

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 10, 2017 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:

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, 2017, 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 2018, 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 2018 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 2018 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 reauthorize the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, to establish in the Town Treasury a revolving fund, which shall be kept separate and apart from all other monies by the Treasurer, and in which shall be deposited the receipts received that may be spent by the Selectboard or its designee, without further appropriation during fiscal year 2018 for the continued support and maintenance of Buttery Brook Park, 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 \$45,347,563 or a greater or lesser sum, to constitute the Operating Budget for fiscal year 2018 all as more specifically set forth in "Appendix A" attached hereto and made a part here of, or take any other action relative thereto.

ARTICLE 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$78,861 or a greater or lesser amount to constitute the Gaylord Memorial Library budget for Fiscal Year 2018 and as specifically set forth in "Appendix B" attached hereto, or take any other action relative thereto.

ARTICLE 10: To see if the Town will vote to allow a moratorium be placed on retail sales or establishment of a retail operations for the purpose of selling recreational cannabis in the Town of South Hadley. The moratorium would be in effect for permits or licenses applied for, sought or otherwise requested until July 1, 2018 in order to allow the Town to put in place appropriate zoning, health regulations or other necessary conventions or protections for the safe and proper retail distribution of cannabis/marijuana in all forms, or take any other action relative thereto.

ARTICLE 11: To see if the Town will vote to create a General By-law to allow the South Hadley Police Department to fingerprint applicants for Ice Cream Vendor Permits and to use said fingerprints to search Ice Cream Vendor License applicant's criminal history in accordance with MGL Chapter 270 subsection 25 and MGL Chapter 6 section 172B ½ (accepted STM 1/11/17) and as expressed in "Appendix C", or take any other action relative thereto.

ARTICLE 12: To see if the Town will vote to create a General By-law to allow the Town of South Hadley to withhold permits for any property which has outstanding taxes and fess owed to the municipality including but limited to taxes, fee or liens consistent with Chapter 40 subsection 58 (accepted STM 1/11/17) and as expressed in "Appendix D", or take any other action relative thereto.

ARTICLE 13: To see if the Town shall accept changes and amendments to the South Hadley General By-laws and intended to make the By-laws consistent with Massachusetts General Court Chapter 458 of the Acts of 2012, and to further create a more consistent representation of the practices and needs of the town and as expressed in "Appendix E", or take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay the costs of capital projects to provide that, in accordance with Section 20 of Chapter 44 of the Massachusetts General Laws, the premium

received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

ARTICLE 15: To see if the Town will accept Red Bridge and East Red Bridge Lane(s) from Westbrook Road as further defined in the "Mountainbrook Definitive Plan Overall Lot Plan" and approved by the South Hadley Planning Board and as described in Appendix "F", or take any other action relative thereto.

ARTICLE 16: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$20,000 as a grant match for the River to Range Phase II Project, or take any other action relative thereto.

ARTICLE 17: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$15,000 as a grant match for the Valley Bike Share for fiscal year 2018, or take any other action relative thereto.

ARTICLE 18: To see if the Town will vote to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard expend the sum of \$231,350 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of undertaking redevelopment improvements for the Fred Smith Park (inclusive of Parcels #001 and #002 on Assessor's Map #5C and parcel #082 on Assessors Map 5A). The Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 45, Section 3, and as it may hereafter be amended and other Massachusetts statutes relating to public parks and playgrounds, the properties are to be placed under the management and control of the Selectboard as park land (exclusive of the Olde Firehouse Museum building and a ten foot setback surrounding the structure), or take any other action relative thereto.

Article 19; To see if the Town will vote to appropriate and/or borrow and authorize the Town Administrator, with the approval of the Selectboard expend the sum of \$245,200 (in anticipation of receiving reimbursement of up to 50% of the project cost) for the purpose of trail related improvements in the Bachelor Brook-Stony Brook Conservation Area to implement the River to Range Trail Phase 3. The Town Administrator is authorized to file any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article; and accept grants and/or reimbursements from the Executive Office of Energy and Environmental Affairs and to take such other actions as are necessary to carry out terms, purposes and conditions of this grant to be administered by Planning and Conservation Department. Further, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and

other Massachusetts statutes relating to conservation land, the properties have been placed under the management and control of the Conservation Commission as Conservation land, or take any other action relative thereto.

ARTICLE 20; To see if the Town will vote to raise and appropriate and/or transfer from Unreserved Free Cash the sum of \$143,000 to procure and purchase the following items Police Cruiser \$48,000, DPW Truck S-1 \$45,000 Commercial Mower \$50,000 as recommended to the Selectboard, by the Capital Planning Committee, or take any other action relative thereto.

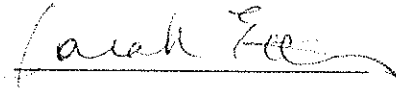
ARTICLE 21. To see if the Town will accept a General By-law to ban the use of plastic bags in certain categories and situations beginning July 1, 2018; this acceptance includes common retail plastic bags with or without die-cut handles. It does not include bio-degradable bags, re-usable bags, small item bags (i.e. newspaper, small item bags, thin film bags for raw fish, meat poultry etc.) as expressed in "Appendix G", or take any other action relative thereto.

ARTICLE 22: To see if the Town will vote to create a chapter in the General By-laws entitled "Stretch Energy Code" and accept for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to "Appendix 115.AA of the Massachusetts Building Code, 780 CMR Stretch Energy Code", including future editions, amendments or modifications thereto as expressed in "Appendix H", or take any other action relative thereto.

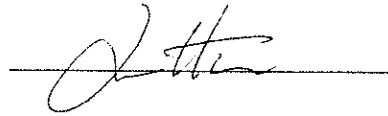
ARTICLE 23; To see if the Town will vote to allow a change of the Board of Health from the present three member elected board to a become a five member board with four members appointed by the Selectboard to three year staggered terms with the Health Director serving as the fifth member in accordance with the all the provisions and requirements of Massachusetts General Law "Chapter 41 section 1B Appointed Town Offices and Boards", or take any other action relative thereto.

ARTICLE 24: To see if the Town will vote to amend in the Zoning By-Law **Section 3** **DEFINITIONS**, Subpart (B) **Definitions** to insert the term and define "Microbrewery" and renumber the definitions in alphabetical order; **Section 5** **USE REGULATIONS**, Subpart (E) **Use Regulations Schedule** to incorporate the use "Microbrewery" into the Industrial Uses classification and provide whether they are permitted by Right, Site Plan Review, and/or Special Permit in various zoning districts and change the use "Retail Sales" (in the Business Uses classification" from "prohibited" in the Industrial A zoning district to "permitted by Site Plan Review" in the Industrial A zoning district subject to a footnote and insert a footnote regarding restrictions on the "Retail Sales" use in the Industrial A zoning district (as detailed in the Planning Board Report) or take any other action relative thereto. (Proposed by the Planning Board).

