

# 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 7, 2012 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 2013, or take any other action relative thereto.

Moderator.....	\$ 214	Streetlights.....	\$ 11,000
Selectmen’s Office.....	\$156,552	Board of Health.....	\$ 14,551
Board of Assessors.....	\$ 96,720	Visiting Nurse Association.....	\$ 4,200
Treasurer/Collector.....	\$153,891	Council on Aging.....	\$ 42,263
Town Clerk.....	\$ 55,487	Veterans Benefits.....	\$ 27,000
Elections & Registration.....	\$ 21,300	Library.....	\$159,665
Conservation Commission.....	\$ 7,093	Historical Commission.....	\$ 0
Planning Board.....	\$ 11,354	Memorial Day.....	\$ 750
Economic Development Comm...	\$ 0	American Legion.....	\$ 500
Zoning Board of Appeals.....	\$ 2,035	Care of Soldier’s Graves.....	\$ 1,400
Town Buildings & Grounds.....	\$127,425	Ashley Falls Historic Dist. Comm.	\$ 50
Town Report & Communications	\$ 6,500	Agricultural Commission.....	\$ 250
Legal Services.....	\$ 25,000	Interest on Loans.....	\$ 1
Dispatch Services.....	\$ 8,307	Berkshire County Retirement.....	\$177,082
Police Department.....	\$435,398	Worker’s Compensation.....	\$ 18,500
Fire Department.....	\$ 44,749	Unemployment Comp. Fund.....	\$ 1
Inspectional Services.....	\$ 60,500	Group Health (32B) Insurance.....	\$336,000
Fire Hydrants.....	\$ 18,091	Employer Medicare.....	\$ 21,000
Animal Control.....	\$ 8,700	Financial Audit.....	\$ 12,000
Highway Department.....	\$581,354	Insurance & Bonding.....	\$ 69,000

**ARTICLE 2:** To see if the Town will vote to fix the compensation of the following elected officers of the Town for Fiscal Year 2013, as required by Chapter 41, Section 108 of the General Laws; Moderator, \$214 Selectmen, Chairman \$2,311; Selectmen, two members at \$1,999 each, or take any other action relative thereto.

**ARTICLE 3:** To see if the Town will vote to amend the first Restatement of the Regional Agreement of the Southern Berkshire Regional School District as follows: To amend Article IV, subparagraph “h” of the first Restatement of the Regional Agreement to read in its entirety as follows:

- h. Each Member Town shall make payment for its respective share of the District’s estimated annual operating and transportation costs upon certification by the district treasurer as specified in section 8(b) below, such payment to be made by the respective town treasurer in four equal installments on the fifteenth day of August, November, February and May, by check payable to the District.

In all other respects the first Restatement of the Regional Agreement of the Southern Berkshire Regional School District shall remain in full force and effect.

**ARTICLE 4:** To see if the Town will vote to approve the Southern Berkshire Regional School District Operating and Transportation Budget for Fiscal Year 2013 and vote to raise and appropriate \$5,888,727 to pay the Town's assessed share of that budget, or take any other action relative thereto.

**ARTICLE 5:** To see if the Town will vote to approve the Southern Berkshire Regional School District Capital Budget for Fiscal Year 2013 and vote to raise and appropriate \$223,632 to pay the Town's assessed share of that budget, or take any other action relative thereto.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds \$60,000 to pay for vocational education tuition in Fiscal Year 2013, or take any other action relative thereto.

**ARTICLE 7:** 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 8:** To see if the Town will vote to accept funds being provided by the Commonwealth of Massachusetts under the provisions of Chapter 90 of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or take any other action relative thereto.

**ARTICLE 9:** 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 10:** To see if the Town will vote 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 Public Health Nurse Services for Fiscal Year 2013 at rates and salaries to be determined by the Board of Selectmen, or take any other action relative thereto.

**ARTICLE 11:** 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 12:** To see if the Town will vote to raise and appropriate or transfer from available funds \$26,053 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 13:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$73,000 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 raise and appropriate or transfer from available funds \$750 to the Emergency Response Fund, 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 \$12,000 to purchase a York rake and a mower for the Highway Department, 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 \$25,000 to compensate firefighters for training, 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 \$50,000 for Town Hall exterior painting, or take any other action relative thereto.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate or transfer from available funds \$10,000 for Tax Recertification, 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 \$10,000 to rent equipment for the Highway Department, 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 \$8,000 to purchase up to date information technology hardware, software, and services, 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 \$29,000 for guardrail replacements, 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 \$21,700 to replace carpets and a door at the Library, 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 \$50,000 for Town building repairs, improvements, and furnishing to include but not be limited to the Town Hall, Library, and Police Station, or take any other action relative thereto.

