

T O W N W A R R A N T

Commonwealth of Massachusetts

FRANKLIN, ss.

To the Constable of the Town of New Salem in the County of Franklin.

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the Town Hall in said Town on **Tuesday June 19, 2018 at 7:00 pm**, then and there to act on the following articles:

ARTICLE 1: To hear the reports of Town Officers and Committees or take any action in relation thereto.

ARTICLE 2: To see if the Town will fix the salaries of all elected officials for the ensuing year as follows, or take any action in relation thereto.

Office	FY 2018	FY 2019
Selectboard (3 members)	\$5021	\$5122
Town Clerk	\$7143	\$7286
Assessors (3 members)	\$4808	\$4905
School Committee (5 members)	\$6723	\$6858
Constable	\$ 224	\$ 229
Moderator	\$ 127	\$ 130
Board of Health (3 members)	\$3985	\$4065

ARTICLE 3: To see if the Town will vote to authorize the Town Treasurer, with approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2018 in accordance with the provisions of the General Laws Chapter 44, Section 4; and to issue a note or notes therefor, payable within one year; and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws Chapter 44, Section 17, or take any action in relation thereto.

ARTICLE 4: To Review, Discuss, Debate and Vote upon the Annual Appropriations in Support of the Town's Operation for FY 2019—July 1, 2018 to June 30, 2019, or take any action in relation thereto. The proposed Annual Appropriations are as follows:

Desc.	Request
Town Meeting – Article 4	
Non-School	
General Government	
Selectboard	\$8,958

Town Coordinator		\$25,823
Finance Committee		\$600
Accountant		\$22,557
Assessors		\$25,478
Treasurer		\$24,549
Tax Collector		\$18,807
Legal Expenses		\$10,000
Personnel Board		\$380
Constable		\$229
Town Clerk		\$9,537
Election, Registration, Moderator		\$9,416
Copier Maintenance		\$500
School Committee		\$6,858
Council on Aging		\$600
Cell Phone and Air Cards		\$7,600
Certified Comp.-Treasurer and Collector		\$2,000
Certified Comp.-Assessor's Clerk		\$500
Short Term Borrowing		\$5,000
Franklin County Assessment FRCOG		\$9,027
Landfill Monitoring		\$5,200
General Government Subtotal		\$193,619
General Highway		
Highway	Salaries	\$175,000
Highway	Expenses	\$67,750
General Highway Subtotal		\$242,750
Insurance		
General Insurance		\$41,000
Group Life & Health Insurance		\$59,046
Insurance Subtotal		\$100,046
Miscellaneous		
Reserve Fund		\$10,500
Town Reports		\$1,600
Franklin County Retirement Assessment		\$42,017
Payroll Taxes		\$7,750
Stabilization Fund		\$50,000
Capital Stabilization Fund		\$50,000
Unemployment Acct		\$6,000
Miscellaneous Subtotal		\$167,867
Miscellaneous Boards		
Conservation Comm		\$528
Planning Board		\$1,875
Zoning Board of Appeals		\$300
Lawn & Cemetery Maintenance		\$11,086
Veterans Services		\$1,778
Veterans Benefits		\$9,500

Library	Salaries	\$37,349
Library	Expenses	\$22,522
Library Bldg. Maint.		\$1,500
Recreation Comm		\$560
Historical Comm		\$702
Memorial Day Cmte		\$540
Old Home Day		\$1,350
Technology Fund		\$5,500
Energy Committee		\$100
Miscellaneous Boards subtotal		\$95,190
Property Maintenance		
Purch/Repair Equipment		\$3,500
Town Bldg Repairs & Maint		\$23,706
Property Maintenance subtotal		\$27,206
Public Safety		
Police Dept	Salaries	\$77,771
Police Dept	Expenses	\$34,990
Fire Dept	Salaries	\$49,044
Fire Dept	Expenses	\$46,290
Reverse 911 (Connect CTY)		\$1,173
FD & PD Comm Equipment Maint		\$2,593
Ambulance Service		\$28,814
Emergency Management		\$2,177
Animal Control		\$3,560
Franklin County Solid Waste District		\$3,225
Animal Inspector		\$339
Board of Health	Salaries	\$18,539
Board of Health	Expenses	\$56,133
Building Inspector		\$8,780
Public Safety subtotal		\$333,428
Non-School subtotal		\$1,160,106
Schools		
Swift River School		\$876,342
Swift River Transportation		\$177,438
Mahar Regional School		\$667,722
Mahar-Voc. Tuition & transp.		\$30,000
Franklin Cty Tech School		\$41,091
Schools subtotal		\$1,792,593
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Subtotal for Article 4 -----		\$2,952,699

ARTICLE 5: To see if the Town will vote to authorize the Town Treasurer to enter into Compensating Balance Agreements during the fiscal year beginning July 1, 2018, as permitted by General Laws Chapter 44, Section 53F, or take any action in relation thereto.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,000 for the Assessor's revaluation expense, or take any action in relation thereto.

