

TOWN OF NORTHFIELD



Transcript of Articles in the Warrant for the
SPECIAL TOWN MEETING

Monday, December 4, 2017
At 7:00 p.m.

Please bring this report to the meeting for use in the proceedings at

Pioneer Valley Regional School
97 F. Sumner Turner Road

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- IMPORTANT -

This Warrant contains Articles, explanations, recommendations and/or appendices. Only the Articles are part of the “official” call to Town Meeting. The explanations and/or appendices are editorial and the recommendations expressed are those of the Finance Committee. Only the Articles are part of the official town meeting warrant.

TOWN OF NORTHFIELD



WARRANT

Special Town Meeting

Monday, December 4, 2017

At 7:00 o'clock in the evening at Pioneer Valley Regional School
97 F. Sumner Turner Road

Franklin, ss

To any of the Constables of the Town of Northfield, in said County of Franklin, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Northfield, who being qualified to vote in elections and Town affairs, to meet at the Pioneer Valley Regional School, 97 F. Sumner Turner Road, in said Northfield, on Monday, the fourth day of December, 2017 at 7:00 p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, December 4, 2017, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Please call the Town Clerk's office at least one week before the Town Meeting at 413-498-2901 x112.

GLOSSARY OF TERMS

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus, which may become Free Cash. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated payments to the town for the next fiscal year and the estimated state and county government charges payable by the town. The Assessors in setting the tax rate use these amounts. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect up to a 3% surcharge (Northfield has voted 0.5%) on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example, FY17 is the fiscal year ended June 30, 2017.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves also reduced by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town-owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

Line-Item Budget: A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for the overlay is added to the appropriations and other charges. Overlay Surplus – see below.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by a vote of the Town, to the reserve account or used for extraordinary items.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Finance Committee for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Terms associated with Proposition 2½:

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base but does allow the Town to assess taxes for a specific period in excess of the limit for payment of debt service costs or payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

Index of Articles for the Town Meeting

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TOWN OF NORTHFIELD



Commonwealth of Massachusetts

WARRANT FOR SPECIAL TOWN MEETING
Monday, December 4, 2017

At Seven O'clock in the Evening
At the Pioneer Valley Regional School, 97 F. Sumner Turner Road

PAGE 6 IN THE WARRANT.

ARTICLE 1: To see if the Town will vote to waive the reading of the Warrant and the Notice to the Constables and act on the motions of the following articles, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article removes the requirement of the Moderator reading the entire warrant to Town Meeting at the start of the meeting.

MOTION: *I move that the Town waive the reading of the Warrant and the Notice to Constables and act on the motions of the following articles.*

MOTION BY: Tracy Rogers

VOTE REQUIRED: MAJORITY

PASS/FAIL: PASSED UNANIMOUS

NOTES:

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ARTICLE 2: To see if the Town will vote to amend the Town's Zoning Bylaws by adding a new Section 9.8, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, that would provide as follows, and further amend the Table of Contents to add Section 9.8, "Temporary Moratorium on Recreational Marijuana Establishments."

Section 9.8

Purposes

By vote of the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c94G, Regulation of the use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018.

A non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c94G s1, is currently not specifically addressed in the Northfield Zoning Bylaws as a permitted use in the Town. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments.

The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaws regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact provisions of the Zoning Bylaws in a consistent manner.

A. Definitions

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business." For purposes of this moratorium, the definitions set forth in G.L. c94G s1 shall apply.

B. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Northfield Zoning Bylaws to the contrary, the Town hereby establishes a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through December 31, 2018 or six months after the state regulations are issued, whichever is later. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of marijuana in the Town, to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action relative thereto.

Requested by the Planning Board

This article requests an amendment to the Town's zoning Bylaws which places a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana.

MOTION: *I move that the Town amends the Town's Zoning Bylaws by adding a new Section 9.8, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA Establishments as printed in the warrant under article 2.*

MOTION BY: Richard Fitzgerald

VOTE REQUIRED: 2/3

PASS/FAIL: PASSED

NOTES:

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ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of \$15,000.00 to have Town Counsel conduct title research necessary to establish ownership for the parcel of land that houses the Town Firestation, or any other action relative thereon or in relation thereto.

Requested by the Emergency Services Facility
Committee

The Town needs to conduct title research as far back as colonial times to properly establish ownership for the parcel of land that currently houses the Fire station.