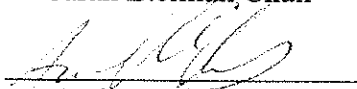
Given under our hands this 18th day of April 2017:



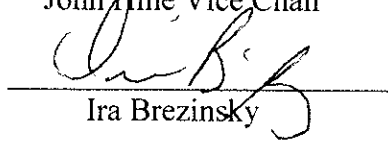
Sarah Etelman, Chair



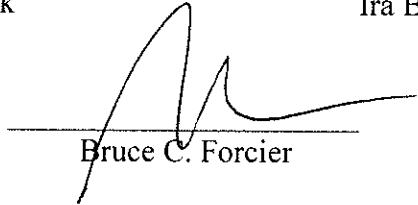
John Hine, Vice Chair



Andrea Miles, Clerk



Ira Brezinsky



Bruce C. Forcier

**SELECTBOARD  
TOWN OF SOUTH HADLEY**



## Appendix A

Department	FY15 Expended	FY16 Expended	FY17 Budgeted	FY18 Requested	FY18 Recommended
<b>1220 Selectboard</b>					
Selectboard-Personnel Services	\$ 272,943.45	\$ 282,362.01	\$ 284,047.00	\$ 283,009.00	\$ 283,009.00
Selectboard-Other Expenses	<u>\$ 182,162.33</u>	<u>\$ 55,240.10</u>	<u>\$ 44,200.00</u>	<u>\$ 31,050.00</u>	<u>\$ 29,900.00</u>
Total Selectboard	\$ 455,105.78	\$ 337,602.11	\$ 328,247.00	\$ 314,059.00	\$ 312,909.00
<b>1250 Cable Access</b>					
Cable Access-Personnel Services	\$ 72,908.73	\$ 78,999.68	\$ 80,909.00	\$ 80,600.00	\$ 87,000.00
Cable Access-Other Expenses	<u>\$ 30,177.55</u>	<u>\$ 53,159.06</u>	<u>\$ 25,700.00</u>	<u>\$ 25,700.00</u>	<u>\$ 25,700.00</u>
Total Cable Access	\$ 103,086.28	\$ 132,158.74	\$ 106,609.00	\$ 106,300.00	\$ 112,700.00
<b>1320 Reserve Fund</b>					
Total Reserve Fund	\$ 45,000.00	\$ 20,033.00	\$ 22,050.00	\$ 20,000.00	\$ 20,000.00
<b>1350 Accountant/Auditor</b>					
Accounting/Auditing- Personnel Services	\$ 178,402.37	\$ 182,091.22	\$ 183,406.00	\$ 182,708.00	\$ 182,708.00
Accounting/Auditing- Other Expenses	<u>\$ 26.25</u>	<u>\$ 60.00</u>	<u>\$ 110.00</u>	<u>\$ 160.00</u>	<u>\$ 160.00</u>
Total Accounting/Auditing	\$ 178,428.62	\$ 182,151.22	\$ 183,516.00	\$ 182,868.00	\$ 182,868.00
<b>1360 Wage and Classification</b>					
Total Wage and Classification	\$ 24,474.00	\$ 66,446.03	\$ 52,000.00	\$ 58,000.00	\$ 53,000.00
<b>1370 Human Resources</b>					
Human Resources Personnel Services	\$ 42,872.99	\$ 43,394.89	\$ 42,557.00	\$ 42,391.00	\$ 47,475.00
Human Resources Other Expenses	<u>\$ 33,428.88</u>	<u>\$ 46,582.00</u>	<u>\$ 41,100.00</u>	<u>\$ 40,800.00</u>	<u>\$ 47,900.00</u>
Total Human Resources	\$ 76,301.87	\$ 89,976.89	\$ 83,657.00	\$ 83,191.00	\$ 95,375.00
<b>1410 Assessor</b>					
Assessor-Personnel Services	\$ 129,866.86	\$ 133,007.54	\$ 133,718.00	\$ 132,488.00	\$ 132,488.00
Assessor-Other Expenses	<u>\$ 38,519.80</u>	<u>\$ 39,773.80</u>	<u>\$ 41,210.00</u>	<u>\$ 41,810.00</u>	<u>\$ 41,810.00</u>
Total Assessor	\$ 168,386.66	\$ 172,781.34	\$ 174,928.00	\$ 174,298.00	\$ 174,298.00
<b>1460 Collector/Treasurer</b>					
Collector/Treasurer-Personnel Services	\$ 156,460.98	\$ 162,547.95	\$ 195,315.00	\$ 192,546.00	\$ 192,546.00
Collector/Treasurer-Other Expenses	<u>\$ 35,850.47</u>	<u>\$ 41,397.45</u>	<u>\$ 52,750.00</u>	<u>\$ 52,300.00</u>	<u>\$ 53,750.00</u>

Total Collector/Treasurer	\$	192,311.45	\$	203,945.40	\$	248,065.00	\$	244,846.00	\$	246,296.00
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#### 1490 Town Audit

Total Town Audit	\$	29,000.00	\$	29,000.00	\$	31,500.00	\$	32,500.00	\$	32,500.00
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#### 1500 Town Clerk

Town Clerk-Personnel Services	\$	77,924.81	\$	73,722.62	\$	93,657.00	\$	105,385.00	\$	105,385.00
Town Clerk-Other Expenses	\$	<u>1,730.47</u>	\$	<u>4,936.92</u>	\$	<u>7,100.00</u>	\$	<u>8,600.00</u>	\$	<u>6,600.00</u>

Total Town Clerk	\$	79,655.28	\$	78,659.54	\$	100,757.00	\$	113,985.00	\$	111,985.00
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#### 1510 Legal Services

Legal Services-Personnel Services	\$	2,599.92	\$	2,599.92	\$	2,600.00	\$	2,600.00	\$	2,600.00
Legal Services-Other Expenses	\$	<u>41,846.20</u>	\$	<u>11,335.30</u>	\$	<u>32,000.00</u>	\$	<u>67,000.00</u>	\$	<u>62,000.00</u>

Total Legal Services	\$	44,446.12	\$	13,935.22	\$	34,600.00	\$	69,600.00	\$	64,600.00
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#### 1550 Information Technology

Information Technology-Personnel Services	\$	55,794.79	\$	56,912.63	\$	58,703.00	\$	58,469.00	\$	58,469.00
Information Technology-Other Expenses	\$	<u>143,751.07</u>	\$	<u>173,199.76</u>	\$	<u>169,305.00</u>	\$	<u>214,560.00</u>	\$	<u>224,060.00</u>

Total Information Technology	\$	199,545.86	\$	230,112.39	\$	228,008.00	\$	273,029.00	\$	282,529.00
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#### 1620 Elections

Elections-Personnel Services	\$	18,273.84	\$	21,825.49	\$	38,500.00	\$	23,700.00	\$	23,700.00
Elections-Other Expenses	\$	<u>14,096.61</u>	\$	<u>13,560.59</u>	\$	<u>14,800.00</u>	\$	<u>25,250.00</u>	\$	<u>12,300.00</u>

Total Elections	\$	32,370.45	\$	35,386.08	\$	53,300.00	\$	48,950.00	\$	36,000.00
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#### 1710 Conservation Commission

Conservation-Personnel Services	\$	70,612.15	\$	74,948.42	\$	78,395.00	\$	75,125.00	\$	75,125.00
Conservation-Other Expenses	\$	<u>1,086.11</u>	\$	<u>1,169.05</u>	\$	<u>1,210.00</u>	\$	<u>1,210.00</u>	\$	<u>1,210.00</u>

Total Conservation Commission	\$	71,698.26	\$	76,117.47	\$	79,605.00	\$	76,335.00	\$	76,335.00
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#### 1750 Planning Board

Planning Board-Personnel Services	\$	86,767.25	\$	88,349.68	\$	88,012.00	\$	125,672.00	\$	125,672.00
Planning Board-Other Expenses	\$	<u>615.31</u>	\$	<u>1,553.47</u>	\$	<u>92,000.00</u>	\$	<u>42,325.00</u>	\$	<u>42,325.00</u>

Total Planning Board	\$	87,382.56	\$	89,903.15	\$	180,012.00	\$	167,997.00	\$	167,997.00
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#### 1920 Public Building Maintenance

Total Building Maintenance	\$	229,890.31	\$	206,864.19	\$	258,330.00	\$	252,430.00	\$	262,430.00
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#### 1930 Internal Service Fund

Total Internal Service Fund	\$	15,999.02	\$	13,951.31	\$	16,000.00	\$	13,000.00	\$	13,000.00
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#### 1950 Town Reports

