

December 26, 2017

TOWN OF SOUTHAMPTON

SPECIAL TOWN MEETING WARRANT

**Tuesday, January 16, 2018
7:00 P.M.**



**CAFETERIA/GYMNASIUM
WILLIAM E. NORRIS SCHOOL
34 POMEROY MEADOW ROAD
SOUTHAMPTON, MASSACHUSETTS**

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TOWN OF SOUTHAMPTON

WARRANT FOR SPECIAL TOWN MEETING

January 16, 2018

HAMPSHIRE, ss.

To either of the Constables of the Town of Southampton in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the precincts of the Town of Southampton, County of Hampshire, qualified to vote in elections and Town affairs to meet in the Cafeteria/Gymnasium, William E. Norris School, 34 Pomeroy Meadow Road, Southampton, Massachusetts, on

Tuesday, January 16, 2018 at 7:00 p.m.,

then and there to act on the following articles:

PART 1. GENERAL BY-LAWS

ARTICLE 1 AMEND TOWN BY-LAWS: ELECTIONS AND ANNUAL TOWN MEETING

To see if the Town will vote to change the Town By-Laws, Article 1, Section 1 by amending the existing language as noted below, with new language shown in boldface text which reads as follows:

“The Annual Election of town Officers shall be held on the first Monday of May of each year. The annual meeting of the Town shall be held on the third Tuesday in May, commencing at 7:00p.m. in the evening, and if not completed in a reasonable time period prescribed by the Moderator, shall continue on successive evenings beginning at 7:00p.m. until it conclusion, excluding Sundays and Holidays.”

to:

“The Annual Election of Town Officers shall be held on the third Tuesday in May of each year. The Annual Meeting of the Town shall be held on the first Tuesday in May, commencing at 7:00 p.m. in the evening, and if not completed in a reasonable time, prescribed by the Moderator, shall continue on successive evenings beginning at 7:00 p.m. until its conclusion, excluding Sundays and Holidays.”;

or take any other action relative thereto.

ARTICLE 2 AMEND TOWN BY-LAWS, ARTICLE XVII, COUNCIL ON AGING DIRECTOR

To see if the Town will vote to amend the Town By-Laws, Article XVII, Sec. 4 by replacing the current Section 4, which reads as follows:

“Sec. 4. The Council on Aging may appoint such clerks and other employees as it may require.”

with the following:

“Sec. 4. The COA Director is hired by and ultimately responsible to the appointing authority, the Select Board. The Select Board has the power to hire, evaluate and/or terminate the Director, and may delegate some or all of these functions to the Town Administrator. The Director has the responsibility for the hiring and supervision of paid staff and unpaid volunteers.

Sec. 6. The COA Board serves as an advisory board.”;
or take any other action relative thereto.

ARTICLE 3 AMEND TOWN BY-LAWS: FINANCE COMMITTEE

To see if the Town will vote to amend the Town By-Laws, Article II, by amending the existing language as noted below, with new language shown in boldface text and deleted language shown as stricken through:

“Sec. 1 There shall be a Finance Committee for the Town consisting of five (5) voters of the Town, who shall perform the duties set forth in the following sections of this article and be governed by the provisions thereof. The committee shall be elected as provided in Section II of this article. **Finance Committee members may serve as liaisons to other committees, boards, commissions, and/or *ad hoc* committees, as needed, to maintain communication and coordination between those bodies and the Finance Committee. Finance Committee members may serve on appointed committees, commissions, boards or *ad hoc* committees, with voting rights, unless otherwise stipulated in the Town’s By-laws.**

Sec. 3. The Finance Committee shall consider all articles in any warrant thereafter issued for any Town meeting, Annual or Special, calling for the expenditures and/or transfer of money and report in writing or otherwise to the Town meeting its recommendations as deemed in the best interest of the Town. ~~No appropriation and/or transfer of money shall be made under the report of a committee, or an individual until the matter has been considered and reported upon by the Financial Committee;~~

or take any other action relative thereto.

ARTICLE 4 TOWN BUDGET PROCESS

To see if the Town will vote to amend the Town By-Laws to establish a process for creating the Annual Operating Budget of the Town by adding Article XLIII as follows:

