

ANNUAL TOWN MEETING
Town of Sheffield
Commonwealth of Massachusetts
May 6, 2013

The 280th Annual Town Meeting was called to order at 7:20 PM by Moderator Bruce H. Person. 332 of the Town's 2,321 registered voters were in attendance. Moderator Person recognized the many years of service for longtime employees James McGarry, Nancy Hahn and Barbara Fletcher. He also acknowledged Susan Young for her years on the Board of Library Trustees, as she will not seek re-election.

A motion was made by Moderator Person, and duly seconded, to dispense with the Town Clerk's reading of the Warrant. The motion carried unanimously.

ARTICLE 1: A motion was made by David Smith, Jr., and duly seconded, to see if the Town will vote to raise and appropriate \$2,790,353 for the purpose of funding those budgets listed in the Warrant, necessary to defray the expenses of the Town for Fiscal Year 2014. *The article carried unanimously.*

Moderator.....	\$ 219	Energy.....	\$139,500
Selectmen's Office.....	\$186,866	Board of Health.....	\$ 7,405
Board of Assessors.....	\$ 93,425	Visiting Nurse Association.....	\$ 4,996
Treasurer/Collector.....	\$158,071	Council on Aging.....	\$ 48,373
Town Clerk.....	\$ 45,560	Veterans Benefits.....	\$ 27,000
Elections & Registration.....	\$ 21,500	Library.....	\$160,833
Conservation Commission.....	\$ 6,908	Historical Commission.....	\$ 1,000
Planning Board.....	\$ 10,754	Memorial Day.....	\$ 750
Commission on Disabilities.....	\$ 200	American Legion.....	\$ 500
Zoning Board of Appeals.....	\$ 2,035	Care of Soldier's Graves.....	\$ 1,400
Town Buildings & Grounds.....	\$ 77,100	Ashley Falls Historic Dist. Comm.	\$ 50
Town Report & Communications	\$ 6,500	Agricultural Commission.....	\$ 750
Legal Services.....	\$ 36,000	Interest on Loans.....	\$ 1
Dispatch Services.....	\$ 9,137	Berkshire County Retirement.....	\$178,480
Police Department.....	\$433,926	Worker's Compensation.....	\$ 18,500
Fire Department.....	\$ 40,075	Unemployment Comp. Fund.....	\$ 1
Inspectional Services.....	\$ 62,216	Group Health (32B) Insurance.....	\$336,000
Fire Hydrants.....	\$ 18,091	Employer Medicare.....	\$ 21,000
Animal Control.....	\$ 8,800	Financial Audit.....	\$ 13,000
Highway Department.....	\$544,431	Insurance & Bonding.....	\$ 69,000

ARTICLE 2: A motion was made by Rene Wood, duly seconded, to authorize the Board of Selectmen to submit to the Massachusetts Economic Assistance Coordinating Council an application designating the property located at 1375 North Main Street (Route 7) as shown on Assessors Map 32, Block 2, Lot 5, as an Economic Opportunity Area pursuant to the provisions of M.G.L. Chapter 23A; and further to authorize the Board of Selectmen to enter into a Tax Increment Financing Agreement with Berkshire Mountain Distillers, Inc. pursuant to the provisions of M.G.L. Chapter 40, Section 59, in connection with the development of the aforementioned property and described in a Certified Project Application and to implement the Tax Increment Financing Agreement, substantially in the form as is on file with the Town Clerk; and further, to authorize the Board of Selectmen to take such other actions as may be necessary to obtain approval of the Certified Project Application, the Economic Opportunity Area, the Tax Increment Financing Plan and matters relating thereto and to implement the Tax Increment Financing Agreement. *The article passed by substantial majority.*

ARTICLE 3: A motion was made by David Smith, Sr., duly seconded, to see if the Town will vote to amend Section 3.1.3 Table of Use Regulation of the Zoning By-laws to change several uses designations from N-Prohibited or Y-Permitted by Right to PB-Special Permit/Planning Board, as proposed by the Planning Board, all as set forth in the document on file in the Office of the Town Clerk. *This article required a 2/3 vote for passage. The vote was Yes: 197; No: 123. The motion failed.*