Total Town Reports	\$	2,332.00	\$	2,171.00	\$	2,000.00	\$	2,500.00	\$	2,500.00
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#### 2100 Police

Police-Personnel Services	\$	2,218,453.73	\$	2,437,247.21	\$	2,322,559.00	\$	2,403,034.00	\$	2,419,457.00
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Police-Other Expenses	\$	<u>251,666.21</u>	\$	<u>237,540.09</u>	\$	<u>245,739.00</u>	\$	<u>246,083.00</u>	\$	<u>251,883.00</u>
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Total Police	\$	2,470,119.94	\$	2,674,787.30	\$	2,568,298.00	\$	2,649,117.00	\$	2,671,340.00
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#### 2410 Inspection Services

Inspection Services-Personnel Services	\$	124,641.53	\$	133,848.57	\$	159,734.00	\$	155,558.00	\$	159,408.00
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Inspection Services-Other Expenses	\$	<u>3,536.48</u>	\$	<u>2,900.00</u>	\$	<u>4,700.00</u>	\$	<u>5,800.00</u>	\$	<u>5,100.00</u>
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Total Inspection Services	\$	128,178.01	\$	136,748.57	\$	164,434.00	\$	161,358.00	\$	164,508.00
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#### 2440 Weights and Measures

Weights and Measures-Personnel Services	\$	6,214.92	\$	6,214.92	\$	6,215.00	\$	6,215.00	\$	6,215.00
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Weights and Measures-Other Expenses	\$	<u>170.00</u>	\$	<u>312.00</u>	\$	<u>175.00</u>	\$	<u>300.00</u>	\$	<u>300.00</u>
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Total Weights and Measures	\$	6,384.92	\$	6,526.92	\$	6,390.00	\$	6,515.00	\$	6,515.00
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#### 2940 Tree Warden

Tree Warden-Personnel Services	\$	29,926.00	\$	30,000.00	\$	30,000.00	\$	30,000.00	\$	30,000.00
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Tree Warden-Other Expenses	\$	<u>64,839.96</u>	\$	<u>58,875.29</u>	\$	<u>65,300.00</u>	\$	<u>65,300.00</u>	\$	<u>64,800.00</u>
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Total Tree Warden	\$	94,765.96	\$	88,875.29	\$	95,300.00	\$	95,300.00	\$	94,800.00
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#### 4210 DPW:Administration

Administration-Personnel Services	\$	76,052.62	\$	184,501.02	\$	186,651.00	\$	183,747.00	\$	183,747.00
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DPW:Administration-Other Expenses	\$	<u>16,456.08</u>	\$	<u>53,042.61</u>	\$	<u>67,815.00</u>	\$	<u>67,215.00</u>	\$	<u>67,355.00</u>
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Total DPW: Administration	\$	92,508.70	\$	237,543.63	\$	254,466.00	\$	250,962.00	\$	251,102.00
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#### 4220 DPW: Construction and Maintenance

Construction and Maintenance-Personnel Services	\$	301,360.26	\$	302,006.86	\$	306,967.00	\$	351,382.00	\$	351,382.00
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DPW:Construction and Maintenance-Other Expenses	\$	<u>107,846.29</u>	\$	<u>96,043.73</u>	\$	<u>110,800.00</u>	\$	<u>110,800.00</u>	\$	<u>105,700.00</u>
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DPW: Construction and Maintenance	\$	409,206.55	\$	398,050.59	\$	417,767.00	\$	462,182.00	\$	457,082.00
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**4230 Snow and Ice Removal**

Snow and Ice-Personnel Services	\$ 83,994.50	\$ 17,133.79	\$ 20,380.00	\$ 20,380.00	\$ 20,380.00
Snow and Ice-Other Expenses	<u>\$ 374,749.88</u>	<u>\$ 110,274.19</u>	<u>\$ 79,630.00</u>	<u>\$ 79,631.00</u>	<u>\$ 79,631.00</u>
Total Snow and Ice Removal	\$ 458,744.38	\$ 127,407.98	\$ 100,010.00	\$ 100,011.00	\$ 100,011.00

**4240 Street Lighting**

Total Street Lighting	\$ 108,024.67	\$ 105,475.87	\$ 103,000.00	\$ 103,500.00	\$ 103,500.00
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**4910 DPW:Vehicle Maintenance**

: Vehicle Mtce-Personnel Services	\$ 50,379.26	\$ 50,741.19	\$ 51,554.00	\$ 51,356.00	\$ 51,356.00
PW:Vehicle Mtce-Other Expenses	<u>\$ 99,370.15</u>	<u>\$ 100,868.26</u>	<u>\$ 99,000.00</u>	<u>\$ 99,000.00</u>	<u>\$ 103,000.00</u>
Total DPW: Vehicle Maintenance	\$ 149,749.41	\$ 151,609.45	\$ 150,554.00	\$ 150,356.00	\$ 154,356.00

**5110 Board of Health**

oard of Health-Personnel Services	\$ 143,088.03	\$ 143,956.38	\$ 146,701.00	\$ 143,208.00	\$ 149,908.00
Board of Health-Other Expenses	<u>\$ 36,668.36</u>	<u>\$ 41,924.44</u>	<u>\$ 50,650.00</u>	<u>\$ 50,950.00</u>	<u>\$ 52,950.00</u>
Total Board of Health	\$ 179,756.39	\$ 185,880.82	\$ 197,351.00	\$ 194,158.00	\$ 202,858.00

**5410 Council on Aging**

ncil on Aging-Personnel Services	\$ 277,697.94	\$ 287,800.80	\$ 282,410.00	\$ 286,556.00	\$ 286,556.00
Council on Aging-Other Expense	<u>\$ 73,539.40</u>	<u>\$ 91,110.51</u>	<u>\$ 94,880.00</u>	<u>\$ 98,910.00</u>	<u>\$ 98,910.00</u>
Total Council on Aging	\$ 351,237.34	\$ 378,911.31	\$ 377,290.00	\$ 385,466.00	\$ 385,466.00

**5430 Veterans' Services**

Total Veterans' Services	\$ 229,937.57	\$ 357,212.62	\$ 300,300.00	\$ 360,300.00	\$ 360,500.00
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**6100 Library**

Library-Personnel Services	\$ 409,368.94	\$ 419,259.48	\$ 440,694.00	\$ 401,419.00	\$ 411,232.00
Library-Other Expenses	<u>\$ 227,935.02</u>	<u>\$ 229,143.86</u>	<u>\$ 239,000.00</u>	<u>\$ 206,950.00</u>	<u>\$214,450</u>
Total Library	\$ 637,303.96	\$ 648,403.34	\$ 679,694.00	\$ 608,369.00	\$ 625,682.00

**6300 Recreation**

Recreation-Personnel Services	\$ 94,808.80	\$ 99,742.28	\$ 112,296.00	\$ 115,500.00	\$ 124,700.00
Recreation-Other Expenses	<u>\$ 2,913.85</u>	<u>\$ 1,201.28</u>	<u>\$ 1,750.00</u>	<u>\$ 250.00</u>	<u>\$ 1,050.00</u>
Total Recreation	\$ 97,722.65	\$ 100,943.56	\$ 114,046.00	\$ 115,750.00	\$ 125,750.00

**6500 DPW:Parks**

DPW:Parks-Personnel Services	\$	309,540.85	\$	272,304.85	\$	284,166.00	\$	291,234.00	\$	291,234.00
DPW:Parks-Other Expenses	\$	<u>129,318.69</u>	\$	<u>126,988.09</u>	\$	<u>134,085.00</u>	\$	<u>134,085.00</u>	\$	<u>138,085.00</u>
Total DPW: Parks	\$	438,859.54	\$	399,292.94	\$	418,251.00	\$	425,319.00	\$	429,319.00

