

**Buckland Select Board
Meeting Minutes
April 18, 2023 5:30 p.m.
Buckland Town Hall
Virtual Participation Also Available Via Zoom**

Listing of Topics

Appointments

- > 6:00 p.m. - Central Hydro Recreation Management Plan, Andrea Donlon & Bruce Lessels
- > 6:30 p.m. - Buckland Council on Aging, Senior Services District Board of Managers & Mass in Motion Initiative

Agenda Items

- > Town Election - Letter to Democratic Committee
- > FY 24 Budget
- > Review FY24 COLAs
 - > Employees
 - > Retirees
- > Annual Town Meeting Warrant
- > Extension of FY20 CDBG to June 30, 2023, and related contract amendments with Community Action and Breezeway Farm Consulting
- > Update on South Street closure
- > Sewer Commissioners - Advertisement for Chief Operator position, permanent full-time.

Documents to Sign

- > Contract & Grant Documents
- > Permits & Licenses
- > Minutes

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

Select Board Member Concerns

Town Administrator's Report

Public Comment

Volunteer Recognition

Announcements & Upcoming Meetings

Attendees

Barry Del Castillo - Select Board Chair
 Clinton Phillips - Select Board Vice-chair
 Lawrence Wells - Select Board Member
 Heather Butler - Town Administrator
 Dana McNay - Falls Cable
 Mary Bolduc - Select Board Clerk
 Karen Blom - Town Clerk
 Phoebe Walker - Town Moderator
 Janice Fleuriel - Council on Aging
 Ellen Eller - Council on Aging
 Rachel Stoler - Mass in Motion
 Joanne Soroka - Council on Aging
 Andrea Donlon - Present for 6:00 Appointment
 Bruce Lessels - Present for 6:00 p.m. Appointment
 Carmela Lanza-Weil - Board of Health
 Marilyn Kelsey - Resident
 Kate Conlin - MTWP

Meeting

Mr. Del Castillo opened the meeting at 5:30 p.m.

Appointments

> *6:00 p.m. - Central Hydro Recreation Management Plan, Andrea Donlon & Bruce Lessels* - Andrea Donlon and Bruce Lessels reviewed Central Hydro's proposed recreation management plan and made recommendations to update and revise the plan to better serve the Town of Buckland. Mr. Phillips moved to sign the letter drafted by Ms. Donlon and Mr. Lessels stating the requests of the Town, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Ms. Butler thanked Ms. Donlon and Mr. Lessels for their commitment to this project.

> *6:30 p.m. - Buckland Council on Aging, Senior Services District Board of Managers & Mass in Motion Initiative* - Ellen Eller, Joanne Soroka, and Janice Fleuriel of the Council on Aging were present to ask the Select Board for input and dialog on the Board of Managers for the Senior District and other related topics for the senior community. Rachel Stoler of Mass in Motion was also in attendance to discuss their initiative, the opportunities it could afford Buckland, and the ways in which it might dovetail with Life Path and/or other age friendly projects. Discussion followed covering funding and municipalities opting in or out of the program. Ms. Stoler stated she is available to attend meetings and working groups. Ms. Butler will bring back a proposal with MOU to a future meeting.

Agenda Items

> *Town Election, Letter to Democratic Committee* - Karen Blom, Town Clerk, prepared a letter in accordance with MGL for signature by the Select Board. Mr. Phillips moved to authorize the Select Board Chair to sign the letter to the Democratic Committee, seconded by Mr. Wells. During discussion, Town Moderator Phoebe Walker stated that anyone interested being on the Buckland Democratic Committee, please be in touch. She also gave an overview of the committee's function. Vote in favor of the motion was unanimous. Because of a scheduling conflict, Ms Blom will not be available to attend Town Meeting and presented the Board with the process of authorizing a Temporary Town Clerk. Elizabeth Cerone has agreed to serve in that capacity.

> *FY 24 Budget* - Current budget draft shows a deficit of \$151,262. Recommendation from the Finance Committee to put a question on the Annual Town Election of a Prop 2 1/2 Override. This item was tabled; no action taken.

> *Review FY24 COLAs*

> Employees - Current Budget is modeled at 3.5%. Mr. Del Castilho moved to confirm a 3.5% COLA for current employees, seconded by Mr. Phillips. Vote in favor of the motion was unanimous.

> Retirees - According to the Retirement Executive Director, the 2/3 has been met and the 2% is approved. Mr. Phillips moved to confirm the additional 2% COLA for retirees (on the first \$17K), seconded by Mr. Wells. Vote in favor of the motion was unanimous.

> *Annual Town Meeting Warrant* - Article 3, regarding shared police budget, was discussed. It was decided that Mr. Del Castilho and Chief Bardwell would speak to the shared services at Town Meeting. Ms. Butler stated she would have a second motion available in the event shared services did not pass. Marilyn Kelsey inquired about the budget and if shared policing was included; Ms. Butler responded and Ms. Walker, Town Moderator, added that she would clearly indicate to meeting attendees what was being voted on.

Order of articles was addressed and if any could/would be voted together.

Voting the budget and corresponding override were discussed and how that will be presented at Town Meeting. Ms. Butler stated that the Finance Committee has several budget models should the budget not pass, but no possible cuts will be addressed at this time. It was also emphasized that shared police services was the least expensive way to address police reform, thus having less impact on the budget.

> *Extension of FY20 CDBG to June 30, 2023 and related contract amendments with Community Action and Breezeway Farm Consulting* - DHCD has approved the Town's request to extend the FY20 CDBG to June 30, 2023 and to use surplus funds to support the Food Pantry. The Town

should now execute a contract amendment with Community Action Pioneer to extend their contract and increase the amount of their award. In addition, the Town should extend Breezeway Farm Consulting's contract for grant administration to the new end date of the grant. Mr. Phillips moved to extend the contract with Community Action Pioneer Valley to provide Food Pantry Services to Buckland to June 30, 2023, to increase the contract value by \$4,111.27, and to extend the contract with Breezeway Farm Consulting, Inc. to June 30, 2023. He also moved to authorize the Select board Chair to sign all related extension and budget amendment documents. Mr. Wells seconded the motion and vote in favor was unanimous.

> *Update on South Street closure* - Ms. Butler reached out to Mass DOT. South Street is on target for opening up on May 1st.

> *Sewer Commissioners, Advertisement for Chief Operator position, permanent full-time* - The Town is advertising for a full time Chief Operator position for the Waste Water Treatment Facility. Brief discussion followed including thoughts/concerns on the Town Administrator serving as Sewer Administrator and whether or not that constitutes a conflict of interest.

Documents to Sign

> *Contract & Grant Documents* - There were none.

> *Permits & Licenses* -

A permit was submitted by Buckland-Shelburne Youth Baseball for a parade on April 22, 2023. The parade will start at 10:00 a.m. from the Iron Bridge and continue down Conway Street to Cricket Field. Mr. Phillips moved to approve/sign the permit, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Ms. Lanza-Weil, attending on Zoom, asked if the original permit she had submitted for use of Town Hall on May 5 could be extended to include May 3 and May 4. Mr. Phillips moved to approve the extensions contingent on no conflicts with other scheduled uses of Town Hall. Mr. De Castilho seconded, and vote in favor of the motion was unanimous.

> *Minutes* - Mr. Phillips moved to approve the March 21, 2023 Minutes, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - There were no unanticipated items.

Select Board Member Concerns - Concerns were expressed in conflict of interest discussion regarding Sewer Commissioners Agenda Item.

Town Administrator's Report - There was no Town Administrator's Report.

Public Comment - Marilyn Kelsey had a question about the Senior Center line item, and also asked who the new Veterans' Administrator is for the area. During Warrant discussion earlier in the meeting, Ms. Kelsey also asked how much the proposed override would impact property taxes.

Kate Conlin gave a recap of the Mohawk Trail Woodland Partnership, spoke in favor of the partnership, and would be happy to address it at Annual Town Meeting or answer any questions that may arise. Brief discussion followed.

Volunteer Recognition - Youth Baseball organizers and volunteers were recognized for all the work done at Cricket Field in preparation for this season.

Announcements & Upcoming Meetings - Annual Town Meeting is May 6 at 10 a.m in the Mohawk Trail School Auditorium. The Select Board Schedule for May is the 16th and 30th, and there is one meeting remaining in April on April 25 at 5:00 p.m. The annual Town Election is June 6, 2023.

With no further business or announcements, Mr. Phillips moved to adjourn, seconded by Mr. Wells, Vote in favor of the motion was unanimous. Meeting adjourned at 7:18 p.m.

Respectfully Submitted by Select Board Clerk, Mary Bolduc, May 16, 2023

Signed:

Barry Del Castilho _____

Clinton Phillips _____

Lawrence Wells _____

To: Central Rivers Power MA, LLC

Attn: Skip Medford, Patriot Hydro, LLC, Manager Stakeholder Relations, 670 N. Commercial Street, Suite 204, Manchester, NH 03101
smedford@patriohydro.com

From: Deerfield River Watershed Association drwa@deerfieldriver.org ; Town of Shelburne; Town of Buckland; and the Connecticut River Conservancy)

Subject: Stakeholder Review of the DRAFT – REVISED RECREATION MANAGEMENT PLAN (03/20/2023 version), for the Gardner Falls Hydroelectric Project, FERC No. 2334

Date: April 17, 2023

The Deerfield River Watershed Association (DRWA) and the Connecticut River Conservancy (CRC) thank you for the opportunity to meet with you and discuss potential revisions to the DRAFT Recreation Management Plan (RMP) for the Gardner Falls Project. We believe that meeting to discuss options and resolve issues can best be done upfront, prior to filing it with the Federal Energy Regulatory Commission (FERC).

Since your project area and its recreation components fall within the Town of Shelburne, MA and the Town of Buckland, MA, they are requesting you add them as stakeholders and informed of future plans, actions, and monitoring at the site. To save time, the enclosed review of your draft plan also includes comments reflecting those of the Town of Shelburne and hopefully, after their Selectboard meeting on Tuesday, the Town of Buckland.

We see the recreation component of the Gardner Falls Project as a substantial asset to the local area. For example, the number one issue raised by the recent Town of Shelburne Open Space and Recreation survey (conducted late 2022 and early 2023) was the need for increased access to the Deerfield River. Public recreational use appears to have increased on Central Rivers Power (CRP) property, on both the Shelburne and Buckland sides of the river in the last several years. However, CRP proposes to reduce their commitment to recreation and we seek to ensure that any proposed reduction in access and recreational values are mitigated.

Both the Buckland and Shelburne sides of Shelburne Falls meet the income definition of an environmental justice community. The recreation facilities on the Buckland side are one of the few remaining public access areas to the Deerfield River that is walkable and bikeable from the Shelburne Falls village.

Please add an additional official project contact for the Town of Shelburne, MA:
Town Administrator, Town of Shelburne, 51 Bridge Street, Shelburne Falls, MA
01370 townadmin@townofshelburnema.gov (413) 625-0300 x.1

Please add an additional official project contact for the Town of Buckland, MA:
Town Administrator, Town of Buckland, 17 State St, Shelburne Falls, MA 01370
townadmin@town.buckland.ma.us (413) 625-6330

Increased Recreation Demand vs CRP's Proposal to Reduce Recreation Access and Resources

We understand CRP's reasoning for closing vehicular access along the power canal road to the powerhouse and to close the loop trail where it crosses the tailrace on the Buckland side of the Deerfield River. We prefer the access road to the powerhouse not be closed, but instead CRP take measures to protect their important infrastructure at the powerhouse by other means. We also prefer that that connecting "loop" in the loop trail be maintained, but perhaps at a different location.

Our concern is that at a time of increasing recreational demand, CRP proposes to reduce recreational access and resources at the Gardner Falls site, including gating the powerhouse access road and closing the connecting loop in the loop trail. Gating the powerhouse access road at the dam would result in the loss of parking for approximately ten or more vehicles at the powerhouse and more at pull-offs along the powerhouse access road. This would leave only space for 5 vehicles to park (at the dam), down from the 15 or more spaces that were previously available. We understand that on certain occasions, all parking along the dam, power canal road, and powerhouse can be occupied with vehicles, so parking is at a premium. A gate at the dam would block easy vehicular access to the Deerfield River bypass reach (dryway) on the Buckland side of the river for fishing, sunbathing, and swimming. River users that could find parking upstream of the locked gate (approximately 12 spaces at the picnic area) would now have to walk a substantial distance to get to the dam and then even farther to access the river along the bypass reach to the powerhouse. As proposed, the original permitted loop hiking trail would become two, separate, dead-end trails, at a substantial loss in recreational value over that offered by a true loop trail.