ARTICLE 4: Davis Smith Sr. made a motion, duly seconded, to see if the Town will vote to amend Section 3.1.5, Commercial Uses in the Village Center District and Commercial District, of the Zoning By-laws by deleting this section in its entirety and inserting in place thereof a new Section 3.1.5 Commercial Building Requirements, as proposed by the Planning Board, all as set forth in the document on file in the Office of the Town Clerk, or take any other action relative thereto: Moderator Person stated that this article would require a 2/3 vote and that due to the controversial nature of the article, it would be voted by secret ballot. Discussion ensued. An amendment to the original article was made to change the square footage from 5,000 square ft to 7,500 square ft. *The motion passed, as determined by the Moderator, Yes: 187; No: 83.* Discussion continued on the amended article. *A motion was made to move the question, it was duly seconded.* Moderator Person took a vote, (2/3 required) the motion to move the question *failed. Yes: 143; No: 131.* Discussion continued on the amended article. The Article required a 2/3 majority to pass. *The motion failed with a vote of, Yes: 167; No: 129.*

ARTICLE 5: Rene Wood, as a private citizen, (presenting a citizens petition), made a motion, which was duly seconded, to see if the Town will vote to add a new Section 3.1.6 Temporary Moratorium on Medical Marijuana Treatment Centers to the Zoning By-laws, as approved by the Planning Board, all as set forth in the document on file in the Office of the Town Clerk, or take any other action relative thereto. *The motion required a 2/3 vote for passage. The motion passed as determined by the Moderator.*

ARTICLE 6: David Steindler made a motion, which was duly seconded, to see if the Town will vote to fix the compensation of the following elected officers of the Town for Fiscal Year 2014, as required by Chapter 41, Section 108 of the General Laws; Moderator, \$219, Selectmen, Chairman \$2,369; Selectmen, two members at \$2,049 each, Southern Berkshire Regional School District School Committee, 4 members at \$500 each. *The motion passed by substantially majority.*

ARTICLE 7: David Smith, Jr. made a motion, which was duly seconded, to see if the Town will vote to raise and appropriate \$6,040,883, to pay Town's assessed share of the Southern Berkshire Regional School District's Operating and Transportation budget for Fiscal Year 2014. *The motion passed unanimously.*

ARTICLE 8: Julie Hannum made a motion, which was duly seconded, to approve the Southern Berkshire Regional School District Capital Budget for Fiscal Year 2014 and vote to raise and appropriate \$223,795 to pay the Town's assessed share of that budget. *The motion passed by substantial majority.*

ARTICLE 9: Rene Wood made a motion, which was duly seconded, to raise and appropriate \$60,000 to pay for vocational education tuition in Fiscal Year 2014. *The motion passed by substantial majority.*

ARTICLE 10: Julie Hannum made a motion, which was duly seconded, to expend \$130,000 under the direction of the Board of Selectmen for the disposal and management of solid waste, and that \$130,000 be raised from Solid Waste Disposal Enterprise Fund Revenues. *The motion passed by substantial majority.*

ARTICLE 11: A motion was made by David Smith, Jr., and duly seconded, that funds being provided by the Commonwealth of Massachusetts under the provisions of Chapter 90 of the General Laws, be accepted to pay for those costs allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges. *The motion passed unanimously.*

ARTICLE 12: Rene Wood made a motion, it was duly seconded, to authorize the appointment of members of the Board of Selectmen to the Board of Health, Economic Development Committee and Highway Garage Design Study Committee at no additional compensation in accordance with the provisions of Chapter 268A, Section 21A of the General Laws. *The motion passed by substantial majority.*

ARTICLE 13: Julie Hannum made a motion, which was duly seconded, to authorize the Board

of Health to employ any of its members as Title 5 and Perc Test Witnesses for Septic System Inspections, Sanitation Inspections, and Health Inspector for Fiscal Year 2014 at the following rates and salaries: Perc Test Witness Fee \$30 per hour; Title V Fee \$40 per test; Sanitation Inspector \$537 per year; Health Inspector \$26 per inspection. *The motion passed by substantial majority.*

