

# ANNUAL TOWN MEETING WARRANT

## Town of Sheffield Commonwealth of Massachusetts

Berkshire, ss

To the Constables of the Town of Sheffield in said County of Berkshire, *Greeting:*

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Sheffield, qualified to vote in Town affairs, to meet in the auditorium of the Mount Everett Regional High School on Berkshire School Road in Sheffield on Monday, May 4, 2009 at 7:00 P.M. for the following purposes:

**ARTICLE 1:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as listed below, and as may be amended, necessary to defray the expenses of the Town for Fiscal Year 2010, or take any other action relative thereto.

Moderator.....	\$ 200	Streetlights.....	\$ 11,500
Selectmen's Office.....	\$156,704	Board of Health.....	\$ 14,334
Board of Assessors.....	\$ 91,007	Visiting Nurse Association.....	\$ 3,096
Treasurer/Collector.....	\$145,124	Council on Aging.....	\$ 48,460
Town Clerk.....	\$ 54,046	Veterans Benefits.....	\$ 18,000
Elections & Registration.....	\$ 19,890	Library.....	\$152,664
Conservation Commission.....	\$ 6,930	Historical Commission.....	\$ 100
Planning Board.....	\$ 11,000	Memorial Day.....	\$ 750
Economic Development Comm...	\$ 100	American Legion.....	\$ 500
Zoning Board of Appeals.....	\$ 2,000	Care of Soldier's Graves.....	\$ 1,400
Town Buildings & Properties.....	\$104,100	Ashley Falls Historic Dist. Comm.	\$ 100
Town Report & Communications	\$ 5,500	Agricultural Commission.....	\$ 500
Legal Services.....	\$ 15,000	Interest on Loans.....	\$ 1
Dispatch Services.....	\$ 7,602	Berkshire County Retirement.....	\$170,306
Police Department.....	\$418,669	Worker's Compensation.....	\$ 18,500
Fire Department.....	\$ 40,445	Unemployment Comp. Fund.....	\$ 1
Inspectional Services.....	\$ 75,800	Group Health (32B) Insurance.....	\$280,000
Fire Hydrants.....	\$ 7,942	Employer Medicare.....	\$ 19,000
Animal Control.....	\$ 8,500	Financial Audit.....	\$ 12,000
Highway Department.....	\$551,050	Insurance & Bonding.....	\$ 67,000

**ARTICLE 2:** To see if the Town will vote to fix the compensation of the following elected officers of the Town for Fiscal Year 2010, as required by Chapter 41, Section 108 of the General Laws; Moderator, \$200; Selectmen, Chairman \$2,200; Selectmen, two members at \$1,900 each, or take any other action relative thereto.

**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from available funds, \$800 to pay the stipend for Sheffield's committee members of the Southern Berkshire Regional School District for Fiscal Year 2010, or take any other action relative thereto.



**ARTICLE 4:** To see if the Town will vote pursuant to M.G.L. c 71, s16B, as amended, to amend Section 4 (e) the SBRSD Regional Agreement as follows:

“For Fiscal Year 2010, each member town’s share of the total operating and transportation budget of the District (“Assessment”) shall be the amount determined as follows: the district treasurer shall calculate each member town’s share of the District’s total operating and transportation budget using the alternative assessment method as set forth in the amendment to the SBRSD Regional Agreement voted in May of 2001 and shall then multiply such share by fifty percent (50%) (the “Alternative Method Portion”). The district treasurer shall then calculate each member town’s share of the District’s total operating and transportation budget using the Statutory Method and shall then multiply such share by fifty percent (50%) (the “Statutory Method Portion”). The district treasurer shall then calculate each member town’s actual Assessment for Fiscal Year 2010 by adding the Alternative Method Portion to the Statutory Method Portion.

