

TOWN OF HAMPDEN

Commonwealth of Massachusetts

County of Hampden

Town of Hampden

TO: Either of the Constables of the said Town of Hampden in said County:

Greeting: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Hampden qualified to vote in Town Affairs, to meet at Thornton W. Burgess Middle School, Wilbraham Road, Hampden, on Monday, April 30, 2012 at seven o'clock in the evening, then and there to act on the following articles:

Article 1. TOWN REPORTS

To hear the Annual Town Reports of all officers of the Town and any committee whose duty it may be to report at said meeting, and act thereon, or take any other action relative thereto.

Article 2. BUDGET

To see if the Town will vote to fix the salary and compensation of all elective officers of the Town as provided for by Section 108 of Chapter 41, General Laws and to raise and appropriate the necessary sums to cover same, and to raise money and make appropriations to defray the expenses of the Town for the period July 1, 2012 to June 30, 2013 or take any other action relative thereto.

Explanation: This article presents the Advisory Committee's recommendations for appropriations to fund the FY 2013 budget.

Article 3. PREVIOUS BILLS

To see if the Town will vote to authorize the payment of any departmental bills of Fiscal Year 2011 or previous years, and will vote to raise and appropriate a sum of money therefor, or take any other action relative thereto.

Explanation: Occasionally bills are remitted for expenses incurred in prior fiscal years.

Article 4. REVOLVING FUNDS FOR FISCAL YEAR 2013

To see if the town will vote to establish the following revolving funds, in accordance with General Laws Chapter 44, Section 53E1/2, separate from the general fund and deposited with the Town Treasurer for the Town departments, sources of receipts, purposes of payment and in the maximum amounts as set forth below, or take any other action relative thereto.

Board of Assessors: Fees collected to defray the costs of equipment and supplies connected with public documents. \$2,500

Board of Health: Fees collected for issuance of licenses, permits and inspections to defray salaries of part-time employees. \$40,000

Building Department: Fees collected for issuance of building permits, inspection fees, including weights and measures to defray salaries and expenses of part-time employees of the Building Department and consultants. \$50,000

Library Trustees: Fines collected for overdue, lost and/or damaged materials to defray the costs of repairs and supplies, to purchase books and library materials and to pay wages for part time employees. \$6,000

Council on Aging: Proceeds from classes, programs and other fees to defray the costs of classes, supplies and other necessary expenses. \$30,000

Tax Collector: Monies from charges collected to defray the costs of equipment and supplies connected to public documents. \$2,500

Fire Department: Monies from charges collected to defray operational/training expenses and the costs of the permitting and inspection program and to defray salaries of part-time employees. \$10,000

Cemetery Commission: Monies from charges collected to defray the costs for grave maintenance. \$20,000

Article 5. REVOLVING FUND REPORTS

To see if the Town will vote to receive from each of those boards, departments and officers having charge of a revolving fund a report showing the total amount of receipts and expenditures for each revolving fund for Fiscal Year 2011 and for Fiscal Year 2012 through December 31, 2011 and also showing the amount of any increase, if any, in spending authority granted by the Selectmen and the Advisory Committee with respect to such revolving fund during Fiscal Year 2011 and Fiscal Year 2012, to date, or take any other action relative thereto.

Explanation: State law allows certain departments to set up accounts to collect and disburse fee revenues, and requires that Annual Town Meeting approve these accounts each year.

Article 6. ENTERPRISE FUND TRANSFER STATION

To see if the town will vote to appropriate a sum of money from anticipated transfer station revenues and/or raise and appropriate from available funds for the purpose of funding the Transfer Station Enterprise Fund for Fiscal Year 2013, or take any other action relative thereto.

Explanation: The operation of the transfer station and recycling center through an Enterprise Fund requires a budget to be voted annually at the Town Meeting.

Article 7. COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to appropriate or reserve from the Community Preservation Annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2013 with each item to be considered a separate appropriation, or take any other action relative thereto.

Explanation: In 2001 the town voted by ballot to accept the Community Preservation Act (CPA). The CPA provides funding through a property tax surcharge and state contribution toward projects related to open space preservation, historic preservation and affordable housing. The act provided for establishment of a local Community Preservation Committee to review projects and recommend utilization of CPA receipts to Town Meeting. This article addresses the committee's report and asks Town Meeting to act on it, including appropriations recommended by the committee.

Article 8. CONSERVATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Conservation Fund, said fund to be used for the purpose of acquiring available land for the Town for conservation purposes, if said purchase is voted upon and approved at an Annual or Special Town Meeting prior to such purchase, or take any other action relative thereto.

Explanation: The article is self explanatory.

Article 9. HIGHWAY STATE AID

To see if the Town will vote to accept a sum of money from the Commonwealth of Massachusetts under the provisions of local aid fund distribution, the General Laws Chapter 90, Section 34, and be allowed to borrow in anticipation of reimbursement, or take any other action relative thereto.

Explanation: The article is self explanatory.

Article 10. LIBRARY ADDITIONAL STATE AID

To see if the Town will vote that in Fiscal Year 2013, if State aid for the Library is received, this money will be made available for Library Trustees to use at their discretion, or take any other action relative thereto.

Explanation: Town Meeting approval is required to permit the Library Trustees to accept State Aid for the Library use.

