

**WARRANT
ANNUAL TOWN MEETING
TUESDAY, MAY 26, 2015**

WARRANT – Annual Town Meeting, Tuesday, May 26, 2015

HAMPDEN, ss

To any and all constables in the Town of Holland, County of Hampden

GREETINGS

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Holland qualified to vote in elections and in Town affairs, to meet at the Holland Elementary School Auditorium in said Town on Tuesday, May 26, 2015 at 7:00 PM, then and there to act on all business on the Annual Town Meeting Warrant except the election of such officers and the determination of such matters as are required by law to be determined by ballot, which election shall be held on Monday, June 8 2015, between the hours of 10:00 AM and 8:00 PM, to wit:

Meeting called to order at 7:02pm with a clear quorum present. Donald Beale make the motion to postpone the ATM until a later date. Lynn Arnold posed the question of holding a meeting tonight or postponing due to the lack of postcards being sent out by the Board of Selectmen to notify residents per Town Bylaw Chapter 3 Sec C. Ms. Arnold also explained the numerous ways in which town residents have been notified: notice from the Town Clerk's office included in the census mailing, posting on the town website, etc. Ms. Arnold opened the floor to questions. After questions from the audience and answers from legal counsel, it is decided to take a vote. There is a clear majority to move forward with the meeting as planned.

ARTICLE #1 To choose by ballot all necessary Town Officers for the ensuing terms: Selectman, (one) 3 yr.; Assessor, (one) 3 yr.; Board of Health, (one) 3 yr.; Cemetery, (one) 3 yr.; Constable, (one) 3 yr.; Constable, (one) 1 yr.; Library Trustee, (one) 3 yr.; Planning Board, (one) 5 yr.; Planning Board, (one) 4 yr.; School Committee, (one) 3 yr.; School Committee, (one) 2 yr.; Sealer of Weights and Measures, (one) 3 yr.; Tantasqua Representative (one) 3 yr.; Tax Collector, (one) 3 yr.; Town Clerk, (one) 3 yr.; Treasurer, (one) 3 yr.; Tree Warden, (one) 3 yr.; Water Commissioner (one) 3 yr.; Water Commissioner (one) 1 yr.; or take any other action relative thereto. **Amended to read: Town Clerk term to be 1 year. Amendment passed. Article Passed.**

ARTICLE #2 To hear the reports of the Town Officers and outstanding committees, or take any other action relative thereto. **Deb Tierney, COA Outreach Worker, reported the seniors' need for transportation and housing. Andy Harhay, chair of Finance Board, introduced members of said board.**

ARTICLE #3 To see if the Town will vote to fix the salary and compensation of all officers of the Town, effective from July 1, 2015, as provided by Section 108 of Chapter 41 of the General Laws, as amended and raised and appropriate or transfer from available funds a sum of money thereto, or take any other action relative thereto. **Passed see attached budget**

ARTICLE #4 To see if the Town will vote to raise and appropriate, from available funds such sums of money as may be necessary to defray the expenses of the Town for the ensuing twelve month fiscal period from July 1, 2015 through June 30, 2016, or take any other action relative thereto. **Passed see attached budget**

ARTICLE #5 To see if the Town will vote to re-appropriate and transfer any remaining balance on June 30, 2015 from Fiscal Year 2015 line item, Town Counsel Expense, to be added to the Fiscal Year 2016, Town Counsel Expense, or take any other action relative thereto. **Passed**

ARTICLE #6 To see if the Town will vote to re-appropriate and transfer any remaining balance on June 30, 2015 from Fiscal Year 2015 line item, Dam and Boat Ramp Maintenance, to be added to the Fiscal Year 2016 line item, Dam and Boat Ramp Maintenance, or take any other action relative thereto. **Passed**

ARTICLE #7 To see if the Town will vote to re-appropriate and transfer any remaining balance on June 30, 2015 from Fiscal Year 2015 line item, Brush Dump Services, to be added to the Fiscal Year 2016 line item, Brush Dump Services, or take any other action relative thereto. **Passed**

ARTICLE #8 To see if the Town will vote to transfer \$106,870 from Free Cash to cover the snow and ice deficit, or take any other action relative thereto. **Passed**

ARTICLE #9 To see if the Town will vote to transfer \$20,000 from Free Cash for Roadway Tree Removal, or take any other action relative thereto. [Sponsor Finance Committee] **Passed**