“For Fiscal Year 2011, each member town’s share of the total operating and transportation budget of the District shall be the amount determined as follows: the district treasurer shall calculate each member town’s share of the District’s total operating and transportation budget using the alternative assessment method as set forth in the amendment to the SBRSD Regional Agreement voted in May of 2001 and shall then multiply such share by twenty-five percent (25%) (the “2011 Alternative Method Portion”). The district treasurer shall then calculate each member town’s share of the District’s total operating and transportation budget using the Statutory Method and shall then multiply such share by seventy-five percent (75%) (the “2011 Statutory Method Portion”). The district treasurer shall then calculate each member town’s actual Assessment for Fiscal Year 2011 by adding the 2011 Alternative Method Portion to the 2011 Statutory Method Portion.”

**ARTICLE 5:** To see if the Town will vote to approve the Southern Berkshire Regional School District (“District”) Operating Budget for Fiscal Year 2010 of \$13,203,459 and vote to raise and appropriate \$5,451,605 to pay the Town’s assessed share of that budget under the alternate apportionment formula, said formula being an optional alternative to the statutory formula enumerated in Chapter 71, Section 16B of the General Laws, said appropriation to be contingent both on the passage of a Proposition 2 ½ override in the amount of \$177,000, and passage by the five member towns of the District of the amendment contained in Article 4 above, or take any other action relative thereto.

**ARTICLE 6:** To see if the Town will vote to approve the Southern Berkshire Regional School District (“District”) Operating Budget for Fiscal Year 2010 of \$13,203,459 and vote to raise and appropriate \$5,580,157 to pay the Town’s assessed share of that budget under the alternate apportionment formula, said formula being an optional alternative to the statutory formula enumerated in Chapter 71, Section 16B of the General Laws, said appropriation to be contingent both on the passage of a Proposition 2 ½ override in the amount of \$305,000, and the failure of any of the five member towns of the District to pass the amendment contained in Article 4 above, or take any other action relative thereto.

**ARTICLE 7:** To see if the Town will vote to approve the Southern Berkshire Regional School District Operating Budget for Fiscal Year 2010 of \$13,203,459 and vote to raise and appropriate \$5,323,053 to pay for the Town’s assessed share of that budget under the statutory formula enumerated in Chapter 71, Section 16B of the General Laws, said appropriation to be contingent on the failure of Article 5 above and Article 6 above to pass, or the failure of any of the contingent Proposition 2 ½ overrides noted therein to pass, or take any other action relative thereto.



**ARTICLE 8:** To see if the Town will vote to approve the Southern Berkshire Regional School District Capital Budget for Fiscal Year 2010 and vote to raise and appropriate \$190,190 to pay the Town's assessed share of that budget, 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 \$55,000 to pay for vocational education tuition in Fiscal Year 2010, or take any other action relative thereto.

**ARTICLE 10:** To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money for the disposal and management of solid waste, or take any other action relative thereto.

**ARTICLE 11:** To see if the Town will vote to authorize the appointment of members of the Board of Selectmen to any office or position under their supervision at no additional compensation in accordance with the provisions of Chapter 268A, Section 21A of the General Laws, or take any other action relative thereto.

**ARTICLE 12:** To see if the Town will vote to authorize the Board of Health to employ any of its members, including members who also serve on the Board of Selectmen, as Title 5 Witnesses for Septic Systems Evaluation Tests and Inspections at a rate of \$35.00 per inspection, and/or Sanitation (Title 5) Inspector at an annual salary of \$500 for Fiscal Year 2010, or take any other action relative thereto.

**ARTICLE 13:** To see if the Town will vote to raise and appropriate , transfer from Overlay Surplus, and/or transfer from available funds, \$70,000 to provide for extraordinary or unforeseen expenditures under the provisions of Chapter 40, Section 6 of the General Laws, known as the Reserve Fund, or take any other action relative thereto.

**ARTICLE 14:** To see if the Town will vote 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, 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 \$29,053 to pay principal and interest on the bonded indebtedness authorized by Town Meeting vote of January 30, 1995, 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 \$750 to the Emergency Response Fund, or take any other action relative thereto.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate or transfer from available funds \$40,000 to be added to the \$350,000 approved under Article 16 of the 2008 Annual Town Meeting Warrant to purchase a new fire truck, 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 \$18,000 to purchase new turnout gear for the Fire Department, 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 \$19,600 to compensate firefighters for training, or take any other action relative thereto.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate or transfer from available funds \$30,000 for a new brush chipper and snow plows, or take any other action relative thereto.

