 15. To see if the Town will vote to amend the South Hadley By-law Sections 315-45 by adding language after "No dogs are allowed in any park" as follows "with the exception of a park(s) specifically designed for dogs and their owners and where regulations have been established, accepted, posted and approved by the South Hadley Selectboard" and furthermore add to Section 194-2 the following language "A public park specifically designed for dogs and their owners and allowed under Section 315-45 of the South Hadley Code will be exempt from the provisions of this section, within the premises of said dog park", or take any action relative thereto.

ARTICLE 16. To see if the Town vote to amend the Town of South Hadley General By-laws by adding a new Section (to be determined by General Code) that prohibits anyone from intentionally or knowingly feeding, enticing or attracting wild animals, including failing to secure or remove, any likely food sources or attractants. This includes but not limited to outdoor trash, grills or pet food bins. Exception will be provided for the safe feeding of song birds, and the keeping of home gardens/farms. The exact language of the Bylaw is further articulated in "Appendix E", or take any other action relative thereto.

ARTICLE 17. To see if the Town vote to amend the Town of South Hadley By-laws Cultural Council Section 7-14 subsection "B" in accordance with MGL Chapter 10 section 58 by striking "nine members" and inserting "eleven members", or take any other action relative thereto.

ARTICLE 18. To see if the Town vote to amend the Town of South Hadley By-law Recreation Commission Chapter 7-6 subsection B by striking "seven" and inserting "nine (9)", or take any action relative thereto.

Article 19. To see if the Town will vote to appropriate the sum of nine million eight hundred thousand dollars (\$9,800,000) to design, construct, improve, equip and furnish a new Senior Center located at 47 Dayton Street, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any action relative thereto.

ARTICLE 20. To see if the Town will vote to amend its vote under Article 2 of the November 12, 2014 Special Town Meeting, Capital Borrowing Plan, by adjusting the following categorical capital expenditures authorized to be borrowed thereunder: reduce the sum designated for

“equipment” in an amount equal to \$500,000 and increase the amount designated for “street construction” in a like amount, or take any action relative thereto.

ARTICLE 21. To see if the Town will raise and appropriate and/or transfer from Unreserved Free Cash the sum of \$87,000 to fund a Facilities, Health And Safety Coordinator, or take any other action relative thereto.

ARTICLE 22. To see if Town Meeting will vote to amend Chapter 200 (the Stormwater Management Bylaw) Section 200-20 in regards to Specific Design Criteria to restrict the discharge of runoff originating in the Zone II or Zone III of the Dry Brook Public Water Supply Well from being diverted to places outside of said Zone II or Zone III and as further articulated in “Appendix F”, or take any other action relative thereto.

ARTICLE 23. To see if Town Meeting will vote to amend Chapter 255 (the Zoning Bylaw) in Section 255-35D – Permitted Uses - by deleting the existing item (8) regarding “Excavation” and inserting a new item (8) indicating that only Earth Removal, Extraction, and/or Fill Activities identified as exempt in § 255-84A(2) may be permitted; in Section 255-35E – Prohibited Uses - by inserting “Major and Other Earth Removal, Extraction, and/or Fill Activities” where a permit by the Building Commissioner is required in Section 255-84 as a Prohibited Use; and in the Use Regulations Schedule (Attachment A) by changing Major Earth Removal, Extraction, and/or Fill Activities and Other Earth Removal, Extraction, and/or Fill Activities (as defined in Section 255-84) within the Water Supply Protection District from allowed by Special Permit and Permitted by Right to Prohibited as detailed in the Planning Board’s Report to Town Meeting and as further articulated in “Appendix G”., or take any other action relative thereto.

ARTICLE 24. To see if Town Meeting will vote to amend Chapter 255 (the Zoning Bylaw) in Section 255-35A - Purposes, by clarifying the purposes of the District; in Section 255-35B – Scope of Authority, by clarifying that any use prohibited in an underlying zoning district is also prohibited in the Water Supply Protection District; in Section 255-35C – District Delineation, by revising the boundaries of the Water Supply Protection District; in Section 255-35E – Prohibited Uses by clarifying/modifying the prohibited uses; in Section 255-35F – Restricted Uses, by deleting item (1) in its entirety and inserting a new item (1) regarding restrictions on “exempt” activities under Section 255-84 and clarifying/modifying the restrictions on uses; in Section 255-35H – Special Permit Uses by clarifying that all uses requiring a Special Permit in the underlying zoning district also require a Special Permit in the Water Supply Protection District; and in Section 255-35H – Special Permit Uses in item (3)(a) by clarifying/revising the Special Permit Review Process to be followed for the Water Supply Protection: all as described in and as further articulated in “Appendix H”, or take any other action relative thereto.

ARTICLE 25. To see if Town Meeting will vote to amend Chapter 255 (the Zoning Bylaw) in regard to the Water Supply Protection District in Section 255-35D – Permitted Uses, in item (1) by adding the maximum amount of a lot that may be impervious and requiring a portion of the lot to be retained in a natural vegetative state; and in the Dimensional Regulations Schedule (Attachment B) by specifying the maximum building coverage and maximum impervious

coverage for Principal uses in the Water Supply Protection Overlay District (unsewered); and as further articulated in “Appendix I”, or take any other action relative thereto.

Article 26. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in Section 255-130 by inserting an item E providing that “a condition of any Special Permit is that the approval is conditioned upon the applicant obtaining all other local, State, and/or Federal approvals required for the activity authorized by the Special Permit” as detailed in the Planning Board’s Report to Town Meeting and as further articulated in Appendix J, or take any other action relative thereto.

ARTICLE 27. To see if the Town will vote to amend in the Zoning Map by changing the designation of a 3.60 +/- acre parcel of land located on the north side of Granby Road and also identified on Tax Assessor’s Map #35 as Parcel #16 from the present zoning designation of Residence A-1 to Business A, all as set forth in the Report of the Planning Board Report as revised February 25, 2019 (subject to further revision prior to the Town Meeting) which is incorporated herein and available at the Office of the Planning & Conservation Department, or take any other action relative thereto

ARTICLE 28. To see if the Town will vote to amend in the Zoning Map by changing the designation of a 1.58-acre tract of land consisting of two parcels situated on the north side of Granby Road and known as 622 Granby Road and identified on Tax Assessor’s Map #34 as Parcels #3 and #4. from the present zoning designation of Business A and Residence A-1 to Business A, or take any other action relative thereto. All as set forth in the Report of the Planning Board Report as revised February 25, 2019 (subject to further revision prior to the Town Meeting) which is incorporated herein and available at the Office of the Planning & Conservation Department.

