

**The Commonwealth of Massachusetts**

**HAMPSHIRE, SS.**

**To either of the Constables of the Town of Chesterfield in the County of Hampshire,**

**GREETING.**

**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 Town affairs, to meet at the New Hingham School located at 30 Smith Road in said Chesterfield on the 15<sup>th</sup> day of May next, at 9:00 o'clock in the morning, then and there to act on the following articles:**

**In the case of inclement weather, the alternative date will be the 22<sup>nd</sup> day of May next, at 9:00 o'clock in the morning.**

**ARTICLES RELATING TO FISCAL 2021**

**ARTICLE 1:** To see if the Town will vote to transfer the sum of \$11,296.51 from Free Cash now in the Treasury to account 001-423-5700-0000 - Highway Winter Expenses; or take any other action relative thereto.

***Select Board Note: This amount covers emergency winter spending over the budgeted amount (salt, sand, gravel, etc.).***

**ARTICLE 2:** To see if the Town will vote to transfer the sum of \$5,200 from Free Cash now in the Treasury to contract for the replacement of the Town website; or take any other action relative thereto.

***Select Board Note: The Town's current website has many issues and the platform is outdated. It was recommended by our IT consultant to replace it with a new website. The funding includes \$4,000 for the creation of a new website and \$1,200 for its associated annual fee.***

**ARTICLE 3:** To see if the Town will vote to authorize the Select Board to execute and record a Declaration of Ownership on behalf of the Town of Chesterfield relative to the ownership of the Ireland Street Cemetery, immediately south of 309 Ireland Street, located on the parcel of land identified as Map 35 Parcel 3 of the Assessors map for the Town of Chesterfield, in substantially the form provided to Town Meeting and placed on file with the Town Clerk, for the purpose of establishing record title to such land for cemetery purposes and thereby qualify for grant funding to repair and maintain Ireland Street Cemetery for the education and enjoyment of the community, and further to authorize the Select Board to execute documents, enter into agreements, and take any and all actions as may be required to effectuate the vote taken hereunder and accept such grant, or take any other action relative thereto.

***Select Board Note: The MA Historical Commission (MHC) is requiring the Declaration of Ownership as part of receiving a \$12,500 MPPF matching grant award for reconstruction of the historic stone walls in the old section of the Ireland Street Cemetery.***

## **ARTICLES RELATING TO FISCAL 2022**

**ARTICLE 4:** To see if the Town will vote to adopt the Capital Improvement Program recommended by the Capital Improvement Planning Committee; or take any other action relative thereto.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate the sum of \$60,000, in accordance with the Capital Improvement Program attached herewith, for the School Building Maintenance Stabilization Fund; or take any other action relative thereto.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate the sum of \$170,000, in accordance with the Capital Improvement Program attached herewith, for the Capital Projects Stabilization Fund; or take any other action relative thereto.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate the sum of \$5,000 for the OPEB (Other Post-Employment Benefits) Liability Trust Fund; or take any other action relative thereto.

**ARTICLE 8:** To see if the Town will vote to authorize the Treasurer with the approval of the Select Board to borrow a sum of \$60,000 for a period of ten years or less, in accordance with the Capital Improvement Program attached herewith, to fund the purchase of a mower attachment for the Highway Department and to authorize the Treasurer to issue bonds and notes therefore, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

***Select Board Note: This requires a 2/3's vote to pass. The mower will attach to the Highway Department loader and will be shared with the Town of Worthington. The total cost of the mower attachment is \$120,000.***

**ARTICLE 9:** To see if the Town will vote to fix the salaries and hourly rates of all compensated elected officers of the Town for Fiscal 2022, as provided in Section 108 of Chapter 41 of the Massachusetts General Laws, as amended; or take any other action relative thereto.

**ARTICLE 10:** To see if the Town will vote to raise and appropriate or transfer from available funds now in the Treasury a sum of money for the Fiscal 2022 budget for Town General Fund expenditures; or take any other action relative thereto.

**ARTICLE 11:** To see if the Town will vote, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws to establish the following limitations on expenditures from the Revolving Funds established by Article 17 of the Town of Chesterfield General By-laws, entitled, “Departmental Revolving Funds”; or take any other action relative thereto.

<b>Revolving Account</b>	<b>Fiscal Year 2022 Expenditure Limit</b>
Board of Health (BOH)	\$3,000, but in no event may it exceed the current balance
Planning Board	\$5,000, but in no event may it exceed the current balance
Zoning Board of Appeals	\$3,000, but in no event may it exceed the current balance
Dog Control Revolving Fund	\$3,000, but in no event may it exceed the current balance
Wetlands Protection	\$3,000, but in no event may it exceed the current balance

**ARTICLE 12:** To see if the Town will vote to accept the provisions of Chapter 44, § 53F1/2 of the Massachusetts General Laws and to establish Broadband Network Operations as an enterprise fund for fiscal year 2022 effective July 1, 2021; or take any other action relative thereto.