- a) **The Select Board determines budget priorities after consultation with the Finance Team (Town Administrator, Finance Committee Member(s), Town Accountant, Treasurer, and Principal Assessor).**
- b) **On or about December 1, the Town Administrator forwards to all Departments and Committees the Select Board's budget priorities, a set of guidelines for budget preparation, and schedule for all Departments and Committees to meet with the Town Administrator, Finance Committee, and the Town Accountant.**
- c) **On or about January 15, based on the Select Board's budget priorities and following the guidelines established by the Town Administrator, Departments and Committees compile their budget proposal, meet with the Town Administrator, Finance Committee, and the Town Accountant to discuss their proposal, and afterwards send their final proposal to the Town Administrator.**
- d) **On or about February 15, after consulting with Departments/Committees as appropriate, the Town Administrator sends a Draft Budget to the Select Board and the Finance Committee.**
- e) **On or about March 1, the Select Board and Finance Committee meet to discuss the Administrator's Draft Budget.**
- f) **The Select Board reviews the Draft Budget, and after consultation with Departments/Committees as appropriate, adopts or modifies the Draft Budget to create the Select Board Budget.**
- g) **On or about March 15, the Select Board sends their budget to Finance Committee.**
- h) **On or about April 1, the Finance Committee sends Finance Committee's budget recommendations to the Select Board.**
- i) **On or about April 15, the Select Board and Finance Committee meet to discuss their respective positions, make revisions, and share their respective, revised drafts. Should there be further changes to these drafts, the Select Board and Finance Committee must meet to discuss the changes.**
- j) **To provide voters with ample time to review all budget-related items prior to consideration at Town Meeting, to mandate early, timely budget deliberations, to reinforce collaboration and communication, and to discourage budget-related items being introduced at Town Meeting without ample opportunity for all stakeholders to consider the implications, one week prior to the Annual Town Meeting, the Select Board's Final Budget and Finance Committee's Final Budget Recommendation for each line item of the Select Board's Final Budget shall be posted on the Town's website and shall be available at Town Hall.;**

or take any other action relative thereto.

ARTICLE 5 VOTE PURSUANT TO MGL CHAPTER 41, SECTION 110A

To see if the Town will vote pursuant to Massachusetts General Laws Chapter 41, Section 110A, that any public office of the Town may remain closed on any or all Saturdays, and where the last day for performance of any act in any such office falls on a Saturday when said office is closed, the act may be performed on the next succeeding business day; or take any other action relative thereto.

ARTICLE 6 STREET ACCEPTANCE

To see if the Town will vote to accept Woodmar Lane as a public way, as shown on a plan entitled Woodmar Estates prepared for the Southampton Planning Board and recorded in the Hampshire County Registry of Deeds Plan Book 236, Pages 76-79; or take any other action related thereto.

PART 2. ZONING BY-LAWS

ARTICLE 7 ZONE CHANGE ON MIDDLE ROAD (SATTLER STORE)

To see if the Town will vote to amend the zoning of 155 Middle Road, (Plan Book 79, Page 82, Deed Book 7705, Page 352) from Residential Village (R-V) to Commercial Village (C-V); or take any other action relative thereto.

ARTICLE 8 ZONING BY-LAW AMENDMENT: MARIJUANA ESTABLISHMENTS

To see if the Town will vote to amend the Southampton Zoning By-Law, Section V, Use Regulations, by adding a new use to Table 1. Use Regulations, by adding the following new Principal Use under Retail and Service:

Retail and Service

Principal Use	Residential			Commercial		Industrial I-P
	R-R	R-N	R-V	C-V	C-H	
17.* Marijuana Establishment (All types of marijuana establishments consistent with and defined in MGL c. 94G, but not including registered Medical Marijuana Treatment Centers)	-	-	-	-	-	-

or take any other action relative thereto.

ARTICLE 9 TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section XVIII, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Section XVIII:

Section XVIII TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS

A. Authority and purpose

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. This law was amended on December 30, 2016 by extending certain deadlines by six months and the Cannabis Control Commission is required to issue regulations regarding implementation by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018.

Currently under the Zoning Bylaw, Marijuana Establishments and Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to the Town in regulating Marijuana Establishments and Marijuana Retailers. Further, the ballot measure establishes two important provisions that require ballot action by the Town prior to the adoption of zoning: First, the Town must, by ballot, determine whether it will issue licenses for Marijuana Establishments and Marijuana Retailers; and, second, by ballot that cannot occur prior to November 6, 2018, the next biennial state election, on whether to allow on-site consumption of marijuana products should the Town decide to allow licenses for such facilities.

The regulation of Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Marijuana Establishments and Marijuana Retailers and address such novel and complex 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 Bylaw regarding regulation of Marijuana Establishments and Marijuana Retailers and other uses related to the regulation of marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning process to address effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

B. Definitions

For purposes of this moratorium, the definitions set forth in G.L. c. 94G, § 1 shall apply.

C. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Marijuana Establishments and other uses related to recreational marijuana. Because of the statutory requirement to have the state Attorney General's Office approve all Zoning changes approved at Town Meeting, and the time that it takes to prepare such submission and for the Attorney General's Office to conduct their review and respond, the moratorium shall take effect through December 31, 2018 or 120 days from the date of the Town Meeting action, whichever occurs latter; or until such time as the Town adopts Zoning Bylaw amendments that regulate Marijuana Establishments and obtain the Attorney General's Office approval, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of marijuana in Southamptton, consider the Cannabis Advisory Board regulations regarding marijuana establishments and marijuana retailers and related uses, determine whether the Town shall restrict any or all licenses for such marijuana establishments and marijuana retailers, and consider such other and further matters as set forth in G.L. c. 94G, § 3 and G.L. c. 64N, § 3.;

or take any action relative thereto.