“Appendix AA” May 8, 2019 Annual Meeting (Article 7)

1. Purpose. This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, Section 53E½.

2. Expenditure Limitations: A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- No liability shall be incurred in excess of the available balance of the fund.
- The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the selectmen and finance committee.

3. Interest: Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

4. Procedures and Reports. Except as provided in General Laws Chapter 44, Section 53E½ and this by-law the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. Authorized Revolving Funds.

The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
- B. The department or agency head, board, committee or officer authorized to spend from each fund,
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund,
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this by-law.

“Appendix AA” May 8, 2019 Annual Meeting (continued)

| FUND | REVENUE SOURCE | AUTHORITY TO SPEND FUNDS | USE OF FUNDS | FISCAL YEARS |
|--------------------|---------------------|--------------------------|---|---------------------------------------|
| Buttery Brook Park | Gifts and donations | Selectboard | Support and Maintenance of Buttery Brook Park | Fiscal Year 2020 and subsequent years |

And further to establish an expenditure limit for the Buttery Brook Park for 2020 in the amount of \$20,000,

Appendix A May 8, 2019 Annual Town Meeting (Article 8)

| | FY17 | FY18 | FY19 | FY20 | FY20 |
|---|-------------|-------------|-------------|------------|------------------|
| Department | Expended | Expended | Budgeted | Requested | T.A. Recommended |
| 1220 Selectboard | | | | | |
| Selectboard-Personnel Services | \$ 283,840 | \$ 278,903 | \$ 286,645 | \$ 288,819 | \$ 291,586 |
| Selectboard-Other Expenses | \$ 34,766 | \$ 23,482 | \$ 23,200 | \$ 17,200 | \$ 19,000 |
| Total Selectboard | \$ 318,606 | \$ 302,385 | \$ 309,845 | \$ 306,019 | \$ 310,586 |
| 1250 Cable Access | | | | | |
| Cable Access-Personnel Services | \$ 80,910 | \$ 82,241 | \$ 84,933 | \$ 85,555 | \$ 88,074 |
| Cable Access-Other Expenses | \$ 29,655 | \$ 25,341 | \$ 25,700 | \$ 26,400 | \$ 27,200 |
| Total Cable Access | \$ 110,565 | \$ 107,582 | \$ 110,633 | \$ 111,955 | \$ 115,274 |
| 1320 Reserve Fund | | | | | |
| Total Reserve Fund | \$ - | \$ - | \$ 20,000 | \$ 18,000 | \$ 18,000 |
| 1350 Accountant/Auditor | | | | | |
| Accounting/Auditing- Personnel Services | \$ 185,516 | \$ 194,661 | \$ 202,077 | \$ 203,632 | \$ 205,681 |
| Accounting/Auditing- Other Expenses | \$ - | \$ - | \$ 160 | \$ 150 | \$ 150 |
| Total Accounting/Auditing | \$ 185,516 | \$ 194,661 | \$ 202,237 | \$ 203,782 | \$ 205,831 |
| 1360 Wage and Classification | | | | | |
| Merit Plan | \$ 52,000 | \$ 53,000 | \$ 65,000 | \$ 68,000 | \$ 68,000 |
| Transferred/Expended | \$ (47,422) | \$ (48,108) | \$ (19,114) | \$ - | \$ - |
| Total Wage and Classification | \$ 4,578 | \$ 4,892 | \$ 45,886 | \$ 68,000 | \$ 68,000 |
| 1370 Human Resources | | | | | |
| Human Resources Personnel Services | \$ 43,087 | \$ 34,600 | \$ 49,500 | \$ 52,381 | \$ 54,919 |
| Human Resources Other Expenses | \$ 49,897 | \$ 47,828 | \$ 50,200 | \$ 50,200 | \$ 51,400 |
| Total Human Resources | \$ 92,984 | \$ 82,428 | \$ 99,700 | \$ 102,581 | \$ 106,319 |
| 1410 Assessor | | | | | |
| Assessor-Personnel Services | \$ 133,713 | \$ 134,388 | \$ 134,677 | \$ 141,695 | \$ 142,702 |
| Assessor-Other Expenses | \$ 61,183 | \$ 40,320 | \$ 41,810 | \$ 42,010 | \$ 42,010 |
| Total Assessor | \$ 194,896 | \$ 174,708 | \$ 176,487 | \$ 183,705 | \$ 184,712 |
| 1460 Collector/Treasurer | | | | | |

| | | | | | |
|---|----------------|----------------|----------------|----------------|----------------|
| Collector/Treasurer-Personnel Services | \$ 193,603 | \$ 134,505 | \$ 151,500 | \$ 151,195 | \$ 162,541 |
| Collector/Treasurer-Other Expenses | <u>50,880</u> | <u>54,188</u> | <u>62,733</u> | <u>63,135</u> | <u>54,135</u> |
| Total Collector/Treasurer | \$ 244,483 | \$ 188,693 | \$ 214,233 | \$ 214,330 | \$ 216,676 |
| 1490 Town Audit | | | | | |
| Total Town Audit | \$ 31,500 | \$ 32,500 | \$ 33,000 | \$ 36,000 | \$ 35,000 |
| 1500 Town Clerk | | | | | |
| Town Clerk-Personnel Services | \$ 76,958 | \$ 73,775 | \$ 120,000 | \$ 129,942 | \$ 131,504 |
| Town Clerk-Other Expenses | <u>4,088</u> | <u>777</u> | <u>10,000</u> | <u>12,000</u> | <u>9,400</u> |
| Total Town Clerk | \$ 81,046 | \$ 74,552 | \$ 130,000 | \$ 141,942 | \$ 140,904 |
| 1510 Legal Services | | | | | |
| Legal Services-Personnel Services | \$ 2,600 | \$ 2,600 | \$ 2,600 | \$ 2,000 | \$ 2,000 |
| Legal Services-Other Expenses | <u>33,182</u> | <u>26,572</u> | <u>58,000</u> | <u>52,000</u> | <u>52,000</u> |
| Total Legal Services | \$ 35,782 | \$ 29,172 | \$ 60,600 | \$ 54,000 | \$ 54,000 |
| 1550 Information Technology | | | | | |
| Information Technology-Personnel Services | \$ 59,339 | \$ 61,731 | \$ 65,541 | \$ 66,044 | \$ 68,473 |
| Information Technology-Other Expenses | <u>173,205</u> | <u>222,354</u> | <u>239,187</u> | <u>251,855</u> | <u>253,255</u> |
| Total Information Technology | \$ 232,544 | \$ 284,085 | \$ 304,728 | \$ 317,899 | \$ 321,728 |
| 1620 Elections | | | | | |
| Elections-Personnel Services | \$ 28,302 | \$ 13,100 | \$ 21,000 | \$ 10,000 | \$ 10,000 |
| Elections-Other Expenses | <u>14,799</u> | <u>17,743</u> | <u>17,600</u> | <u>17,600</u> | <u>17,100</u> |
| Total Elections | \$ 43,101 | \$ 30,843 | \$ 38,600 | \$ 27,600 | \$ 27,100 |
| 1750 Planning Board/Conservation | | | | | |
| Planning Board-Personnel Services | \$ 164,092 | \$ 193,449 | \$ 199,604 | \$ 199,490 | \$ 204,025 |
| Planning Board-Other Expenses | <u>3,212</u> | <u>15,914</u> | <u>32,750</u> | <u>24,300</u> | <u>24,300</u> |
| Total Planning Board | \$ 167,304 | \$ 209,363 | \$ 232,354 | \$ 223,790 | \$ 228,325 |
| 1920 Public Building Maintenance | | | | | |
| Total Building Maintenance | \$ 261,521 | \$ 225,811 | \$ 297,730 | \$ 284,330 | \$ 267,830 |
| 1930 Internal Service Fund | | | | | |
| Total Internal Service Fund | \$ 9,874 | \$ 12,946 | \$ 12,000 | \$ 13,500 | \$ 13,500 |