*Select Board Note: An Enterprise Fund is recommended for MLP accounting methodology by the MA Department of Revenue and supported by the MA Division of Local Services.*

**ARTICLE 13:** To see if the Town will vote to approve the Broadband Network Operations Enterprise Fund budget for Fiscal Year 2022; or take any other action relative thereto.

*Select Board Note: An Enterprise Fund is required to have its budget approved at the Annual Town Meeting. The MLP’s Broadband Network Operational Budget is included in the Finance Committee’s line item budget, which can be seen in the Report and Recommendations of the Finance Committee booklet.*

**ARTICLE 14:** To see if the Town will vote, pursuant to M.G.L. c. 164, to appoint a Municipal Light Plant Board consisting of five citizens of the Town, each for a term of three years. Of the five-member board, one member shall be appointed from the Finance Committee, one from the Select Board, one should have technical expertise, and two shall be members at-large. Pursuant to the provisions of the Massachusetts General Laws, of the five-member board, initially one shall be appointed for one year, two for two years, and two for three years, and thereafter the terms shall be for three years. The Municipal Light Plant Board shall have the authority to operate the Municipal Light Plant in accordance with the vote of the Town and to maintain and operate the same; or take any other action relative thereto.

*Select Board Note: Currently, the Select Board is acting as the MLP Board.*

**ARTICLE 15:** To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, eminent domain, or otherwise, upon such terms and conditions and for such consideration as the Select Board deems appropriate, easements or other interests in land adjoining Sugar Hill Road Extension in the locations more or less depicted as “Taking 1” and “Taking 2” on the plan entitled: “Proposed Layout of Sugar Hill Road Extension Prepared for Town of Chesterfield, Mass.,” dated August 1, 2020, prepared by Holmberg & Howe, Land Surveyors, a copy of which has been placed on file with the Town Clerk, for telecommunications purposes, and to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said acquisition; and, further, to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for the purpose of providing for such acquisition and paying all costs and expenses associated therewith; or take any other action relative thereto.

**Select Board Note:** *The easement is for the new utility poles that were needed to construct the Town's broadband network along Sugar Hill Road and Damon Pond Road. The property owner, Ms. Judy Terry, has already signed an agreement with the Town approving of her donating the easement to the Town.*

**ARTICLE 16:** To see if the Town will vote to transfer the sum of \$69,110 from Free Cash now in the Treasury to repair the Edwards Museum using historically appropriate materials; or take any other action relative thereto.

**Select Board Note:** *This article will fund the following repairs using material types similar to existing material: Replace rotted building sills & porch sills, replace 3 collar ties, repair and replace wood siding, install weather barrier, repair soffits, paint exterior of building, repair/putty old existing windows, repair/replace and paint wood shutters, repair porch, replace roof (remove shingles, install plywood and new shingles), remove shrubs and regrade area to improve drainage and keep water away from the Museum, add a walkway and reseed the area.*

**ARTICLE 17:** To see if the Town will vote to transfer the sum of \$60,605 from Free Cash now in the Treasury to repair the Edwards Museum using materials that will result in lower-maintenance; or take any other action relative thereto.

**Select Board Note:** *This article will fund the following repairs using some lower-maintenance materials for siding and windows: Replace rotted building sills & porch sills, replace 3 collar ties, exterior wood siding to be replaced with vinyl siding, and all soffits will be repaired and covered with aluminum, replace existing windows with vinyl windows, replace shutters with vinyl shutters, repair porch, replace roof (remove shingles, install plywood and new shingles), remove shrubs and regrade area to improve drainage and keep water away from the Museum, add a walkway and reseed the area.*

**ARTICLE 18:** To see if the Town will vote to transfer the sum of \$46,110 from available funds now in the Treasury for repair of the Edwards Museum as follows: sill repair, painted cedar siding, repair and painting of existing shutters, and window restoration; or take any other action relative thereto.

**Note:** *This is a petition article submitted by Eileen McGowan and Dee Cinner.*

**Petitioners' Note:** *These funds include: 1. Carpentry Repair (\$31,800), sills, cedar siding, painting, shutter repair and painting, disposal of lead contaminated waste, and prevailing wage. 2. Window restoration (\$8,295) 3. 15% contingency (\$6,015) – (unable to determine condition of upper and lower joists).*

**Select Board Note:** *The repairs listed in this article are addressed in ARTICLE 16 but do not include replacing the roof or addressing drainage issues*

**ARTICLE 19:** To see if the Town will vote to accept MGL Chapter 114 Sections 22 through 26 as follows; or take any other action relative thereto.

Section 22

A town which accepts this and the four following sections or has accepted corresponding provisions of earlier laws may, at any town meeting elect by ballot a board of cemetery commissioners consisting of three persons. If such a board is first chosen at a meeting other than an annual town meeting, one member for one year from the day following that fixed for the last preceding annual town meeting, one member for two years and one member for three years from said day, and annually thereafter one member shall at the annual town meeting be elected by ballot for term of three years. Such boards shall choose a chairman, and a clerk who may be a member of the board.