To help mitigate the loss of important recreational access and resources, CRP proposes mitigation; however, we believe the proposed mitigation is inadequate and would still result in a substantial net loss in recreation access, parking, and values, and so we propose the following new mitigation and changes to your March 30, 2023, DRAFT RMP. We believe our recommendations will at least partially to help reduce, avoid, or compensate for the loss of recreation access, parking, and values.

Compliance with the existing RMP: There is a significant construction backlog of previously FERC-approved projects at the site dating back over 20 years. For example, the 2001, FERC-approved 70' x 75' gravel parking area in Wilcox Hollow, on the Shelburne side of the river, is referred to by CRP in Table 3.2 as "Constructed," but it was never constructed. The parking area remains to be constructed, and is necessary for accommodating the readily apparent increased use seen on the Wilcox Hollow side of the river. The Nature Trail, on the Buckland side of the river, receives little mention in

the 2023 draft and several of its components were never fully implemented as planned in the 1998 RMP.

Please feel free to contact us for further discussion or elaboration. We are happy to work with you as you finalize your RMP submission to FERC, and in further recreation management activities now and in the future.

Addressing Changes in Recreational Use

2.0 PROJECT DESCRIPTION

We request that the Draft RMP Project Description be updated for 2023 according to the recommendations below.

Page 2: Paragraph 2

Recreation uses and types have greatly increased at the site. No longer is **sport fishing** the primary day-use, but instead there are increases in many day-uses worthy of mentioning. We recommend the following edits (**in RED**) as new for 2023, or a reference to the increased recreation users and types and types of recreation seen at the project area.

Article 406 of the Gardners Falls Project's license describes the requirements and need for recreation features at the Gardners Falls Project. A primary concern of recreational users in the region has been convenient access to the Deerfield River, which Gardners Falls Project lands span. The Gardners Falls Project recreational facilities are designed and intended for day-use only, with a primary uses of sport fishing, **walking/jogging for exercise, sunbathing, boating, and swimming**. Two areas of recreation access at the Gardners Falls Project were planned and implemented in the 2001 RMP:

Paragraph 2, last sentence states that: "Two areas of recreation access at the Gardners Falls Project were planned and implemented in the 2001 RMP." That is not correct. The 2001 proposed new, 70' x 75' Wilcox Hollow Gravel parking area, with the 20' wide driveway leading from the road to the parking area, was never constructed. The existing parking area does not have a gravel surface and is significantly smaller than what was committed to in 2001.

Page 2: Paragraph 3 Wilcox Hollow, Shelburne

The paragraph beginning "Wilcox Hollow, Shelburne" states, "Construction of a new parking area," Construction of the parking area never occurred.

Page 2: Paragraph 3 Wilcox Hollow, Shelburne (We recommend adding the updated text in red.)

(use for **hiking, fishing, swimming, sunbathing**, and launching of canoes, kayaks, and handcarried boats)

Page 2: Paragraph 4 Powerhouse Access areas, Buckland (We recommend adding the updated text in red.)

(use for fishing, walking/jogging, swimming, sunbathing, and hand-carried boats)

Page 2: Paragraph 4 Powerhouse Access areas, Buckland

CRP states: "One porta-potty toilet at the picnic area;" It should be noted in the text that this is a replacement for the two previously existing pit toilets.

3.1 Existing Project Recreation Sites and Facilities

We assume that the monitoring required under 4.2, may determine that additional tables may be warranted in the future and we request that the monitoring methodology and results be shared with stakeholders, along with a specified date of completion. We recommend a **new Table 3.3**, include maintenance tracking including the condition of facilities (like an audit). The table should also include dates of the last monitoring of the sites and maintenance activities. Tables 3.1 and 3.2 should also note those facilities that were never fully completed or initiated; and those facilities and tasks that were identified in the 2001 RMP, but were not carried forward into the 2023 Draft RMP. A commitment should be made in this RMP to complete the uncompleted projects with a schedule of implementation and benchmarks to measure progress; this schedule should be shared with stakeholders.

Table 3.1 Public Recreation Sites at the Gardners Falls Project.

Wilcox Hollow

- "parking area for approximately 10 vehicles." (The table should acknowledge that this parking lot, committed to in 2001, and its layout included on a design plan sheet, was never constructed, but will be constructed by CRP by an identified date.)

Powerhouse Access Areas

- "One porta-potty toilet at the picnic area;" Should also indicate: (to replace two previous pit toilets)
- "**Loop** trail and descriptive signage beginning at the head-of-canal;" (The table should clarify that the power canal trail and the nature trail will both remain, but CRP proposes closing the loop connection across the tailrace, resulting in two, dead-end trails.)
- **Missing From the Table:** A reference to the Self-guiding Nature Trail, signage, trail map and brochure, and location markers along the trail to note significant resources and explain how the site is used to generate electricity.

Table 3.2 Recreation Facilities and Amenities for the Gardners Falls Project.

Wilcox Hollow; Parking Area; Amenity Status (we recommend changing "Constructed" to: "Never Constructed, but will be constructed by CRP" by an identified date.)

Missing From the Table: Powerhouse Access Areas; A reference to the: Self-guiding Nature Trail, signage, trail map and brochure, and location markers along the trail to note significant resources and explain how the site is used to generate electricity; as stated in the 1998 approved Recreation Management Plan. We request this addition, along with a schedule of completion.

Page 9, Wilcox Hollow, Description of Facilities:

The paragraph states: There is parking for approximately ten (10) vehicles without trailers. It is apparent there is not parking for approximately (10) vehicles, as the parking area was never constructed in accordance with the FERC-approved specifications. We recommend making the correction of replacing "(10)" with "several" vehicles.

Page 11, Powerhouse Access Areas, Description of Facilities:

The paragraph states: The licensee has arranged for a porta-potty to be located at the site in recent years. We recommend adding clarification text to the sentence at the end, "to replace two previously existing pit toilets."

Proposed Changes from the 2001 RMP to the 2023 RMP

See: 4.1 Project Recreation Site Management and Maintenance

We recommend CRP develop a Construction, Maintenance, and Monitoring Table to track and report to the stakeholders and public the status of recreation features CRP is committed to constructing and maintaining, including all commitments made in the 1998, 2001, and 2023 RMPs. We appreciate CRP's recent Spring 2023 maintenance activity, but encourage additional maintenance, such as adding to or replacing the stair railing on this steep set of stairs north of the picnic area with a smooth, splinter-free, code compliant handrailing; adding two more stairs at the bottom of the stairway; repairing bridges and walkways; drying out and graveling or rocking the area in front of the Nature Trail to create addition year-round parking, leveling the sloping picnic table, constructing the Wilcox Hollow parking area; finishing the unfinished components of the Nature Trail; development of an off-site handicap fishing area, etc...

1. Removal of Charcoal Grills ...

- a. We do not see a problem with the proposal to remove the charcoal grills due to Central Rivers Power's report of vandalism, usage changes over time, and for other site-specific safety reasons that are evident.
- b. There has been a history of picnic tables at the picnic area. If Central Rivers Power "installed" two picnic tables, they were replacements for or

repairs to existing tables that had rotted. Two tables may be sufficient. We assume that the monitoring required under 4.2 and consultation with the public and stakeholders, may determine that additional tables may be warranted in the future.

2. Move the Porta-potty to the picnic area...
 - a. We do not see a problem with placing a porta-potty at the picnic area to take the place of the previously existing pit toilets. However, also having a porta-potty for the users along the bypass reach/power canal or at the powerhouse would be appropriate as it is a very long walk back from the powerhouse fishing area to the picnic area porta-potty. This is both a sanitation problem and a convenience problem. Since the road is now gated; we would expect less, or no vandalism of the porta-potty placed beyond the gate. Still, vandalism is a risk and should not be used as a rationale for reducing mitigation commitments when there are viable mitigation options available. In accordance with previous restroom practices at the site, we ask you to provide two porta-potties, one at the picnic area and one closer to the angling, sunbathers, and swimmers along the power canal access road, or perhaps once again at the powerhouse where there is a history of a porta-potty and pit toilets before that.
3. Closing the power canal road and powerhouse parking...
 - a. Closing the access road would result in a substantial loss of recreational resources. If the access road is to be closed, at a minimum, we request the CRP report annually on incidents of vandalism and, depending on those reports, restore vehicular passage at times when the powerplant is staffed by the maintenance and construction crew and public use can be more closely monitored.
 - b. Due to the cramped space in the valley, it is not possible to fully mitigate CRP's proposal to close and gate the access road along the power canal to public vehicular traffic and parking. Gating the power canal access road eliminates easy vehicular access to the full length of the river bypass reach for river recreation. Gating the road also eliminates the substantial parking that was available along the power canal access road and at the powerhouse. We strongly disagree with the statement: "3. ... *Parking provided at the boat launch area and the picnic area are sufficient to meet demand for this site.*" We would like to see public use data showing how the existing parking for 5 vehicles close to the dam and 12 vehicles much farther back up the road at the picnic area, will satisfy the loss of parking for the many vehicles that formerly parked along the power canal road and at the powerhouse, and meet the public's need for relatively easy river access. It is our observation that recreational use has increased and diversified over the years and the proposed reduction in available parking, if it becomes permanent, should be mitigated with the creation of other opportunities for parking.
 - i. For example, partial mitigation for the loss of parking could include incorporating into the RMP text a commitment for CRP to maintain

existing pedestrian trail access across its property and the creek to the north of the picnic area. That trail currently connects to existing private trails that tie into the village of Shelburne Falls where there is the potential for additional overflow parking in the village. This would allow people to walk from the village, where there is more parking availability, to the Gardner Falls recreation area, where CRP proposes decreased parking availability. The stair and bridge access to the reservoir are also used by the Shelburne Falls Water Resource and Recovery Facility for baseline water quality monitoring above the waste treatment plant outfall. **Wording for your consideration is provided in red, below.**

1. A foot access trail will be maintained in good repair to connect the Central Rivers Power picnic area with the existing Buckland trail system, which leads into the village of Shelburne Falls. This would include maintenance of the trail on Central Rivers Power property north of the picnic area including the stairs, a smooth handrail designed to meet building code, and the footbridge and its railings.
 - c. Central Rivers Power has closed the power canal access road with a cable gate. Cable gates are very difficult to see and as a result can be quite dangerous. We recommend that the cable gate be removed and a high-visibility, metal gate be installed at this location that would allow a pedestrian walk-around.
 - i. The existing cable gate on the power canal access road will be replaced with a high-visibility, solid or tubular, metal gate allowing pedestrian access.
 - d. Parking is limited at the dam. Parking could be created for two or three additional vehicles by reconstructing the area at the head of the Nature Trail to prevent the parking area from becoming muddy during the spring snowmelt and rain events.
 - i. Parking will be improved to provide all-weather, year-round parking for two to three additional vehicles at the entrance to the Nature Trail.
4. Closing the Loop Trail connection at the tailrace...
- a. A loop trail is far more useful to the public than the proposed two, dead-end trails that would result from permanently closing the tailrace trail crossing. To maintain the "loop" we would support the placement of a bridge across the power canal just upstream of the powerhouse at the narrow spot, or opening up and using an existing crossing on the headrace/forebay side of the powerhouse. If the forebay option was selected, we would recommend security fencing to help safely channel the public from the Nature Trail to the power canal road, thus completing a loop trail.
 - i. The loop trail will be rerouted by moving the connection point between the two trails from the tailrace area to a crossing at the headrace/forebay through a security-fenced walkway area along

- the powerhouse; connecting both trails. The crossing point will be signed as a trail on both ends.
- b. The Nature Trail, required in the existing FERC permit, was never finished. CRP should commit to completing the FERC-required tasks of finalizing the Self-guiding Nature Trail by creating the required trail signage at the beginning and along the trail, the trail map and brochure, and the installing location markers along the trail to note significant resource and explain how the site is used to generate electricity. We request that the map and brochure be made available at the site and developed in consultation with local tribal groups and representatives, and in English and Spanish.
 - c. The existing Nature Trail would benefit from some trail and structure maintenance, including making the footbridge horizontal and attaching new, and stronger railings.
 - i. The Nature Trail footbridge will be made horizontal and repaired.
 - ii. The first 100 feet of the Nature Trail immediately above the power canal will be improved so that the trail is dry, stable, wide enough to safely walk, and does not slope excessively toward the power canal.
 - iii. Sagging, weak, or damaged bridges, railings, and walkways will be repaired, as required maintenance.
5. Provide Alternate River Access...
- a. Proposed New River Access - We agree with the proposal to clear a short foot trail to the river from the former powerhouse parking area. This appears to be a very simple and inexpensive project, but does not fully mitigate the loss of the "loop," in the loop trail. We would be happy to help you flag a low maintenance route through the riparian area in order to reduce surface impacts. Following clearing and construction of the proposed trail, please provide a "River Access" sign at this location, or similar wording, directing the public to this trail.
 - b. Additional River Access Needs - Closing the power canal access road and the powerhouse parking area would now create a very long walk for fully loaded anglers trying to get to the new river access trail. This would result in decreased fishing use and recreational opportunity. Also, anglers have been climbing down the tall, stone wall to access the flat rocks near the tailwaters of the dam. Climbing down the stone wall to the tailwaters of the dam is very dangerous, especially for loaded anglers. We recommend that an additional, closer, safer access to the river be developed within view of the locked gate, farther from the tailwaters of the dam, but not as far as the power house. There is an existing, eroded, but unsigned and not very visible access path about 100 feet before you come to the power canal overflow bridge. We recommend turning this into an official place to access the flat rocks along the river bypass reach and use signs to lure anglers to this location from the locked gate. It would also move anglers farther from the dam's tailwaters.