**6510 Canal Park Committee**

Total Canal Park Committee	\$	-	\$	869.82	\$	900.00	\$	2,500.00	\$	2,500.00
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**6710 Old Firehouse Museum**

Total Old Firehouse Museum	\$	4,717.74	\$	5,837.89	\$	7,730.00	\$	7,680.00	\$	7,680.00
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**7110 Retirement of Debt**

Total Principal: Long-Term Debt	\$	2,680,115.31	\$	2,905,159.24	\$	2,911,471.00	\$	2,911,406.00	\$	2,911,406.00
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**7510 Interest: Long-Term Debt**

Total Interest: Long-Term Debt	\$	1,143,461.64	\$	1,297,004.58	\$	1,247,637.00	\$	978,283.00	\$	978,283.00
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**7520 Interest: Short-Term Debt**

Total Interest: Short-Term Debt	\$	26,104.17	\$	9,145.71	\$	163,396.00	\$	336,861.00	\$	336,861.00
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**9110 Retirement**

Total Retirement	\$	2,173,774.00	\$	2,503,500.00	\$	2,725,586.00	\$	2,837,849.00	\$	2,787,457.00
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**9130 Unemployment Compensation**

Total Unemployment Insurance	\$	71,248.32	\$	107,250.96	\$	72,000.00	\$	135,000.00	\$	110,000.00
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**9140 Group Health Insurance**

Total Group Health Insurance	\$	3,717,963.68	\$	3,683,632.44	\$	4,024,300.00	\$	4,523,000.00	\$	4,452,000.00
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**9160 Fica/Medicare**

Total Fica/Medicare	\$	327,311.78	\$	325,713.19	\$	330,000.00	\$	340,000.00	\$	340,000.00
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**9450 Liability Insurance**

Total Liability Insurance	\$	254,061.37	\$	238,323.52	\$	252,000.00	\$	271,000.00	\$	271,000.00
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**2950 Ct. River Channel Marker**

Total Ct. River Channel Marker	\$	3,500.00	\$	3,500.00	\$	3,500.00	\$	3,500.00	\$	3,500.00
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**4340 DPW: Landfill**

DPW:Landfill-Personnel Services	\$	191,599.19	\$	108,535.43	\$	92,852.00	\$	92,365.00	\$	92,365.00
DPW:Landfill-Other Expenses	\$	<u>999,676.27</u>	\$	<u>1,013,701.24</u>	\$	<u>928,578.00</u>	\$	<u>925,378.00</u>	\$	<u>925,378.00</u>
Total DPW: Landfill	\$	1,191,275.46	\$	1,122,236.67	\$	1,021,430.00	\$	1,017,743.00	\$	1,017,743.00

**4360 DPW:Sewerage**

TOTAL DPW:Sewerage	\$	63,123.51	\$	53,871.14	\$	57,400.00	\$	57,400.00	\$	57,400.00
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**4430 DPW:Water Pollution Control**

DPW:WWTP-Personnel Services	\$	533,890.11	\$	388,955.21	\$	454,071.00	\$	404,521.00	\$	404,521.00
DPW:WWTP-Other Expenses	\$	<u>625,189.37</u>	\$	<u>599,373.29</u>	\$	<u>723,450.00</u>	\$	<u>752,950.00</u>	\$	<u>752,950.00</u>
Total DPW: Water Pollution Control	\$	1,159,079.48	\$	988,328.50	\$	1,177,521.00	\$	1,157,471.00	\$	1,157,471.00

**6800 Ledges Golf Course**

Ledges-Personnel Services	\$	133,678.09	\$	141,112.80	\$	115,758.00	\$	121,441.00	\$	122,500.00
Ledges-Other Expenses	\$	<u>794,331.74</u>	\$	<u>812,622.55</u>	\$	<u>801,629.00</u>	\$	<u>782,034.00</u>	\$	<u>782,034.00</u>
Total Ledges Golf Course	\$	928,009.83	\$	953,735.35	\$	917,387.00	\$	903,475.00	\$	904,534.00

**6810:Valley View @ Ledges**

Valley View @ Ledges-Personnel Services	\$	141,238.07	\$	114,243.59	\$	113,000.00	\$	127,505.00	\$	124,000.00
Valley View @ Ledges-Other Services	\$	160,443.24	\$	150,494.55	\$	155,600.00	\$	146,550.00	\$	146,550.00
Total Valley View @ Ledges	\$	301,681.31	\$	264,738.14	\$	268,600.00	\$	274,055.00	\$	270,550.00

**SCHOOL**

Personnel	\$	15,563,104.00	\$	15,329,975.04	\$	16,058,321.00	\$	16,053,661.00	\$	15,878,661.00
Expense	\$	4,172,724.97	\$	4,806,273.19	\$	3,592,838.00	\$	4,003,550.00	\$	4,003,550.00
Tuitions	\$	<u>374,466.00</u>	\$	<u>386,010.77</u>	\$	<u>1,126,170.00</u>	\$	<u>1,031,856.00</u>	\$	<u>1,031,856.00</u>
Total School	\$	20,110,294.97	\$	20,522,259.00	\$	20,777,329.00	\$	21,089,067.00	\$	20,914,067.00

**Conservation Land Fund**

Conservation Land Fund	\$	5,620.00	\$	94.00	\$	5,000.00	\$	5,000.00	\$	5,000.00
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**Workers' Compensation**

Total Workers' Compensation	\$	126,469.09	\$	181,600.23	\$	115,000.00	\$	160,000.00	\$	220,000.00
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**Injured on Duty**

Total Injured on Duty	\$	94,309.51	\$	69,564.50	\$	60,000.00	\$	100,000.00	\$	40,000.00
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#### Stabilization

Total Stabilization	\$	-	\$	-	\$	-	\$	100,000.00	\$	-
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#### Capital Stabilization

Total Capital Stabilization	\$	-	\$	-	\$	-	\$	200,000.00	\$	-
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#### OPEB

Total OPEB	\$	-	\$	-	\$	160,000.00	\$	200,000.00	\$	180,000.00
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<i>Total General Fund</i>	\$	<i>18,286,672.52</i>	\$	<i>19,055,302.62</i>	\$	<i>19,865,355.00</i>	\$	<i>20,646,130.00</i>	\$	<i>20,577,298.00</i>
<i>Total Misc. Trust</i>	\$	<i>226,398.60</i>	\$	<i>251,258.73</i>	\$	<i>340,000.00</i>	\$	<i>765,000.00</i>	\$	<i>445,000.00</i>
<i>Total Receipts Reserved</i>	\$	<i>3,500.00</i>	\$	<i>3,500.00</i>	\$	<i>3,500.00</i>	\$	<i>3,500.00</i>	\$	<i>3,500.00</i>
<i>Total DPW: Landfill</i>	\$	<i>1,191,275.46</i>	\$	<i>1,122,236.67</i>	\$	<i>1,021,430.00</i>	\$	<i>1,017,743.00</i>	\$	<i>1,017,743.00</i>
<i>Total DPW: WWTP</i>	\$	<i>1,222,202.99</i>	\$	<i>1,042,199.64</i>	\$	<i>1,234,921.00</i>	\$	<i>1,214,871.00</i>	\$	<i>1,214,871.00</i>
<i>Total Ledges</i>	\$	<i>1,229,691.14</i>	\$	<i>1,218,473.49</i>	\$	<i>1,185,987.00</i>	\$	<i>1,177,530.00</i>	\$	<i>1,175,084.00</i>
<i>Total School</i>	\$	<u><i>20,110,294.97</i></u>	\$	<u><i>20,522,259.00</i></u>	\$	<u><i>20,777,329.00</i></u>	\$	<u><i>21,089,067.00</i></u>	\$	<u><i>20,914,067.00</i></u>
	\$	<i>42,270,035.68</i>	\$	<i>43,215,230.15</i>	\$	<i>44,428,522.00</i>	\$	<i>45,913,841.00</i>	\$	<i>45,347,563.00</i>