### Section 23

Said board shall have the sole care, superintendence and management of all public burial grounds in its town, may lay out any existing public burial grounds in its town or any land purchased and set apart by said town for such cemeteries in lots or thither suitable subdivisions with proper paths and avenues, may plant, embellish, ornament and fence the same and erect therein such suitable edifices and conveniences and make such improvements as it considers convenient; and, subject to the approval of the town, may make such regulations consistent with law as it deems expedient.

### Section 24

Said board may buy deed made and executed in such manner and form as it may prescribe, convey to any person the sole and exclusive right of burial in any lot in such cemeteries and of erecting tombs, cenotaphs and other monuments or structures thereon upon such terms and conditions as its regulations prescribe. Such deeds and all subsequent deeds of such lots made by owners thereof shall be recorded in the office of the city or town clerk in books kept for that purposed upon the payment of the fee provided by clause (78) section thirty-four of chapter two hundred and sixty-two, and said records shall be open to the public at all reasonable times.

### Section 25

A town in which cemetery commissioners are chosen may receive gifts or bequests for maintaining cemeteries or cemetery lots, which shall be paid into the town treasury and with the accounts thereof, shall be kept separate from the other money and accounts of said town. The town treasurer shall invest all such funds in accordance with the stipulations, if any, accompanying them, otherwise he shall invest them as ordered by said commissioners and pay the income therefrom upon their order or with their approval. The proceeds of sales of lots or rights to burial in such cemeteries shall be paid into the town treasury and be appropriated to reimburse the town for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery.

### Section 26

Said board shall not incur debts or liabilities for purposes other than aforesaid nor to an amount exceeding the amount of the funds subject to their order, and it shall annually make a written report to said town of its official acts, of the condition of such cemeteries, and render an account of its receipts and expenditures for the same and of the funds subject to its order.

*Note: This is a petition article submitted by Eileen McGowan and Dee Cinner.*

*Select Board Note: Article 4 of the Chesterfield General Bylaws states:*

*The Select Board shall appoint a Cemetery Commission of three members, for overlapping three-year terms, as provided by sections 21 – 23 of the M.G.L. Chapter 41;*

**ARTICLE 20:** To see if the Town will vote to authorize the Board of Cemetery Commissioners to establish rules and regulations for the cemeteries as it deems expedient; or take any other action relative thereto.

*Note: This is a petition article submitted by Eileen McGowan and Dee Cinner.*

*Select Board Note: Article 5, Section 6 of the Chesterfield General Bylaws states:*

*The Select Board shall have the authority to establish rules and regulations for town-owned cemeteries.*

*(This Bylaw was voted by the Town in 1975. The Select Board reviews and updates the Cemetery rules and regulations in consultation with the Cemetery Commission.)*

**ARTICLE 21:** To see if the Town will vote to amend the zoning by-law 4.2 Wireless Communications Overlay District Section 4.261 b. No wireless communications facility shall be located within 200 feet of an existing

residential building or within 750 feet of the district designated as a Town Center (TC) on the Chesterfield Zoning Map.

The proposed amendment would add this phrase to the end of the sentence: or within 750 feet of the district designated as Chesterfield Center Historic District by the National Park Service.

The amended by-law reads:

No wireless communications facility shall be located within 200 feet of an existing residential building or within 750 feet of the district designated as a Town Center (TC) on the Chesterfield Zoning Map or within 750 feet of the district designated as Chesterfield Center Historic District by the National Park Service; or take any other action relative thereto.

*Note: This is a petition article submitted by the Historical Commission.*

**Planning Board Note:** *This requires a 2/3's vote to pass. The Planning Board has voted to make a motion to table this article until more research about its impact can be completed.*

**ARTICLE 22:** To take up any other matter which may legally be brought before this meeting.

**And you are hereby directed to serve this Warrant, by posting up attested copies thereof at the Chesterfield Post Office and the Town Office Building in said Town, seven days at least 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 the time and place of meeting, as aforesaid.**

**Given under our hands this 26th of April in the year of our Lord two thousand twenty-one.**

\_\_\_\_\_ **Roger A. Fuller, Chair**

\_\_\_\_\_ **Patricia G. Colson-Montgomery**

\_\_\_\_\_ **Donald A. Willard**

**Select Board of Chesterfield**

**A true copy. Attest:**

\_\_\_\_\_ **Constable.**

**Hampshire, SS.**

**PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Chesterfield by posting up attested copies of the same at the Chesterfield Post Office and the Town Office seven days before the date of the meeting, as within directed.**

\_\_\_\_\_  
**Constable of Chesterfield**

Posted \_\_\_\_\_

Returned \_\_\_\_\_