The Finance committee recommends in favor of this article.

MOTION: *I move that the Town transfers the sum of \$15,000.00 from the TRSF STA COMPACTOR account (43350) into the TOWN LEGAL EXPENSE account (15110) to fund necessary title research for the parcel of land that houses the Town Fire station.*

MOTION BY: Julia Blyth

VOTE REQUIRED: MAJORITY

PASS/FAIL: PASSED UNANIMOUS

NOTES:

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ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$68,825.00 for Phase II Design service associated to the construction of an Emergency Services Facility, or take any action relative there to.

The use of these funds are contingent upon positive determination of ownership for the parcel in question.

The Finance Committee supports this article but does not recommend funding the article at this time due to a lack of information for the overall budget moving into Fiscal Year 2019.

Requested by the Emergency Services Facility
Committee

MOTION: *I move that we PASSOVER this article.*

MOTION BY: Tracy Rogers

VOTE REQUIRED: MAJORITY

PASS/FAIL : PASSED UNANIMOUS

NOTES:

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ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$16,700.00 for the cost of making necessary drainage repairs to the Northfield Elementary School, or take any action relative there to.

Requested by the Building Use and Utilization
Committee and the Highways Department

This article is to pay for needed repairs of drainage at the Northfield Elementary School.

The Finance Committee recommends in favor of this article.

MOTION: *I move that the Town appropriate the sum of \$16,700.00 from the Town's Certified Free Cash into the NES PARKING LOT account (30078) and expand the scope of that account to include associated drainage and concrete work for drainage structures.*

MOTION BY: John Spanbauer

VOTE REQUIRED: MAJORITY

PASS/FAIL: PASSED UNANIMOUS

NOTES:

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ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$1,210.00 for Town Administrator Expenses, or take any action relative there to.

Requested by the Selectboard

This article is to authorize a transfer of available funds in the Town Administrator's CPO account into the Town Administrator's Expense account.

The Finance Committee recommends in favor of this article.

MOTION: *I move that the Town transfers the sum of \$1,210.00 from the TA CPO TRAINING account (12252) into the TOWN ADMIN EXPENSE account (12230) to fund contractual obligations that would be deducted from said account.*

MOTION BY: Julia Blyth

VOTE REQUIRED: MAJORITY

PASS/FAIL: PASSED UNANIMOUS

NOTES:

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ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$83.16 for curing payroll liabilities from Fiscal Year 2017, or take any action relative there to.

Requested by the Zoning Board of Appeals

This article is to authorize the payment of payroll obligations from Fiscal Years 2017 which cannot be paid in Fiscal Year 2018 without an act of the legislative body.

The Finance Committee recommends in favor of this article.

MOTION: *I move that the Town appropriate the sum of \$83.16 from the Town's Certified Free Cash to fund the cost of paying payroll obligations from Fiscal Year 2017.*

MOTION BY: John Spanbauer

VOTE REQUIRED: 9/10

PASS/FAIL: PASSED UNANIMOUS

NOTES:

MEETING ADJOURNED AT 7:27 PM

APPENDIX 1: Town Meeting Parliamentary Procedure

Parliamentary procedure has a long history. Originating in the early English Parliaments, it came to America with the first European settlers and became uniform in 1876 when Henry Robert published his manual, known as “Robert’s Rules of Order.”

Parliamentary procedure means that everyone may be heard and to come to decisions without confusion. It means democratic rule, flexibility, the protection of rights and most importantly a fair hearing for everyone.

The basic parts of parliamentary procedure provide for the presentation of motions, the seconding or the expression of support of another’s motion, an opportunity to debate and ability to make a decision.

There are five general types of motions:

- Main Motion: These introduce subjects for consideration.
- Subsidiary Motions: These change how the main motion is handled. (They are voted on before the main motion.)
- Privileged Motions: These concern special or important matters not related to the pending business. In general, they are considered before other types of motions.
- Incidental Motions: These are questions of procedure that arise out of other motions, and they must be considered before the other motion.
- Motions that bring a question again before the assembly: These enable certain items to be reconsidered. In general, they are brought up when no business is pending.