## **Appendix “B”**

FY 18 Gaylord Memorial library

### **FY18 Projected GML Branch Budget**

#### **Personnel/Salary**

Branch Librarian	\$26,250.00
Youth Services Coordinator	\$11,193.00
Circulation Assistant	\$11,193.00
<b>P/S Total</b>	<b>\$48,636.00</b>

#### **Operating/Expenses**

Books	\$8,500.00
Follett Annual Cost	\$850.00
Electricity	\$3,500.00
Natural Gas	\$2,600.00
Water & Sewer	\$375.00
Telephone	\$400.00
C/W MARS	\$4,000.00
Supplies (Office & Library)	\$5,000.00
Technology upgrades	\$5,000.00
<b>O/E Total</b>	<b>\$30,225.00</b>

<b>GAYLORD TOTAL FY18</b>	<b>\$78,861.00</b>
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## Appendix C

# Chapter (To be determined TBD) Ice Cream Truck Vendors

### **TBD Purpose.**

This bylaw implements the requirements of M.G.L. ch. 270, § 25 and the regulations promulgated thereunder, as may be amended, relative to the permitting of ice cream trucks within the Town of South Hadley.

### **TBD Definitions.**

#### **ICE CREAM**

Any frozen dairy or frozen water-based food product.

#### **ICE CREAM TRUCK**

Any motor vehicle used for selling, displaying or offering to sell ice cream.

#### **ICE CREAM TRUCK VENDING**

The selling, displaying or offering to sell ice cream or any other prepackaged food product from an ice cream truck.

#### **PERMITTING AUTHORITY**

The South Hadley Chief of Police or a qualified person authorized by him.

### **TBD Permit required; violations and penalties.**

No person shall engage in ice cream truck vending in the Town of South Hadley unless s/he shall have been issued a valid permit to do so by the Permitting Authority. Such permit shall be conspicuously displayed and clearly visible on the windshield of any ice cream truck operated or from which ice cream or any other prepackaged food product is sold. Whoever violates this section shall be assessed a fine of \$500. Each day that such person is in operation in violation of this section may be considered a separate violation.

Permits issued hereunder shall conform to regulations, rules, forms and policies of the Massachusetts Department of Public Safety.

## Appendix D

### Chapter “# To be Assigned” Refusal to issue permits and or licenses due taxes or fees owed

- 1 The Tax Collector shall provide a delinquency list annually as of July 1 to any department issuing permits, licenses or otherwise charging a fee. The information contained within the annual delinquency list should be updated for specific properties, corporations or taxpayers upon request of any department made to the Tax Collector or the Tax Collector’s Office during the year.
2. No department shall grant or issue a permit or license to any person or entity which appears on the annual delinquency list, until such time the permit and/or license has been allowed to be issued by a department until such time as a payment is made or agreement accepted by the Tax Collector.
3. The Local Licensing Authority (South Hadley Selectboard) will not issue an alcoholic beverage license without review and approval by the Tax Collector for any applicant who has outstanding fees, taxes or otherwise has lien(s) due the Town of South Hadley. The Local License Authority may revoke any license if the licensee is subsequently found to be in violation of this by-law in respect to taxes or fees outstanding to the Town of South Hadley.
4. All powers contained within this South Hadley General By-law and the administration thereof must be consistent with Massachusetts General Laws and in particular Chapter 40 Section 57; *Local licenses and permits; denial, revocation or suspension for failure to pay municipal taxes or charges.*

## **Appendix E**

### **By-laws Chapter 1**

**1-6** Insert “All violations may be enforced or violations written by the South Hadley Police Department. However, or further where appropriate or related to the function of the department, violations may be written by the South Hadley Health Department, Building Department and Waste Water Treatment Department for violations generally considered to be within their area of responsibility.” (see Chapter 46 of these By-laws)

### **Chapter 7 Boards, Commission and Committees**

#### **7-7 Forestry Committee**

Strike in its entirety.

#### **7-8 Cable Television Advisory Committee**

Strike B “not fewer than five members and not more than nine members, each of whom shall be appointed for a term of one year.”

Insert “five members serving three year staggered terms.”

#### **7-17 Associate Planning Board members.**

Strike “by other than the expiration of a term by appointment.”

#### **7-18 By-law Review Committee**

Strike B “not more than seven members.” Insert “up to seven members, with a quorum consisting of a simple majority of members duly appointed”

#### **7–21 Community and Economic Development Committee**

Strike in its entirety

#### **7-22 Open Space Committee**

**7-22.** strike in its entirety

#### **7-23 Sustainability and Energy Commission**

**B (1)(2)(3) and C** strike in their entirety

Insert “B. The Commission shall consist of five members appointed by the Selectboard for three year staggered terms.”



## **7-24 Personnel Board**

Strike in its entirety

## **7-25 Appropriations Committee**

A. Strike “21 days”

Insert “12 days”

Insert “ D. The Appropriations Committee shall be advised of all Capital Committee recommendations prior to Town Meeting.”

Insert “E. The Appropriations Committee Chair will work with the Town Administrator to make background information available for any appropriation or budget request to be presented at Annual Town Meeting no less than 15 days before said meeting or five days before a Special Town Meeting. The Town Administrator will post relevant budget material to the Town website no later than November 30 for the successive fiscal year or as directed by the Selectboard. “

## **7-26 Capital Planning Committee**

A, strike “recommended” throughout this section insert “appoint” in its place.

Strike “No member of the above named boards or committee shall be disqualified from serving as a member of the Capital Planning Committee.”

Strike B (2) in its entirety

Insert “B (2) The Capital Planning Committee will on an annual basis request all departments or boards to update the “Five Year Plan” entries, to indicate completed projects, adjusted need, change of cost estimates or other related information. The Town Administrator or his/her designee will assist and facilitate the collection of material, attend meetings when requested and provide updates to the Selectboard or the public about projects or inquiries from the Capital Planning Committee. The plan will be available on the Town website and updated appropriately by the Town Administrator at the direction of the Capital Planning Committee Chair or the Selectboard. The plan should be considered a “draft” by its very nature.”

## **7-27 Town Meeting Electronic Advisory Committee**

**7-27** strike in its entirety

## **7-28 Agriculture Commission**

**7-28** through 7-30 strike in its entirety

## **Chapter 18 Elections and Elected Officials**

### **18-1 Annual Elections**

Strike “April”

Insert "September" add "The Selectboard may adjust this schedule to accommodate religious holidays or coordinate changes to the state or federal elections held in some years in September. The Selectboard must vote to make the change 90 days prior to the election and inform the Town Clerk in writing."

## **18-5 Elected Officers**

(1) Moderator

Strike "one year"

Insert "three years"

(3) Strike in its entirety

(6) Strike in its entirety \*Renumber the subsections in Subsection A accordingly.

## **18-7 Terms of Office**

Change "by the Clerk/Treasurer" to "by the Town Clerk." Strike remainder of by law.

Insert ; The oath of office will be administered by the Town Clerk for all elected and/or appointed officials prior to their participation on a board or committee; and, furthermore, the Clerk may make additional requests prescribed by Massachusetts General Laws or these General By-laws before the appointee may participate as a member of a board or commission. [GC Note: Is "additional requests" a descriptive enough term?]

## **Chapter 39 Officers and Employees**

**39-1** insert at end of last sentence "or prescribed by law"

**39-2** strike language in its entirety insert "see General Court Chapter 458 Acts of 2012"

**39-3** strike "one year" and insert "three years" and "The Selectboard has the right to appoint "Special Counsel" and "The Selectboard can remove any counsel at any time by a super majority vote (4-1)."