ARTICLE 14: A motion was made by David Smith, Jr., which was duly seconded, to authorize The Treasurer/Collector to sell, with the approval of the Board of Selectmen, any parcel or parcels of real estate which have been or may be acquired through the foreclosure of tax title *The motion passed unanimously.*

ARTICLE 15: Rene Wood made a motion, it was duly seconded, to transfer \$25,053 from Free Cash to pay principal and interest on the bonded indebtedness, authorized by Town Meeting vote of January 30, 1995. *The motion passed unanimously.*

ARTICLE 16: Collin Smith made a motion to transfer \$74,000 from Free Cash to provide for Extraordinary or unforeseen expenditures under the provisions of Chapter 40, Section 6 of the General Laws, known as the Reserve Fund. *The motion passed unanimously.*

ARTICLE 17: A motion was made by Julie Hannum, duly seconded, to transfer \$750 from Free Cash to the Emergency Response Fund. *The motion passed unanimously.*

ARTICLE 18: A motion was made by David Smith, Jr., duly seconded, to transfer \$25,000 from Free Cash to compensate firefighters for training. *The motion passed unanimously.*

ARTICLE 19: A motion was made by Rene Wood, duly seconded, to transfer \$10,000 from Free Cash for Tax Recertification. *The motion passed unanimously.*

ARTICLE 20: A motion was made by Julie Hannum, duly seconded, to transfer \$10,000 from Free Cash for processing Tax Takings and costs associated with Tax Title accounts. *The motion passed unanimously.*

ARTICLE 21: A motion was made by David Smith, Jr., duly seconded, to transfer \$40,300 from Free Cash to purchase a cruiser and laptop for the Police Department. *The motion passed unanimously.*

ARTICLE 22: A motion was made by Rene Wood, duly seconded, to transfer \$9,000 from Free Cash to purchase up to date information technology hardware, software and services. *The motion passed unanimously.*

ARTICLE 23: A motion was made by Julie Hannum, duly seconded, to transfer \$30,000 from Free Cash for guardrail replacements. *The motion passed unanimously.*

ARTICLE 24: A motion was made by David Smith, Jr., duly seconded, to transfer \$70,000 from Free Cash for Town building repairs, improvements and furnishings to include, but not limited to the Town Hall, Library and Police Station. *The motion passed unanimously.*

ARTICLE 25: A motion was made by Rene Wood, duly seconded, to transfer \$87,000 from Free Cash to purchase and equip a plow truck for the Highway Department. *The motion passed unanimously.*

ARTICLE 26: A motion was made by Julie Hannum, duly seconded, to transfer \$2,500 from Free Cash to purchase a mower for the Highway Department. *The motion passed unanimously.*

ARTICLE 27: A motion was made by David Smith, Jr., duly seconded, to transfer \$2,500 from Free Cash to purchase two cold water rescue suits for the Fire Department. *The motion passed unanimously.*

ARTICLE 28: A motion was made by Rene Wood, duly seconded, to transfer \$9,000 from Free

Cash to purchase a Rescue Wagon for the Fire Department. *The motion passed unanimously.*

ARTICLE 29: A motion was made by David Smith, Jr., duly seconded, to transfer \$150,000 from Free Cash into the Fire Truck Stabilization Fund. *The motion passed unanimously.*

ARTICLE 30: On a motion by Julie Hannum, duly seconded, to authorize the use of the following revolving funds for departmental operations which shall not exceed the noted sums for each fund, which shall be accounted for separately, and to which shall be credited only the receipts received in connection with the departmental operations supported by the revolving fund; further to authorize the Town Treasurer to expend from such funds in accordance with Chapter 44, Section 53 E ½ of the General Laws, provided however that said expenditures for the revolving funds shall not exceed the receipts for said fund:

Plumbing Inspector	\$10,000
Gas Inspector	\$10,000
Electrical Inspector	\$10,000
Fire Safety Inspector	\$10,000
Board of Health	\$15,000

The motion passed unanimously.

ARTICLE 31: On a motion by Rene Wood, duly seconded, to transfer \$95,000 from the Solid Waste Enterprise Fund Retained Earnings Account for paving and repairs at the Transfer Station. *The motion passed unanimously.*

Respectfully submitted,

Felecie Joyce
Town Clerk, CMMC