- i. An existing river access route will be improved to create a new bypass reach access trail in order to control erosion, improve walkability, and signed as "River Access," or similar wording, so that it is easily identifiable to anglers who would normally climb down the steep wall to the tailwaters of the dam. The existing, very short route to the river bypass reach rocks is located on the bank of the power canal access road, about 100 feet before you get to the power canal overflow bridge, and ties to the relatively flat rocks along the river bypass reach, below, where users can then wander on the rocks below.

6. Signage and Monitoring...

- a. CRP is proposing to revise the Part 8 signs to depict the proposed changes. We request that these signs be made available in English and in Spanish, or that the signs include a QR code that provides multi-lingual translation.
- b. The revised RMP states, "The Licensee will update the Gardners Falls Project RMP to include the results of the recreation use monitoring, and to make any proposed changes to the Gardners Falls Project recreation sites that use monitoring suggests are necessary to meet demand." The RMP should include the proposed methodology, timeline, and tracking for this monitoring, as well as plans to consult with and disseminate the results to stakeholders.

7. Wilcox Hollow – Parking Area...

- a. The parking area required in the 2001 FERC-approved permit was never initiated or completed. Due to our concerns about the proposed reduction in vehicle access to the river on the Buckland side and, therefore, access to the river, we would like to have an update on the 2001 RMP task to develop a 70' x 75' gravel parking area for 10 to 15 vehicles on the Shelburne side, in the field adjacent to the access road on Commonwealth of Massachusetts land, and as shown on the 2001 design plans.

8. Wilcox Hollow – Access Road

- a. The access road to the river at Wilcox Hollow runs through lands owned by three entities – Central Rivers Power, MA Department of Conservation and Recreation, and Eversource. The road is steep and winding, and gets worn out and washed out regularly. It has often been in a washed-out condition that is hazardous for non-4x4 high clearance vehicles, and so limits the public's ability to get to the river. Brush also overgrows onto the road and scratches vehicles that pass through. As you know, this has led to confusion about who is responsible for maintaining the road. We recommend that the RMP include a map showing the parcel boundaries along with the access road and the facilities at Wilcox Hollow. We also recommend that the RMP include an appendix with a signed Memorandum of Agreement regarding who is responsible for monitoring, how often the road will be checked, and who is responsible for maintaining the paved and gravel road, for the remainder of the license. Contact

names or job positions, and contact information, should be included for each parcel owner.

9. Wilcox Hollow – Universal Fishing Access Site within 20 miles...
 - a. The 2001 RMP includes 12 unique tasks to be completed by the owners. Included in this under #9 is, “A wooden platform will be placed at the water’s edge to facilitate launching and takeout. The area will also be designed to accommodate access by disabled persons. A wheelchair accessible ramp will be provided from the access road to the launch structure.” It was ultimately decided that this could not be safely done in the project area due to high water levels. Instead, the 2001 FERC order approving the recreation plan states that the licensee will assist Massachusetts Department of Environmental Management (MDEM) in developing **a universal fishing site within a 20-mile radius of the Wilcox Hollow site**. This project is not included in Tables 3.1 and 3.2; we request that this project and its status be added to the tables. If this project has not been completed yet, we request that CRP prioritize ADA access along the Deerfield River and submit a plan for establishing such access.
10. Hand-carry Boat Launch at Dam.
 - a. Launch access at the dam for small, hand-carried boats, is somewhat difficult. There is a long cable across that access and to launch a boat, the boater has to either lower the boat under or over the cable or go around the cable stepping down a small ledge. It is recommended that CRP make the cable more visible and create a walkaround where boaters have easier access when carrying boats to the water.

The Deerfield River provides exceptional recreational opportunities for communities and visitors throughout western Massachusetts, and we appreciate the recreational amenities CRP provides at this site. As mitigation for the impact hydropower facilities have on access to a public trust resource, FERC licensees are obligated to offset their impact through recreational development. We are concerned that several of the commitments made in the 2001 RMP remain incomplete and that the 2023 RMP proposes to further reduce access. As CRP prepares a final draft of the 2023 RMP, we request that the company outline a plan (as described above) to complete all commitments made in their FERC license and carry forward the intent to provide recreational access for the diversity of people that seek out opportunities on the Deerfield River. Thank you for working with us and considering our recommendations on your draft proposal!



Jim Perry - President
Deerfield River Watershed Association

Date: 04/17/2023



Ron Rhodes - Acting Director
Connecticut River Conservancy

Date: 04/17/2023



Jim Perry -
Representative for the Town of Shelburne Open Space Committee,
As Designated by the Town of Shelburne Selectboard on 04/10/2023

Date: 04/17/2023

(Town of Buckland Signature will be provided at a later date)
Selectboard
Town of Buckland

Date



Franklin Regional Council of Governments

Frequently Asked Questions regarding the Mass in Motion Municipal Wellness and Leadership Initiative application for Franklin County

1) How will towns benefit from signing on to this application?

Towns will receive FRCOG staff support to work on local (individual town or groups of towns) age-friendly priorities, as well as access to a modest pool of funding to support implementation of age-friendly projects.

2) What will towns be expected to do if they sign on as a partner to this application?

Towns will be expected to share their age-friendly efforts with the rest of the region by submitting a short annual summary that may be used for press/publicity and sharing it at an annual gathering of partner towns and organizations.

3) One of the requirements of DPH, as part of this RFR, is that all participating municipalities abide by Principles of Promoting Racial Equity. What does it mean for my town to abide by the Principles for Promoting Racial Equity as stated in the participant agreement?

As a lead applicant, the FRCOG is expected to design a program that incorporates actions that reduce racial differences in health outcomes in our region. In signing on as a partner for the FRCOG's application, towns agree to use these principles to guide all efforts supported by the grant. This does not mean that towns are expected to be experts, rather that they be open to learning how to put these principles into practice. A full description of the Principles for Promoting Racial Equity and relevant vocabulary can be found in the attached document.

Mass in Motion Age and Dementia-friendly planning workgroup:

Are you interested in joining a workgroup to influence ways in which your town can become a better place to age?

Mass in Motion is a statewide movement that promotes opportunities for healthy eating and active living in the places people live, learn, work and play. The work leads with race explicitly but not exclusively.

The Mass In Motion Franklin County initiative is designed to complement the local ongoing Age-Friendly project led by partners LifePath and the Franklin Regional Council of Governments. The initiative aims to change community conditions by looking at long-term solutions to address the root causes of issues that affect health in our communities, and to promote Health equity, where everyone has a fair and just opportunity to attain their highest level of health.

Each of the 11 towns signed on to Mass in Motion has been asked to form a small workgroup to work with FRCOG staff to set local age and dementia friendly community priorities. Work group may include the City Council, Council on Aging, older adults, Board of Health, Public Library, Planning Board, etc. We are especially interested in the participation of anyone with lived experience of discrimination, disability, and/or food insecurity.

Workgroup Responsibilities:

February 2023:

- Attend regional health equity training to ensure that strategies developed for the City support the neediest residents. (February 21, 2023)

February-June 2023 and into FY'24 as needed:

- Review regional needs assessment data specific to your town (December 2022/January 2023)
- Answer additional questions about needs in the town not already included in regional needs assessment.
- Identify priority issues for making the town more age and dementia-friendly, including identifying root causes of those issues.
- Identify strategies to address priority issues
- Identify who is responsible for implementing strategy(ies).
- With support of FRCOG, identify resources to support implementation of strategy(ies).

DELIVERABLES: Convene workgroup, meet at least twice, identify priority issues and root causes, strategies to address priorities, who will implement priorities, and resources to support implementation.

Health Equity Training for Municipalities

Tuesday February 21, 2023

9:30am-3:30 pm

John W. Olver Transit Center--Allen Conference Room

12 Olive St., Greenfield

(Snow date March 7, same time and location)

Click [here](#) to register

We are asking each town funded through Mass in Motion to send at least two people who will carry the information into the town's age-friendly planning. While we plan to record the training, it is the preference of the funder to have participants attend in person. Attendees from Mass in Motion towns have first priority and, if there is space, the training will be open to members of the broader community.

Please contact: **FILL IN WITH CONTACT INFO FOR YOUR TOWN**

BUCKLAND TOWN CLERK
17 STATE STEET
SHELBURNE FALLS, MA 01370

Tel: (413) 625-6330 Ext. 4

Fax: (413) 625-8570

April 18, 2023

Buckland Democratic Committee
Phoebe Walker, Chair
30 William St.
Shelburne Falls, MA 01370

Dear Democratic Committee members-

The select board is required to notify the chairperson of the town political party committees by April 15th that they may submit lists of qualified party members by June 1st for appointment of election officers.

No later than June 30th, the registrars shall submit to the select board the names of the persons on the lists provided by the parties who appear to be qualified to act as election officers.

Please let us know if you will have qualified party members from your Town Committee who like to be considered for appointment of election officers. Please submit your list to the Town Clerk. If the select board fails to make appointments by August 15th, the registrars shall appoint qualified election officers from the lists of party members submitted by the party committees. If no list was submitted, the registrars may appoint any qualified registered voter.

Thank you.

Sincerely,

Barry DelCastilho
Chair, Buckland Select Board

FY2024: Buckland Revenue / Expense Analysis					
Line Ref. #		FY2023	FY2024 (Fin Com Recommend)	Percent Change	\$ Change
3	OPERATING REVENUES				
4	Taxation				
5	Prior Year Levy Limit	4,303,082	4,447,204	3.3%	144,122
6	Plus 2.5%	107,577	111,180	3.3%	3,603
7	Plus New Growth	36,545	20,000	-45.3%	(16,545)
8	Sub-Total of Taxation (Levy Limit)	4,447,204	4,578,384	2.9%	131,180
9					
10	Debt Exclusions	220,565	286,591	29.9%	66,026
11	Taxation Total (Maximum Levy)	4,667,769	4,864,975	4.2%	197,206
12					
13	Other Revenues				
14	State Aid (Cherry Sheet)	404,201	410,901	1.7%	6,700
15	Local Receipts	193,250	236,250	22.3%	43,000
16	Overlay Surplus	0	0		0
17	Other Revenues Total	597,451	647,151	8.3%	49,700
18					
19	TOTAL OPERATING REVENUES	5,265,220	5,512,126	4.7%	246,906
20					
21	OPERATING EXPENSES				
22	General Expenses				
23	Town Operating Expenses	2,016,724	2,255,429	11.8%	238,705
24	State Assessments	5,770	6,440	11.6%	670
25	Overlay for Abatements	40,000	40,000	0.0%	0
26	Sub-Total General Expenses	2,062,494	2,301,869	11.6%	239,375
27					
28	School Assessments				
29	Mohawk Operating	2,686,885	2,793,688	4.0%	106,803
30	Smith Vocational	55,000	64,000	16.4%	9,000
31	Franklin Tech Operating	225,345	211,330	-6.2%	(14,015)
32	Sub-Total of School Assessments	2,967,230	3,069,018	3.4%	101,788
33					
34	TOTAL GENERAL FUND	5,029,724	5,370,887	6.8%	341,163
35					
36	CAPITAL & DEBT EXPENSES				
37	Raise and Appropriate for Stabilization		0		0
38	Raise and Appropriate for Capital Proj.		0		0
39	Debt Service	226,600	292,502	29.1%	65,902
40	TOTAL CAPITAL & DEBT EXPENSES	226,600	292,502	29.1%	65,902
41					
42	TOTAL OF ALL EXPENSES	5,256,324	5,663,389	7.7%	407,065
43					
44	EXCESS / (DEFICIT)	8,896	(151,262)	-1800.3%	(160,159)