**39-4** strike language in its entirety insert "see General Court Chapter 458 Acts of 2012"

**39-5** strike language in its entirety insert "see General Court Chapter 458 Acts of 2012"

**39-6, 7, 8,** remove (Management Information System Director, Ambulance Director, Forest Warden)

**39-9** strike language in its entirety insert "see General Court Chapter 458 Acts of 2012"

**39-10** strike language in its entirety insert "see General Court Chapter 458 Acts of 2012"

**39-11** replace all language with "An Animal Control Officer may be appointed by the Town Administrator upon written recommendation from the Health Director and Police Chief".

**39-12** replace all language with “Constables may be appointed by the Town Administrator upon recommendation from the Police Chief.”

**39-13, 14, 16** remove (Fence Viewer, Veteran’s Burial Agent, Surveyor of Wood, Lumber)

**39-17** strike “see General Court Chapter 458 Acts of 2012”

**39-18** strike “one year” insert “three years”

**39-19, 20, 21, 22, 23, 24, 25, 26** strike in their entirety, insert “see General Court Chapter 458 Acts of 2012”

**\*Renumber remaining sections in this chapter accordingly.**

## **Chapter 46 Penalties and Enforcement**

Strike in its entirety

Insert;

### **§ 46-1. Enforcement officers.**

- A. The Board of Health, or its agents, have the authority to issue citations or take action against any persons or properties relative to their responsibilities as outlined in the State Health Code or the South Hadley General By-laws relative to the Board of Health and as allowed by law.
- B. The Building Commissioner, or her/his agents, has the authority to issue citations or take action against any persons or properties relative to his/her responsibilities as outlined in the State Building Code or the General By-laws relative to her/his responsibilities and as allowed by law.
- C. The Conservation Commission, or its agents, has the authority to issue citations or take action against any persons or properties relative to its responsibilities as outlined in the State Conservation Regulations/Laws or the General By-laws relative to or supportive of those laws contained within and as allowed by law.
- D. The DPW Superintendent, or his/her agents, has the authority to issue citations or take action against any persons or properties relative to his/her responsibilities as outlined in state law or the General By-laws relative to DPW responsibilities and as allowed by law.
- E. The South Hadley Police Chief or his/her designees may empower or instruct sworn South Hadley police officers to issue citations or take action against any person or property in respect to any and all the General By-laws contained within the Code of the Town of South Hadley; furthermore, the Police Chief may call on any department head or manager to determine non-compliance if the Chief deems it appropriate or necessary.

## **Chapter 72 Town Meeting**

### **72-4 Delivery Strike (B), "ECAC or"**

#### **72-10**

Strike, after Town "Clerk shall ensure reasonable amount of additional copies of the warrant and any supplementary materials, including the report and recommendations of the Appropriations Committee and."

Insert, at the end of the section: "All relevant material to any Town Meeting will be provided electronically and be available on the website or by request in printed form. All requests for printed material should be received by electronic mail, telephone, a letter and/or in person at least 24 hours prior to the start of the meeting. All persons, including but not limited to citizens, interested parties or Town Meeting members, are entitled to make a printed material request (and receive it electronically if preferred). If a person cannot make the request 24 hours prior to the Town Meeting, the Town will make every effort to provide the material if possible. All requests should be made to either the Selectboard Office or the Town Clerk's Office."

### **72-12 Motions on articles related to finance**

Strike "by the affected board, committee or elected officer"

Insert "by the Town Administrator, Selectboard Chair or Appropriations Chair or their designee with the consent of the Moderator"

## **Chapter 77 Town Property**

### **77-3 Procedure**

Strike "shall be broadcast on Channels 22 and 40"

Insert "shall be noticed by municipal notification system, social media, television, radio or any other means practicable which are readily available to widely circulate a closure or other emergency."

## **Chapter 105 Alarms**

### **105-3 Violations and Penalties**

Insert after "following fees" "by the South Hadley Police Department:"

## **Chapter 110 Alcoholic Beverages**

### **110-4 Violations and penalties**

Add "by the South Hadley Police Department"

## **Chapter 190 Peddling and Soliciting**

### **190-7 Violation and Penalties**

Add "by South Hadley Police Department".

## **Chapter 207 Tag Sales**

**Revise 207-5 Violations and Penalties to read as follows:**

"Whoever violates any provision of this chapter shall be punished by a fine as set forth in Chapter 1, § 1-6, of the Town Code. Enforcement of penalties is granted to the South Hadley Police Department."

## **Chapter 230 Vehicles**

### **230-12 Snow Removal**

Subsection A (1). Revise the last sentence to read as follows: "If a vehicle is ordered removed by the Town, the contractor employed by the Town for this purpose shall . . ."

Strike in section (1) (c) "DPW Superintendent and insert "contractor"

### **230-12 B**

Strike 24 hours

Insert 48 hours

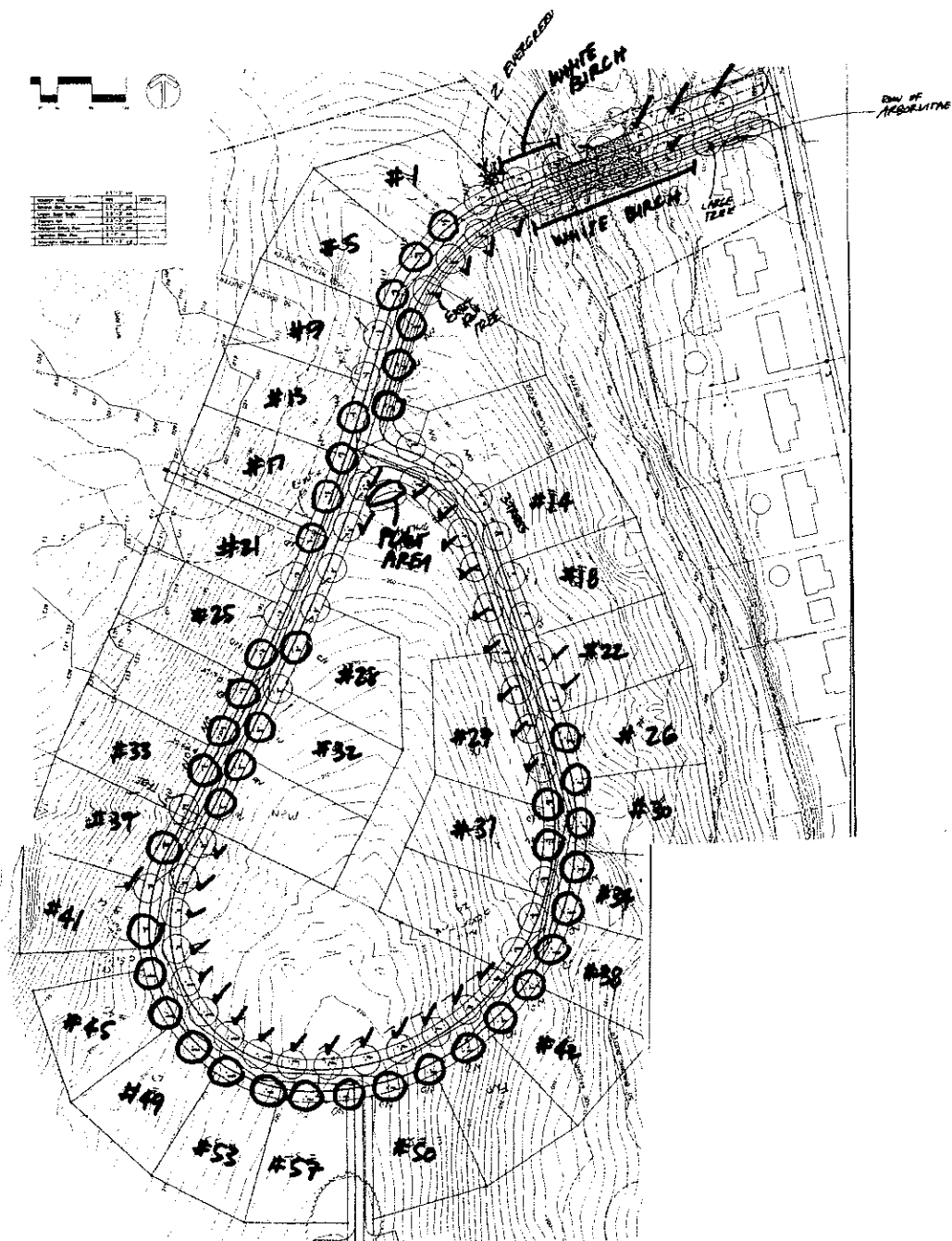
Strike "after a snowfall"