**ARTICLE 21:** To see if the Town will vote to raise and appropriate or transfer from available funds \$50,000 for a new highway garage design and feasibility study, or take any other action relative thereto.

**ARTICLE 22:** To see if the Town will vote to raise and appropriate or transfer from available funds \$32,000 to purchase and equip a new police cruiser for the Police Department, or take any other action relative thereto.

**ARTICLE 23:** To see if the Town will vote to raise and appropriate or transfer from available funds \$5,000 for commercial personal property tax appraisal consultant services for the Board of Assessors, or take any other action relative thereto.

**ARTICLE 24:** To see if the Town will vote to raise and appropriate or transfer from available funds \$15,000 for town repairs and building improvements to include the Town Hall, Library, and Police Station, or take any other action relative thereto.

**ARTICLE 25:** To see if the Town will vote to raise and appropriate or transfer from available funds \$10,000 to purchase up to date information technology hardware, software, and services, or take any other action relative thereto.

**ARTICLE 26:** To see if the Town will vote to accept the provisions of Chapter 40, Section 8J of the General Laws and establish a permanent Commission on Disabilities to cause the full integration and participation of people with disabilities in Sheffield. Such commission shall (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; (6) coordinate activities of other local groups organized for similar purposes.

Said commission shall consist of not less than five nor more than nine members to be appointed by the Board of Selectmen. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of the Town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public



hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

**ARTICLE 27:** To see if the Town will vote to accept Chapter 32B, Section 18A of the General Laws which will require that all persons who retire after the acceptance of this section, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to transfer to a Medicare extension plan offered by the Town, or take any other action relative thereto.

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You are also directed to notify and warn the inhabitants of the Town of Sheffield, qualified to vote in Town elections, to meet in the Town Hall on Depot Square in Sheffield on Monday, May 11, 2009 at 9:00 AM then and there to bring in their votes for the election of the following Town officers:

One Moderator for one year

One Selectmen for three years

One Library Trustee for three years

Two Planning Board members for three years

And to decide on the following questions:

Question No. 1a:

"Shall the Town of Sheffield be allowed to assess an additional \$305,000 in real estate and personal property taxes for the purposes of funding the Southern Berkshire Regional School District Operating Budget Assessment for the fiscal year beginning July 1, 2009?"

Yes\_\_\_\_\_ No\_\_\_\_\_

Question No. 1b:

"Shall the Town of Sheffield be allowed to assess an additional \$177,000 in real estate and personal property taxes for the purposes of funding the Southern Berkshire Regional School District Operating Budget Assessment for the fiscal year beginning July 1, 2009?"

Yes\_\_\_\_\_ No\_\_\_\_\_

*Questions 1a. and 1b. are separate questions. You may vote for or against each question independently. Each question requires a majority of those voting on that question to pass. If more than one question passes, the question with the highest dollar amount will prevail.*

All of said officers to be voted for on the official ballots furnished at the polls. The polls will be opened at 9:00 AM and closed at 7:00 PM.


You are directed to serve this Warrant by posting an attested copy in seven public places in the Town, not less than seven days before the date of said meeting.

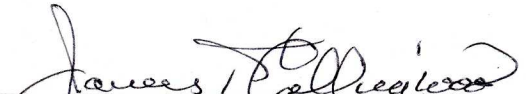
**Hereof I fail not**, and make return of this Warrant to the Town Clerk, with your doings thereon, at or before the time of said meeting.

Given under our hands and the Seal of the Town of Sheffield this fifteenth day of April in the year of our Lord Two Thousand and Nine.

**BOARD OF SELECTMEN:**

  
Julie M. Hannum

  
David D. Macy

  
James T. Collingwood, Sr.

In obedience to the within Warrant, I have notified and warned the inhabitants of the Town of Sheffield qualified to vote in Town or State Elections and Primaries by posting seven attested copies of said warrant in seven public places at least seven days prior to said election.

ATTEST:

\_\_\_\_\_  
TOWN CLERK

\_\_\_\_\_  
CONSTABLE

\_\_\_\_\_  
DATE