1950 Town Reports

| | | | | | |
|--------------------|-------|-------|-------|-------|-------|
| | \$ | \$ | \$ | \$ | \$ |
| Total Town Reports | 2,228 | 2,324 | 2,800 | 2,800 | 2,800 |

2100 Police

| | | | | | |
|---------------------------|----------------|----------------|----------------|----------------|----------------|
| | \$ | \$ | \$ | \$ | \$ |
| Police-Personnel Services | 2,321,086 | 2,366,809 | 2,468,772 | 2,564,931 | 2,542,986 |
| Police-Other Expenses | <u>248,786</u> | <u>244,315</u> | <u>258,865</u> | <u>271,252</u> | <u>272,252</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Police | 2,569,872 | 2,611,124 | 2,727,637 | 2,836,183 | 2,815,238 |

2410 Inspection Services

| | | | | | |
|--|--------------|--------------|---------------|--------------|--------------|
| | \$ | \$ | \$ | \$ | \$ |
| Inspection Services-Personnel Services | 151,094 | 149,204 | 167,222 | 166,822 | 169,341 |
| Inspection Services-Other Expenses | <u>4,710</u> | <u>6,008</u> | <u>11,550</u> | <u>8,800</u> | <u>8,800</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Inspection Services | 155,804 | 155,212 | 178,772 | 175,622 | 178,141 |

2440 Weights and Measures

| | | | | | |
|---|------------|-------|--------------|--------------|--------------|
| | \$ | \$ | \$ | \$ | \$ |
| Weights and Measures-Personnel Services | 6,215 | 6,215 | - | - | - |
| Weights and Measures-Other Expenses | <u>102</u> | - | <u>6,575</u> | <u>6,600</u> | <u>6,600</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Weights and Measures | 6,317 | 6,215 | 6,575 | 6,600 | 6,600 |

4000 Department of Public Works

| | | | | | |
|----------------------------------|----------------|----------------|----------------|----------------|----------------|
| | \$ | \$ | \$ | \$ | \$ |
| DPW-Personnel Services | 857,210 | 899,584 | 899,419 | 914,152 | 910,602 |
| DPW-Other Expenses | <u>451,315</u> | <u>470,468</u> | <u>488,450</u> | <u>512,620</u> | <u>538,120</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Department of Public Works | 1,308,525 | 1,370,052 | 1,387,869 | 1,426,772 | 1,448,722 |

4230 Snow and Ice Removal

| | | | | | |
|---------------------------------|----------------|----------------|---------------|---------------|---------------|
| | \$ | \$ | \$ | \$ | \$ |
| Snow and Ice-Personnel Services | 60,803 | 54,115 | 20,380 | 20,380 | 20,380 |
| Snow and Ice-Other Expenses | <u>300,709</u> | <u>255,134</u> | <u>79,632</u> | <u>79,633</u> | <u>79,633</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Snow and Ice Removal | 361,512 | 309,249 | 100,012 | 100,013 | 100,013 |

4240 Street Lighting

| | | | | | |
|-----------------------|---------|--------|---------|--------|--------|
| | \$ | \$ | \$ | \$ | \$ |
| Total Street Lighting | 101,917 | 96,236 | 101,000 | 99,000 | 99,000 |

5110 Board of Health

| | | | | | |
|------------------------------------|---------------|---------------|---------------|---------------|---------------|
| | \$ | \$ | \$ | \$ | \$ |
| Board of Health-Personnel Services | 146,277 | 153,310 | 156,540 | 157,052 | 163,337 |
| Board of Health-Other Expenses | <u>34,203</u> | <u>43,928</u> | <u>59,010</u> | <u>68,210</u> | <u>68,210</u> |
| | \$ | \$ | \$ | \$ | \$ |
| Total Board of Health | 180,480 | 197,238 | 215,550 | 225,262 | 231,547 |