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,500 for the Professional Services fund, or take any action in relation thereto.

ARTICLE 8: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,000 for the Town's Independent Audit expense, or take any action in relation thereto.

ARTICLE 9: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,500 to pay the salary of the Municipal Light Plant Manager, or take any action in relation thereto.

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$22,585 for which the voters of New Salem have approved a Proposition 2 ½ debt exclusion, for the FY19 Mahar construction/reconstruction project payment, or take any action in relation thereto.

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,825 for the FY19 Franklin County Tech School debt payment, or take any action in relation thereto.

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$50,000 to be used by the Highway Department for expenses related to snow removal and winter road maintenance, or take any action in relation thereto.

ARTICLE 13: To see if the Town will vote to transfer the sum of \$18,848 from Free Cash to the FY18 Snow/Ice Account to cover additional costs associated with snow and ice removal in FY18, or take any action in relation thereto.

ARTICLE 14: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,496 for Cost of Living Adjustments/pay increases for non-elected employees, or take any action in relation thereto.

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$12,881 for which the voters of New Salem have approved a Proposition 2 ½ debt exclusion, for the Library construction project loan payment, or take any action in relation thereto.

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,500 for the Town's OPEB Actuarial Expenses, or take any action in relation thereto.

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000 for the Town's OPEB Liability Trust, or take any action in relation thereto.

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,000 to cover costs of membership in Wired West, or take any action in relation thereto.

ARTICLE 19: To see if the Town will vote to raise & appropriate the sum of \$5,000 to be used for Fire Department Turnout Gear, or take any action in relation thereto.

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$750 to be used by the Highway Department for expenses related to Hoisters Licensing and mandated CDL medical exams, or take any action in relation thereto.

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,500, for which the voters of New Salem have approved a Proposition 2 ½ debt exclusion, for the FY2019 loan payment on the Fire Truck, or take any action in relation thereto.

ARTICLE 22: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,500 to pay for repairs to the siding and roof on the Library building, or take any action in relation thereto.

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,750 to pay for repairs to the floor of the Library building, or take any action in relation thereto.

ARTICLE 24: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000 to pay for a new copier for the Library, or take any action in relation thereto.

ARTICLE 25: To see if the Town will vote to transfer from the Vehicle Stabilization Account the sum of \$11,801 for short term borrowing costs for Police Department Cruiser, or take any action in relation thereto.

ARTICLE 26: To see if the Town will vote to transfer the sum of \$46,586 from the Vehicle Stabilization fund to pay for a new Police Department Cruiser, or take any action in relation thereto.

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$37,749, for which the voters of New Salem have approved a Proposition 2 ½ debt exclusion, for the FY2019 loan payment on the roof/boiler project and hazardous material remediation at Swift River School, or take any action in relation thereto.

ARTICLE 28: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$27,003 for the Highway Barn loan payment, or take any action in relation thereto.

ARTICLE 29: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$16,000 to cover New Salem's portion of Swift River School Capital Expense request, or take any action in relation thereto.

ARTICLE 30: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$50,000 for the Vehicle Replacement Stabilization Fund, or take any action in relation thereto.

ARTICLE 31: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000 for Town Tree Maintenance/Removal/Replanting Fund, or take any action in relation thereto.

ARTICLE 32: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000 for the Tree Warden Expense Fund, or take any action in relation thereto.

ARTICLE 33: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,863 to replace Police Department pistols, or take any action in relation thereto.

ARTICLE 34: To see if the Town will vote to apply for, accept and expend any Federal, State or private grant monies on behalf of the Town (such as Library Aid, Cultural Council, Incentive Aid, Community Development Fund, Green Communities Grants, Public Safety Grants, Foundations, etc.), or take any action in relation thereto.

ARTICLE 35: To see if the Town will vote to authorize the Selectboard to declare certain items as surplus, and to trade in or sell surplus equipment, or take any action in relation thereto.