FY2024: Buckland Operating Budget

Item	FY2022 Actual	FY2023 Town Mtg Appropriated	FY2024 Requests	FY2024 FinCom recommend	\$ Request v. FY2023	FinCom \$ Change FY2023 to FY2024	% Change FY2023 to FY2024
TOWN OPERATING	1,819,127	2,016,724	2,269,062	2,255,429	252,338	238,705	11.8%
SCHOOL ASSESSMENTS	2,816,440	2,967,230	3,069,018	3,069,018	101,788	101,788	3.4%
Sub-Total Town Operating (Lines 7+10)	4,635,567	4,983,954	5,338,080	5,324,447	354,126	340,493	6.8%
GENERAL GOVERNMENT							
MODERATOR STIPEND	250	250	250	250	0	0	0.0%
SELECTBOARD STIPENDS	5,500	6,000	6,000	6,000	0	0	0.0%
SELECTBOARDS OFFICE/ADMIN	106,820	120,733	122,577	121,077	1,844	344	0.3%
<i>Advertising Expense</i>	2657	1,000	2,400	2,400	1,400	1,400	140.0%
<i>Safety/Drug Testing</i>	1,067	1,000	1,200	1,200	200	200	20.0%
<i>Selectboard's Expenses</i>	6,168	7,000	2,000	500	(5,000)	(6,500)	-92.9%
<i>Shelburne Falls Partnership</i>	0	0	0	0	0	0	0.0%
<i>Administrative Assistant Salary</i>	24,621	36,833	38,117	38,117	1,284	1,284	3.5%
<i>Town Reports</i>	500	500	500	500	0	0	0.0%
<i>Administrator Expense</i>	130	1,500	1,500	1,500	0	0	0.0%
<i>Administrator Salary</i>	71,677	72,900	76,860	76,860	3,960	3,960	5.4%
RESERVE FUND	10,000	25,000	25,000	20,000	0	(5,000)	-20.0%
PERSONNEL RESERVE FUND	0	2,000	2,000	2,000	0	0	0.0%
COLLECTOR/TREASURER OFFICE	74,068	70,992	79,008	79,008	8,016	8,016	11.3%
<i>Collector/Treasurer Exp</i>	14,627	16,594	17,300	17,300	706	706	4.3%
<i>Asst. Treasurer Stipend</i>	1,950	4,020	4,161	4,161	141	141	3.5%
<i>Collector/Treasurer Salary</i>	54,641	47,378	54,547	54,547	7,169	7,169	15.1%
<i>OPEB Expense</i>	2,850	3,000	3,000	3,000	0	0	0.0%
TAX TITLE EXPENSE	690	2,000	2,000	2,000	0	0	0.0%
ACCOUNTANT	26,102	29,063	30,647	30,647	1,584	1,584	5.4%
<i>FRCOG Accounting Program</i>	25,914	28,613	30,197	30,197	1,584	1,584	5.5%
<i>Accountant Expenses</i>	188	450	450	450	0	0	0.0%
ASSESSORS STIPENDS	3,900	3,900	3,900	3,900	0	0	0.0%
ASSESSORS OFFICE	44,443	42,054	48,088	48,088	6,034	6,034	14.3%
<i>Assessors Expenses</i>	6,654	9,025	9,315	9,315	290	290	3.2%
<i>Assessors Office Salary</i>	37,789	33,029	38,773	38,773	5,744	5,744	17.4%
ASSESSORS TAX MAP	4,400	4,400	4,500	4,500	100	100	2.3%
ASSESSORS REVALUATION	13,067	24,500	29,500	29,500	5,000	5,000	20.4%
BLDGS & GROUNDS (formerly Town Hall)	53,921	96,450	119,908	119,908	23,458	23,458	24.3%
<i>Postage</i>	2,925	5,000	5,000	5,000	0	0	0.0%
<i>Town Office Supplies</i>	250	950	750	750	(200)	(200)	-21.1%
<i>Office Equip Maintenance</i>	7,347	8,500	8,500	8,500	0	0	0.0%
<i>Public Bldgs Expenses</i>	18,835	37,000	25,000	25,000	(12,000)	(12,000)	-32.4%
<i>Communications/IT</i>	24,564	25,000	45,000	45,000	20,000	20,000	80.0%
<i>Bldgs & Grounds Salary</i>	0	20,000	35,658	35,658	15,658	15,658	78.3%
TOWN CLERK OFFICE/ELECTIONS	10,508	19,150	24,516	22,516	5,366	3,366	17.6%
<i>Town Clerk Expenses</i>	3,094	2,500	6,100	6,100	3,600	3,600	144.0%
<i>Assistant Town Clerk</i>	1,570	2,500	3,216	3,216	716	716	28.7%
<i>Street Listing</i>	869	750	1,200	1,200	450	450	60.0%
<i>Record Books</i>	1,500	4,000	5,000	5,000	1,000	1,000	25.0%
<i>Election Expenses</i>	3,070	5,400	5,000	5,000	(400)	(400)	-7.4%
<i>Election salaries inc. Registrars</i>	405	4,000	4,000	2,000	0	(2,000)	-50.0%
TOWN CLERK SALARY	29,900	31,066	33,279	33,279	2,213	2,213	7.1%
BOARDS AND COMMITTEES	4,884	10,642	10,700	10,700	58	58	0.5%
<i>Energy Committee</i>	0	200	0	0	(200)	(200)	-100.0%
<i>Conservation Commission</i>	499	500	750	750	250	250	50.0%
<i>Planning Board</i>	420	500	500	500	0	0	0.0%
<i>Zoning Board of Appeals</i>	155	500	250	250	(250)	(250)	-50.0%
<i>Boards Clerk</i>	3,810	8,942	9,200	9,200	258	258	2.9%
AUDITOR	16,000	7,200	7,560	7,560	360	360	5.0%
LEGAL	18,392	15,000	20,000	20,000	5,000	5,000	33.3%
INSURANCE & BONDS	53,620	58,000	52,000	52,000	(6,000)	(6,000)	-10.3%
REGIONAL SERVICES (FRCOG)	15,348	16,008	15,424	15,424	(584)	(584)	-3.6%
<i>Procurement Services</i>	2,819	2,669	2,850	2,850	181	181	6.8%

FY2024: Buckland Operating Budget

Item	FY2022 Actual	FY2023 Town Mtg Appropriated	FY2024 Requests	FY2024 FinCom recommend	\$ Request v. FY2023	FinCom \$ Change FY2023 to FY2024	% Change FY2023 to FY2024
Statutory Assessment	520	710	691	691	(19)	(19)	-2.7%
Core Assessment	8,951	12,629	11,883	11,883	(746)	(746)	-5.9%
Sub-Total General Government	491,813	582,408	634,857	626,357	52,449	43,949	7.5%
PROTECTION OF PERSONS AND PROPERTY							
POLICE SALARIES	151,096	178,027	0	0	(178,027)	(178,027)	-100.0%
POLICE DEPARTMENT	43,511	40,250	334,264	334,264	294,014	294,014	730.5%
OUI / Speed Enforcement	0	0	0	0	0	0	0.0%
Police Bldg Maintenance	5,770	7,500			(7,500)	(7,500)	-100.0%
Police Expense	37,741	32,750	334,264	334,264	301,514	301,514	920.7%
BUILDING INSPR PROG	7,600	7,600	7,600	7,600	0	0	0.0%
EMERG MGT DIR STIPEND	3,000	3,000	3,000	3,000	0	0	0.0%
EMERG MGT EXPENSE	179	2,500	2,500	2,500	0	0	0.0%
ANIMAL CONTROL REGIONAL	6,200	7,446	6,173	6,173	(1,273)	(1,273)	-17.1%
ANIMAL CONTROL EXPENSE	451	250	500	500	250	250	100.0%
FOREST FIRE WARDEN STIPEND	150	150	150	150	0	0	0.0%
TREE WARDEN STIPEND	1,200	1,200	1,200	1,200	0	0	0.0%
TREE WARDEN EXPENSE	8,337	6,000	9,500	9,500	3,500	3,500	58.3%
Sub-Total Protection	221,724	246,423	364,887	364,887	118,464	118,464	48.1%
EDUCATION							
K-12 MOHAWK OPERATING	2,673,693	2,686,885	2,793,688	2,793,688	106,803	106,803	4.0%
SMITH VOCATIONAL	30,993	55,000	64,000	64,000	9,000	9,000	16.4%
FRANKLIN COUNTY TECH OPER.	111,754	225,345	211,330	211,330	(14,015)	(14,015)	-6.2%
Sub-Total Education	2,816,440	2,967,230	3,069,018	3,069,018	101,788	101,788	3.4%
PUBLIC WORKS							
HIGHWAY SALARIES	115,789	129,759	147,559	147,559	17,800	17,800	13.7%
HIGHWAY DEPARTMENT	164,658	136,100	165,000	165,000	28,900	28,900	21.2%
Highway Supplies	78,236	50,000	60,000	60,000	10,000	10,000	20.0%
Road Machinery	43,649	50,000	60,000	60,000	10,000	10,000	20.0%
Street Lights	4,399	7,500	5,000	5,000	(2,500)	(2,500)	-33.3%
Town Garage Expense	38,374	28,600	40,000	40,000	11,400	11,400	39.9%
WINTER RDS SALARIES	82,557	98,108	98,108	98,108	0	0	0.0%
WINTER RDS EXPENSE	139,636	145,000	145,000	145,000	0	0	0.0%
REFUSE/RECYCLING	92,464	99,052	108,458	108,458	9,406	9,406	9.5%
Refuse Salaries	19,582	20,638	22,276	22,276	1,638	1,638	7.9%
Refuse/Recycling Expense	54,490	60,000	61,000	61,000	1,000	1,000	1.7%
Hazardous Waste	1,227	950	1,200	1,200	250	250	26.3%
Landfill Monitoring & Mowing	9,816	10,000	16,115	16,115	6,115	6,115	61.2%
Solid Waste Mgmt District	7,349	7,464	7,867	7,867	403	403	5.4%
GRANT MATCH EXPENSES	3,800	9,000	29,000	24,000	20,000	15,000	166.7%
Application Expense	0	4,000	4,000	4,000	0	0	0.0%
Engineering Expenses	3,800	5,000	5,000	0	0	(5,000)	-100.0%
Matching Funds	0	0	20,000	20,000	20,000	20,000	0.0%
Sub-Total Public Works	598,904	617,019	693,125	688,125	76,106	71,106	11.5%
HUMAN SERVICES							
ANIMAL INSPECTOR	800	800	800	800	0	0	0.0%
BOARD OF HEALTH STIPENDS	1,350	1,350	1,350	1,350	0	0	0.0%
BOARD OF HEALTH	14,939	15,407	21,291	21,291	5,884	5,884	38.2%
FRCOG Health Program	14,334	14,907	15,541	15,541	634	634	4.3%
Board of Health Expenses	605	500	5,750	5,750	5,250	5,250	1050.0%
SENIOR CENTER	68,638	70,579	71,143	71,143	564	564	0.8%
VETERANS SERVICES	43,204	45,597	49,193	49,193	3,596	3,596	7.9%
Regional Service Center	4,612	4,455	4,593	4,593	138	138	3.1%