5410 Council on Aging

| | | | | | |
|---------------------------------------|----------------|----------------|----------------|----------------|----------------|
| Council on Aging-Personnel Services | \$ 263,182 | \$ 296,624 | \$ 320,860 | \$ 337,788 | \$ 332,973 |
| Council on Aging-Other Expense | <u>88,835</u> | <u>94,190</u> | <u>94,350</u> | <u>99,430</u> | <u>98,330</u> |
| Total Council on Aging | \$ 352,017 | \$ 390,814 | \$ 415,210 | \$ 437,218 | \$ 431,303 |
| 5430 Veterans' Services | | | | | |
| Total Veterans' Services | \$ 338,434 | \$ 292,040 | \$ 360,500 | \$ 338,500 | \$ 338,500 |
| 6100 Library | | | | | |
| Library-Personnel Services | \$ 422,111 | \$ 457,303 | \$ 466,612 | \$ 492,435 | \$ 493,443 |
| Library-Other Expenses | <u>230,394</u> | <u>231,354</u> | <u>246,550</u> | <u>255,775</u> | <u>255,775</u> |
| Total Library | \$ 652,505 | \$ 688,657 | \$ 713,162 | \$ 748,210 | \$ 749,218 |
| 6300 Recreation | | | | | |
| Recreation-Personnel Services | \$ 111,907 | \$ 126,081 | \$ 126,081 | \$ 127,027 | \$ 125,027 |
| Recreation-Other Expenses | <u>-</u> | <u>1,050</u> | <u>1,040</u> | <u>1,040</u> | <u>1,040</u> |
| Total Recreation | \$ 111,907 | \$ 127,131 | \$ 127,121 | \$ 128,067 | \$ 126,067 |
| 6510 Canal Park Committee | | | | | |
| Total Canal Park Committee | \$ 741 | \$ 2,312 | \$ 2,500 | \$ 3,000 | \$ 3,500 |
| 6710 Old Firehouse Museum | | | | | |
| Total Old Firehouse Museum | \$ 5,071 | \$ 6,439 | \$ 6,335 | \$ 6,335 | \$ 6,335 |
| 7110 Retirement of Debt | | | | | |
| Total Principal: Long-Term Debt | \$ 2,911,471 | \$ 2,936,406 | \$ 2,137,486 | \$ 2,201,788 | \$ 2,201,788 |
| 7510 Interest: Long-Term Debt | | | | | |
| Total Interest: Long-Term Debt | \$ 1,247,636 | \$ 1,027,369 | \$ 988,540 | \$ 922,387 | \$ 922,387 |
| 7520 Interest: Short-Term Debt | | | | | |
| Total Interest: Short-Term Debt | \$ 163,396 | \$ 213,856 | \$ 51,992 | \$ 104,008 | \$ 108,208 |
| 9110 Retirement | | | | | |
| Total Retirement | \$ 2,674,901 | \$ 2,787,457 | \$ 2,869,344 | \$ 3,268,743 | \$ 3,268,743 |
| 9130 Unemployment Compensation | | | | | |
| Total Unemployment Insurance | \$ 81,979 | \$ 65,378 | \$ 100,000 | \$ 100,000 | \$ 65,000 |
| 9140 Group Health Insurance | | | | | |

| | | | | | |
|--|-------------------|-------------------|---------------------|---------------------|---------------------|
| Total Group Health Insurance | \$ 3,996,330 | \$ 4,268,775 | \$ 4,738,800 | \$ 5,100,200 | \$ 4,670,000 |
| 9160 Fica/Medicare | | | | | |
| Total Fica/Medicare | \$ 341,500 | \$ 347,576 | \$ 375,000 | \$ 375,000 | \$ 375,000 |
| 9450 Liability Insurance | | | | | |
| Total Liability Insurance | \$ 266,494 | \$ 241,303 | \$ 270,360 | \$ 267,360 | \$ 267,360 |
| 2950 Ct. River Channel Marker | | | | | |
| Total Ct. River Channel Marker | \$ 3,500 | \$ 3,500 | \$ 3,500 | \$ 3,500 | \$ 3,500 |
| 4340 DPW: Landfill | | | | | |
| DPW:Landfill-Personnel Services | \$ 92,720 | \$ 70,916 | \$ 94,162 | \$ 99,258 | \$ 98,659 |
| DPW:Landfill-Other Expenses | <u>\$ 896,116</u> | <u>\$ 869,799</u> | <u>\$ 920,678</u> | <u>\$ 920,203</u> | <u>\$ 921,203</u> |
| Total DPW: Landfill | \$ 988,836 | \$ 940,715 | \$ 1,014,840 | \$ 1,019,461 | \$ 1,019,862 |
| 4360 DPW:Sewerage | | | | | |
| TOTAL DPW:Sewerage | \$ 57,687 | \$ 52,863 | \$ 57,400 | \$ 57,400 | \$ 57,400 |
| 4430 DPW:Water Pollution Control | | | | | |
| DPW:WWTP-Personnel Services | \$ 394,653 | \$ 411,204 | \$ 451,237 | \$ 546,802 | \$ 546,802 |
| DPW:WWTP-Other Expenses | <u>\$ 717,347</u> | <u>\$ 744,636</u> | <u>\$ 753,300</u> | <u>\$ 759,480</u> | <u>\$ 759,480</u> |
| Total DPW: Water Pollution Control | \$ 1,112,000 | \$ 1,155,840 | \$ 1,204,537 | \$ 1,306,282 | \$ 1,306,282 |
| 6800 Ledges Golf Course/Valley View | | | | | |
| Ledges-Personnel Services | \$ 279,518 | \$ 204,523 | \$ 100,000 | \$ - | \$ - |
| Ledges-Other Expenses | <u>\$ 943,762</u> | <u>\$ 937,053</u> | <u>\$ 1,221,892</u> | <u>\$ 1,210,428</u> | <u>\$ 1,210,428</u> |
| Total Ledges Golf Course | \$ 1,223,280 | \$ 1,141,576 | \$ 1,321,892 | \$ 1,210,428 | \$ 1,210,428 |
| SCHOOL | | | | | |
| Personnel | \$ 15,576,286 | \$ 15,750,746 | \$ 16,248,455 | \$ 16,900,000 | \$ 16,450,000 |
| Expense | \$ 4,263,072 | \$ 4,225,350 | \$ 4,083,009 | \$ 4,200,000 | \$ 4,125,000 |
| Tuitions | <u>\$ 937,971</u> | <u>\$ 937,971</u> | <u>\$ 920,460</u> | <u>\$ 951,460</u> | <u>\$ 951,460</u> |
| Total School | \$ 20,777,329 | \$ 20,914,067 | \$ 21,251,924 | \$ 22,051,460 | \$ 21,526,460 |
| Conservation Land Fund | | | | | |
| Conservation Land Fund | \$ - | \$ - | \$ 5,000 | \$ 5,000 | \$ 5,000 |