PART 3. ECONOMIC DEVELOPMENT

ARTICLE 10 TAX INCREMENT FINANCING AGREEMENT

To see if the Town will vote pursuant to G.L. c.40, §59 and G.L. c.23A, §§3E and 3F to: (a) approve a Tax Increment Financing ("TIF") Agreement between J & E Precision Tool Company and the Town of Southamptton, substantially in the form as is on file with the Town Clerk (the "TIF Agreement"), for property located at 115 Valley Road (Map 39, Lot 26a) and as described more fully in the TIF Agreement, which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein; (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto; and (c) authorize the Board of Selectmen to approve submission of the TIF Agreement and Certified Project Application, and any associated documents to the Massachusetts Economic Assistance Coordinating Council, all relating to the project as described in the TIF Agreement to be located in the Southamptton EOA and Certified Project Application, and take such other and further action as may be necessary or appropriate to obtain EACC approval, implement these documents and carry out the purposes of this article; or take any other action relative thereto.

PART 4. FINANCIAL ITEMS

ARTICLE 11 UNPAID BILLS

To see if the town will vote to transfer \$2,365.10 to the Prior Year Bills Account for unpaid bills from Fiscal 2017 for HVAC services from BG Mechanical Company and Blanchard & Daly and an Eversource bill from the Fire Department; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 12 ADDITIONAL FUNDING FOR TOWN HALL BUILDING EXPENSES

To see if the Town will vote to transfer \$13,000 to the Town Hall Building Expense Account for the new service contract and other expenses related to repair of the HVAC control system; said sum to be taken from the Town Administrator Salary Account; or take any other action relative thereto.

ARTICLE 13 TRANSFER FROM FREE CASH TO THE CAPITAL STABILIZATION FUND

To see if the Town will vote to transfer \$148,246.50 to the Capital Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 14 TRANSFER OF FREE CASH TO THE OPEB FUND

To see if the Town will vote to transfer \$ 42,356.10 to the Other Post-Employment Benefits (OPEB) account; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 15 TRANSFER OF FROM FREE CASH TO THE OPERATING STABILIZATION FUND

To see if the Town will vote to transfer \$127,068.30 to the Operating Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 16 FUNDING FOR HIGH VELOCITY VESTS AND KEVLAR HELMETS

To see if the Town will vote to transfer \$4,800 from Free Cash to the Police Department Expense Account for the purchase of 5 high velocity vest and 5 Kevlar helmets for active shooter situations; or take any other action relative thereto.

ARTICLE 17 FUNDING FOR ADDITIONAL HOURS FOR THE BUILDING COMMISSIONER

To see if the Town will vote to transfer \$6,800 from the Town Administrator Salary Account to the Building Commissioner Salary Account to compensate the Commissioner for an additional four hours of work per week; or take any other action relative thereto.

ARTICLE 18 TRANSFER FROM FREE CASH TO LOAN FROM THE 2011 "HALLOWEEN STORM"

To see if the Town will vote to transfer \$55,600.24 to the Halloween 1029-11 Account to pay off the loan from the 2011 Halloween Storm; said sum to be taken from Free Cash; or take any other action relative thereto.

ARTICLE 19 TRANSFER OF FREE CASH TO THE LEGAL BUDGET

To see if the Town will vote to transfer \$10,000 to the legal budget to fund extraordinary legal costs this fiscal year, said sum to be transferred from Free Cash; or take any other action relative thereto.

ARTICLE 20 TRANSFER FOR TREASURER/COLLECTOR CERTIFICATION STIPEND

To see if the Town will vote to transfer \$1,000 from Free Cash to the Certification Stipends Account to fund the Town approved stipend for attaining Treasurer/Collector certification; or take any other action relative thereto.

ARTICLE 21 TRANSFER FROM AMBULANCE RECEIPTS TO THE AMBULANCE OPERATING ACCOUNTS

To see if the Town will vote to transfer \$56,375 from Ambulance Receipts, Reserve for Appropriation, to the EMS Wage Account and to transfer \$5,833.31 from Ambulance Receipts to the Fire Building Expense Account; or take any other action relative thereto.

ARTICLE 22 TRANSFER FROM AMBULANCE RECEIPTS TO FIRE CHIEF'S SALARY ACCOUNT

To see if the Town will vote to transfer \$6,346 from Ambulance Receipts, Reserve for Appropriation, to the Fire Chief's Salary Account to cover negotiated salary for the Fire Chief's service as EMS Director; or take any other action relative thereto.

ARTICLE 23 LAND PURCHASE 215 COLLEGE HIGHWAY

To see if the Town will vote to transfer \$15,000 from the Free Cash Fund to the Select Board Expenses Account for the purchase of land at 215 College Highway, as described in a deed recorded with the Hampshire Registry of Deeds in Book 10432, Page 49; or take any other action relative thereto.

