

# WARRANT

## SPECIAL TOWN MEETING

### Town of Sheffield Commonwealth of Massachusetts

Berkshire, ss.

To the Constables of the Town of Sheffield in said County, *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 located at 491 Berkshire School Road in Sheffield on Monday, March 2, 2015 at 7:00 P.M. then and there to act upon the following Articles:

**ARTICLE 1.** To see if the Town will vote to approve the borrowing authorized by the Southern Berkshire Regional School District (SBRSD) in the amount of \$7,741,000 for the purpose of paying costs of SBRSD Roof/Boiler Project at Mt. Everett/Undermountain School, 491 Berkshire School Road, Sheffield, MA 01257 consisting of replacing the entire roof and three boilers, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of *SBRSD School Building Committee*; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty-nine and twenty-one one hundredths percent (39.21%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 21/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA or take any other action relative thereto.

**ARTICLE 2.** To see if the Town will vote to authorize the Board of Selectmen to enter into a Tax Agreement pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, and/or any other enabling authority with SH MA Solar, LLC for personal property taxes associated with the 1 MW solar photovoltaic facility located on the property at 66 East Stahl Road in Sheffield, and described in a deed recorded with the Berkshire County Registry of Deeds in Book 2041, Page 292, for a term of up to twenty (20) years, on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to take any and all actions as may be necessary or convenient to accomplish the purpose of this article; or take any other action relative thereto.

**ARTICLE 3. (*Citizen's Petition*)** To see if the Town will vote to amend the Town of Sheffield's Zoning By-Laws by adding a new **Section 7.4 - TEMPORARY MORATORIUM ON SMART GRID/SMART METER INSTALLATIONS** (as provided below), adding a new definition in Section 10. DEFINITIONS for Electric Utility, and further amending the TABLE OF CONTENTS to add Section 7.4 Temporary Moratorium on Smart Grid/Smart Meter Installations, or take any action relative thereto.

**Text of the Town of Sheffield Zoning By-Laws Warrant Article: Proposed Amendments**

**Section 7.4 – Temporary Moratorium on Smart Grid/Smart Meter Installations**

**7.4.1 – Purpose.** To allow the Town time to review the safety, technology, infrastructure, costs and opt-out fees planned for a Smart Grid and/or Smart Meter program by an Electric

Utility in Sheffield, in order to protect health and welfare of the Town and its residents from potential adverse impacts on human health, historic resources, scenic views, residential property values and natural or man-made resources.

#### 7.4.2 - Definitions

**"Home Area Network (or "HAN")":** AMI wirelessly send data from home devices to, and may implement instructions from, the Electric Utility and/or possibly third parties via the HAN gateway, which is located at an end-user's residence or business, and which may thus serve as a communications portal to electrical appliances, electrical equipment, or electrical devices within the end-user's residence or business, or which otherwise communicates with, monitors, or controls such electrical appliances, electrical equipment, or electrical devices.

**"Local Area Network (or "Mesh" or "LAN")":** A two-way microwave wireless network whereby AMI meters send data from meter to meter and/or from meter to repeater/relay or base stations to and from the LAN or WAN to the Electric Utility and possibly to third parties.

**"Smart Grid/Smart Meter"** (also commonly referred to as "Advanced Metering Infrastructure", "AMI", or similar): Electricity meters, two-way communication technologies employing base stations and receivers or similar, meter data management systems and customer devices any or all of which are used or may be used by an Electric Utility to measure, record, analyze,, share electric energy use data and/or to control, modify or otherwise manipulate electric energy usage through the use of Home Area Networks, Local Area Networks and/or Wide Area Networks.

**"Wide Area Network (or "WAN")":** WiMAX (or Worldwide Interoperability for Microwave Access), cellular technology and/or other microwave technology utilizing base stations (antennas, etc.) on existing or newly built poles, towers or structures which may or may not have other antennas affixed to them and usually requiring 'line of sight' installation to receivers, which may require defoliating or removing existing vegetation and/or foliage and/or may require installation above an existing tree line.

**7.4.3 – Temporary Moratorium.** Notwithstanding any other provision of the Town of Sheffield Zoning By-Laws to the contrary, the Town of Sheffield hereby adopts a temporary moratorium on the use of Smart Grid/Smart Meter Installations. The Temporary Moratorium shall be in effect through March 31, 2016. During the Temporary Moratorium period, the Town shall undertake a review of the potential impacts of Smart Grid/Smart Meter Installations, and shall consider adopting new Zoning By-Laws to address the health and welfare impacts concerning the operation of Smart Grid/Smart Meter Installations in the Town of Sheffield.

and

#### Section 10. Definitions

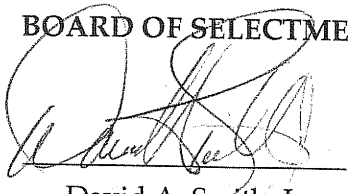
**Electric Utility:** Any corporate entity or any individual responsible for the installation, operation, maintenance, measurement, monitoring and/or billing of electricity usage. For the purposes of this definition, Electric Utility shall include such corporate entity or individual and any or all of its affiliates, agents, assigns, contractors, divisions, predecessors, representatives, service providers, subsidiaries, successors, and vendors of any and every type or form whatsoever.

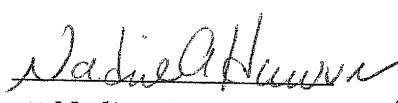
You are directed to serve this Warrant by posting an attested copy in seven public places in the Town, not less than fourteen days before the date of said meeting.


*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 ninth day of June in the year of our Lord Two Thousand and Eleven

BOARD OF SELECTMEN:

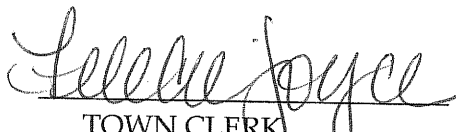
  
David A. Smith, Jr.

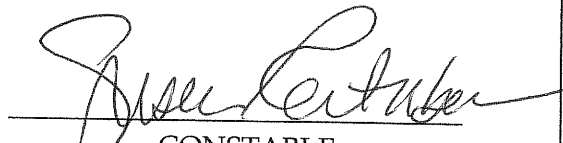
  
Nadine A. Hawver

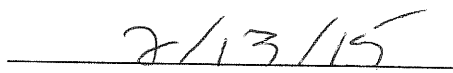
  
Rene C. Wood

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 fourteen days prior to said election.

ATTEST:

  
TOWN CLERK

  
CONSTABLE

  
DATE