Article 11. ASSESSORS

To see if the Town will vote to raise and appropriate and/or transfer from available funds to the Assessor's Stabilization fund to meet all Department of Revenue mandated programs, or take any other action relative thereto.

Explanation: In 2006, the Town established a Stabilization Account specifically for the Assessors revaluation and field list expenditures. \$10,000 is being requested.

Article 12. ASSESSORS

To see if the Town will transfer from the Assessor's Stabilization Fund a sum of money for the FY2013 Revaluation Year services.

Article 13. DUMP TRUCK REPLACEMENT

To see if the town will vote to raise and appropriate and/or transfer from General Stabilization Fund a sum of money to replace the 1989 Mack dump truck, with sander and plow, or take any other action relative thereto.

Explanation: Estimated cost \$200,000.

Article 14. DARE PROGRAM

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to fund the DARE program at Thornton W. Burgess School, or take any other action relative thereto.

Article 15. SCHOOL RESOURCE OFFICER

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to fund the School Resource Officer for FY11 at Minnechaug Regional High School, or take any other action relative thereto.

Explanation: For the School Year ending in June 2011, a Wilbraham Police Officer has served as a School Resource Officer at Minnechaug Regional. This article appropriates money to pay for Hampden's share of his salary for the time at Minnechaug ONLY.

Article 16. POLICE DEPARTMENT STUDY

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to fund a Spatial Needs Analysis for a new Police Department, or take any other action relative thereto.

Explanation: The Town will contract with a state approved vendor to perform a study on the Town's current station and its projected growth.

Article 17. TOWN HOUSE IMPROVEMENTS

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to repair or replace the chairlift in the town house, or take any other action relative thereto.

Explanation: The ADA-required accessibility system in the Town Hall entrance is in need of repair or replacement.

Article 18. TOWN HOUSE CAPITAL IMPROVEMENTS

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money for Town House capital improvements, or take any other action relative thereto.

Explanation: Ongoing projects, such as window replacements. Estimated cost \$20,000.

Article 19. WEST BROOK ACQUISITION

To see if the Town will vote to purchase the parcel known as West Brook for the sum of \$38,000, consisting of 22 acres, more or less, as shown on a plan entitled "Plan of Land, Mountain Road in Hampden by Paul Smith Land Surveyors", dated January 2, 2012 from the Minnechaug Land Trust, for conservation and passive recreation purposes, that said land will be conveyed under provisions of MGL Chapter 40, Section 8C, to be managed and controlled by the Conservation Commission; and that certain conservation restrictions in favor of the Minnechaug Land Trust will be recorded and remain in place after conveyance to the Town, or take any other action relative thereto.

Explanation: A CPC recommended project.

Article 20. GENERAL BYLAW

To see if the Town will vote to amend the General Bylaw, Chapter VIII Protection of Persons or Property, Section 6, Hunting, paragraph one, by adding "or the Police Department" following "Permission forms shall be obtained from the Hampden Town Clerk's office" and by striking "The Town Clerk shall receive and stamp all copies, one of which shall be forwarded to the Police Department by the Town Clerk, and the original copy must be retained by the hunter and must be carried while hunting.", after "The distribution of the permission form prior to hunting, trapping or discharging a firearm shall be as follows:", and replacing it with, "The Town Clerk shall receive and sign the original and all copies, one of which shall be forwarded to the Police Department by the Town Clerk. The original copy must be retained by the Town Clerk. A copy must be retained by the hunter and both his hunting license and the copy must be carried with him while hunting. A copy must be delivered by the hunter to the land owner and a copy must be conspicuously displayed in the windshield of the hunter's vehicle,", before the last sentence at the end of the first paragraph, which reads "All permits shall be valid for not more than 2 years or a shorter period as indicated by the land owner.", or take any other action relative thereto.

Article 21. GENERAL BYLAW

To see if the town will vote to amend the *General Bylaw Chapter X, Wetlands Protection* by adding a new *Section 17, Best Management Practices for Property Owner's Water*, It shall be unlawful in the Town of Hampden to install, construct or to maintain a hose, conduit, culvert, swale, or any mechanism for the purpose of, or having the effect of, draining or discharging water to an abutting neighbor's property. The normal flow of storm water over natural (turf, gravel, meadow) surfaces, flood plain overflow or other natural flooding are specifically exempt from the bylaw. Any property owner maintaining any such structure or device that becomes the subject of a complaint reported to any town office shall be inspected and if confirmed, cited by the Building Inspector. The owner shall be

required to remove or remediate within 30 days. Failure to remove the device shall be subject to fines of \$100/day for each day it remains in place retroactive to the date of inspection by the Building Inspector. And by changing the current Section 17 to become Section 18 or take any other action relative thereto.

Article 22. RESERVE FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Reserve Fund, or take any other action relative thereto.

Explanation: Under State law, the Town is allowed to maintain a Reserve Fund to meet "unforeseen and extraordinary" costs that arise during the year. The Advisory Committee must approve transfers from the Reserve Fund. (\$20,000)

Article 23. STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Stabilization Fund, or take any other action relative thereto.

Explanation: This article would appropriate money into the Stabilization Fund to help meet the town's reserve targets.

Article 24 REDUCING TAX RATE

To see if the Town will vote to transfer from the General Stabilization Fund a sum of money for the purpose of reducing the tax rate for Fiscal Year 2013, or take any other action relative thereto.

Explanation: The article is self explanatory.