ARTICLE 24 VIDEO CAMERAS FOR POLICE DEPARTMENT CRUISER

To see if the Town will vote to transfer \$5,020 from Free Cash to the Police Department Expenses Account to cover the cost of replacing a failing video dash camera system in a police cruiser; or take any other action relative thereto.

ARTICLE 25 PAYMENT TO THE COLLINS INSTITUTE

To see if the Town will vote to transfer \$1,400 to the Select Board Expense Account to pay the remaining balance to the Collins Institute for background checks and travel during the search for a new town administrator; said sum to be taken from the Town Administrator Salary Account; or take any other action relative thereto.

ARTICLE 26 TRANSFER \$4,900 FOR A PORTABLE RADAR SPEED LIMIT SIGN

To see if the Town will vote to transfer \$4,900 from Free Cash to the Police Department Expense Account for the purchase of a portable radar speed limit sign; or take any other action relative thereto.

PART 5. COMMUNITY PRESERVATION FUNDING

ARTICLE 27 TRANSFER CPC FUNDS FOR FRONT DOOR ACCESS AT TOWN HALL

To see if the Town will vote to transfer up to \$10,000 from Community Preservation Funds to the Town Hall Door Account to create access through the front doors at Town Hall; said sum to be transferred from Community Preservation Surcharges – Historical Preservation Account; or take any other action relative thereto.

ARTICLE 28 NEW ROOF FOR THE SZCZYPTA BARN

To see if the Town will vote to transfer up to \$40,000 to the Conservation Commission to fund necessary preservation including a new roof for the Szczypta Barn; said sum to be taken from the Community Preservation Surcharges- undesignated account; or take any other action relative thereto.

ARTICLE 29 TRANSFER CPC FUNDS FOR A STUDY OF THE OLD TOWN HALL

To see if the Town will vote to transfer \$30,000 to the Select Board to prepare a feasibility study for a preliminary design for the restoration of the Old Town Hall; said sum to be taken from Community Preservation Surcharges-undesignated; or take any other action relative thereto.

ARTICLE 30 TRANSFER CPC FUNDING FOR LEGAL FEES

To see if the Town will vote to transfer \$3,718.98 to the Town Accountant to pay legal fees accrued during the purchase of property known as the Cook/County Roads project; said sum to be taken from Community Preservation Surcharges-Undesignated; or take any other action relative thereto.

ARTICLE 31 TRANSFER CPC FUNDING FOR RESTORATION OF GRAVE MARKERS

To see if the Town will vote to transfer \$12,000 to the Historical Commission to match a Massachusetts Records Advisory Board Preservation Grant for the straightening and cleaning of Revolutionary War and Civil War veterans' grave markers in Center Cemetery; said sum to be taken from Community Preservation Surcharges-Historical Preservation and are contingent upon receiving the aforementioned grant; or take any other action relative thereto.

PART 4. CAPITAL IMPROVEMENTS

ARTICLE 32 NEW CARPET FOR THE NORRIS SCHOOL LIBRARY

To see if the Town will vote to transfer \$15,000 from the Operational Stabilization Fund to the Norris School Capital Budget to fund replacement of the carpeting in the Library; or take any other action relative thereto.

ARTICLE 33 NORRIS SCHOOL BOILER REPLACEMENT

To see if the Town will vote to transfer \$45,000 from the Capital Stabilization Fund to the Norris School Capital Budget to fund repair of a boiler at the Norris School; or take any other action relative thereto.

ARTICLE 34 PURCHASE OF A TRAILER FOR THE FIRE DEPARTMENT

To see if the Town will vote to transfer \$35,000 from the Capital Stabilization Fund to the Fire Department building account for the purchase and installation of a modular trailer unit as sleeping quarters for Fire Personnel; or take any other action relative thereto.

ARTICLE 35 PURCHASE OF A LAWN MOWER FOR THE HIGHWAY DEPARTMENT

To see if the Town will vote to transfer \$62,000 from the Capital Stabilization Fund to the Highway Department account for the purchase a large lawn mower; or take any other action relative thereto.

ARTICLE 36 PUMP STATION PERMANENT EASEMENT

To see if the Town will vote to authorize the Select Board, acting by and through the Water Commission, to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Select Board shall determine, a permanent easement, containing 40,000 square feet, more or less, on a parcel of land located in Southamptton and Easthampton, commonly known as 10 College Highway, being Assessor's Map 14, Lot 2 in Southamptton and Assessor's Map 164, Lot 11 in Easthampton, said easement as approximately shown on a sketch plan, as may be amended, on file with the Town Clerk, for the purpose of siting, constructing, operating and maintaining a water pump station, and appurtenances related thereto, as well as access rights to said easement, said property to be acquired for water supply protection and water distribution purposes, pursuant to G.L. c. 40, §§39, 41 and 15B; and, further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition and other acts authorized herein, upon such terms and conditions as the Select Board may deem appropriate; or take any other action relative thereto.