Insert "after a parking ban has been rescinded by the DPW Superintendent or, when no such parking ban has been in place, 24 hours after the snow has ended"

Add

C. No person shall move snow by any means into or across a public way without prior consent from the South Hadley Selectboard. This allowance should be requested no later than October 15 for each winter season (fiscal year should be referenced as a "season"), by electronic email to the Town Administrator for the Selectboard to consider. The correspondence should include the specific address, the street which the snow will cross or be stored and the reason for this allowance.

# "Appendix F" 10+2



# Appendix F 2 of 2

**Affected Premises:**

The Land Underlying  
Red Bridge Lane  
South Hadley, MA

## QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS that we, Mountainbrook, L.L.C., of 31 Campus Plaza Road, Hadley, Massachusetts, and Alain R. Arguelles, Robert S. Berwick, Jacqueline Bradley, Anjali S. Cadena, Jaime A. Cohen (a/k/a Jaime Allison Cohen), Caroline R. Cole, Steven M. Cole, Donald A. Cooper, Anita O. Easter, John R. Easter, Theresa M. Greco, Kathleen Harwood, Kimbel Harwood, William M. Herchuck, Jr. and Lyn D. Herchuck, John E. Hoffman III, Kathryn W. Hoffman, Aaron Jacobson, Katherine B. Jacobson, Janice M. Kane, John C. Kane, Susan M. Kelsey, Jamie L. Laflamme-Luis, Elizabeth J. LaFlesh, Thomas M. LaFlesh, Karen N. Lake, Thomas G. Lake, John Lavin, James A. Lewis, Patricia A. Lewis, Danny P. Luis, Amanda M. Marcotte, Edward R. Maxwell, Linda M. Maxwell, Steven G. Marsh, Amy M. Montemagni, Anthony G. Montemagni, Magdalena J. Nowak, Irina A. Obrzhutovich, Howard F. Reznik, Carol G. Reznik, James Rippa, Karen Bradley Rippa, Patrick S. Sabbs, Karen D. Sabbs, Petra Schmid, Bonni-Lynne Sandler, Luigi Solla, Jr., Kelley E. St. Clair, Michael J. St. Clair, Alexander V. Stepanov, Mary C. Tarail, Michael E. Tarail, David C. Vaillancourt, Kevin P. Warwick, Samantha Warwick, Craig S. Wells, Ashley Royal Whited, Robert Lowell Whited, and Kazimierz Zlobicki, and Luis Builders, Inc., all of South Hadley, Massachusetts,

in consideration \$1.00 paid (this conveyance being a gift),

hereby grant to the Town of South Hadley, Massachusetts,

ALL OF OUR RIGHT, TITLE, AND INTEREST in

The land located westerly of Westbrook Road and northerly and westerly of Mountainview Street, South Hadley, Hampshire County, Massachusetts, as shown on a plan of land entitled "Mountainbrook Definitive Plan Overall Lot Plan, Prepared for Mountainbrook, LLC", dated May 15, 2006 (revised June 7, 2006), and recorded with the Hampshire County Registry of Deeds at Plan Book 211, Page 73; and being more particularly bounded and described as follows:

Beginning at a stone bound set in the westerly sideline of Westbrook Road at the intersection of Westbrook Road and Red Brook Lane, said stone bound marking the northeasterly corner of land now or formerly of Leo S. and Clara G. Maniatty; thence running

NORTHWESTERLY along an arc having a radius of 30.00 feet (running along the said land of Maniatty) and a length of 51.57 feet to a stone bound; thence running

S.  $70^{\circ} 07' 05''$  W. a distance of 268.04 feet along the said land of Maniatty, and land designated on said plan as "Parcel OS-1 Open Space" to a stone bound; thence running

SOUTHWESTERLY along an arc having a radius of 215.00 feet (running along the said "Parcel OS-1 Open Space" and Lot 20, as shown on said plan) and a length of 200.51 feet to a stone bound; thence running

S.  $16^{\circ} 40' 55''$  W. a distance of 85.65 feet along the said Lot 20 and land designated on said plan as "Parcel OS-5 Open Space" to a stone bound; thence running

SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY along an arc having a radius of 30.00 feet (running along the said "Parcel OS-5 Open Space") and a length of 45.58 feet to an stone bound; thence running

SOUTHEASTERLY along an arc having a radius of 175.00 feet (running along the said "Parcel OS-5 Open Space", Lot 21 and Lot 22, as shown on said plan) and a length of 168.64 feet to a stone bound; thence running

S.  $18^{\circ} 26' 14''$  E. a distance of 259.75 feet along the said Lot 22, Lots 23 and 24, and Lot 25, as shown on said plan, to a stone bound; thence running

SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY along an arc having a radius of 315.00 feet (running along the said Lot 25, Lots 26, 27, 28, 29, 30, and 31, land designated on said plan as "Water and Sewer Easement Emergency Access", and Lot 32, all as shown on said plan) and a length of 492.74 feet to a stone bound; thence running

S.  $85^{\circ} 55' 53''$  W. a distance of 11.08 feet along the said Lot 32 to a stone bound; thence running

WESTERLY AND NORTHWESTERLY along an arc having a radius of 205.00 feet (running along the said Lot 32, Lots 32, 33, 34, 35, the said "Parcel OS-1 Open Space", Lot 36 and Lot 37, all as shown on said plan) and a length of 431.20 feet to a stone bound; thence running

N.  $26^{\circ} 26' 32''$  E. a distance of 238.62 feet along the said Lot 37, Lot 38, 39, and Lot 40, all as shown on said plan, to a stone bound; thence running

NORTHEASTERLY along an arc having a radius of 1,975 feet (running along the said Lot 40, Lot 41, Lot 42, and Lot 43, all as shown on said plan) and a length of 361.44 feet to a stone bound; thence running



N. 16° 40' 55" E. a distance of 85.44 feet along the said Lot 43 and Lot 44 to a stone bound; thence running

NORTHEASTERLY along an arc having a radius of 265.00 feet (running along the said Lot 44, Lots 45 and 46 and land designated on said plan as "Parcel OS-1 Open Space", all as shown on said plan) and a length of 271.61 feet to a stone bound; thence running

N. 70° 07' 05" E. a distance of 252.64 feet along the said "Parcel OS-1 Open Space" to a stone bound set in the westerly sideline of Westbrook Road; thence running

S. 11° 23' 55" E. a distance of 85.36 feet along the westerly sideline of Westbrook Road to the place of beginning.

EXCEPTING THE LAND which is surrounded by the said Red Brook Lane, being more particularly bounded as described as follows:

Beginning at a stone bound which is located directly across the said Red Brook Lane from a stone bound located in the said "Parcel OS-5 Open Space" near the northwesterly corner of the said Lot 21; thence running

SOUTHEASTERLY along an arc having a radius of 125.00 feet (running along land designated on said plan as "Parcel OS-2 Open Space") and a length of 109.74 feet to a stone bound; thence running

S. 18° 26' 14" E. a distance of 259.75 feet along the said "Parcel OS-2 Open Space" and Lot 47 to a stone bound; thence running

