

The Commonwealth of Massachusetts

Town of Middlefield 2004 Annual Town Meeting Warrant Hampshire, SS.

To either of the Constables of the Town of Middlefield in the County of Hampshire

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 Town affairs, to meet in the Middlefield Town Hall in said Middlefield on Saturday the first day of May next, at 11:45 in the forenoon then and there to act on the following articles to wit:

ARTICLE 1. To choose on one ballot for the term of three years:

Moderator	Town Clerk
One Selectman	One Planning Board Member
One Assessor	Two Finance Committee members
Treasurer	One Zoning Board of Appeals member
Tax Collector	Cemetery Commissioner
Tree Warden	One Library Trustee
Two Constables	

Question 1: Shall the Town of Middlefield increase the Levy Limit by \$60,000.

The polls will open at 12:00 noon and may be closed at 5 PM The business meeting will start at 1:30 P.M.

ARTICLE 2. To hear the report of the Selectmen, Treasurer, Tax Collector, Assessors and the School Committee and act thereon.

ARTICLE 3. To see if the Town will vote to fix the salaries and compensation of all elected officers of the Town for Fiscal 2004, as provided in Section 108 of Chapter 41 of the Massachusetts General Laws, as amended; or take any other action relative thereto:

Moderator	100	Assessor 3 rd	3,000
Town Clerk	3,000	Selectman Chair	1,500
Treasurer	5,000	Selectman 1 st	1,500
Tax Collector	5,000	Selectman 2 nd	1,500
Assessor Chair	3,000	Constable 1 st	90
Assessor 2 nd	3,000	Constable 2 nd	90

ARTICLE 4. 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 General Government; or take any other action relative thereto:

10011	Elected Town Officers	26,780
10111	Town Counsel	3,000
10122.01	Selectmen's Expenses	800
10122.02	Selectmen's Secretary Salary	3,500
10135.01	Town Accountant Expenses	8,000
10141.01	Assistant Assessor	3,500
10141.02	Assessors' Expenses	4,500
10141.14	Assessors' Tax Map Update	650
10142	Assessors' Revaluation	3,500
10145.01	Treas./Collectors Expenses	4,000
10162	Election & Registration	1,000
10175	Planning Board	10

ARTICLE 5. 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 Highways; or take any other action relative thereto:

20420	Town Highway Maintenance	80,000
20421	Holidays & Vacations	8,000
20421.01	Machinery Expenses	20,000
20422	Fuel	10,000
20422.01	Unpaved Roads Material	15,000
20423	Snow Removal	50,000
20424	Street Lights	500

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds now in the Treasury a sum of money to the Library, Veterans and Cemetery Accounts; or take any other action relative thereto:

30610	Library	1,750
40543	Veterans Agent	100
40543.04	War Memorials/Playground	3,500
50491	Cemetery Expenses	3,500

ARTICLE 7. 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 Protection of Persons & Property Accounts; or take any other action relative thereto:

60210	Police Chief's Salary	1,000
60210.01	Police Dept. Expenses	7,600
60220	Fire Chief/Forest Warden Salary	425
60220.01	Fire Dept. Expenses	4,500
60220.02	Fire Dept. Inspections	300
60220.04	Fire Dept. Dispatch Service	3,000
60220.08	Forest Fire	10
60220.12	Civil Defense	10
60241	Building Inspector	7,631
60245	Electrical Inspector	300
60245.02	Asst. Electrical Inspector	100
60246	Plumbing Inspector	300
60292	Dog Officer's Salary	400
60292.01	Dog Expenses	300
60294	Tree Warden	100
60294.01	Insect Pest Control	100

ARTICLE 8. 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 Health & Sanitation; or take any other action relative thereto:

70231	Ambulance	1,200
70431	Disposal Area	30,000
70431.04	Hilltown Resource Management	1,931
70519	Bd of Health/ Insp Agent	300
70519.02	Health & Sanitation	10
70522	Lee Visiting Nurse	1,000

ARTICLE 9. 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 Debt & Interest; or take any other action relative thereto:

80752	Interest Short-term Debt	6,000
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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 Unclassified Accounts; or take any other action relative thereto:

90192	Office Supplies	3,000
90192.01	Insurances	25,000
90192.02	Maintenance of Public Buildings	30,000
90195	Printing	750
90541	Council on Aging	1,500
90630	Recreation Expenses	1,000
90691	Historical Commission	500
90911	County Retirement	13,956
90912	Hampshire Council of Government	2,729
90913	Unemployment Insurance	2,000
90916	Soc Sec/Medicare/Town Share	4,500
90919	Health Insurance	20,000
90947	Pioneer Valley Planning	85
95781	Reserve	5,000

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of \$349,009 for Middlefield's minimum contribution of the budget for the Gateway Regional School District; or take any other action relative thereto.

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of \$118,663 for Middlefield's share of the over-minimum contribution to the budget for the Gateway Regional School District or accept as an over-minimum contribution a sum which is less than \$118,663 as certified by the Gateway Regional School District; or take any other action relative thereto.

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds now in the treasury the sum of \$63,727 for Middlefield's share of the Transportation and Debt Service (non-foundation budget) and Construction for the Gateway Regional School District; or take any other action relative thereto.

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of \$10 for vocational education.

ARTICLE 15. To see if the Town will vote to transfer from the Refunded Dog Tax Fund the sum of \$236.93 to the Library Account; or take any other action relative thereto.

