

April 25, 2018

**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 ***Bethlehem Baptist Church, Allen Street***, Hampden, on Monday, May 14, 2018 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, 2018 to June 30, 2019 or take any other action relative thereto.

**Article 3.       COMBINED DISPATCH**

To see if the Town will vote to appropriate a sum of money for the establishment and operation of a Combined Dispatch Center for East Longmeadow and Hampden, hosted in Hampden or take any other action relative thereto.

*57.2 Police general salaries*

*57.4 Police general expense*

*7.2 Employee benefits*

**Article 4.       PREVIOUS BILLS**

To see if the Town will vote to authorize the payment of any departmental bills of Fiscal Year 2017 or previous years, and will vote to raise and appropriate a sum of money therefor, or take any other action relative thereto.

**Article 5.       General Bylaw Amendment to Establish Revolving Funds, Chapter III, Section 7A**

1. **Purpose.** This bylaw establishes and authorizes revolving funds for use by town departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, §53E½.

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2. **Expenditure Limitations.** A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Advisory Committee.

A. <i>Revolving Fund</i>	B. <i>Department, Board, Committee, Agency or Officer authorized to spend from fund</i>	C. <i>Fees, Charges or other receipts Credited to Fund</i>	D. <i>Program or Activity Expenses Payable from Fund</i>	E. <i>Restrictions or Conditions on Expenses Payable from Fund</i>	F. <i>Other requirements/ Reports</i>	G. <i>Fiscal Years</i>
<i>Building Department Fund</i>	Building Department	Inspection Fees	Payments to non-salaried Inspectors and Inspectors' Expenses	No full time Salaries		FY2019 and Subsequent Years
<i>Board of Health Fund</i>	Board of Health Director	Inspection Fees	Payments to non-salaried Inspectors and Inspectors' Expenses	No full time Salaries		FY2019 and Subsequent Years
<i>Cemetery Commission Fund</i>	Cemetery Commissioners	Burial permits	Burial Expenses And costs	No full time Salaries		FY2019 and Subsequent Years
<i>Council On Aging Fund</i>	Council on Aging Director	Donations; and Fees collected for classes, trips and programs	Costs and expenses related to miscellaneous COA activities, programs and events	No full time Salaries	Each fee to be reserved For specific Activity for which collected	FY2019 and Subsequent Years
<i>Library Fund</i>	Library Commissioners	Late book Returns and Misc. activity fees	Misc. library Expenses	No full time Salaries		FY2019 and Subsequent Years
<i>ConCom Fund</i>	Conservation Commission	Project Deposits and fees	Engineer or Consultant Fees for Conservation	No full time Salaries	Fees to be reserved for Specific Project for	FY2019 and Subsequent Years

Revolving Fund			Committee activity		Which collected	
<i>Planning Board Fund</i>	Planning Board	Project Deposits and fees	Engineer or Consultant Fees for PB activity	No full time Salaries	Fees to be Reserved for Specific Project for Which collected	FY2019 and Subsequent Years

3. **Interest.** Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

4. **Procedures and Reports.** Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to each fund and the balance of each fund available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. **Authorized Revolving Funds.** The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or office,
- B. The department or agency head, board, committee or officer authorized to spend from each fund,
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or office in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund;
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this by-law.

**Table: Revolving Funds**

**Explanation** This Article establishes Town Revolving Accounts by bylaw as required by the Municipal Modernization Act. Expenditure limits must still be established annually, before July 1. Prior to the Municipal Modernization Act, revolving funds were required to be authorized annually at Town Meeting. The Act now eliminates the required Annual Town Meeting authorization of Revolving Accounts.

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**ARTICLE 6 FISCAL YEAR 2019 SPENDING LIMITS FOR REVOLVING FUNDS**

To see if the Town will vote to authorize the following total expenditures for each of the following revolving funds pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2018 to be expended in accordance with the bylaws heretofore approved.

<b><u>FUND</u></b>	<b><u>Approved Total Expenditures</u></b>
Building Department Fund	\$ 85,000
Board of Health Fund	\$ 20,000
Cemetery Commission Fund	\$ 12,000
Council on Aging Fund	\$ 21,000
Library Fund	\$ 3,000
Conservation Commission Fund	\$ 2,600
Planning Board Fund	\$ 2,600

**Article 7 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 2019, or take any other action relative thereto.

**Article 8 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 2019 with each item to be considered a separate appropriation, or take any other action relative thereto.