**ARTICLE 24:** To see if the Town will vote to establish a Highway Truck Stabilization Fund and to transfer \$50,000 from available funds into such Stabilization Fund, or take any other action relative thereto.

**ARTICLE 25:** To see if the Town will vote to transfer from available funds \$100,000 into the Fire Truck Stabilization Fund, or take any other action relative thereto.

**ARTICLE 26:** To see if the Town will vote 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 under the control of the Town Treasurer, 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

, or take any other action relative thereto.

**ARTICLE 27:** To see if the Town will vote to amend Section 6.2 of the Zoning By-laws, 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:

**ARTICLE 28:** To see if the Town will vote, pursuant to G.L. c.164, §134(a), to authorize the Board of Selectmen to initiate the process to aggregate the electric load of interested electricity consumers within the Town of Sheffield and enter into agreements for services to facilitate the sale and purchase of electric energy and other related services, or to take any other action relative thereto.

**ARTICLE 29:** (*By Petition*) To see if the Town will vote to amend the Zoning By-laws as follows, or take any other action relative thereto:

Strike in their entirety Section 5.3 Variance Required and 5.4 Nonconforming Single and Two-Family Residential Structures and replace with new Sections 5.3 and 5.4 as follows:

### **Section 5.3 Variance Required**

Subject to Section 5.4, the alteration, reconstruction, extension, or structural change of a nonconforming structure, if and to the extent the same increases the nonconforming nature of such structure, creates a new nonconformity and may be substantially more detrimental than the existing nonconforming structure to the neighborhood, shall require the issuance of a variance by the Zoning Board of Appeals instead of a Special Permit pursuant to Section 5.2

### **Section 5.4 Nonconforming Single and Two Family Residential Dwellings**

No Special Permit shall be required if alteration, reconstruction, extension or structural change does not increase the nonconformity of the structure or creates a new nonconformity. A nonconforming single or two family residential structure may be altered, reconstructed, extended, structurally changed and may increase the nonconformity or create a new nonconformity by issuance of a Special Permit by the Zoning Board of Appeals. The Zoning Board of Appeals shall determine that said project would not be substantially more detrimental than the existing nonconforming structure to the neighborhood. Upon such finding, the granting of the Special Permit shall void the requirement for issuance of a variance.

**ARTICLE 30:** (*By Petition*) The First Amendment of the Constitution was designed to protect the free-speech rights of individuals (“natural persons”) not corporations. Recent United States Supreme Court decisions have opened the door for corporations to make unlimited expenditures for advocacy in favor or against political candidates and issues. Many see this development as not only a further erosion of the influences of individuals in the political process, also as – in essence – a corporate takeover of the First Amendment.

This ruling in *Citizens United v. FEC*, has already unleashed a torrent of corporate money in our political process unmatched by any campaign expenditure totals in the history of this great nation; therefore, this ruling represents a serious and direct threat to our democracy “Of the people, by the people and for the people”. The people of the United States have used the constitutional amendment process to correct harmful decisions of the U.S. Supreme Court that go to the heart of our democracy and self government. It is for this reason that we present the following resolution to the voters of Sheffield.

Be it resolved that the voters of Sheffield, Massachusetts call upon the United States Congress to pass and send to the States for ratification, a Constitutional Amendment banning corporations, limited liability corporations and any other corporate entities from all and any expenditure of funds for political speech and elections, or if not, to at least regulate such with punitive assurances.

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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 Senior Center on 25 Cook Road in Sheffield on Monday, May 14, 2012 at 7:00 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 member for three years

All of said officers to be voted for on the official ballots furnished at the polls. The polls will be opened at 7:00 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** **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 eighteenth day of April in the year of our Lord Two Thousand and Twelve.

**BOARD OF SELECTMEN:**

_____	_____	_____
Rene C. Wood	Julie M. Hannum	David A. Smith, Jr.

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