| Workers' Compensation | | | | | |
|------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Total Workers' Compensation | \$ 154,020 | \$ 108,984 | \$ 150,000 | \$ 100,000 | \$ 150,000 |
| Injured on Duty | | | | | |
| Total Injured on Duty | \$ 55,292 | \$ 50,719 | \$ 70,000 | \$ 70,000 | \$ 70,000 |
| Stabilization | | | | | |
| Total Stabilization | \$ - | \$ - | \$ 200,000 | \$ - | \$ - |
| Capital Stabilization | | | | | |
| Total Capital Stabilization | \$ - | \$ - | \$ 200,000 | \$ - | \$ - |
| OPEB | | | | | |
| Total OPEB | \$ - | \$ - | \$ 300,000 | \$ 150,000 | \$ 150,000 |
| Senior Center Stabilization | | | | | |
| Total Sr. Ctr Stabilization | \$ - | \$ - | \$ 400,000 | \$ 200,000 | \$ 300,000 |
| Mosier School Stabilization | | | | | |
| Total Mosier School Stabilization | \$ - | \$ - | \$ 200,000 | \$ - | \$ - |
| Total General Fund | \$ 19,845,337 | \$ 20,097,784 | \$ 20,164,598 | \$ 21,180,501 | \$ 20,729,255 |
| Total Misc. Trust | \$ 209,312 | \$ 159,703 | \$ 1,525,000 | \$ 525,000 | \$ 675,000 |
| Total Receipts Reserved | \$ 3,500 | \$ 3,500 | \$ 3,500 | \$ 3,500 | \$ 3,500 |
| Total DPW: Landfill | \$ 988,836 | \$ 940,715 | \$ 1,014,840 | \$ 1,019,461 | \$ 1,019,862 |
| Total DPW: WWTP | \$ 1,169,687 | \$ 1,208,703 | \$ 1,261,937 | \$ 1,363,682 | \$ 1,363,682 |
| Total Ledges | \$ 1,223,280 | \$ 1,141,576 | \$ 1,321,892 | \$ 1,210,428 | \$ 1,210,428 |
| Total School | \$ 20,777,329 | \$ 20,914,067 | \$ 21,251,924 | \$ 22,051,460 | \$ 21,526,460 |
| | \$ 44,217,281 | \$ 44,466,048 | \$ 46,543,691 | \$ 47,354,032 | \$ 46,528,187 |

Appendix A May 8, 2019 Annual Town Meeting (end)

Appendix B May 8, 2019 Annual Town Meeting (Article 12)

To: Selectboard

RECEIVED
TOWN OF SOUTH HADLEY
TOWN CLERK'S OFFICE

We ask that you put this request on the warrant for the May, 2019 Town Meeting at 11:37 AM

Thank you!

CHANGE IN ELECTED BOARD OF HEALTH MEMBERSHIP FOR SPRING TOWN MEETING, 2019

To see if the Town will vote to allow a change of the Board of Health from the present three member elected board to become a five member elected board with three year staggered terms.

| NAME | ADDRESS | |
|------------------------------------|---|-------|
| 1. Susan R. Martiniello | 8 Westbrook Road South Hadley, MA 01075 | Pre E |
| 2. Linda L. Young | 15 Westbrook Rd | E |
| 3. David C. Morrill | 135 WOODBRIDGE ST | D |
| 4. Paul J. Burns | 56 WOODBRIDGE ST | D |
| 5. RICHARD D. MANUEL | 44 WOODBRIDGE TER. | |
| 6. MARK AIKEN | 9 CYPRESS DR. | E. |
| 7. Joanne Carlin Bryan | 6 Sunset Ave | |
| 8. Douglas R. Young | 15 Westbrook Rd | E |
| 9. Matthew R. Jory | 25 Redwood St | B |
| 10. Susan Kelley | 22 East Red Bridge Ln. | E |
| 11. Rachel E. Jomas | 18 Worthington Drive | B. |
| 12. RJ Beryl | 22 EAST RED BRIDGE LN | E |
| 13. Barbara Merchant | 80 Canal St. | A |
| 14. Robin Graves | 64 Charon Terr | E |
| 15. Jiffy 57 | 25 PARKVIEW DR. | D |
| 16. JIM CANNING | 106 LYMAN ST. | C |

Appendix C May 8, 2019 Annual Town Meeting (Article 13)

RECEIVED
TOWN OF SOUTH HADLEY
TOWN CLERK'S OFFICE

2019 FEB 22 PM 3:24 *Jul*

TO: The Selectboard of the Town of South Hadley, MA

The undersigned request that the following article on Single Payer healthcare in Massachusetts be inserted in the warrant for the May 8, 2019 Annual Town Meeting for the Town of South Hadley.

Please let us know if there is anything further we need to do.



Stephanie Strand
Western Mass Medicare for All
Granby/South Hadley Hub
413-297-5363

**Proposed Resolution in Support of Single Payer Healthcare in Massachusetts
South Hadley Town Meeting**

Whereas the US remains the only industrialized nation that does not provide universal health coverage to its citizens; and

Whereas US health outcomes are far below those of other industrialized nations, to the detriment of general well-being and national productivity; and

Whereas approximately 30% of current healthcare dollars are spent on bloated administrative costs and profits required by insurance companies, compared with 3% to 4% overhead costs for a Single Payer system; and

Whereas recent healthcare reforms still leave many citizens with costs beyond their means and care below their needs; and

Whereas the health and financial well-being of future generations--our children and grandchildren--depend on meaningful health coverage changes now; and

Whereas small businesses and startups are disadvantaged by the high costs of providing private insurance to their employees under the current system, and such businesses are critical to the economy of South Hadley; and

Whereas health insurance is becoming an increasing burden on municipal budgets in MA, including in South Hadley, and South Hadley would be relieved of appropriating money for future retiree health benefits; and

Whereas South Hadley's annual cost for health insurance could be reduced by more than \$1.5 million under Single Payer, funds that could be freed up for employees and for important municipal needs; and

Whereas the November 2018 ballot question supporting single payer healthcare garnered "yes" votes from 66.3% of South Hadley citizens who weighed in on the issue; and

Whereas the Massachusetts Senate Bill SD2062 and House Bill HD2974 seek to establish a healthcare trust funded through a payroll tax that is less costly to Massachusetts residents than their current premiums, deductibles and co-pays, while a) covering *all* necessary preventive care

Appendix C (continued) May 8, 2019 Annual Town Meeting

and medical treatment; b) enabling people to see their current--or any--in-state provider for health care and providing for out-of-state emergency care; and c) ensuring health decisions are made between patients and their healthcare providers, *not* insurance adjusters;

THEREFORE be it resolved:

That the Town of South Hadley endorses Massachusetts Senate Bill SD2062 and House Bill HD2974 and will communicate its support to our State Senator and State Representative.