ARTICLE 36: To see if the Town will vote, pursuant to Chapter 164, Section 134 of the Massachusetts General Laws, to grant the Selectboard the authority to research, develop, and participate in a contract, or contracts, to aggregate the electricity load of residential and business electricity within the Town, independently, or in joint action with other municipalities, retaining the right of the individual residents and businesses to opt-out of the aggregation, or take any other action relative thereto.

ARTICLE 37: To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 11C, **Temporary Moratorium on Recreational Marijuana Establishments**, that would provide as follows, and further, to amend the Table of Contents to add "Section 11C: Temporary Moratorium on Recreational Marijuana Establishments":

1. Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently, a non-medical marijuana establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, section 1, is not specifically addressed in the Town's Zoning Bylaw. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study these issues. The Town also needs time to review the regulations to be published by the Cannabis Control Commission, which may provide guidance on the Town's options for local regulation and zoning of Recreational Marijuana Establishments. The Town intends to adopt this temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to study and address the potential effects of such uses in the Town and to undertake a planning process to consider amending the Zoning Bylaw in regards to regulation of Recreational Marijuana Establishments.

2. **Definition**

"Recreational Marijuana Establishment" shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of licensed non-medical marijuana-related business.

3. **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 a Recreational Marijuana Establishment or for other uses related to recreational marijuana. The moratorium shall be in effect through December 31st, 2018 or until the date when the Town adopts a Zoning Bylaw amendment that regulates Recreational Marijuana Establishments, whichever occurs earlier.

Or take any action relative thereto.

ARTICLE 38: To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 5B(4), **DETACHED ACCESSORY APARTMENT/DWELLING**, that would provide as follows, and further, to amend the Table of Contents to add "Section 5B(4): Detached Accessory Apartment/Dwelling, or take any action relative thereto.

A Special Permit may be granted for a Detached Accessory Apartment/Dwelling by the standard Special Permit procedure in this Zoning By-law with the following additional requirements:

1. **PURPOSE**

The purpose of this Detached Accessory Apartment/Dwelling section is to allow for alternative housing choices while preserving the existing, single family residential character of the Town.

2. **APPLICATION**

In addition to the standard application for a Special Permit under this Zoning By-law, the application for a Detached Accessory Apartment/Dwelling Special Permit shall include:

- a. A plot plan, showing the location of the house, the proposed detached accessory apartment/dwelling, the sewage treatment system, the water supply well, the parking spaces and the egress from the apartment/dwelling.
- b. Elevation drawings sufficient to show the appearance of the building in which the apartment/dwelling will be located from all sides.
- c. A notarized certification by the owner that one of the two dwelling units shall be occupied by an owner of the building. (See e in CONDITIONS below.)
- d. A written statement from the New Salem Board of Health that the proposed Detached

Accessory Apartment/Dwelling can be created in accordance with applicable state and local public health regulations regarding occupancy, water supply and sewage treatment.

3. GENERAL CONDITIONS

The following general conditions shall apply to Special Permits for Detached Accessory Apartments. The Planning Board may waive any of the requirements herein to the extent that they interfere with necessary accommodations for disabled persons. The Planning Board may also attach other specific conditions to a Special Permit.

- a. The detached accessory apartment/dwelling will be a separate housekeeping unit that functions as a separate unit from the single-family dwelling and has its own means of egress.
- b. Only one Detached Accessory Apartment may exist on a single-family house lot.
- c. A newly constructed Detached Accessory Apartment/Dwelling shall not exceed a footprint of 400 square feet, or total gross floor area of 600 square feet, including loft areas, and may not exceed a height of one and one half (1 & 1/2) stories.
- d. A Detached Accessory Apartment/Dwelling constructed within a pre-existing outbuilding, built prior to January 1st, 2018, shall not exceed 35% of the gross floor area of the entire structure, or 700 square feet, whichever is greater.
- e. An owner of the property on which the Detached Accessory Apartment/Dwelling is located shall occupy at least one of the dwelling units. The owner must occupy one of the structures full-time for a minimum of 18 months during every 24-month period. When no owner is present, the unit that the owner ordinarily occupies shall not be rented.
- f. The Detached Accessory Apartment/Dwelling shall be designed so that the appearance of the building remains in character to that of the single-family residence.
- g. The Detached Accessory Apartment/Dwelling shall clearly be subordinate to the single-family dwelling. Any construction to create a Detached Accessory Apartment shall not increase the gross floor area of an existing building by more than 20%.
- h. There must be adequate off-street parking for the Detached Accessory Apartment/Dwelling.
- i. The construction of any Detached Accessory Apartment/Dwelling must be in conformity with State Building Code requirements.
- j. The existing sewage treatment system must be adequate to serve the proposed alteration in accordance with the requirements of Title 5 of the State Environmental Code, 310 CMR 15.000 and amendments thereto, and the regulations of the New Salem Board of Health.
- k. A Detached Accessory Apartment/Dwelling shall be subject to the same setback requirements as a principal building.
- l. New owners of buildings with existing Detached Accessory Apartments/Dwellings who wish

to continue such use shall, within 30 days of purchase, submit a notarized certification to the Building Inspector that they have read and understand the provisions of this section and that they are in conformance with it.