FY2024: Buckland Operating Budget

Item	FY2022 Actual	FY2023 Town Mtg Appropriated	FY2024 Requests	FY2024 FinCom recommend	\$ Request v. FY2023	FinCom \$ Change FY2023 to FY2024	% Change FY2023 to FY2024
<i>Veterans Benefits</i>	38,534	40,392	44,100	44,100	3,708	3,708	9.2%
<i>Veterans Recognition Services</i>	58	750	500	500	(250)	(250)	-33.3%
Sub-Total Human Services	128,931	133,733	143,777	143,777	10,044	10,044	7.5%
CULTURE & RECREATION							
BUCKLAND LIBRARY	43,148	45,875	47,968	47,835	2,093	1,960	4.3%
<i>Library Operating Costs</i>	20,510	20,578	20,578	20,578	0	0	0.0%
<i>Library Salaries</i>	22,638	25,297	27,390	27,257	2,093	1,960	7.7%
ARMS LIBRARY	22,839	24,483	27,396	27,396	2,913	2,913	11.9%
RECREATION DEPARTMENT	21,281	19,775	33,912	33,912	14,137	14,137	71.5%
<i>Management</i>	8,500	8,500	20,412	20,412	11,912	11,912	140.1%
<i>Maintenance</i>	12,781	11,275	13,500	13,500	2,225	2,225	19.7%
EVENTS	2,567	2,150	2,550	2,550	400	400	18.6%
<i>4th of July</i>	150	150	250	250	100	100	66.7%
<i>Band Concerts</i>	800	800	800	800	0	0	0.0%
<i>Bridge of Flowers & SF&G</i>	1,617	1,200	1,500	1,500	300	300	25.0%
250th ANNIVERSARY		250	250	250	0	0	0.0%
Sub-Total Culture & Recreation	89,835	92,533	112,076	111,943	19,543	19,410	21.0%
INSURANCE/RETIREMENT							
RETIREMENT	125,595	122,681	130,280	130,280	7,599	7,599	6.2%
UNEMPLOYMENT/MEDICARE	14,033	13,144	10,624	10,624	(2,520)	(2,520)	-19.2%
<i>Unemployment Insurance</i>	3,049	2,289	1,798	1,798	(491)	(491)	-21.5%
<i>Medicare</i>	10,984	10,855	8,826	8,826	(2,029)	(2,029)	-18.7%
HEALTH/LIFE INSURANCE	148,292	188,783	179,436	179,436	(9,347)	(9,347)	-5.0%
<i>Employees</i>	114,224	153,727	140,233	140,233	(13,494)	(13,494)	-8.8%
<i>Retirees</i>	34,068	35,056	39,203	39,203	4,147	4,147	11.8%
OPEB ACCOUNT	0	20,000	20,000	20,000	0	0	0.0%
Sub-Total Ins./Ret. and Debt Expense	287,920	344,608	320,340	320,340	(24,269)	(24,269)	-7.0%



Increase / Decrease Amount Selected \$151,262

Buckland			
	Residential & Open Space (RO)	Commercial, Industrial and Personal Property (CIP)	Total
FY 2023 # of Parcels	862	259	1,121
FY 2023 Assessed Value	228,931,070	44,191,976	273,123,046
FY 2023 Tax Levy	3,878,092	748,612	4,626,704

RO Tax Rate	CIP Tax Rate
16.94	16.94

Proposed Tax Rate Impact Per \$1,000:	0.55
Proposed New Tax Rate Per \$1,000 (Estimated New):	17.49
FY 2023 Average Single Family Assessed Value (Current):	290,561
FY 2023 Average Single Family Tax Bill (Current):	4,922
FY 2023 Average Single Family Tax Bill Impact (Estimated New):	159.81

Assessed Value	Current Estimated Tax Bill	Proposed Estimated Tax Bill	Estimated Tax Bill Impact
250,000	4,235.00	4,372.50	137.50
350,000	5,929.00	6,121.50	192.50
450,000	7,623.00	7,870.50	247.50
550,000	9,317.00	9,619.50	302.50
650,000	11,011.00	11,368.50	357.50
750,000	12,705.00	13,117.50	412.50
850,000	14,399.00	14,866.50	467.50
950,000	16,093.00	16,615.50	522.50
1,050,000	17,787.00	18,364.50	577.50
1,150,000	19,481.00	20,113.50	632.50
1,250,000	21,175.00	21,862.50	687.50
1,350,000	22,869.00	23,611.50	742.50
1,450,000	24,563.00	25,360.50	797.50
1,550,000	26,257.00	27,109.50	852.50

TOWN OF BUCKLAND

ANNUAL TOWN MEETING

**SATURDAY, MAY 6, 2023
10:00 A.M.**

**MOHAWK TRAIL REGIONAL HIGH SCHOOL
26 ASHFIELD ROAD
BUCKLAND, MASSACHUSETTS**

ANNUAL TOWN MEETING WARRANT

Town of Buckland Commonwealth of Massachusetts

Franklin, ss.

To either of the Constables of the Town of Buckland in the Commonwealth of Massachusetts,

Greetings:

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 **Mohawk Trail Regional High School, 26 Ashfield Road, Buckland, MA at 10:00 AM on Saturday, May 6, 2023**, then and there to act on the following articles:

ARTICLE 1: REPORTS OF TOWN OFFICERS

To see if the Town will vote to accept the **Reports of Town Officers**; or take any action relating thereto.

ARTICLE 2: SALARIES OF ELECTED OFFICIALS

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for **Elected Officials' Salaries** for Fiscal Year 2024, as line item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2024 Operating Budget Report; or take any action relating thereto.

ARTICLE 3: POLICE SERVICES BUDGET – SHARED

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money to fund the **Police Services Budget – Shared** for Fiscal Year 2024, as a line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2024 Operating Budget Report; or take any action relating thereto.

ARTICLE 4: POLICE STABILIZATION

To see if the town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited in the **Police Stabilization Fund**, or take any action relating thereto.

ARTICLE 5: TOWN OPERATING BUDGET

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money to fund the **Town Operating Budget** for Fiscal Year 2024, as line item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2024 Operating Budget Report; or take any action relating thereto.

ARTICLE 6: SPECIAL LINE ITEMS

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the purpose of funding **Special Line Items** in the Town Operating Budget for Fiscal Year 2024, as line item appropriations, as recommended by the Finance Committee, in the Town of Buckland Fiscal Year 2024 Operating Budget Report, and further, to authorize that unspent amounts in said line items may be carried forward for use in following fiscal years without further appropriation; or take any action relating thereto.

ARTICLE 7: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT ASSESSMENT

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **Mohawk Trail Regional School District Operating Assessment** for Fiscal Year 2024; or take any action relating thereto.

ARTICLE 8: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT CAPITAL ASSESSMENT

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **Mohawk Trail Regional School District Capital Assessment** for Fiscal Year 2024; or take any action relating thereto.

ARTICLE 9: TUITION AND TRANSPORTATION FOR SMITH VOCATIONAL SCHOOL

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for **tuition and transportation of students to Smith Vocational and Agricultural High School** for Fiscal Year 2024; or take any action relating thereto.

ARTICLE 10: FRANKLIN COUNTY TECHNICAL SCHOOL OPERATING ASSESSMENT

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **Franklin County Technical School Operating Assessment** for Fiscal Year 2024; or take any action relating thereto.

ARTICLE 11: FRANKLIN COUNTY TECHNICAL SCHOOL CAPITAL ASSESSMENT

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the **Franklin County Technical School Capital Assessment** for Fiscal Year 2024; or take any action relating thereto.

ARTICLE 12: SHELBURNE FALLS WASTEWATER TREATMENT FACILITY BUDGET

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money to fund the **operation and maintenance of the Shelburne Falls Wastewater Treatment Facility** for Fiscal Year 2024, an Enterprise Fund, for which a sum of money will be raised from anticipated receipts from the Buckland user assessment as a line item appropriation, and for which a sum of money will be raised from anticipated receipts from the Town of Shelburne (pursuant to the operation agreement), as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2024 Budget Report; or take any action relating thereto.

ARTICLE 13: CAPITAL AND/OR DEBT EXPENSES FOR THE SHELBURNE FALLS WASTEWATER TREATMENT FACILITY ENTERPRISE FUND

To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money, which is the estimated cost of **capital and/or debt expenses for the Shelburne Falls Wastewater Treatment Facility**, an Enterprise Fund, for which a sum of money will be raised from anticipated receipts from the Town of Buckland user assessment, as a line item appropriation, and/or the Buckland Enterprise Fund Retained Earnings as recommended by the Finance Committee; or take any action relating thereto.

ARTICLE 14: SPECIAL WASTEWATER TREATMENT FACILITY LINE ITEMS

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money for the purpose of funding **Special Line Items in the Wastewater Treatment Facility Enterprise Fund** budget for Fiscal Year 2024, as line item appropriations, as recommended by the Finance Committee, and to further authorize that unspent amounts in said line items may be carried forward for use in following fiscal years without further appropriation; or take any action relating thereto.

ARTICLE 15: TOWN DEBT SERVICE

To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to pay the **interest and principal on Town debt**, as shown in the chart below; or take any action relating thereto.

ARTICLE 16: TOWN CAPITAL EXPENSES

To see if the Town will vote to raise and appropriate, borrow or otherwise provide a sum of money to be placed in departmental **Capital Accounts**, or take any other action relating thereto.

ARTICLE 17: OTHER POST EMPLOYMENT BENEFITS (OPEB)

To see if the town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited in the **Other Post Employment Benefits Liability Trust Fund** in order to offset future health insurance costs for retirees, or take any action relating thereto.

ARTICLE 18: ESTABLISH OPIOID REVOLVING ACCOUNT

To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the **Opioid Settlement Stabilization Fund**, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Abuse Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/download> entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from available funds a sum of money equal to that received or to be received by the Town from the opioid litigation settlements resulting from the Town's participating in the National Opioid multi-district litigation into said Opioid Settlement Stabilization Fund; or take any action relating thereto.

ARTICLE 19: APPROVE PRIOR FISCAL YEAR INVOICES

To see if the Town will vote to raise and appropriate, or otherwise provide a sum of money to pay an unpaid FY2021 invoices as listed below, or take any action relating there.

ARTICLE 20: UPPER NORTH STREET RECONSTRUCTION

To see if the Town will vote to (a) authorize the Select Board to acquire, by purchase, gift and/or eminent domain and on such terms as the Select Board deems appropriate, the fee to and/or permanent and temporary easements in, on, under and over the parcels of land located on North Street and approximately shown on plans entitled "Buckland Right of Way Property Plan", prepared by Massachusetts Highway Division, a copy of which is on file with the Town Clerk, as said plans may be amended from time to time and/or incorporated into an easement plan, and land within 200 feet of said parcels, for public way purposes, including without limitation, for the construction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining walls, guardrails, slopes, grading, rounding, construction, landscaping, and other structures and/or appurtenances, to enable the Town to undertake the North Street Reconstruction Project and for any and all purposes and uses incidental or related thereto; (b) transfer the care, custody and control of any Town-owned parcels of land included in the project from the board or officer currently having custody thereof for the purposes for which they are held to the Select Board for public way purposes; (c) raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing project and any and all costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions, appraisals, and surveys; and, further, (d) authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes; or take any action relating thereto.

ARTICLE 21: WOODLANDS PARTNERSHIP

To see if the Town will vote to participate in the activities of the Mohawk Trail Woodlands Partnership (also known as the “Woodlands Partnership of Northwest Massachusetts” per the Board’s October 2022 vote to recommend a name change*) as provided for in Section 91 of Chapter 209 of the Acts of 2018, an Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investment in Recreational Assets and Opportunity (the “Environmental Bond Bill”) or take any other action related thereto.

ARTICLE 22: AMENDMENT: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT AGREEMENT

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section IV Apportionment of Expenses among Member Towns, Subsections (A) through (J)**:

(A) Classification of Costs

For the purpose of apportioning assessments levied by the District upon the member towns, costs shall be divided into two categories: capital costs and operating costs.

(B) Capital Costs

Capital costs shall include all expenses in the nature of capital outlay such as the cost of acquiring land, the cost of constructing, reconstructing and adding to buildings, and the cost of remodeling or making extraordinary repairs to a school building or buildings, including without limitations the cost of the original equipment and furnishings for such buildings or additions, plans, architects’ and consultants’ fees, grading and other costs incidental to placing school buildings and additions and related premises in operating condition. Capital costs shall also include payments of principal and interest on bonds, notes or other obligations issued by the District to finance capital costs. Instructional capital expenditures which qualify under net school spending are not included under capital costs, and instead are included as an operating cost.

(C) Operating Costs

Operating costs shall include all costs not included in capital costs as defined in subsection IV(B) but including interest on temporary notes issued by the District in anticipation of revenue.

(D) Responsibility for Capital and Operating Costs

(1) Grades 7-12

Operating and capital costs, as defined above, associated with grades seven to twelve (7-12) inclusive of the District school or schools shall be deemed District costs and the member towns shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.

(2) Grades pre-K-6

- (a)** Costs associated with the operation of grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed operating costs of the District and the member towns shall be assessed their respective net shares thereof in accordance with the provisions of this Agreement.
- (b)** All capital costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed capital costs of the District and the member towns shall be assessed their respective net shares thereof in accordance with the provisions of section IV(E) of this Agreement.
- (c)** If any member town or towns should construct an elementary school, the respective member town or towns will assume responsibility for all capital costs.