| NAME | ADDRESS |
|--------------------------|--|
| Stephanie Strand | 10 Wright Place S. Hadley ✓ |
| Judith Magnuson | 11 Sycamore Knolls S. Hadley ✓ |
| Trust Reardon | 25 Carlton St. S. Hadley ✓ |
| Marie Rohan | 16 S Sycamore Knolls S. Hadley ✓ |
| M.P. Chivitt | 121 Hadley Village Rd ✓ |
| Jay Zimm | 42 Hadley St, S. Hadley, MA ✓ |
| Neville Brown | 42 Hadley St. S. Hadley, MA ✓ |
| Jeanne E Marcotte | 168 Shanky Road, South Hadley ✓ |
| Donald Sheard | 4 Jewett Lane, South Hadley ✓ |
| Robert Plesner | 10 Jewett Lane, South Hadley ✓ |
| Kathleen T | 7 Saxonbrook Circle South Hadley, MA ✓ |
| Alyssa M. Garcia | 1 Harvard St South Hadley, MA ✓ |
| Jane Janney | 106 Lyman St So. Hadley, MA ✓ |
| | 127 Gidby Rd ✓ |
| John Campbell | 10 Jewett Lane S. Hadley ✓ |
| Tommy McIntosh | 60 Hillcross PK S.H. ✓ |
| Stephen Frantz | 300 North Main Street, S.H. ✓ |
| Umesh Bhat | 11 Sycamore Knolls S. Had ✓ |
| J. King | 4 Willow Rd. S.H. ✓ |
| | 10 Wright Pl. S. Had. ✓ |



Mobility Shared Devices

SOUTH HADLEY REGULATIONS and GUIDANCE FOR SHARED MOBILITY DEVICES

Updated 1-8-19

Amendment to South Hadley By Laws as follows

ARTICLE II. NONMOTORIZED VEHICLES

230-6 Definitions (Amend to add the following)

Shared Mobility Device (SMD): A human or electric-powered vehicle such as bicycles, scooters, Segways or similar devices, that are made for quick on-and-off access by pedestrians and which excludes all registered motor vehicles.

SMD Share Program: A service in which SMDs are made available for public shared-use to individuals on a short term basis for a price or free. Services can be provided either from a specified dock or station location or may be dockless or free-floating. And add;

Section 230-8:

The Selectboard may adopt regulations for Shared Mobility Devices, including parking and sharing programs for bicycles, scooters and other human or electric powered shared mobility devices, and provisions for permits and fees. The Selectboard may amend these regulations as needed.

South Hadley By-laws

Section TBD

Feeding of Wild Animals and/or Wildlife is Prohibited.

- A. No person shall feed, bait, or in any manner provide access to food to any wild animal and/or wildlife within Town of South Hadley on lands either publicly or privately owned, to prevent and avoid conflict with wildlife, except as permitted by under E of section TBD.
- B. No person or property owner shall leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed or birdseed, fruit, or grain in a manner that would constitute an attractant to any wild animal and or wildlife, except as permitted by this section.
- C. All persons or property owners shall take all reasonable remedial action to avoid contact or conflict with wild animals, which may include the securing or removal of outdoor trash, cooking grills, pet food, bird feeders or any other similar food source or attractant after being advised by the Town to undertake such remedial action.
- D. The prohibitions of this Section shall not apply to naturally growing shrubs, live crops, plants, flowers, vegetation, gardens, or trees. However, crops (including fruits, vegetables and nuts) must be picked when ripe or mature, and all fallen crops must be promptly removed from the ground.
- E. The feeding of songbirds and other backyard birds shall be permitted on private property subject to the following conditions: Birds shall only be fed from bird feeders. Bird feeders shall be installed at least five (5) feet above the ground. Bird feeders shall not be installed or attached to fences in any manner. The scattering or placement of food, seed, grain, or any other type of attractant on the ground shall not be permitted. Feeding shall not create an accumulation of droppings on the property or surrounding properties. Feeding shall not become an attractant for rodents or other wild animals.

Enforcement.

- A. The Health Department, Police Department and/or Animal Control shall enforce the provisions of these Regulations.
- B. The provisions of these Regulations may also be enforced through any other lawful means in law or in equity by the Board of Health or their duly authorized agents, and by any available means in law or equity, including but not limited to enforcement by noncriminal disposition. Each day a violation exists shall constitute separate violation. When enforced through noncriminal disposition, the penalties shall be as follows:
 - i. Written warning for the first offense;
 - ii. Twenty-Five Dollars (\$25.00) for the second offense;
 - iii. One Hundred Dollars (\$100.00) for the third offense.

Only offenses which have occurred within the two (2) years preceding the date of violation shall be used in calculating the number of offenses for purposes of this section.

Appendix F May 8, 2019 Annual Town Meeting (Article 22)

Appendix F

May 8, 2019 Annual Town Meeting

Article 22

Section 200-20

Article 22. To see if Town Meeting will amend Chapter 200 (the Stormwater Management Bylaw) Section 200-20 in regards to Specific Design Criteria to restrict the discharge of runoff originating in the Zone II or Zone III of the Dry Brook Public Water Supply Well from being diverted to places outside of said Zone II or Zone III as detailed in the Planning Board's Report to Town Meeting, or take any other action relative thereto.

The changes to be made in the Stormwater Management Bylaw are as follows:

1. Amend Section 200-20 - "Specific design criteria" of the South Hadley Stormwater Management Bylaw by inserting a new paragraph J would read as follows:

- J. Protection of the public water supply (including retention of the recharge of the groundwater supply) is vital to the health and safety of the Town. Accordingly, the Stormwater management system and site grading must be designed to maximize recharge of Stormwater runoff into the ground water. No runoff originating within the DEP Zone II or DEP Zone III of the Dry Brook Public Water Supply Well is to be diverted out of said Zone II and Zone III, unless the Planning Board, based on the recommendations of an independent peer review engineer, determines that such 100% retention of runoff is not feasible due to the unique characteristics of the project site, grants a waiver to this requirement and the applicant provides what the Planning Board determines to be reasonable and appropriate mitigation.*

Appendix G

May 8, 2019 Annual Town Meeting

Article 23

SECTIONS 255-35D AND 255-35E and USE REGULATIONS SCHEDULE

Article 23. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in Section 255-35D – Permitted Uses - by deleting the existing item (8) regarding “Excavation” and inserting a new item (8) indicating that only Earth Removal, Extraction, and/or Fill Activities identified as exempt in § 255-84A(2) may be permitted; in Section 255-35E – Prohibited Uses - by inserting “Major and Other Earth Removal, Extraction, and/or Fill Activities” where a permit by the Building Commissioner is required in Section 255-84 as a Prohibited Use; and in the Use Regulations Schedule (Attachment A) by changing Major Earth Removal, Extraction, and/or Fill Activities and Other Earth Removal, Extraction, and/or Fill Activities (as defined in Section 255-84) within the Water Supply Protection District from allowed by Special Permit and Permitted by Right to Prohibited as detailed in the Planning Board’s Report to Town Meeting, or take any other action relative thereto.