Upgrade of Athletic field at Minnechaug Reg HS

Upgrade of field at Memorial Park

Renovation of former Police Station for offices and bathrooms at Town Hall

Payment of Annual Dues

**Article 9. 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.

**Article 10. HIGHWAY STATE AID**

To see if the Town will vote to accept \$257,102 from the Commonwealth of Massachusetts under the provisions of local aid fund distribution, in accordance with Chapter 90 Section 34 of the MGL's and the Transportation Department's Chapter 90 Guidelines and be allowed to borrow in anticipation of reimbursement, or take any other action relative thereto.

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**Article 11 HIGHWAY TRUCK REPLACEMENT**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to replace the 2007 one-ton dump truck with plow, or take any other action relative thereto.

**Article 12. HIGHWAY GASBOY REPLACEMENT**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to replace the Gasboy fuel dispensing system and software, and emergency stop actuator, or take any other available action thereto.

**Article 13. LIBRARY ADDITIONAL STATE AID**

To see if the Town will vote that in Fiscal Year 2019, 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.

**Article 14. ASSESSORS**

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

**Article 15. ASSESSORS**

To see if the Town will transfer from the Assessor's Stabilization Fund a sum of money for the FY2019 Department of Revenue mandated programs, or take any other action relative thereto.

**Article 16. TOWN MEETING POSTING LOCATIONS**

To see if the Town will vote to amend the General Bylaws, Chapter II, Section 1 by *replacing*,

"The warrant containing all items of business for each Town Meeting shall be posted on the Bulletin boards in the Town House, Thornton Burgess School, Green Meadows School, on the building located at 43 Somers Road, presently occupied by the Village Food Mart, and at a location known as the Mini Mall located on Allen Street and East Longmeadow Road, at least seven days before any Town Meeting.

*With,*

"The warrant containing all items of business for each Town Meeting shall be posted on the Bulletin boards in the Town House, on the building located at 43 Somers Road, presently occupied by the Village Food Mart, the Hampden Police Station, and online on the Town's website, at least seven days before any Town Meeting,

And remove the word "five in Chapter III, Section 4

or take any other action relative thereto.

**Article 17. TOWN ADMINISTRATOR**

To see if the Town will vote to authorize and empower the selectmen to appoint a town administrator who may be appointed by them for a term of one or three years and to remove him/her at their discretion, or take any other action relative thereto.

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**Article 18. ZONING BYLAW AMENDMENT**

To see if the Town will vote to re-zone from Residential 4 to Business, a parcel of land, together with all improvements thereon, located on the Westerly side of Somers Road in Hampden, Hampden County, Massachusetts, owned by Michael Sicbaldi, bounded and described as follows:

Beginning at an iron pin set on said Westerly line of Somers Road at the Northeasterly corner of land now or formerly of Richard Gallivan, the same being the southeasterly corner of the parcel being conveyed, and thence running

N 89° 17' 11"            along said land now or formerly of said Richard Gallivan, land now or formerly of Norman Willette, land now or formerly of Ford Madden and land now or formerly of Stanley Barnes, a distance of 444.75 feet to an iron pin set at Lot "F" shown on the plan of land hereinafter referred to; thence running

N 3°17' 09" E            a distance of 349.46 to an iron pin; thence running  
S 87° 57' 48" E        a distance of 63.00 feet to an iron pin, thence running  
S 2° 02' 12" W        a distance of 14.00 feet to an iron pin; thence running  
S 87° 57' 48" E        a distance of 120.00 feet to an iron pin; thence running  
N 2° 02' 12" E        a distance of 14.0 feet to an iron pin (the last five courses and distances being along said Lot "F"); thence running  
S 87° 57' 48" E        along said Lot "F" and along Parcel "B-3" shown on plan a distance of 262.33 feet to an iron pin set on said Westerly line of Somers Road; thence running  
S 3° 26' 55" W        along said Westerly line of Somers Road a distance of 338.43 feet to the iron pin at the place of beginning.

Containing 3.473 acres of land.

Being the same parcel shown and described as Lot "E: on a plan of land entitled "PLAN OF LAND EAST LONGMEADOW & SOMERS ROADS, HAMPDEN, MA OWNED BY HAMPDEN NURSERIES AND LOUIS J. SICBALDI", DATED January 1998, revised 1/27/98, prepared by Smith Associates Surveyors, Inc., recorded in the Hampden County Registry of Deeds in Book of Plans 306, page 98.