(E) Apportionment of Capital Costs Grades pre-K-6

(1) Ashfield, Plainfield

Capital costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving pupils from the Towns of Ashfield and Plainfield shall be apportioned to the Towns of Ashfield and Plainfield as follows:

To Ashfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Ashfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2), computing the ratio which the sum of the enrollments of pupils at said school(s), resident in the Town of Ashfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of the enrollment of pupils at the Ashfield Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1) + (2)), and dividing such sum by two.

To Plainfield: A portion of the whole expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the population of the Town of Plainfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2), computing the ratio which the sum of the enrollments of pupils at the Ashfield Plainfield district school(s), resident in the Town of Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years, bears to the sum of enrollment of pupils at the Ashfield and Plainfield district school(s), resident in the Towns of Ashfield and Plainfield, as determined by the census of pupils at said school(s) each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by summing both ratios ((1)+(2)), and dividing such sum by two.

(2) Buckland, Shelburne

Capital costs incurred by the committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Buckland and Shelburne shall be apportioned to the Towns of Buckland and Shelburne as follows:

K To Buckland: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Buckland, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at the said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

To Shelburne: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Buckland Shelburne Elementary School, resident in the Town of Shelburne, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Buckland and Shelburne, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016); and by (2) expressing such ratio as a percentage.

(3) Colrain, Heath

Effective commencing with Fiscal Year 2023, new capital costs incurred by the committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Colrain and Heath shall be apportioned to the Towns of Colrain and Heath as follows:

To Colrain: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Colrain Center School, resident in the Town of Colrain as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Heath and Colrain, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation); and by

(2) expressing such ratio as a percentage. Until five years of data becomes available, the most recent years of data shall be used to determine said ratio.

To Heath: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee on or after July 1, 2022 consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Colrain Center School, resident in the Town of Heath as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Heath and Colrain, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation); (2) expressing such ratio as a percentage. Until five years of data becomes available, the most recent years of data shall be used to determine said ratio.

(4) The Heath Elementary School Building was returned to the Town of Heath on July 1, 2017, and the Lease between the parties terminated as of said date. In exchange for termination of the lease, the District paid to the Town of Heath a total sum of \$240,000.00. Any outstanding debt payments associated with the Heath Elementary School shall remain the responsibility of the Town of Heath, and the Town of Heath shall continue to be assessed for said debt in accordance with the terms of this Agreement.

(5) Capital costs representing payments of principal and interest on bonds, notes or other obligations as issued by the Committee to finance expenses in the nature of capital outlay for the purpose of construction at the site of, or reconstruction to, the Colrain Central School or upon any premises as may be leased to the Mohawk Trail Regional School District by the Town of Colrain, shall be borne by the Towns of Colrain and Heath, as provided in Section E. (3), above.

(6) Nothing in this section shall be construed to prevent the member towns from amending this Agreement and modifying and/or altering the above designated schedules of apportionment of capital costs in the event subsequent school construction or reconstruction results in a change of grade level or town assignments to the District schools.

(F) Apportionment of Capital Costs Grades 7-12

Capital costs represented by debt service shall be apportioned as a capital cost of the year in which the debt service falls due.

Capital costs incurred July 1, 1993 and thereafter shall be apportioned to the member towns annually for the ensuing fiscal year as follow:

- (1) Each member town's share of capital costs associated with the District High School for each capital project shall be apportioned to the member towns on the basis of their respective pupil enrollments at said school. Each member town's share shall be determined by computing the ratio which that town's average pupil enrollment at said school on October 1 of each of the five years next preceding the first year for which the apportionment is determined bears to the total average pupil enrollment from all member towns at said school for the same five year period. In the event that enrollment at the District High School has not been accomplished by October 1, capital costs shall be determined on the basis of enrollment in grades seven through twelve of pupils residing in each member town and receiving education at such town's expense on October 1 of that year.
- (2) Each member town's percentage share to the nearest one tenth of one percent will remain in effect for the term of the debt for each capital project.

(G) Apportionment of Operating Costs

Operating costs for the first fiscal year next following the effective date of Chapter 371 of the Acts of 1993 (See attachment) and for every fiscal year thereafter shall be apportioned to the member towns on the basis of their respective pupil enrollments in the regional District schools. Each member town's share for each fiscal year shall be determined by computing the ratio which that town's average pupil enrollment in the District schools on October 1 of each of the five years next preceding the year for which the apportionment is to be determined bears to the total average pupil enrollment from all member towns in the regional District schools for the same five year period (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and

October 1, 2016), as more fully set forth in Subsection IV(H) below. In the event that enrollment in the regional District schools has not been accomplished by October 1 of any year, operating costs shall be apportioned on the basis of enrollment in grades pre-kindergarten through twelve of pupils residing in each member town and receiving education at such town’s expense on October 1 of that year.

(H) The apportionment of operating costs shall be determined in accordance with the following procedure:

First: The Committee shall determine the proportion of the annual budget representing costs associated with the provisions of services to grades seven through twelve and the proportion representing costs associated with all other services including services to grades pre-kindergarten through six.

Second: The Committee shall determine the average enrollment share of each member town in grades seven through twelve, inclusive. For this purpose, average enrollment share shall equal, for each member town, its five-year average proportionate share of total student enrollment in the district schools for grades seven through twelve, as of October 1 in each of the five years immediately preceding the year for which such allocation is to be made.

Third: The Committee shall apportion costs of grades seven through twelve, inclusive, to the Towns of Hawley and Charlemont in direct proportion to each town’s five-year average share of student enrollment in grades seven through twelve, inclusive.

Fourth: The total budget, less the shares allocated to the Towns of Hawley and Charlemont, shall be apportioned among the District’s six remaining member towns on the basis of each member town’s five-year average student enrollment share. For purposes of this calculation, average enrollment share, for each of the pre-K-12 Member Towns shall be based on its five year average proportionate share of total student enrollment in the district schools (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016).

(I) Times of Payment of Apportioned Costs

Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection VI(B), of the capital and operating costs. Except as otherwise provided in subsection VI(A), the annual share of each member town shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

August 1	16.25%
October 1	36.25%
December 1	50.00%
February 1	67.50%
April 1	87.50%
May 1	100.00%

(J) Special Funds

The District School Committee shall not interfere with a town’s or Local Education Council’s use of trust funds or other special funds, including separate town meeting articles, intended for the enhancement of the educational opportunities for that town’s pupils at the pre-K-6 grades only. The operations budget shall not be reduced by the receipt of such funds.

and replacing said language of Section IV with the following Subsections (A) through (I), as re-lettered so as to combine existing Subsections (G) and (H) and re-letter the following sections as (H) and (I):

(A) Classification of Costs

For the purpose of apportioning assessments to the member towns, costs shall be divided into two categories: capital costs and operating costs.

(B) Capital Costs

Capital Costs to be assessed to towns (hereafter “Capital Costs”) shall include all expenses in the nature of capital outlay such as the cost of:

- (1) acquiring land, constructing, reconstructing and adding to or remodeling buildings, including without limitations the cost of the original equipment and furnishings for such buildings or additions, plans, architects’ and

- consultants' fees, grading and other costs incidental to placing school buildings and additions and related premises in operating condition;
- (2) maintaining, or making substantial repairs to, an existing school building or buildings;
 - (3) purchasing buses and/or other necessary vehicles for District school use.

Capital Costs shall also include payments of principal and interest on bonds, notes or other obligations issued by the District to finance Capital Costs. Capital Costs represented by debt service shall be apportioned as a Capital Cost of the year in which the debt service falls due. Each member town's percentage share of debt service, calculated to the nearest one hundredth of one percent at the time such debt is issued, will remain in effect for the term of the debt for each capital project.

Capital expenditures which qualify under net school spending are not included under Capital Costs, and instead are included as an operating cost.

(C) Operating Costs

Operating costs shall include all costs not included in Capital Costs as defined in Section IV(B), above, but including transportation costs (as per Section VIII of this Agreement) and interest on temporary notes issued by the District in anticipation of revenue.

(D) Responsibility for Capital and Operating Costs

- (1) Grades 7-12
Operating costs and Capital Costs, as defined above, associated with grades seven to twelve (7-12), inclusive, of the District school or schools shall be deemed District costs and the member towns shall be assessed their respective shares thereof in accordance with the provisions of Sections IV (F) and (G) of this Agreement.
- (2) Grades pre-K-6
 - (a) Costs associated with the operation of grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed operating costs of the District and the member towns shall be assessed their respective shares thereof in accordance with the provisions of Section IV (G) of this Agreement.
 - (b) Capital Costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District schools shall be deemed Capital Costs of the District and shall be assessed to member towns based on their respective shares thereof in accordance with the provisions of Section IV (E) of this Agreement.

(E) Apportionment of Capital Costs Grades pre-K-6

- (1) Capital Costs assessed to member towns prior to July 1, 2024 shall be assessed under Section IV (E) of the Mohawk Trail Regional School District Regional Agreement adopted by member Towns May-June 2018 and approved by the Commissioner of Elementary and Secondary Education on August 1, 2018, with amendments approved by the Commissioner of Elementary and Secondary Education, October 25, 2022 (referred to hereafter as the "Prior Capital Assessment Grades pre-K to 6"). Capital Costs assessed to towns after July 1, 2024, shall be assessed to the member towns as described below in paragraphs (a) through (c) of this Section (E) (1), (referred to hereafter as "the New Capital Assessment Calculation – pre-K to 6"), subject to the Transition Period as provided in Paragraph (3) of this Section (E), below. Such assessments shall be made on the basis of each town's proportionate share of District foundation enrollment for Grades pre-K to 6. District foundation enrollment, as defined in M.G.L. c. 70, Section 2, is determined by the Massachusetts Department of Elementary and Secondary Education (DESE) as of October 1 of each year.
 - (a) Ashfield, Plainfield
Capital Costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving pupils from the Towns of Ashfield and Plainfield shall be apportioned to the Towns of Ashfield and Plainfield as follows:

To Ashfield: A portion of the all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: by (1) computing the ratio which the population of the Town of Ashfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2) computing the ratio which the sum of the District's pre-K-6 foundation enrollment of pupils resident in the Town of Ashfield for the five most recent years bears to the sum of the District's pre-K-6 foundation enrollment of pupils resident in the Towns of Ashfield and Plainfield for the five most recent years; and (3) by summing both ratios ((1) + (2)) and dividing such sum by two.

To Plainfield: A portion of the all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: by (1) computing the ratio which the population of the Town of Plainfield bears to the total of the population of the Towns of Ashfield and Plainfield, and by (2) computing the ratio which the sum of the District's pre-K-6 foundation enrollment of pupils resident in the Town of Plainfield for the five most recent years, bears to the sum of the District's pre-K-6 foundation enrollments of pupils resident in the Towns of Ashfield and Plainfield for the five most recent years; and (3) by summing both ratios ((1) + (2)) and dividing such sum by two.

(b) Buckland, Shelburne

Capital Costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Buckland and Shelburne shall be apportioned to the Towns of Buckland and Shelburne as follows:

To Buckland: A portion of the total of all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: by (1) computing the ratio which the sum of the District's pre-K-6 foundation enrollment of pupils resident in the Town of Buckland for the five most recent years bears to the sum of the District's pre-K-6 foundation enrollments of pupils resident in the Towns of Buckland and Shelburne for the five most recent years, and by (2) expressing such ratio as a percentage.

To Shelburne: A portion of the total of all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: by (1) computing the ratio which the sum of the District's pre-K-6 foundation enrollment of pupils resident in the Town of Shelburne for the five most recent years bears to the sum of the District's pre-K-6 foundation enrollments of pupils resident in the Towns of Buckland and Shelburne for the five most recent years, and by (2) expressing such ratio as a percentage.

(c) Colrain, Heath

Capital Costs incurred by the Committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Colrain and Heath shall be apportioned to the Towns of Colrain and Heath as follows:

To Colrain: A portion of the total of all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: by (1) computing the ratio which the sum of District's pre-K-6 foundation enrollment of pupils resident in the Town of Colrain for the five most recent years bears to the sum of the District's pre-K-6 foundation enrollments of pupils resident in the Towns of Colrain and Heath for the five most recent years, and by (2) expressing such ratio as a percentage. Until five years of data for both towns becomes available, the most recent years of data shall be used to determine said ratio.