PART 6: BONDED DEBT

ARTICLE 37 SEPTIC BETTERMENT

To see if the Town will vote to raise and appropriate, transfer, borrow or otherwise provide the sum of \$200,000 for the purpose of financing the certain water pollution abatement facilities projects, including, without limitation, the repair, replacement and/or update of septic systems pursuant to agreements between the Board of Health and residential property owners, including without limitation, all costs thereof as defined by Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that to meet this appropriation, the Treasurer, with the approval of the Board of Select Board, is authorized to borrow the sum of \$200,000 and issue bonds or notes therefore under G.L. c.111, s.127B ½ and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that project and financing costs shall be repaid by the property owners, in accordance with those agreements; but such bonds or notes shall be general obligations of the Town; that the Treasurer, with

the approval of the Board of Select Board, is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust, established pursuant to Chapter 29C, as most recently amended by St. 1998, c. 78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Select Board, Board of Public Works or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and take any other action necessary to carry out the project; or take any other action relative thereto.

And you are hereby directed to serve this Warrant by posting attested copies thereof in six usual places in said Town, fourteen (14) days at least before the time of holding said meeting.

Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 21st day of December in the year Two Thousand and Seventeen.

BOARD OF SELECT BOARD


Charlie Kaniecki


John Martin


James Labrie


Maureen Groden

True Copy:

ATTEST: James Hand
Constable



OFFICER'S RETURN

Hampshire, SS

December 28 2017

This is to certify that I have served the within warrant by posting attested copies thereof in six usual places fourteen (14) days at least before the time of holding said meeting.


Constable

A True Copy, ATTEST: Janine Domina
Janine Domina
Town Clerk of Southampton

Warrant Return Town of Southampton

Hampshire, ss.

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Southampton by posting an attested copy at the Southampton Town Hall and five other places designated for the posting of such notices seven/fourteen days before holding said meeting.

Constable


Jared Hamel

Date posted: 12/28/2017

Posted at the following locations:

1. *Town Hall* ✓
2. *Trading Post* ✓
3. *Pure Food* ✓
4. *Big Y* ✓
5. *Southampton Liquors* ✓
6. *Stop & Save* ✓
7. *Edwards Library* ✓

Alternative posting location:

1. _____

2. _____

3. _____

**TAX INCREMENT FINANCING AGREEMENT
BETWEEN TOWN OF SOUTHAMPTON
AND J&E PRECISION TOOL INC.**

This agreement is made this 16 day of January 2018 by and between the Town of Southampton, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at Town Hall, 210 College Highway, Suite 7, Southampton, MA 01073, acting through its Board of Selectmen (hereinafter called TOWN), and J&E Precision Tool, Inc. (hereinafter called J&E) a corporation with a principle place of business at 107 Valley Road, Southampton, MA 01073. This agreement will take place effective January 1, 2019.

WHEREAS, J&E intends to construct a 7,200-square foot building at 115 Valley Road, Southampton to obtain certain tax incentives from the TOWN for said facility; and

WHEREAS, the TOWN is willing to grant property tax incentives in return for a guarantee of capital investment at the facility and increased employment opportunities for area workers.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

A. RESERRECTION REAL ESTATE OBLIGATION

- 1) J&E shall construct a 7,200-square foot building adjacent to the existing 45,000 square foot facility currently on the property at 115 Valley Road, Southampton.
- 2) As a result of the construction in Southampton, J&E shall create fifteen to twenty (15-20) permanent fulltime jobs upon opening the new addition. J&E shall agree to operate a business and maintain the level of jobs described as long as the Tax Increment Financing Agreement is in effect.

J&E shall commit to a policy of employing residents of Western Massachusetts, with a preference to hiring qualified Southampton residents for any employment opportunities that become available at the facility.

- 3) If J&E decides to sell the facility of the business or to otherwise transfer control of the facility of business and /or its operations, J&E shall give the TOWN at least six (6) months' notice of said sale of transfer. Said notice shall be mailed by certified mail to: Town Administrator, Town Hall, 210 College Highway, Suite 7, Southampton, MA 01073.
- 4) J&E shall, upon written request, provide the TOWN with an annual report in the month of July for the period ending June 30, 2020 and for each subsequent year of this agreement. Said report shall contain the following information:
 - a) Employment levels at the facility at the beginning and end of the year.

TAX INCREMENT FINANCING AGREEMENT
BETWEEN TOWN OF SOUTHAMPTON
AND J&E PRECISION TOOL INC.

C. ADDITIONAL PROVISIONS

- 1) Pursuant to 760 CMR 22.05, this Agreement shall be binding upon subsequent owners of the property.

- 2) Upon the failure of J&E to fulfill all material obligations of Section A under this Agreement, the TOWN reserves the right to apply to the Economic Assistance Coordinating Council for decertification of the project.

Executed this 16th day of January, 2018

TOWN OF SOUTHAMPTON

J&E Precision Tool, Inc.