ARTICLE #10 To see if the Town will vote to transfer the balance for the FY15 Tax Title Expense account in the amount of \$ 20,000.00, to the FY16 Tax Title Expense account, or take any other action relative thereto. [Sponsor - Treasurer] **Passed**

ARTICLE #11 To see if the Town will vote to transfer the balance for the FY15 Land Auction Expense line item in the amount of \$10,000.00, to the FY16 Land Auction Expense line item, or take any other action relative thereto. [Sponsor - Treasurer] **Passed**

ARTICLE #12 To see if the Town will vote to transfer the balance for the FY15 Emergency Management line item in the amount of \$500.00, to the FY16 Emergency Management line item, or take any other action relative thereto. **Passed**

ARTICLE #13 To see if the Town will vote to transfer \$38,908.00 from Capital Purchase Stabilization established pursuant to G.L. c. 40, Section 5B, to purchase a 2015 Ford Interceptor Utility SUV equipped as a police vehicle, or take any other action relative thereto. [Sponsor - Police Dept.] **60 for, 11 against Passed**

ARTICLE #14 To see if the Town will vote to borrow three hundred forty thousand dollars (\$340,000) to purchase a 2015, 3,000 gallon capacity KME-Freightliner tanker truck equipped for Fire Department use, or take any action relative thereto. [Sponsor - Fire Department] **Amended to read 2016, amendment passed. 66 for, 3 against. Passed**

ARTICLE #15 To see if the Town will vote to transfer \$141,065 from Free Cash to pay down the principal of the October 2011 Storm Loan, or take any other action relative thereto. **Passed**

ARTICLE #16 To see if the Town will vote to raise the rate for annual water testing from \$30.00 per water test to \$35.00 per water test, or take any action relative thereto. [Sponsor - Board of Health] **Tabled**

ARTICLE #17 To see if the Town will vote to raise, appropriate, borrow or transfer from available funds the sum of \$550 for a seasonal port – a – potty at Pond Bridge Road, or take any action relative thereto. [Sponsor - Board of Health] **Tabled**

ARTICLE #18 To see if the Town will vote to raise the hourly rate for the Brush Dump Supervisor from \$10/ hour to \$11.50/ hour, or take any action relative thereto. [Sponsor - Board of Health] **Tabled**

ARTICLE #19 To see if the Town will vote to raise, appropriate, borrow or transfer from available funds the sum of \$22,000 for a part time Health Agent for the Board of Health. [Sponsor - Board of Health] **Tabled**

ARTICLE #20 To see if the Town will vote to appropriate \$14,500 for the purchase and installation of 4 automatic door openers at the Community Center; or take any action relative thereto. [Petition Article - Sponsor Council on Aging] **Amended to read as follows: To see if the Town will vote to transfer from Free Cash, the sum of \$14,500 for the purchase and installation of 4 automatic door openers at the Community Center, or take any action relative thereto. Amendment passed. Article passed.**

ARTICLE #21 To see if the Town will increase to \$1000 the maximum annual amount that an individual can earn through the senior tax work off program; or take any action relative thereto. [Petition Article - Sponsor Council on Aging] **Amended to read as follows: To see if the Town will vote to increase the amount that an individual can earn in accordance with G.L. c. 59 sec 5K, through the senior tax work off program to \$1000., or take any other action relative thereto. Amendment passed. Article passed.**

ARTICLE #22 To see if the Town will vote to accept a gift of a parcel of land described on the Assessors' map as 05/B/10 containing 2.12 acres on Vinton Road for conservation purposes pursuant to G.L. c. 40, Section 8C and any other enabling provision, subject to clear and marketable title and subject to Town Counsel approval, from the Andrew A. Manickas Living Trust or take any other action relative thereto. [Sponsor - Conservation Commission] **Passed**

ARTICLE #23 To see if the Town will vote to authorize the Building Commissioner to establish a revolving fund per G.L. c. 44, § 53E1/2, to which shall be credited all building permit and inspection fees and which may be expended with the approval of the Board of Selectmen in the amounts so credited, for payment of inspections and clerical services and the other expenses of the Building Department to be limited to \$24,000.00, any balance at the end of FY 16 except amounts up to \$1,500 to revert to the General Fund, said remaining amounts to be added to a new revolving fund approved for the same purpose, or take any other action relative thereto. **Passed**

ARTICLE #24 To see if the Town will vote to authorize the Cemetery Commissioners to draw interest on the Perpetual Care Funds to be used on said lots, and also the interest on General Care Funds to be used for burials and general maintenance, or take any other action relative thereto. **Passed.**