To Heath: A portion of the total of all such Capital Costs expressed as a percentage of the total to the nearest one-hundredth of one per-cent calculated as follows: by (1) computing the ratio which the sum of District's pre-K-6 foundation enrollment of pupils resident in the Town of Heath for the five most recent years bears to the sum of the District's pre-K-6 foundation enrollments of pupils resident in the Towns of Colrain and Heath for the five most recent years, and by (2) expressing such ratio as a percentage. Until five years of data for both towns becomes available, the most recent years of data shall be used to determine said ratio.

The Town of Colrain shall retain sole responsibility for all Capital Costs for which bonds were issued prior to November 2022.

- (2) Nothing in this Paragraph (E) shall be construed to prevent the member towns from amending this Agreement in accordance with Section XI in order to modify and/or alter the above designated schedules of apportionment of Capital Costs in the event subsequent school construction or reconstruction results in a change of grade level or town assignments to the District schools.
- (3) Transition Period

The transition to the New Capital Assessment Calculation – Grades pre-K to 6 shall take place over a period of five (5) years, beginning July 1, 2024 (for Fiscal Year 2025) and ending on June 30, 2029.

- (a) For Fiscal Year 2025 (commencing July 1, 2024 and ending on June 30, 2025), determination of the most recent year's enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades pre-K to 6 as described in this Section IV (E), and the four years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades pre-K to 6.
- (b) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), determination of the most recent two years of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades pre-K to 6 as described in this Section IV (E), and the three years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades pre-K to 6.
- (c) For Fiscal Year 2027 (commencing July 1, 2026 and ending June 30, 2027), determination of the most recent three years of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades pre-K to 6 as described in this Section IV (E), and the two years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades pre-K to 6.
- (d) For Fiscal Year 2028 (commencing July 1, 2027 and ending June 30, 2028), determination of the most recent four years of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades pre-K to 6 as described in this Section IV (E), and the one year prior enrollment shall be calculated using the Prior Capital Assessment Calculation – Grades pre-K to 6.
- (e) For Fiscal Year 2029 (commencing July 1, 2028) and all subsequent years, determination of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades pre-K to 6 as described in this Section IV (E).

(F) Apportionment of Capital Costs Grades 7-12

- (1) Capital Costs assessed to member towns prior to July 1, 2024 shall be assessed under Section IV (F) of the Mohawk Trail Regional School District Regional Agreement adopted by member Towns May-June 2018 and approved by the Commissioner of Elementary and Secondary Education on August 1, 2018, with amendments approved by the Commissioner of Elementary and Secondary Education, October 25, 2022 (referred to hereafter as “the Prior Capital Assessment Calculation – Grades 7-12”). Capital Costs assessed to towns after July 1, 2024, shall be assessed to the member towns as described below in paragraph (2) of this Section (F) (referred to hereafter as “the New Capital Assessment Calculation – Grades 7-12”), subject to the Transition Period as provided in Paragraph (3) of this Section (F), below. Such assessments shall be made on the basis of each town's proportionate share of District foundation enrollment for Grades 7-12. District foundation enrollment, as defined in M.G.L. c. 70, Section 2, is determined by the Massachusetts Department of Elementary and Secondary Education (DESE) as of October 1 of each year.
- (2) Each member town's share of Capital Costs associated with the District Middle School/High School as well as District-Wide Capital Costs shall be apportioned to the member towns on the basis of said town's share of the District's foundation enrollment for Grades 7-12. Each member town's share shall be determined by computing the ratio which Grade 7-12 students who reside in each town and are included in the District's foundation enrollment for each of the most recent five years bears to the District's total foundation enrollment for Grades 7-12 for the same five-year period, expressed as a percentage of the total to the nearest one-hundredth of one percent.
- (3) **Transition Period**
The transition to the New Capital Assessment Calculation – Grades 7-12 shall take place over a period of five (5) years, beginning July 1, 2024 (for Fiscal Year 2025) and ending on June 30, 2029.
 - (a) For Fiscal Year 2025 (commencing July 1, 2024 and ending on June 30, 2025), determination of the most recent year's enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades 7-12 as described in this Section IV (F), and the four years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades 7-12).
 - (b) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), determination of the most recent two years of enrollment shall be calculated on the basis the New Capital Assessment

Calculation – Grades 7-12 as described in this Section IV (F), and the three years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades 7-12).

- (c) For Fiscal Year 2027 (commencing July 1, 2026 and ending June 30, 2027), determination of the most recent three years of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades 7-12 as described in this Section IV (F), and the two years prior enrollments shall be calculated using the Prior Capital Assessment Calculation – Grades 7-12).
- (d) For Fiscal Year 2028 (commencing July 1, 2027 and ending June 30, 2028), determination of the most recent four years of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades 7-12 as described in this Section IV (F), and the one year prior enrollment shall be calculated using the Prior Capital Assessment Calculation – Grades 7-12).
- (e) For Fiscal Year 2029 (commencing July 1, 2028) and all subsequent years, determination of enrollment shall be calculated on the basis the New Capital Assessment Calculation – Grades 7-12 as described in this Section IV (F).

(G) Apportionment of Operating Costs

Each member town will contribute to the District no less than its minimum required local contribution as determined by the Commissioner pursuant to M.G.L. c. 70, Section 6. Any amounts in excess of the minimum required local contribution needed to support the District's budget will be assessed to the member towns in accordance with this Section IV (G.)

- (1) Operating Costs assessed to member towns prior to July 1, 2024 will be assessed under Sections IV (G) and IV (H) of the Mohawk Trail Regional School District Regional Agreement adopted by MTRSD Towns May-June 2018 and approved by the Commissioner of Elementary and Secondary Education on August 1, 2018, with amendments approved by the Commissioner of Elementary and Secondary Education, October 25, 2022 (referred to hereafter as “the Prior Operating Assessment Calculation”).
- (2) Operating Costs assessed to member towns after July 1, 2024, shall be assessed as described in paragraphs (a) through (d), below, (referred to hereafter as “the New Operating Assessment Calculation”), subject to the Transition Period as provided in Paragraph (3) of this Section IV (G). Such assessments shall be made on the basis of each town’s proportionate share of District foundation enrollment. District foundation enrollment, as defined in M.G.L. c. 70, Section 2, is determined by the Massachusetts Department of Elementary and Secondary Education (DESE) as of October 1 of each year.
 - (a) First, the Committee shall determine the proportion of the annual budget representing costs associated with the provision of services to grades seven through twelve and the proportion representing costs associated with all Central Office and District-Wide services, including such services to grades pre-kindergarten through six.
 - (b) Second, the Committee shall determine the average District foundation enrollment share of each member town in grades seven through twelve, inclusive. For this purpose, each member town’s share shall be determined by computing the ratio which Grade 7-12 students who reside in each town and are included in the District’s foundation enrollment for each of the most recent five years bears to the District’s total foundation enrollment for Grades 7-12 for the same five-year period, expressed as a percentage of the total to the nearest one-hundredth of one percent.
 - (c) Third, the Committee shall apportion the costs of grades seven through twelve, inclusive, to the Towns of Hawley and Charlemont in direct proportion to each town’s five-year average share of District foundation enrollment in grades seven through twelve, inclusive.
 - (d) Fourth, the total amount in excess of the aggregate minimum required local contributions, less the shares allocated to the Towns of Hawley and Charlemont, shall be apportioned among the District’s six remaining member towns on the basis of each member town’s five-year average District foundation enrollment share. For purposes of this calculation, average District foundation enrollment share for each of the pre-K-12 Member Towns shall be based on its five-year average proportionate share of total District foundation enrollment.
- (3) Transition Period

The transition to the New Operating Assessment Calculation shall take place over a period of five (5) years, beginning July 1, 2024 (for Fiscal Year 2025) and ending on June 30, 2029.

- (a) For Fiscal Year 2025 (commencing July 1, 2024 and ending on June 30, 2025), determination of the most recent year’s enrollment shall be calculated on the basis of the New Operating Assessment Calculation as described in this Section IV (G), and the four years prior enrollments shall be calculated using the “Prior Operating Assessment Calculation”).
- (b) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), determination of the most recent two years of enrollment shall be calculated on the basis of the New Operating Assessment Calculation as described in this Section IV (G), and the three years prior enrollments shall be calculated using the Prior Operating Assessment Calculation.
- (c) For Fiscal Year 2027 (commencing July 1, 2026 and ending June 30, 2027), determination of the most recent three years of enrollment shall be calculated on the basis of the New Operating Assessment Calculation as described in this Section IV (G), and the two years prior enrollments shall be calculated using the Prior Operating Assessment Calculation.
- (d) For Fiscal Year 2028 (commencing July 1, 2027 and ending June 30, 2028), determination of the most recent four years of enrollment shall be calculated on the basis of the New Operating Assessment Calculation as described in this Section IV (G), and the one year prior enrollment shall be calculated using the Prior Operating Assessment Calculation.
- (e) For Fiscal Year 2029 (commencing July 1, 2028) and all subsequent years, determination of enrollment shall be calculated on the basis of the New Operating Assessment Calculation as described in this Section IV (G).

(H) Times of Payment of Apportioned Costs

Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection VI(B), of the capital and operating costs. Except as otherwise provided in subsection VI(A), the annual share of each member town shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

August 1	16.25%
October 1	36.25%
December 1	50.00%
February 1	67.50%
April 1	87.50%
May 1	100.00%

(I) Special Funds

The District School Committee shall not interfere with a town’s or Local Education Council’s use of trust funds or other special funds, including separate town meeting articles, intended for the enhancement of the educational opportunities for that town’s pupils at the pre-K-6 grades only. The operations budget shall not be reduced by the receipt of such funds.

ARTICLE 23: AMENDMENT: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT AGREEMENT (BUDGET DEVELOPMENT)

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section VI – Budget**:

(A) Tentative Maintenance and Operating Budget

On or before February 8th, the Committee shall annually prepare a tentative maintenance and operating budget for the next fiscal year, including therein provision for any installment of principal or interest to become due in such year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member towns in such year. The said budget shall be in reasonable detail, including the amounts payable under the following classifications of expenses and such other classifications as may be necessary:

1. Administration
2. Instruction
3. Other School Services
4. Operation and Maintenance of Plant
5. Fixed Charges
6. Community Services
7. Acquisition of Fixed Assets
8. Debt Retirement and Debt Service
9. Programs with Other Districts and Private Schools
10. Transportation

Copies of such tentative budget shall be mailed to the chairperson of the board of selectmen and finance committee of such town.

(B) Final Maintenance and Operating Budget

The Committee shall on or before March 1 in each year adopt an annual maintenance and operating budget for the next fiscal year, said budget to include debt and interest charges and any other current capital costs as separate items, and shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of subsections IV(E) and IV(F) and with the provisions of sub-section IV(G), provided however, that the Committee shall adopt said annual maintenance and operating budget for the next fiscal year not later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but not later than March 1, and further provided that said annual maintenance and operating budget need not be adopted prior to January 18. The amounts so apportioned for each member town shall, within twenty days from the date on which the annual budget is adopted by the regional school district committee, and not later than March 10, be certified by the District treasurer to the treasurers of the member towns.

(C) High School Operating and Maintenance Budget for the purpose of Determining Tuition

For the purposes of determining tuition, the High School Operating and Maintenance Budget is defined as that portion of the budget relating to expenditures for high school level pupils in grades seven through twelve, inclusive. Budget lines for shared high school and elementary school costs, including but not limited to Administration and Transportation, shall be apportioned by computing the ratio which the grades 7-12 average pupil enrollment in the regional district on October 1 of each of the five years next preceding the year for which the apportionment is determined bears to the total average pupil enrollment from all member towns in the Regional School District for the same five year period (note: pre-K enrollment will be included in the calculation beginning in FY18 and will include the data from October 1, 2015 and October 1, 2016). The High School Operating and Maintenance Budget shall not include any cost for capital debt retirement or debt service.

(D) Vote on the Annual Budget

For purposes of voting on the annual budget by the member towns, the approval of the District's annual budget by the town meetings of each pre-K-12 Member Town shall constitute two "units" towards approval or disapproval of the annual District budget, while Hawley and Charlemont shall have one "unit" each, with a total of ten units needed to approve the annual budget.

and replacing said language with the following:

(A) Tentative Maintenance and Operating Budget

On or before February 15th, the Committee shall annually prepare a tentative maintenance and operating budget for the next fiscal year, including therein provision for any installment of principal or interest to become due in such year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member towns in such year. The said budget shall be in reasonable detail, including the amounts payable under the following classifications of expenses and such other classifications as may be necessary:

1. Administration
2. Instruction
3. Other School Services
4. Operation and Maintenance of Plant
5. Fixed Charges
6. Community Services

- 7. Acquisition of Fixed Assets
- 8. Debt Retirement and Debt Service
- 9. Programs with Other Districts and Private Schools
- 10. Transportation

Copies of such tentative budget shall be delivered via mail or email to the chairperson of the board of selectmen and finance committee of each member town.