ARTICLE 39: To see if the Town will vote to rescind the provisions of Section 12 of Chapter 394 of the acts of 2006, as adopted in Article 35 of the New Salem Annual Town Meeting of June 2008, rescinding the classification of Chapter 61 forestry land as open space, or take any action thereon.

ARTICLE 40: To see if the Town will vote to rescind the provisions of Section 20 of Chapter 394 of the acts of 2006, as adopted in Article 36 of the New Salem Annual Town Meeting of June 2008, rescinding the classification of Chapter 61 agricultural land as open space, or take any action thereon.

ARTICLE 41: To see if the Town will vote to rescind the provisions of Section 40 of Chapter 394 of the acts of 2006, as adopted in Article 37 of the New Salem Annual Town Meeting of June 2008, rescinding the classification of Chapter 61 recreational land as open space, or take any action thereon.

ARTICLE 42: To see if the Town will vote to adopt the following resolution or take any action thereon:

Resolution in Support of Changing the State Flag and Seal of Massachusetts



Whereas the history of the State of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winters on their land;

Whereas members of the Native Nation for whom the State of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, in April of 1623, barely two years after the Pilgrims arrived on their shores;

Whereas the naked Colonial broadsword brandished above the head of the Native man on the Massachusetts State Flag and Seal is copied from Myles Standish's own broadsword, borrowed from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomet, known to the English as King Philip, who was among the Wampanoag leaders who resorted to a mutually destructive war in 1675-76 in defense of Native lands against Euro-Colonial encroachment;

Whereas the proportions of the body of the Native man in the Flag and Seal were taken from a Native skeleton kept in Winthrop, the bow modeled after a bow taken from a Native man shot and killed by a colonist in Sudbury in 1665, and his features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a “fine specimen of an Indian,” though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called “praying Indians” on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in 1675, their subsequent enslavement in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Native men, women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Native adult males by 1722, half that amount for Native women and children;

Whereas Native Nations within the boundaries of Massachusetts were kept in a state of serfdom, and their members legally considered incompetent wards of the state until the nonviolent action of the so-called Mashpee Rebellion of 1833 led to the granting of Native self rule by the Massachusetts legislature in 1834, as if the sovereign right of Native self-government was the Massachusetts legislature's to confer;

Whereas Native Americans were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that law was finally repealed;

Whereas the 400th anniversary of the landing of the Euro-Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate policies of cultural destruction against Native Nations of this continent, is approaching in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to a new awareness of a better relationship between the descendants of the Euro-Colonial immigrants and the Native Nations of these shores;

And whereas Native Americans have long suffered the many abuses of racism, the appropriation of their symbols for public schools and sports teams, the diminution and pollution of their ancestral lands and the encroachment of their cultural lifeways;

Therefore we, the voters of the Town of New Salem, support the bill introduced by State Representative Byron Rushing, (D-Suffolk) H-1707 calling for an investigation by a special commission, including members of the legislature and representatives of Native Nations of Massachusetts, to recommend changes to the State Flag and Seal of the Commonwealth.

Be it further resolved that within five days of the dissolution of this town meeting, the town clerk shall forward copies of this resolution to Representative Susannah Whipps, to the Senator elected to replace Stanley Rosenberg, to the chairpersons and members of the Massachusetts House Ways and Means Committee, to which H-1707 was reported with an “ought to pass” recommendation by the House Rules Committee on February 22nd, 2018, and to Executive Director Geoffrey Beckwith of the Massachusetts Municipal Association.

And you are directed to serve this Warrant by posting up attested copies thereof at the New Salem Old Library (Town Hall Annex), North New Salem Church, Town Notice Board at Hagerville, Town Notice Board at Freeman Road, New Salem Transfer Station and New Salem Post Office, 7 days at least prior to 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 the time and place of meeting, as aforesaid.

Given under our hands **this** _____ **day of May** in the year of our Lord two thousand and eighteen.

_____ { **SELECTBOARD**

_____ { **OF**

_____ { **NEW SALEM**

A true copy. Attest: _____, Constable