ARTICLE #25 To see if the Town will vote to authorize the Tree Warden to bill the appropriate utility companies, or take any other action relative thereto. **Passed**

ARTICLE #26 To see if the Town will vote to authorize the Selectmen to expend as available funds Highway Chapter 90 Grant monies from Chapter 30/200 in the amount of **\$156,585.** with the approval of the State Highway Department, or take any other action relative thereto. **Passed**

ARTICLE #27 To see if the Town will vote to re-authorize revolving funds for FY16, pursuant to M.G.L. c.44, §53E1/2 of the General Laws, as amended, for the following purposes:

<u>Revolving Fund</u>	<u>Authorized to Spend</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>Spending Limit</u>	<u>Amount to Remain in Fund</u>
Cemetery Commission	Cemetery Commission	Burial Fees	Excavations, Burial Costs, Maintenance	\$5,000	0
Library Trustees	Library Trustees	Fines & Book Sale Receipts	Purchase of Books	\$600	0
Electrical Inspector	Electrical Inspector	Permit and Inspection fees	Fees and expenses of electrical insp.	\$2,000	0
Plumbing Inspector	Plumbing Inspector	Permit and Inspection fees	Fees and expenses of Plumbing insp.	\$2,000	0
Zoning Board of Appeals	Zoning Board of Appeals	All fees	Fees and operating expenses of ZBA	\$2,000	0
Fire Dept.	Fire Chief	Permits, Inspection fees, hazardous material fees	Materials and equipment for Fire prevention, public safety, education, and hazardous materials response	\$3,000	0
Animal Control Officer(s)	Animal Control Officer(s)	Fines and fees	Food, supplies, fees and expenses of the A.C.O.	\$5,000	0
Conservation Commission	Conservation Commission	Fees	Fees and operating expense of Conservation Commission	\$2,000	0
Planning Board	Planning Board	Fees	Fees and operating expense of the Planning Board	\$500.00	0
Cable Commission	Cable Commission	Fees	Fees and operating expense of Cable Commission	\$100.00	0
Board of Health	Board of Health	Permit and inspection fees	Sanitarian fees, fees for enforcing Health regulations	\$15,000	\$15,000
Community Center	Coordinator/ Board of Selectmen	Fees	Expenses	\$10,000	\$5,000

Or take any other action relative thereto. **Motion to wave reading, passed. Article passed.**

ARTICLE #28 To see if the Town will vote, in accordance with M.G.L. c.40, §4A, authorize the Board of Health to enter into an Inter Municipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Inter Municipal Mutual Aid Agreement to be entered into between the Town and various governmental units, or take any other action relative thereto. **Passed**

ARTICLE #29 To see if the Town will vote to raise and appropriate a sum of money to the General Stabilization account, in accordance with G.L. c. 40, §5B, or take any other action relative thereto. **Tabled**

ARTICLE #30 To see if the Town will vote to transfer from Free Cash a sum of money to the General Stabilization account, in accordance with G.L. c. 40, §5B, or take any other action relative thereto. **Tabled**

ARTICLE #31 To see if the Town will vote to accept to following amendment to the General Bylaws according to the recommendations of the Attorney General:

Amending General By-Law Chapter XIV Section 1 Control of Domestic Animals, General Guidelines subsection (b), by deleting the following sentence;

“The Town of Holland hereby accepts the provisions of M.G.L. c 140, § 147A, in order to enact by-laws and ordinances relative to the regulation of dogs”

Replacing it with:

“The Town of Holland hereby accepts the provisions of Section 19 of Chapter 193 of the Acts of 2012, in order to enact by-laws and ordinances relative to the Regulation of dogs”

M.G.L. c 140, §147A was repealed by Section 19 of Chapter 193 of the Acts of 2012.

Sponsor - Holland Police Dept. **Passed as written**

ARTICLE #32 To see if the Town will vote to accept the recommendations of the Attorney General’s Office to amend General By-Law [Hawker, Peddler, Solicitor, Vendor Registration and Criminal History Checks] in order to add a more specific time limit within which the licensing authority must approve or deny the application, remove the request that applicants submit a social security number and define a specific fine amount for violations of the by law, as follows:

I. General Guidelines:

b.) No person, firm, co-partnership, corporation, company, association, organization, committee or other such entity shall engage in solicitation or canvassing in or upon any public or private premises with-in the Town of Holland, without first registering with the Holland Police Department. ~~**DELETE: not less than (10) days prior to commencing such solicitation or canvassing**~~ **REPLACE WITH:** The police department shall respond to the registration request within (10) days.

c.) No person, firm, co-partnership, corporation, company, association, organization, committee or other such entity shall engage in hawking, peddling or vending in or upon any public or private premises with-in the Town of Holland, without first registering with the Board of Selectmen.