By: Jim Labrie
Co-President

By: Eugene Labrie
Co-President

ATTEST:

Southampton Town Clerk

Article 36

BK 207 PG 7 9/7/05

1-15-10
SHADED AREA
POSSIBLE
APPROXIMATE
AREA OF
BOOSTER PUMP STATION
IN EASTHAMPTON OR S. HAMPTON

CITY OF EASTHAMPTON
TOWN OF SOUTHAMPTON

NEW ENGLAND TELEPHONE & TELEGRAPH CO. EASTHAMPTON
BOOK 5843 PAGE 144
PLAN BOOK 182 PAGE 32

AREA IN EASTHAMPTON
= 3.683 ACRES

AREA IN SOUTHAMPTON
= 38.69± ACRES
TOTAL AREA = 42.37 ACRES±

COLLEGE HIGHWAY ~ ROUTE 10

MANHAN RIVER

PROPOSED SEWER LINE EASEMENT
SEE DETAIL

BOUNDARY LINE BARS 2.500' ± ALONG THE
COURSE OF THE MANHAN RIVER

MANHAN RIVER

ROBERT J. & MANCY J. CARRIER
BOOK 5864 PAGE 64

WILLIAM G. & PATRICIA DZATT
BOOK 3028 PAGE 42

PETER J. STASZ & EMMA STASZ
BOOK 3072 PAGE 348
PLAN BOOK 35 PAGE 50

PETER W. & ANGELA E.C. VALINOSO
BOOK 3057 PAGE 349
PLAN BOOK 77 PAGE 83

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 1)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 2)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 3)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 4)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 5)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 6)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 7)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 8)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 9)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 10)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 11)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 12)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 13)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 14)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 15)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 16)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 17)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 18)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 19)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 20)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 21)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 22)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 23)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 24)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 25)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 26)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 27)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 28)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 29)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 30)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 31)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 32)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 33)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 34)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 35)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 36)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 37)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 38)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 39)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 40)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 41)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 42)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 43)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 44)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 45)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 46)

THE BIG Y TRUST
BOOK 2201 PAGE 97
(TRACT 47)

PLAN BOOK 108 PAGE 23

ALBERT V. & MARIE R. VITALI
BOOK 1844 PAGE 118

ALBERT V. & MARIE R. VITALI
BOOK 1844 PAGE 118

ALBERT V. & MARIE R. VITALI
BOOK 1844 PAGE 118

ALBERT V. & MARIE R. VITALI
BOOK 1844 PAGE 118

ALBERT V. & MARIE R. VITALI
BOOK 1844 PAGE 118

DETAIL OF PROPOSED SEWER LINE EASEMENT BENEFITTING ALBERT V. & MARIE R. VITALI EASEMENT AREA = 1.482 S.F.±

THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING PLUMBING AND THE LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC RECORDS. THE LINES OF EXISTING PLUMBING AND THE LINES FOR DIVISION OF EXISTING OWNERSHIP OF LANDS ARE SHOWN FOR INFORMATION. FURTHERMORE, THIS SURVEY AND PLAN WERE PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERED PROFESSIONAL SURVEYORS IN THE COMMONWEALTH OF MASSACHUSETTS.

DATE: 01/25/05
REGISTERED LAND SURVEYOR

SOUTHAMPTON & EASTHAMPTON, MASSACHUSETTS
BIG Y FOODS, INC.

SCALE: 1" = 100'
DATE: JANUARY 25, 2005

HERITAGE SURVEYS, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
COLLEGE HIGHWAY & CLARK STREET
SOUTHAMPTON, MASSACHUSETTS
(913) 377-3600

REGISTRY OF DEEDS
HAMPSHIRE COUNTY

NOTE:
1. FOR REFERENCE TO LAND SHOWN HEREON SEE BOOK 2001 PAGE 97, BOOK 2204 PAGE 250, PLAN BOOK 108 PAGE 23 AND PLAN BOOK 123 PAGE 41.

LEGEND
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PLAN BOOK 108 PAGE 23

ARTICLE 4 - TOWN BUDGET PROCESS+

I move that the Town amend the Town By-Laws by adding a new Article XLIII, as follows:

Town Budget Process

1. Purpose: To provide voters with ample time to review all budget-related items prior to consideration at Town Meeting, to mandate early, timely budget deliberations, to reinforce collaboration and communication, and to discourage budget-related items being introduced at Town Meeting without ample opportunity for all stakeholders to consider the implications, this bylaw sets forth a process for development of the annual budget presented to Town Meeting.

2. Annual Operating Budget and Selectboard Budget Priorities. The Selectboard shall prepare the annual operating budget for submission to Town Meeting. Annually, the Selectboard shall determine budget priorities for the upcoming Fiscal Year, after consultation with the Finance Team (Town Administrator, Finance Committee Member(s), Town Accountant, Treasurer, and Principal Assessor) as the Selectboard deems necessary and appropriate.

3. Budget Schedule. On or about December 1, the Town Administrator shall forward to all Departments and Committees a budget schedule, which schedule shall include time frames and deadlines for actions necessary to prepare the annual budget, together with the Selectboard's budget priorities and guidelines for budget preparation. This schedule shall include a date, no later than April 1 (or at least two weeks after the Selectboard's Budget is submitted to the Finance Committee as provided for in the budget schedule, whichever is later), for the Finance Committee to provide its budget recommendations to the Selectboard.

