

WARRANT FOR THE ANNUAL TOWN MEETING
May 16, 2009

To the Constable of the Town of Sandisfield

Greetings:

In the name of the Commonwealth of Massachusetts, you are required to notify and warn the inhabitants of said town, qualified to vote in elections and town affairs, to meet at the Town Hall (3 Silverbrook Road) Saturday, May 16, 2009 at 10:00 am for the transaction of town business and on Monday, May 18, 2009 at 10:00 am until 8:00 pm for elections of officers.

- Article 1. To see if the Town will vote to accept the reports of the Town Officers.
- Article 2. To see if the Town will vote to raise and appropriate for the Moderator \$300 or any other sum: \$150 or any other sum for Salaries and \$150 or any other sum for Expenses.
- Article 3. To see if the Town will vote to raise and appropriate \$1,000 or any other sum for Administrative Costs for a Grant Writer.
- Article 4. To see if the Town will vote to raise and appropriate for the General Government \$29,592 or any other sum: \$23,389 or any other sum for Salaries and \$6,203 or any other sum for Expenses.
- Article 5. To see if the Town will vote to raise and appropriate \$18,176 or any other sum for the Administrative Assistant to the Board of Selectmen.
- Article 6. To see if the Town will vote to raise and appropriate \$400 or any other sum for Finance Committee Expenses.
- Article 7. To see if the Town will vote to raise and appropriate for the Board of Assessors \$46,793 or any other sum: \$37,193 or any other sum for Salaries and \$9,600 or any other sum for Expenses.
- Article 8. To see if the Town will vote to raise and appropriate \$6,900 or any other sum for the Massachusetts Department of Revenue Mandated Triennial Recertification Expense.
- Article 9. To see if the Town will vote to raise and appropriate for the Treasurer's Office \$17,850 or any other sum: \$12,100 for Salaries and \$5,750 or any other sum for Expenses.

- Article 10. To see if the Town will vote to raise and appropriate \$4,000 or any other sum for the Treasurer Tax Lien Expense.
- Article 11. To see if the Town will vote to raise and appropriate \$3,000 or any other sum for a Town Audit.
- Article 12. To see if the Town will vote to raise and appropriate for the Tax Collector \$12,569 or any other sum: \$5,464 or any other sum for Salaries and \$7,105 or any other sum for Expenses.
- Article 13. To see if the Town will vote to raise and appropriate \$1,000 or any other sum for Computer Technical Support for Town Office Computers.
- Article 14. To see if the Town will vote to raise and appropriate for the Town Clerk \$17,056 or any other sum: \$10,137 or any other sum for Salaries and \$6,919 or any other sum for Expenses.
- Article 15. To see if the Town will vote to raise and appropriate for the Conservation Commission \$2,700 or any other sum: \$1,500 or any other sum for Salaries, and \$1,200 or any other sum for Expenses.
- Article 16. To see if the Town will vote to raise and appropriate \$1.00 or any other sum for Conservation Consultation Fees.
- Article 17. To see if the Town will vote to raise and appropriate for the Planning Board \$1,100 or any other sum: \$500 or any other sum for Salaries, and \$600 or any other sum for Expenses.
- Article 18. To see if the Town will vote to raise and appropriate for the Zoning Board \$300 or any other sum: \$50 or any other sum for Salaries, and \$250 or any other sum for Expenses.
- Article 19. To see if the Town will vote to raise and appropriate for Highways & Bridges Maintenance \$179,842 or any other sum: \$107,342 or any other sum for Salaries, and \$72,500 or any other sum for Expenses and Equipment.
- Article 20. To see if the Town will vote to raise and appropriate for Snow and Ice Removal \$263,973 or any other sum: \$101,079 or any other sum for Salaries, and \$162,894 or any other sum For Expenses and Equipment.
- Article 21. To see if the Town will vote to raise and appropriate for Machinery Maintenance \$60,426 any other sum: \$6,426 or any other sum for Salaries, and \$54,000 or any other sum for Expenses and Equipment.