The changes to be made in the Zoning Bylaw are as follows:

- 1. Amend Section 255-35D - “Permitted Uses” of the South Hadley Zoning Bylaw by deleting the following:**

“(8) Excavation for earth removal, provided that the requirements of Subsection F of this section and § 255-84 are met, and an earth removal permit is granted by the Building Commissioner.”

- 2. Amend Section 255-35D “Permitted Uses” of the South Hadley Zoning Bylaw by inserting the following:**

“(8) Earth Removal, Excavation, and/or Fill Activities as defined in § 255-84 for which a Permit from the Building Commissioner is not required due to the activity being part of an exempt development under Section 255-84A(2) and the associated excavation/earth removal shall not be nearer than 10 feet of the seasonal high groundwater.”

Appendix G May 8, 2019 Annual Town Meeting (continued)

- 3. Amend Section 255-35E – “Prohibited Uses” of the South Hadley Zoning Bylaw by inserting the following:**

“(9) Major and Other Earth Removal, Excavation and/or Fill activities (as defined in Section 255-84 including “mining” of gravel, soil, loam, sand and/or other minerals.”

- 4. Amend Section 255 of the South Hadley Zoning Bylaw, Attachment A “Use Regulations Schedule” in regard to the “Other” Use Classification by changing the use “Major Earth Removal, Excavation and/or Fill activity” in the Water Supply Protection District from permitted by Special Permit to Prohibited; by changing the use “Other Earth Removal, Excavation and/or Fill activity” in the Water Supply Protection District from permitted by Right to Prohibited; and deleting footnote “b”.**

May 8, 2019 Annual Town Meeting

Article 24

Section 255-35

Article 24. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in Section 255-35A - Purposes, by clarifying the purposes of the District; in Section 255-35B – Scope of Authority, by clarifying that any use prohibited in an underlying zoning district is also prohibited in the Water Supply Protection District; in Section 255-35C – District Delineation, by revising the boundaries of the Water Supply Protection District; in Section 255-35E – Prohibited Uses by clarifying/modifying the prohibited uses; in Section 255-35F – Restricted Uses, by deleting item (1) in its entirety and inserting a new item (1) regarding restrictions on “exempt” activities under Section 255-84 and clarifying/modifying the restrictions on uses; in Section 255-35H – Special Permit Uses by clarifying that all uses requiring a Special Permit in the underlying zoning district also require a Special Permit in the Water Supply Protection District; and in Section 255-35H – Special Permit Uses in item (3)(a) by clarifying/revising the Special Permit Review Process to be followed for the Water Supply Protection as detailed in the Planning Board’s Report to Town Meeting, or take any other action relative thereto.

The changes to be made in the Zoning Bylaw are as follows:

- 1. Amend Section 255-35A - “Purposes” of the South Hadley Zoning Bylaw by inserting the phrase “and development” between the phrases “any use” and “of land or building” and adding additional purposes after the phrase “quantity of its water resources” such that Section 255-35A would read as follows:**

“A. Purposes. The purpose of the Water Supply Protection District is to promote the health, safety and welfare of the community by protecting and preserving the surface and groundwater resources of the Town and the region from any use and development of land or buildings which may reduce the quality and quantity of its water resources; to protect, preserve and maintain the existing and potential groundwater supply, groundwater recharge area, and the groundwater tables; to protect, preserve and maintain potential sources of surface water supply and watershed areas for the public health and safety; and to prevent blight and the pollution of the environment.”

Appendix H May 8, 2019 Annual Town Meeting (continued)

- 2. Amend Section 255-35B - "Scope of Authority" of the South Hadley Zoning Bylaw by inserting the following additional sentence:**

"Uses that are prohibited in an underlying zoning district shall also be deemed prohibited in the Water Supply Protection District even if not stated as such in Section 255-35E herein."

- 3. Amend Section 255-35C - "District Delineation", paragraph (1) of the South Hadley Zoning Bylaw by inserting the phrase "(per MA-DEP 2003 SWAP, defined as Zone II)" after the word "primary" and the phrase "(per MA-DEP 2003 SWAP, defined as Zone III)" after the phrase "and secondary recharge areas" such that Section 255-35C would read as follows:**

"(1) The Water Supply Protection District is herein established to include all lands within the Town of South Hadley lying within the primary (per MA-DEP 2003 SWAP, defined as Zone II) and secondary recharge areas (per MA-DEP 2003 SWAP, defined as Zone III) of groundwater aquifers and watershed areas of reservoirs which now or may in the future provide public water supply. The map entitled "South Hadley Water Protection Area" on file with the Town Clerk, delineates the boundaries of the district."

- 4. Amend Section 255-35E – "Prohibited Uses", paragraph (1)(a) of the South Hadley Zoning Bylaw by deleting the following:**

", which generate less than 20 kilograms or six gallons of hazardous waste per month may be allowed by special permit in accordance with Article IX of this bylaw"

- 5. Amend Section 255-35E – "Prohibited Uses", paragraph (3) of the South Hadley Zoning Bylaw by replacing the word "automotive" with the phrase "motor vehicle".**

- 6. Amend Section 255-35E – "Prohibited Uses", paragraph (4) of the South Hadley Zoning Bylaw by deleting the following:**

"with the exception of the disposal of brush or stumps."

- 7. Amend Section 255-35E – "Prohibited Uses", paragraph (6) of the South Hadley Zoning Bylaw by adding the following phrase**

"and fertilizers".

Appendix H May 8, 2019 Annual Town Meeting (continued)

- 8. Amend Section 255-35E – “Prohibited Uses”, by adding a new paragraph (11) to read as follows:**

“(11) Any use prohibited by 310 CMR 22.21(2)(a) which is not expressly prohibited in the above provisions 255-35E(1) through (10).”