~~DELETE: not less than (10) days prior to commencing such hawking, peddling or vending.~~
REPLACE WITH: The Board of Selectmen shall respond to the registration request within (30) days.

III. Requirements/Prohibitions:

a.) Each person intending to engage in hawking, peddling, vending, soliciting or canvassing within the Town of Holland must complete and submit a registration application, (form 8.31).

~~DELETE: not less than (10) days prior to commencing such activity.~~

IV. Registration:

a.) Persons intending to engage in hawking, peddling or vending pursuant to this section shall file a registration application, (form 8.31), with the Board of Selectmen either in person or by mail.

~~DELETE: The application must be completed and received not less than (10) days prior to the commencement of the requested activity date.~~ All statements made on the application or in connection therewith shall be made under the penalties of perjury.

b.) Persons intending to engage in solicitation or canvassing pursuant to this section shall file a registration application, (form 8.31), with the police department either in person or by mail.

~~DELETE: The application must be completed and received by the police department not less than (10) days prior to the commencement of the requested activity date.~~ All statements made on the application or in connection therewith shall be made under the penalties of perjury.

c.) The application shall contain:

1. The applicants name, home address, telephone number, ~~DELETE: social security number~~ and date of birth;

VIII. Fee's and Fines:

b.) Violation by a solicitor or canvasser of any provision of this section shall be punishable by a fine of ~~DELETE: not less than~~ one hundred dollars (\$100.00) for each and every violation; however, violation of M.G.L. c. 101, s. 34, shall be punishable by a fine of not more than (\$500.00) or imprisonment of not more than six months, as provided therein.
[Sponsor – Holland Police Dept.] **Motion to wave reading, passed. Article passed**

ARTICLE #33 To see if the Town will vote to accept the recommendations of the Attorney General's Office in reference to General By-Law Chapter IX [Parking Regulations and Regulations of Traffic Signs, Signals and Devices] and accept the provisions of M.G.L c. 40, s. 22D, [Sponsor – Holland Police Dept.] **Passed**

ARTICLE #34 To see if the Town will vote to accept the recommendations of the Attorney General's Office in reference to General By-Law Chapter IX [Parking Regulations and Regulations of Traffic Signs, Signals and Devices] and accept the provisions of M.G.L c. 90, s. 20A. [Sponsor – Holland Police Dept.] **Passed**

ARTICLE # 35 To see if the Town will vote to accept The Following wording to be added to Chapter 3 CONDUCT OF MEETINGS section (f) of the general bylaws: If at any Special or Annual Town Meeting five (5) of the voters present request a secret ballot on any question, said vote shall be taken accordingly. In addition a majority of the voters present may also request that the vote on any motion shall be taken by “yes” and “no” ballot. [Sponsor - Board of Health]
Tabled

Meeting adjourned 9:20pm

And you are hereby directed to serve this warrant, by posting up attested copies thereof at five (5) conspicuous places in said town, at least seven days (7) before the time of holding said meeting.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at a said time and place meeting, as fore said.

Given under this 14th day of May in the year of our Lord Two Thousand and Fifteen.

Lynn Arnold, Chairman

Constable

Lawrence Mandell

A True Copy, Attest:

Sharon Ashleigh
Town Clerk

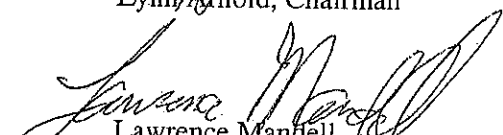
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And you are hereby directed to serve this warrant, by posting up attested copies thereof at five (5) conspicuous places in said town, at least seven days (7) before the time of holding said meeting.

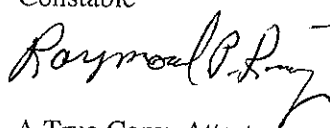
Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at a said time and place meeting, as fore said.

Given under this 14th day of May in the year of our Lord Two Thousand and Fifteen.


Lynn Arnold, Chairman


Lawrence Mantell

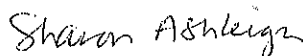
Constable


Raymond P. Roy

date
5/18/15

time
1450 hrs

A True Copy, Attest:



Sharon Ashleigh
Town Clerk