SOUTHERLY AND SOUTHWESTERLY along an arc having a radius of 265.00 feet (running along the said Lot 47, Lots 48 and 49 and the said "Parcel OS-2 Open Space") and a length of 482.72 feet to a stone bound; thence running

S. 85° 55' 53" W. a distance of 11.08 feet along the said Lot 32 to a stone bound; thence running

WESTERLY, NORTHWESTERLY, AND NORTHEASTERLY along an arc having a radius of 155.00 feet (running along the said "Parcel OS-2 Open Space") and a length of 326.01 feet to a stone bound; thence running

N. 26° 26' 32" E. a distance of 238.62 feet along the said "Parcel OS-2 Open Space", Lot 50, Lot 51, and Lot 52, all as shown on said plan, to a stone bound; thence running

NORTHEASTERLY along an arc having a radius of 2,025 feet (running along the said Lot 52 and the said "Parcel OS-2 Open Space") and a length of 252.83 feet to a stone bound; thence running

NORTHEASTERLY AND EASTERLY along an arc having a radius of 30.00 feet (running along the said "Parcel OS-2 Open Space") and a length of 47.91 feet to the place of beginning.

MEANING AND INTENDING TO CONVEY the fee simple ownership of the land underlying the way shown on said plan and designated as "Red Brook Lane".

BEING A PORTION OF THE PREMISES conveyed in the deeds referenced with our names below, all of which are recorded with the Hampshire County Registry of Deeds.

WITNESS our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Witness

Mountainbrook, LLC, by

COMMONWEALTH OF MASSACHUSETTS  
HAMPSHIRE COUNTY, SS.

#### ACKNOWLEDGMENT

On this day, \_\_\_\_\_, 2017, before me, the undersigned notary public, personally appeared Theodore E. Parker (who was acting in his capacity as a Duly Authorized Person of Mountainbrook, L.L.C.) proved to me through satisfactory evidence of identification (which was my personal knowledge of his identity) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed and the free act and deed of Mountainbrook, L.L.C..

\_\_\_\_\_  
Karen A. Godard, Notary Public  
My commission expires December 5, 2019

## Appendix “G”

### Plastic Bag Ban

**I. SCOPE:** The Town of South Hadley hereby finds that the reduction in the use of disposable checkout bags by retail establishments in the Town is a public purpose that protects the environment, advances solid waste reduction, reduces greenhouse gas emissions, and protects waterways. The Town seeks to reduce the number of plastic bags that are being used, discarded and littered, and to promote the use of reusable checkout bags by retail establishments located in the Town.

#### **A. DEFINITIONS:**

**ASTM:** A testing standard developed by the American Society for Testing and Materials.

**BIODEGRADABLE PACKAGING:** Packaging, other than plastic or Styrofoam, which composts into beneficial breakdown components.

**COMPOSTABLE PACKAGING:** Packing that is made of material that conforms to the current American Society for Testing and Materials International D6400 for compostability.

**MERCHANDISE:** Products that are purchased in the retail establishments.

**RECYCLABLE:** Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of new product. “Recycling” does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

**RETAIL ESTABLISHMENT:** All sales outlets, stores, shops, restaurants, markets, supermarkets, clubs or other places of business located within the Town of South Hadley which sell or convey merchandise directly to the ultimate consumer.

**RETAIL FOOD ESTABLISHMENT:** All sales outlets, stores, shops restaurants, markets, supermarkets, clubs or other place of business which sell, serve or convey foods directly to the ultimate consumer. This definition shall include but is not limited to any place where food is prepared, mixed, cooked, baked, smoked, preserved, bottled, packaged, handled, stored, manufactured, sold or offered to the public; similar places in which food or drink is prepared for sale or service on the premises or elsewhere; and any other establishment or operation, including in-home caterers, where food is processed, prepared, stored, served or provided for the public, regardless of whether there is a charge for the food.

**RETAIL SERVICE ESTABLISHMENT:** All places of business located within the Town of South Hadley where a service, specialized or professional work is offered to the public, regardless of whether there is a charge for the service.

## **B. BAG DEFINITIONS:**

### **BIODEGRADABLE BAGS:**

- (1) Bags that contain no polymers derived from fossil fuels; and
- (2) Are intended for single use and will decompose in a natural setting to an environmentally beneficial material at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.

### **COMPOSTABLE PLASTIC BAGS:**

- (1) Plastic bags that conform to the current American Society for Testing and Materials International D6400 for compostability.
- (2) Are certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and
- (3) Conform to any other standards deemed acceptable by this section.

### **REUSABLE BAGS:**

- (1) Bags that have a thickness greater than 4.0 mils and are specifically designed for multiple use and are made of thick recyclable plastic, cloth, fabric or other durable materials that do not decompose into harmful chemical components. A reusable bag may be recyclable or compostable and is specifically designed and manufactured for multiple reuse.

### **THIN-FILM SINGLE-USE PLASTIC BAGS:**

- (1) Bags with a thickness of 4.0 mils or less and which are intended for single-use transport of purchased products.

**II. REGULATION:** No retail establishment, retail food establishment, or retail service establishment as defined in **Section A. Definitions**, shall sell or convey merchandise to ultimate consumers in said establishments and shall only use such bags that are:

- (1) Reusable bags; or
- (2) Biodegradable bags; or
- (3) Compostable plastic bags

**III. EXEMPTIONS:** This regulation shall not apply to the following

- (1) Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles;
- (2) Any flexible transparent covering for uncooked or raw meat, poultry, raw fish, hard cheese, cold cuts, fruit, and vegetable products, baked goods or bread;

**IV. ENFORCEMENT:** For purposes of this section, if a violation of any section of this regulation

has occurred the Health Department, and/or its designee and/or the DPW, Solid Waste Division, and/or its designee shall issue the following penalties;

**V. PENALTIES: Shall be paid to the Town Clerk's Office within 21 days, nonpayment of such fines may be enforced through non-criminal disposition as provided in M.G.L. c. 40, s. 21D.**

- (1) \$100 for the first offense
- (2) \$200 for the second offense
- (3) \$300 for the third and subsequent offenses

**VI. HARDSHIP DEFERMENT:**

- (1) Upon written application, the enforcing designee may defer application of any section of this regulation for a six (6) month period after the effective date, upon showing any of the following hardships;
  - (a) Compliance with any section of this regulation would cause significant economic difficulty;
  - (b) There is no readily available compliant substitute.
- (2) Any entity granted a deferment must reapply prior to the end of the six (6) month exemption period and demonstrate continued undue hardship if it wishes to have the deferment extended. Deferments may only be granted in intervals not to exceed six (6) months.
- (3) A deferment granted in accordance with this section may be extended for no more than two (2) six (6) month periods, upon written request to the enforcing designee at least two (2) months prior to the expiration of the prior deferment period and upon a showing that the circumstances justifying the deferment continue to exist.
- (4) A deferment application shall include all information necessary for the enforcing designee to make its decision, including, but not limited to, documentation showing the factual support for the claimed deferment period and upon a showing that the circumstances justifying the deferment continue to exist.
- (5) The enforcing designee may approve the deferment application, in whole or part, with or without conditions that it deems necessary to protect the environment and public health and further the interests of this regulation.
- (6) Deferment decisions are effective immediately and final.

**VII. EFFECTIVE DATE:** This chapter shall take effect on **July 1, 2018**

**VIII. SEVERABILITY:** If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

## Appendix H

### Chapter **To Be Assigned**

#### **Section TBA** STRETCH ENERGY CODE

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

1 Definitions International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the Massachusetts State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

#### 2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

#### 3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated.

#### 4 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of South Hadley General Bylaws.

The Stretch Code is enforceable by the inspector of buildings or building commissioner.