Some questions relating to motions:

- Is it in order? Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the law.
- May I interrupt the speaker? Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.
- Do I need a second? Usually, yes, A second indicates that another member would like to consider your motion and it prevents spending time on a question that interests only one person.
- Is it debatable? Parliamentary procedure guards the right to free and full debate on motions. However, some subsidiary or privileged and incidental motions are not debatable.
- Can it be amended? Striking out or inserting wording, or both can change some motions. Amendments must relate to the subject as presented in the main motion.
- What vote is needed? Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the town meeting, borrowing, and some other miscellaneous subjects may require “supermajorities” of $\frac{3}{4}$ or $\frac{9}{10}$'s depending on the applicable state law.
- Can it be reconsidered? Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the “winning” side.

How Do I Present My Motion?

Obtain the Floor:

- Wait until the previous speaker is finished.
- Rise and address the Moderator. Say, “Mr. Moderator.”
- Wait until you are recognized.
- State your name and address for the record.

Make your motion:

- Speak clearly and concisely.
- State your motion affirmatively. Say, “I move that we do...” Instead of “I move that we do not...”
- Stay on the subject and avoid personal attacks.

You wait for a second:

- Another member will say, “I second the motion.”
- Or the Moderator will call for a second.
- If there is no second, your motion will not be considered. (Motions made at the direction of a board or committee (more than one person) do not require a second.)

The Moderator states your motion:

- The Moderator must say, “It is moved and seconded that we...”
- After this happens, debate or voting can occur.
- Your motion is now “assembly property,” and you can’t change it without the consent of the body.

You expand on your motion:

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the Moderator
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a 2/3 vote.
- The Moderator puts the question:
- The Moderator asks, “Are you ready for the question?”
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The Moderator announces the result.

The method of voting on a motion:

- Voice: The Moderator asks those in favor to say “aye” and those opposed to say “no.” A member may move for an exact count.
- General Consent: When a motion isn’t likely to be opposed, the chair says, “If there is no objection...” Members show consent by their silence. If someone says, “I object,” the matter must be put to a vote.
- Show of hands: Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.
- Ballot: Members write their vote on a slip of paper and is done when secrecy is desired.

More Motions:

A motion to lay on the table: This motion is used to lay something aside temporarily to take care of more urgent matters. It should not be used to prevent debate or to kill a question. Members can “take from the table” a motion for reconsideration. This must happen by the end of the town meeting.

A motion to indefinitely postpone: This is a parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a “yes” or “no” vote would have undesirable consequences.

APPENDIX 2: Finance Committee's Recommendations (Sources of Funds)

#	Purpose	Department	Request	Finance Committee Recommendations	SOURCE OF FUNDS						
					Sewer Enterprise	EMS Enterprise	Raise & Appropriate	Free Cash	Transfer	Overlay Surplus	
1	Waive Reading	Selectboard	-	n/a							
2	Marijuana Moratorium	Planning Board	-	n/a							
3	Title Research	Emergency Services Facility Committee	15,000	-					15,000		
4	Phase II Design/Emergency Services Complex	Emergency Services Facility Committee	68,825.00	-				68,825			
5	NES Drainage	Building Use and Utilization Committee & Highways Department	16,700.00	-				16,700			
6	Town Administrator Expense Account	Selectboard	1,210.00	-					1,210		
7	ZBA Payroll FY 2017	Zoning Board of Appeals	83.16	-				83.16			
				-							
	Total		\$101,818.16	\$	\$	\$	\$	-	\$85,608.16	\$16,210	\$

You are directed to serve this Warrant by posting a copy thereof attended to by you in writing in each of five public places in the Town at least fourteen days before the time for holding and meeting called for in the Warrant. Hereof, fail not and make due return of the Warrant your doings thereon to the Town Clerk of said Town on or before the 4th day of December 2017.

Given under our hands at Northfield this 14th day of November in the year of our Lord, 2017.

THE BOARD OF SELECTMEN
Northfield, Massachusetts

Tracy A. Rogers, Chairman

John G. Spanbauer

Julia A. Blyth, Clerk

FRANKLIN, SS.

Pursuant to this Warrant, I have notified and warned the inhabitants of the Town of Northfield by posting attested copies of the same at the Town Hall, the United States Post Office in Northfield, the Dickenson Memorial Library, the Field Library, Northfield Farms, and the V.F.W., West Northfield, in said Town fourteen days at least before hereof, as herein directed.

Constable of Northfield, Massachusetts

_____ Date: _____

MAY BE REMOVED AFTER DECEMBER 4, 2017