Being all the right, title and interest in the above premises conveyed to the Grantor by deed dated September 20, 1999 and recorded in the Hampden County Registry of Deeds in Book 10938, Page 174 or take any other action relative thereto.

**Article 19. PURCHASE AND SALE AGREEMENT FOR 500 MAIN STREET**

To see if the Town will authorize the Board of Selectmen to negotiate and enter into a Purchase and Sale Agreement for the parcel of land known as 500 Main Street, Hampden MA.

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**Article 20. Proposed Amendment to Hampden Wilbraham Regional School District Agreement. DRAFT**

To see if the Town will vote to amend Section III, Paragraph B, of the Regional Agreement, by adding a new subparagraph providing that “Students in Grades 7 or 8, regardless of their town of residence, may be permanently assigned to schools in either Hampden or Wilbraham, including assignment to Minnechaug Regional High School” or take any other action relative thereto.

**Article 21. Proposed Amendment to Hampden Wilbraham Regional School District Agreement. DRAFT**

To see if the Town will vote to amend Section III, Paragraph B, of the Regional Agreement, by adding a new subparagraph providing that “Students in Grade 6, regardless of their town of residence, may be permanently assigned to schools in either Hampden or Wilbraham” or take any other action relative thereto.

**Article 22. Proposed Amendment to Hampden Wilbraham Regional School District Agreement. DRAFT**

To see if the Town will vote to amend Section III, Paragraph B, Subparagraph 2, by changing approval of voluntary requests for transfer from the School Committee to the Superintendent of Schools. The revised language would read: “Students may also be accommodated in other schools within the District when approved by the child’s parents and the Superintendent of Schools provided that the Superintendent determines that such an assignment or reassignment is prudent, can be accomplished, and is in the best interest of the student” or take any other action relative thereto.

**Article 23. TAX AGREEMENT**

To see if the Town will vote, to authorize the Board of Selectmen, on behalf of the Town of Hampden, to negotiate and enter into a payment in lieu of personal property taxes agreement pursuant to the provisions of MGL c59, s 38H for a term of twenty (20) years with the lessee/operator of the solar photovoltaic energy generating facility located at 220 Mill Road upon such terms as the Board of Selectmen shall deem to be in the best interest of the Town, or take any other action relative thereto.

**Article 24. SCHOOL RESOURCE OFFICER**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, \$11,202 to fund the School Resource Officer for FY18 at Minnechaug Regional High School, or take any other action relative thereto.

**Article 25. 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.

**Article 26. GENERAL 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 General Stabilization Fund, or take any other action relative thereto.

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**Article 27. 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 2019, or take any other action relative thereto.

And you are further required to notify and warn the inhabitants of the Town of Hampden qualified to vote in elections of Town Officers to meet at the Hampden Town House, 625 Main Street, Hampden, on Monday, May 21, 2018 AD at seven o' clock in the forenoon, then and there to give in their votes on one ballot to the election officers of said Town for the following officers, to wit:

*To choose for the term of one year the following:*

*1 Moderator*

*1 Cemetery Commissioner*

*To choose for the term of two years the following:*

*1 Park Commissioner*

*To choose for the term of three years the following:*

*1 Board of Selectmen*

*1 Assessor*

*1 HWRSD School Committee Member*

*1 Library Trustee*

*1 Cemetery Commissioner*

*2 Park Commissioners*

*To choose for the term of five years the following:*

*1 Planning Board member*

*1 Hampden Housing Authority*



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Also, to choose all other necessary Town Officers.

And you are directed to serve this Warrant by posting and attested copy thereof at each of the five places designated by the Town. Hereof fail not, and make due return of this Warrant with your doings thereon, to the Town Clerk at or before the time of meeting aforesaid. Given under our hands this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Vincent J Villamaino

\_\_\_\_\_  
John D Flynn

\_\_\_\_\_  
Norman Charest

Board of Selectmen

I, Constable for the Town of Hampden, have on this date posted copies of the warrant for the Town Meeting to be held on May 14, 2018 at 7:00 pm in all five places as designated by the Town of Hampden.

\_\_\_\_\_  
Constable, Town of Hampden

\_\_\_\_\_  
Date