- Article 22. To see if the Town will vote to raise and appropriate for the Tree Account \$4,000 or any other sum for Expenses.
- Article 23. To see if the Town will vote to accept any monies for Chapter 90 that have been approved by the Mass Highway Department for projects approved by the Mass Highway Department.
- Article 24. To see if the Town will vote to raise and appropriate \$1,037,128 or any other sum for School Operations.
- Article 25. To see if the Town will vote to raise and appropriate for the School Committee \$1,300 or any other sum for Salaries.
- Article 26. To see if the Town will vote to raise and appropriate \$66,572 or any other sum for Debt Service on the School Building Bonds.
- Article 27. To see if the Town will vote to appropriate for the Library Account \$11,725 or any other sum: \$9,125 or any other sum for Salaries and \$2,600 or any other sum for Expenses; and to meet that appropriation raise \$8,583.06, transfer \$1,000 from the revolving Dog Licensing Fees, transfer \$1,875 from State Aid to Libraries, transfer \$231 from Municipal Equalization Grant to Libraries, and transfer \$35.94 from the Non-Resident Grant to Libraries.
- Article 28. To see if the Town will vote to raise and appropriate \$3,586 or any other sum for the Veteran's Service District.
- Article 29. To see if the Town will vote to raise and appropriate \$20,000 or any other sum for Veterans' Benefits.
- Article 30. To see if the Town will vote to raise and appropriate \$1 or any other sum for Veteran's Death Benefits.
- Article 31. To see if the Town will vote to raise and appropriate \$10,752 or any other sum for the Custodian of Town Buildings Salary.
- Article 32. To see if the Town will vote to raise and appropriate for Mowing and Maintenance of town properties and cemeteries \$11,000 or any other sum: \$1,000 or any other sum for Salaries and \$10,000 or any other sum for Expenses and Equipment.
- Article 33. To see if the Town will vote to raise and appropriate for the Protection of Persons and Property \$45,182 or any other sum: \$29,053 or any other sum for Salaries and \$16,129 or any other sum for Expenses.

- Article 34. To see if the Town will vote to raise and appropriate for the Berkshire County Sheriffs' Communication Center \$7,265 or any other sum for Expenses.
- Article 35. To see if the Town will vote to authorize the Board of Selectmen or it's authorized designee to apply for and accept the COPS Hiring Recovery Program Grant which provides funding for a full time Police Officer for the first three years, and commits the Town to fund the fourth year; or take any other action in relation thereto. A copy of the COPS Hiring Recovery Program Grant is available for review at the Town Clerk's office.
- Article 36. To see if the Town will vote to raise and appropriate for the Fire Department and Ambulance Maintenance \$34,751 or any other sum: \$7,107 or any other sum for Salaries and \$27,644 or any other sum for Expenses.
- Article 37. To see if the Town will vote to raise and appropriate \$5,000 or any other sum for Fire Department Computer Training.
- Article 38. To see if the Town will vote to raise and appropriate \$500 or any other sum for Forest Fire Salaries.
- Article 39. To see if the Town will vote to raise and appropriate \$15,014 or any other sum for New Equipment for Fire Department and Ambulance Expenses.
- Article 40. To see if the Town will vote to raise and appropriate for Training of Fire Department and Ambulance Members \$3,419 or any other sum for Expenses.
- Article 41. To See if the Town will vote to raise and appropriate \$2,000 or any other sum for Route 8 Fire House Rental Expenses.
- Article 42. To see if the Town will vote to raise and appropriate \$3,000 or any other sum for Route 57 Fire House Rental Expenses.
- Article 43. To see if the Town will vote to raise and appropriate \$3,000 or any other sum for Ambulance Billing Fee Expenses.
- Article 44. To see if the Town will vote to raise and appropriate \$5,000 or any other sum for ALSS Paramedic Intercept Expenses.
- Article 45. To see if the Town will vote to raise and appropriate \$3,500 or any other sum for Street Light Expenses.
- Article 46. To see if the Town will vote to raise and appropriate for the Building Inspector \$2,149 or any other sum.

Owners or keepers of unlicensed dogs as of June 1st of each license year, shall be subject to a fine of \$25 per dog. Owners or keepers of dogs whom have failed to vaccinate against rabies shall be subject to a fine of \$50 per dog. By order of Board of Selectmen, dogs shall be restrained from running at large. The penalty for each violation of not restraining the dog/s shall be a fine of \$25 per dog. The penalty shall be separate from and in addition to any penalties or remedies at law provided under the Massachusetts General Laws.

Or take any other action in relation thereto.

- Article 67. To see if the Town will vote to accept General Laws Chapter 40, Section 57, allowing the Town to adopt a bylaw to deny, revoke, or suspend local licenses for failure to pay municipal taxes or charges; or take any other action in relation thereto.
- Article 68. To see if the Town will vote to amend the Town of Sandisfield Bylaws by adding Section 13, entitled “Local Licenses and Permits; Denial, Revocation or Suspension for Failure to Pay Municipal Taxes or Charges.” under Chapter VIII, Miscellaneous Provisions, pursuant to General Laws Chapter 40, Section 57, to read as follows:
- (a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, thereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
 - (b) The licensing authority may deny, revoke or suspend any licensing or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is

given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this bylaw shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- (c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- (d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A of the Massachusetts General Laws in the business or activity conducted in or on said property.
- (e) This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eight-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one, marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eight-one of chapter one hundred and forty.

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This notice is to inform buyers or occupants that the property they are about to buy or occupy lies within a town where farming activities occurs. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town of Sandisfield may be affected by commercial agricultural operations”

Section 6 Resolution of Disputes

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Agricultural Commission. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame. The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 7 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Sandisfield hereby declares the provisions of this By-law to be severable.

Or take any other action in relation thereto.