4. Availability of Final Budget and Final Budget Recommendations. The Selectboard's Final Budget, and the Finance Committee's Final Budget Recommendations for each line item of the Selectboard's Final Budget, shall, at least one week prior to the Annual Town Meeting, be posted on the Town's website and be made available at Town Hall.

AMENDMENT TO ARTICLE 4 PROPOSED BY-LAW

ARTICLE 4 - TOWN BUDGET PROCESS

Motion: I move that the Town amend the Town By-laws to establish a process for creating the Annual Operating Budget, by inserting a new Article XLIII, in accordance with the handout distributed at the January 16, 2018 special town meeting, and as follows:

Town Budget Process

- 1. Purpose:** To provide voters with ample time to review all budget-related items prior to consideration at Town Meeting, to mandate early, timely budget deliberations, to reinforce collaboration and communication, and to discourage budget-related items being introduced at Town Meeting without ample opportunity for all stakeholders to consider the implications, this bylaw sets forth a process for development of the annual budget presented to Town Meeting.
- 2. Annual Operating Budget and Selectboard Budget Priorities.** The Selectboard shall prepare the annual operating budget for submission to Town Meeting. Annually, the Selectboard shall determine budget priorities for the upcoming Fiscal Year, after consultation with the Finance Team (Town Administrator, Finance Committee Member(s), Town Accountant, Treasurer, and Principal Assessor) as the Selectboard deems necessary and appropriate.
- 3. Budget Schedule.** On or about December 1, the Town Administrator shall forward to all Departments and Committees a budget schedule, which schedule shall include time frames and deadlines for actions necessary to prepare the annual budget, together with the Selectboard's budget priorities and guidelines for budget preparation. This schedule shall include a date, no later than April 1 (or at least two weeks after the Selectboard's Budget is submitted to the Finance Committee as provided for in the budget schedule, whichever is later), for the Finance Committee to provide its budget recommendations to the Selectboard.
- 4. Availability of Final Budget and Final Budget Recommendations.** The Selectboard's Final Budget, and the Finance Committee's Final Budget Recommendations for each line item of the Selectboard's Final Budget, shall, at least one week prior to the Annual Town Meeting, be posted on the Town's website and be made available at Town Hall.

ARTICLE 4 - TOWN BUDGET PROCESS+

I move that the Town amend the Town By-Laws by adding a new Article XLIII, as follows:

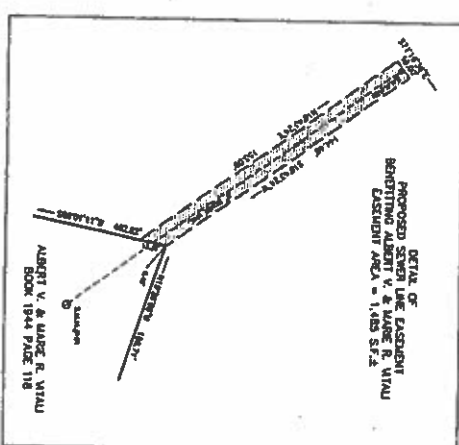
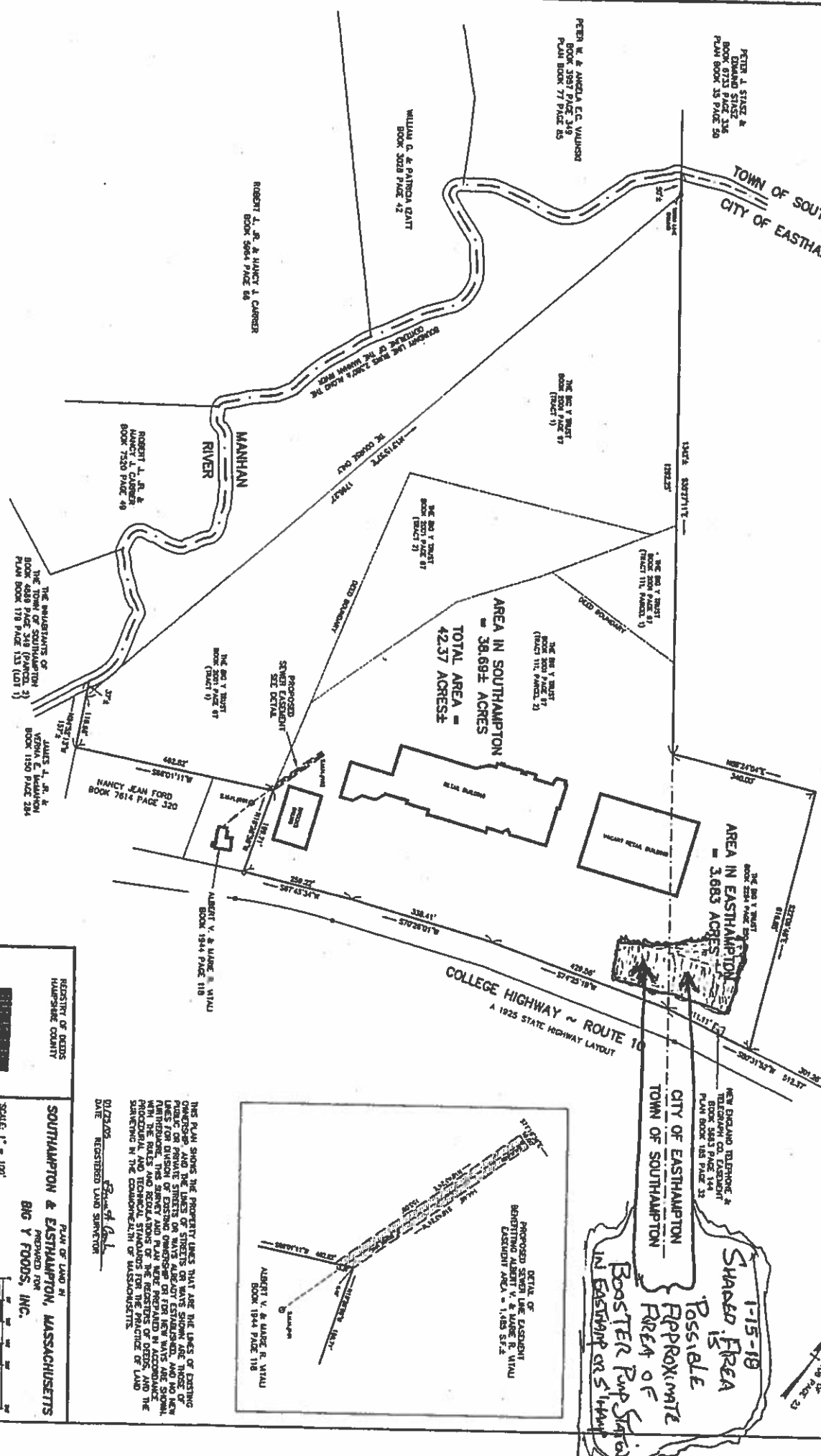
Town Budget Process