ARTICLE 16. To see if the Town will vote to raise and appropriate sum of \$9,526 to pay for the note on the new police vehicle; or take any other action relative thereto.

ARTICLE 17. To see if the Town will transfer \$50,000 from *free cash* to offset the tax rate; or take any other action thereto.

ARTICLE 18. To see if the Town will enact a temporary tax amnesty program during FY2004, in accordance with Chapter 4 Section 73 of the acts of 2003, in order to encourage the payment of certain delinquent tax obligations; or take any action thereto.

Section 1. Amnesty Period: The amnesty program shall begin on May 3, 2004 and end on June 28, 2004 at 7:30pm

Section 2. Program Scope: The amnesty program of the Town of Middlefield will include real estate taxes, personal property taxes prior to 2004. The taxpayer will still be responsible for the assessed tax, penalty fees and demand charges. 100% of interest will be waived. A taxpayer must satisfy all outstanding taxes under the amnesty program. The Town will only accept one single payment for all tax liabilities. Payments must be made in cash, certified check, or bank check and must be made before 7:30pm on June 28, 2004.

ARTICLE 19. To see if the Town will vote to authorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E, half of which may be spent on the Transfer Station without further appropriation during FY2004. Collected Transfer Station fees may be used for the Transfer Station, for capital equipment, grounds improvement or other related expenses to benefit the Transfer Station. The Selectmen may spend up to \$5,000 in revolving fund monies for the program during FY2004; or take any other action relative thereto.

ARTICLE 20. To see if the Town will vote to accept Franklin Regional Transit Authority as the official transportation agent for the Council on Aging; or take any other action relative thereto.

ARTICLE 21. To see if the Town will vote to the changes in Town Bylaws, or take any action thereto.

Chapter II Section 8. Eliminate Tree Warden elected position and incorporate it into the Superintendent of Streets appointed position.

Chapter IV Article II Section 2. Delete as written: The building Inspector shall also be the Board of Health agent for observing percolation tests and septic systems. Replace with: An appointed agent will be designated by the Board of Health to observe percolation tests and septic disposal systems.

Chapter IV Article II Section 3. Delete section 3: Season for percolation tests is April 1 (if frost is out of the ground) to June 15, and can be extended by the Board of Selectmen acting as the Board of Health.

Chapter IX. Add a new Section 7 to Miscellaneous Provisions that would read as: “No public or private utility and/or construction company shall work on any public way within the town without notifying the Police, Chief or his/her designee. All road details shall be assigned by the Police Chief or his/her designee.”

ARTICLE 22. To see if the Town will vote to remove from Table 3.0 the special permit requirements in the Business Zoning District for the Types of Land Use under the following sections of Bylaw Number **3.04**:

3.044 Office, bank, newspaper, job printing establishment

3.045 Hotel, motel, restaurant

3.046 Any wholesale or retail business, research laboratory, service of a public utility, or light manufacturing

3.047 Automobile service station, repair shop, storage garage, or salesroom

by changing the “SP” designations in the “Business” column “Y*”;

while adding to Bylaw Number **3.04** under the “Standards and Conditions” column the wording “Business Uses marked as allowed by right (Y*) shall not include any use that involves demolishing or significantly altering them from their residential appearance. Such instances shall require a Special Permit (SP)”;

while adding to the abbreviation key below the Zoning Table the definition “Y* = See Bylaw 3.04 Business Use Standards and Conditions”, or take any action thereto.

(The Planning Board voted unanimously not to make this change.)

ARTICLE 23. To see if the Town will vote to change Table 3.0 the use regulations Agricultural-Residential Zoning District for the Types of Land Use under the following sections of Bylaw Number **3.04**:

3.044 Office, bank, newspaper, job printing establishment

3.045 Hotel, motel, restaurant

3.046 Any wholesale or retail business, research laboratory, service of a public utility, or light manufacturing

3.047 Automobile service station, repair shop, storage garage, or salesroom

3.048 Place of amusement or assembly

3.049 Club conducted for profit

by changing the “N” designation in the Agricultural-Residential column to “SP Sec 4.7”;

while adding to the abbreviation key below the Zoning Table the definition “SP Sec 4.7 = Permitted by Special Permit under Sec 4.7 Home-based business bylaw”;

while deleting from “Standards and Conditions” for sections **3.043** and **3.046** the words “in the business district,” or take any action thereto.

(The Planning Board voted unanimously not to make this change.)

ARTICLE 24. To see if the Town will vote to allow all one-family dwellings to be eligible for conversion to a two-family dwelling by deleting from Section **3.034** under “Standards and Conditions” the words “Single family dwelling must have existed at the time of adoption of zoning bylaw,” or take any action thereto.

(The Planning Board voted unanimously not to make this change.)

ARTICLE 25. To transact any other business to come before said meeting.

And you are directed to serve this warrant by posting attested copies of same in the Middlefield Post Office, on the bulletin board at the Town Hall, a designated place in the Bancroft section of the Town and a designated place in Smith Hollow, at least seven days before time of holding said meeting.

Given under our hands at Middlefield the 21st day of April in the year two thousand four.

Thomas Rock, Chair
Selectman

Larry Pease, Selectman

Gary Wheeler, Selectman

I have this day posted copies of the above warrant.

Constable

Date