- 9. Amend Section 255-35F – “Restricted Uses”, by deleting paragraph (1) including subparagraphs (1)(a) and (1)(b) in their entirety and inserting a new paragraph (1) read as follows:**

(1) Earth Removal, Extraction, and/or Fill activities exempt from permitting under Section 255-84A shall nonetheless be restricted to ensure that any such removal or extraction does not extend closer than ten (10) feet above the historical high groundwater table. This subsection does not apply to installation or maintenance of structural foundations and utility conduits; nor shall it apply to maintenance of fresh water ponds provided all necessary permits, orders, or approvals required by local, state, or federal law are also obtained. This subsection does not apply to on-site sewage disposal systems; however the design, siting and installation depth shall be in compliance with Title V of the State Environmental Code and shall be subject to the regulatory authority of the Board of Health.

- 10. Amend Section 255-35F – “Restricted Uses”, paragraph (9) by inserting the word “covered” after the phrase “or in a freestanding” such that the paragraph would read as follows:**

“(9) All liquid hazardous materials, as defined in MGL c. 21E, must be stored either in a freestanding container within a building or in a freestanding, covered container above ground with protection to contain a spill the size of the container's total storage capacity.”

- 11. Amend Section 255-35F – “Restricted Uses”, by adding a new paragraph (10) to read as follows:**

“(10) If it is determined event that 310 CMR 22.21(2)(b) imposes performance standards more stringent on land uses or activities than expressly stated in the above 255-35F(1) through (9), said 310 CMR 22.21(2)(b) performance standard shall be deemed to also apply to land uses and activities in the Water Supply Protection District even though said performance standard or restriction is not specified herein.”

12. Amend Section 255-35H – “Special Permit Uses”, by adding an introductory paragraph after the heading “Special permit uses” to read as follows:

“The provisions this subsection 255-35H herein shall apply to all uses for which a Special Permit is required regardless of whether the provisions below require a Special Permit or the use is listed as requiring a Special Permit in the underlying zoning districts in the Schedule of Use Regulations (Attachment A).”

13. Amend Section 255-35H – “Special Permit Uses”, by deleting the following portion of paragraph (1) – but retaining subparagraphs (a) through (c):

(1) Uses allowed by special permit. The following uses may be allowed by special permit obtained from the Planning Board:

14. Amend Section 255-35H – “Special Permit Uses”, by inserting a new introductory sentence for paragraph (1) to read as follows:

“(1) Uses allowed by special permit. In addition to the uses listed as requiring a Special Permit in the underlying zoning districts in the Schedule of Use Regulations (Attachment A), within the Water Supply Protection District, the following uses may only be allowed in the Water Supply Protection District by special permit obtained from the Planning Board:”

Appendix I

May 8, 2019 Annual Town Meeting

Article 25

Section 255-35D and Dimensional Regulations Schedule (Attachment B)

Article 25. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in regard to the Water Supply Protection District in Section 255-35D – Permitted Uses, in item (1) by adding the maximum amount of a lot that may be impervious and requiring a portion of the lot to be retained in a natural vegetative state; and in the Dimensional Regulations Schedule (Attachment B) by increasing the minimum lot size and specifying the maximum building coverage and maximum impervious coverage for Principal uses in the Water Supply Protection Overlay District (unsewered) as detailed in the Planning Board’s Report to Town Meeting, or take any other action relative thereto.

The changes to be made in the Zoning Bylaw are as follows:

1. **Amend Section 255-35D “Permitted Uses”, regarding “single-family residence” in paragraph (1) of the South Hadley Zoning Bylaw by inserting the following sentence after the first sentence:**

“Additionally, no more than 25% of a lot’s natural vegetation shall be removed nor shall greater than 12.5% of a lot be covered in impervious surface.”

2. **Amend Section 255 of the South Hadley Zoning Bylaw, Attachment B “Dimensional Regulations Schedule” in regard to Principal uses in the Water Supply Protection Overlay District (unsewered) by inserting the following restriction regarding “Maximum Building Coverage”: 10%**
3. **Amend Section 255 of the South Hadley Zoning Bylaw, Attachment B “Dimensional Regulations Schedule” in regard to Principal uses in the Water Supply Protection Overlay District (unsewered) by inserting the following restriction regarding “Maximum Impervious Surface”: 12.5%**

Appendix J May 8, 2019 Annual Town Meeting (Article 26)

May 8, 2019 Annual Town Meeting

Article 26

Section 255-130

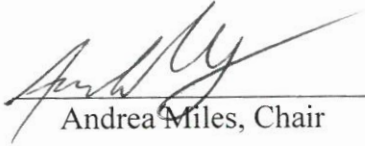
Article 26. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in Section 255-130 by inserting an item E providing that “a condition of any Special Permit is that the approval is conditioned upon the applicant obtaining all other local, State, and/or Federal approvals required for the activity authorized by the Special Permit” as detailed in the Planning Board’s Report to Town Meeting, or take any other action relative thereto.

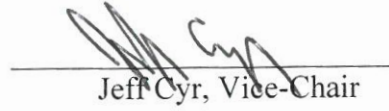
The changes to be made in the Zoning Bylaw are as follows:

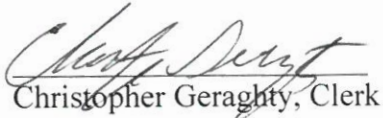
- 1. Amend Section 255-130 - “Conditions attached to special permits” of the South Hadley Zoning Bylaw by inserting a new paragraph E would read as follows:**

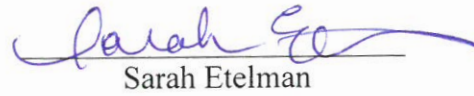
E. A condition of any Special Permit is that the approval is conditioned upon the applicant obtaining all other local, State, and/or Federal approvals required for the activity authorized by the Special Permit.

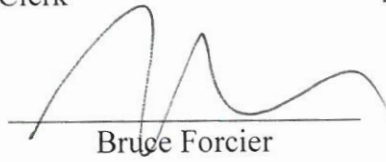
Given under our hands this 16th day of April 2019:


Andrea Miles, Chair


Jeff Cyr, Vice-Chair


Christopher Geraghty, Clerk


Sarah Etelman


Bruce Forcier

**SELECTBOARD
TOWN OF SOUTH HADLEY**

True copy, attest:



Carlene Hamlin, Clerk
Town of South Hadley