- 1. Purpose:** To provide voters with ample time to review all budget-related items prior to consideration at Town Meeting, to mandate early, timely budget deliberations, to reinforce collaboration and communication, and to discourage budget-related items being introduced at Town Meeting without ample opportunity for all stakeholders to consider the implications, this bylaw sets forth a process for development of the annual budget presented to Town Meeting.
- 2. Annual Operating Budget and Selectboard Budget Priorities.** The Selectboard shall prepare the annual operating budget for submission to Town Meeting. Annually, the Selectboard shall determine budget priorities for the upcoming Fiscal Year, after consultation with the Finance Team (Town Administrator, Finance Committee Member(s), Town Accountant, Treasurer, and Principal Assessor) as the Selectboard deems necessary and appropriate.
- 3. Budget Schedule.** On or about December 1, the Town Administrator shall forward to all Departments and Committees a budget schedule, which schedule shall include time frames and deadlines for actions necessary to prepare the annual budget, together with the Selectboard's budget priorities and guidelines for budget preparation. This schedule shall include a date, no later than April 1 (or at least two weeks after the Selectboard's Budget is submitted to the Finance Committee as provided for in the budget schedule, whichever is later), for the Finance Committee to provide its budget recommendations to the Selectboard.
- 4. Availability of Final Budget and Final Budget Recommendations.** The Selectboard's Final Budget, and the Finance Committee's Final Budget Recommendations for each line item of the Selectboard's Final Budget, shall, at least one week prior to the Annual Town Meeting, be posted on the Town's website and be made available at Town Hall.

Article 36

BK 207 PG 7 9/17/05

CULVANT BAPTIST CHURCH IN EASTHAMPTON, INC.
BOOK 2714 PAGE 230
PLAN BOOK 123 PAGE 41



THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIP AND THE LINES OF STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTERED PROFESSIONAL SURVEYORS AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

01/23/05
DAVE REGISTERED LAND SURVEYOR

PLAN OF LAND IN
SOUTHAMPTON & EASTHAMPTON, MASSACHUSETTS
PREPARED FOR
BIG Y FOODS, INC.

SCALE 1" = 100'
DATE: JANUARY 28, 2005

HERITAGE SURVEYS, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
C/O BIG Y FOODS, INC.
SOUTHAMPTON, MASSACHUSETTS
(508) 257-3800



LEGEND
● BOUNDARY FOUND
○ BOUNDARY FOUND
--- EASEMENT LINE

NOTE:
1. FOR REFERENCE TO LAND SHOWN HEREIN SEE BOOK 2001 PAGE 97, BOOK 2002 PAGE 254, PLAN BOOK 108 PAGE 23 AND PLAN BOOK 123 PAGE 41.