(B) Final Maintenance and Operating Budget

The Committee shall on or before March 1 in each year adopt by a two-thirds vote of the full Committee an annual maintenance and operating budget for the next fiscal year, said budget to include debt and interest charges and any other current capital costs as separate items, and shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of subsections IV(E) and IV(F) and with the provisions of subsection IV(G), provided however, that the Committee shall adopt said annual maintenance and operating budget for the next fiscal year not later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but not later than March 1, and further provided that said annual maintenance and operating budget need not be adopted prior to January 18. The amounts so apportioned for each member town shall, within thirty days from the date on which the annual budget is adopted by the regional school district committee, and not later than March 31, be certified by the District treasurer to the treasurers of the member towns.

(C) High School Operating and Maintenance Budget for the purpose of Determining Tuition

For the purposes of determining tuition, the High School Operating and Maintenance Budget is defined as that portion of the budget relating to expenditures for high school level pupils in grades seven through twelve, inclusive. Budget lines for shared high school and elementary school costs, including but not limited to Administration and Transportation, shall be apportioned by computing the ratio which Grade 7-12 students who reside in member towns and are included in the District’s foundation enrollment for each of the most recent five years bears to the District’s total foundation enrollment for Grades Pre-K to 12 for the same five-year period, expressed as a percentage of the total to the nearest one-hundredth of one percent. The High School Operating and Maintenance Budget shall not include any cost for capital debt retirement or debt service.

(D) Vote on the Annual Budget

Consistent with Chapter 31 of the Acts of 2017, for purposes of voting on the annual budget by the member towns, the approval of the District’s annual budget by the town meetings of each pre-K-12 Member Town shall constitute two “units” towards approval or disapproval of the annual District budget, while Hawley and Charlemont shall have one “unit” each, with a total of ten units needed to approve the annual budget.

ARTICLE 24: AMENDMENT: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT AGREEMENT (EFFECTIVE DATE)

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section XV Effective Date**:

This amended Agreement shall take full effect in accordance with its terms on July 1, 2018 and shall supersede the prior District Agreement, including any prior amendments.

and replacing said language with the following:

This amended Agreement shall take full effect in accordance with its terms, following approval by all member towns and by the Commissioner of Elementary and Secondary Education, on July 1, 2023, and shall supersede the prior District Agreement, including any prior amendments. Nothing in this amended Agreement shall affect the apportionment of assessments to member towns prior to Fiscal Year 2025.

You are directed to serve this warrant by posting attested copies thereof at the Post Office, the Public Library in Buckland Center and Buckland Town Hall, 17 State Street, in said Town, seven days at least, before the time of holding said election and meeting.

A copy of this warrant is also available on the Town website <https://www.town.buckland.ma.us/>

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

Given under our hands this XXth day of April in the year Two Thousand Twenty-Three.

BARRY L. DEL CASTILHO- Chair, Select Board

CLINTON PHILLIPS – Member, Select Board

LAWRENCE WELLS – Member, Select Board

CONSTABLE'S RETURN

FRANKLIN, SS

Pursuant to the within warrant I have notified and warned the inhabitants of the Town of Buckland by posting attested copies of same at three public places and at least seven days before the day hereof, as within directed.

CONSTABLE: _____ DATE: _____

BREEZEWAY FARM CONSULTING, INC.

222 Wendell Road

New Salem, Massachusetts 01355-9525

Phone (978) 544-8505

Fax (978) 544-7958

Email ljovering@breezewayfarm.net

TO: Buckland Select Board

FROM: Linda Overing, CDBG Administration Consultant

DATE: April 6, 2023

RE: FY20 CDBG Contract amendment Requests

DHCD has approved the Town's request to extend the FY20 CDBG to June 30, 2023 and to use surplus funds to support the Food Pantry. The Town should now execute a contract amendment with Community Action Pioneer to extend their contract and increase the amount of their award. In addition, the Town should extend Breezeway Farm Consulting's contract for grant administration to the new end date of the grant.

I recommend the following motion:

I move to extend the contract with Community Action Pioneer Valley to provide Food Pantry services to Buckland to June 30, 2023, to increase the contract value by \$4,111.27, and to extend the contract with Breezeway Farm Consulting, Inc. to June 30, 2023. I also move to authorize the Select Board Chair to sign all related extension and budget amendment documents.

WASTEWATER TREATMENT PLANT CHIEF OPERATOR

The Town of Buckland seeks to fill a full-time position in the Wastewater Department. Qualifications include: Grade IV Mass Wastewater Operators License, general knowledge of machinery maintenance, ability to work well with the public with minimal supervision, computer ability helpful. Competitive salary and excellent benefits. Submit application, résumé and references to the Screening Committee, Town of Buckland, 17 State Street, Shelburne Falls, MA 01370. For more job description information and application contact Town Hall (413) 625-6330 x1 or go to the website at town.buckland.ma.us. Open until filled. *The Town of Buckland is an Equal Opportunity Employer M/F/D/V and does not discriminate based on race, gender, national origin, age, disability, marital, or veteran status, sexual preference or any other legally protected status.*

WASTEWATER WASTEWATER CHIEF OPERATOR

DEFINITION

Under general direction of Sewer Commission and daily supervision by Town Administrator, responsible for operating and maintaining the Wastewater Facility in accordance with the "National Pollutant Discharge Elimination System" (NPDES) permit and related State and Federal laws and regulations. Operates and maintains the wastewater collection system.

ESSENTIAL FUNCTIONS

The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

- Manage all process control functions of the plant to ensure its safe and efficient operation and ensure environment compliance. Prevent or minimize odor or noise from impacting the neighborhood.
- Ensure regulatory compliance.
- Write accurate and concise reports on time to Town, State and Federal offices overseeing the operations of the facility.
- Perform maintenance of treatment facility, pumping station and wastewater collection system.
- Coordinate work with other departments (Buckland Highway and SFFD Water) as needed.
- Maintain records of maintenance on equipment, sewer lines and pumping station.
- Maintain records of process performance and process controls.
- Prepare budget for submission and approval and operate within it.
- Attend required meetings, some of which may be at night.
- Procure needed supplies and services; obtain authorization when needed.
- Train and orient all new employees to system, plant and processes as needed.
- Respond on call to facility operational emergencies unless response is delegated to assistant operator.
- Respond to citizen sewer related questions and complaints and report SSOs to authorities.
- Schedule 365 days per year staffing coverage for plant as well as projects for plant personnel.
- Generate an evaluation of the Assistant Operator.
- Operate and maintaining the wastewater facility in accordance with the National Pollutant Discharge Elimination System and oversee, operate and maintain the wastewater collection system
- Work with the Town Administrator and Sewer Commission toward above goals
- Performs other related job duties as required.

SUPERVISION RECEIVED

Under administrative direction, the employee works from policies, goals, and objectives; establishes short-range plans and objectives, departmental performance standards and assumes direct accountability for department results; consults with the supervisor only where clarification, interpretation, or exception to policy may be required or as requested by the supervisor. The employee exercises control in the development of departmental policies, goals, objectives and budgets and is expected to resolve all conflicts, which arise and coordinate with others as necessary.

SUPERVISION EXERCISED

The manager is accountable for the direction and success of programs accomplished through others. Responsible for analyzing program objectives, determining the various departmental work operations needed to achieve them, estimating the financial and staff resources required, allocating the available funds and staff, reporting periodically on the achievement and status of the program objective; and recommending new goals. The employee typically formulates or recommends program goals and develops plans for achieving short and long-range objectives; determines organizational structure operating guidelines and work operations.

JUDGMENT AND COMPLEXITY

Guidelines only provide limited guidance for performing the work which may be in the form of administrative or organizational policies, general principals, regulations, legislation or directives that pertain to a specific department or functional area. Extensive judgment and ingenuity are required to develop new or adapt existing methods and approaches for accomplishing objectives or to deal with new or unusual requirements within the limits of the guidelines or policies. The employee is recognized as the authority in interpreting the guidelines, in determining how they should be applied.

NATURE AND PURPOSE OF CONTACTS

Relationships are constantly with co-workers, vendors, the public, groups and/or individuals such as peers from other organizations, and representatives of professional organizations. The employee serves as a spokesperson or recognized authority of the organization in matters of substance or considerable importance, including departmental practices, procedures, regulations or guidelines. May be required to discuss controversial matters where tact is required to avoid friction and obtain cooperation.

CONFIDENTIALITY

Employee has regular access at the departmental level to a wide variety of confidential information, including personnel records, medical records, lawsuits and client records.

EDUCATION AND EXPERIENCE

Grade IV or higher Wastewater Operator's license required and 3 to 5 years of related experience; or any equivalent combination of education, training, certification, and experience. Driver's license required.

KNOWLEDGE, ABILITY, AND SKILLS

Knowledge: Knowledge of relevant Massachusetts General Laws related to essential functions. Knowledge of the principles, practices, and methods related to the operation of a wastewater treatment plant. Knowledge of the functions and servicing requirements of mechanical equipment and machinery common to wastewater treatment plants. Knowledge of and skill in the use of laboratory equipment, instruments, procedures, and terminology.

Abilities: Ability to multi-task and manage conflict. Ability to communicate effectively both orally and in writing. Ability to maintain good public relations and to maintain effective collaborative working relationships with Town departments, department heads, fellow employees, officials and the general public and to respond in a courteous and professional manner. Ability to meet deadlines. Ability to work independently. Ability to operate a variety of plant pumps, treatment, and control equipment. Ability to perform repair and routine preventative maintenance work on mechanical equipment.

Skills: Strong communication skills, problem solving skills and customer service skills. Duties require knowledge of wastewater treatment plant operations and laboratory/testing and

WORK ENVIRONMENT

The nature of duties may involve continuous presence of unpleasant or irritating elements, such as considerable noise, odors, chemical fumes, dust, smoke, heat, cold, oil, dirt or grease. Work may be continually performed outdoors, regardless of weather conditions. May be required to be on call for 24 hours or being under prolonged pressure during emergency situations.

PHYSICAL, MOTOR, AND VISUAL SKILLS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential function of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical Skills

Administrative work is in an office setting, involving sitting, with intermittent periods of stooping, walking, and standing. When in the field, work requires agility and physical strength, such as moving in or about construction sites or over rough terrain, or standing or walking most of the work period. Occasionally, work may require lifting heavy objects and carrying them (up to 50 lbs.). There may be need to stretch and reach to retrieve materials.

Motor Skills

Duties involve assignments requiring application of hand and eye coordination with finger dexterity and motor coordination.

Visual Skills

Visual demands require routinely reading documents for general understanding and analytical purposes. Frequent computer use.

**Town of Buckland
Parade Or Street Use Permit**

This permit to be filled out in conjunction with the Town's written policy - see separate document.

Name of applicant or organization: Buckland Shelburne Youth Baseball

Date of Event: 4/22/25 Profit Non-Profit

Description of activity and purpose of request: (including date, time location, etc. Use back of sheet if necessary). Parade starting in Shelburne and ending at Cricket Field. Route in Buckland will be from Iron-Bridge, going down Conway St to Cricket field. ~~The parade will start at 10AM~~ Parade will start at 10AM.

Zack Turner

413-522-9565

Print Name

Telephone Number

[Signature]

Signature

Bill Police Services To:

2129 Roster

Shelburne Falls, MA 0570

Address

This permit must be completed in full and returned with a non-refundable \$5.00 application fee to the Town of Buckland, no later than 30 days prior to date requested for the activity.

(Town Use Only)

Date this application is received by Town 3/08/2023

Fee Paid: Check # _____ /Cash 500 Rcd by: [Signature]

Police Department: Approved Disapproved _____ Date _____

Recommendation of Police Department: Traffic &/or crowd control assessment:

DAY SHIFT TO ASSIST

Estimated cost to the Town: N/A

[Signature]
Chief of Police

4-7-23
Date

Board of Selectmen: Approved _____ Disapproved _____ Date _____

_____, Chair, Board of Selectmen,

**Buckland Select Board
Meeting Minutes
March 21, 2023 5:30 p.m.
Buckland Town Hall**

Listing of Topics

Appointments -

- > Dog Hearing - Charles Patenaude, 60 Purinton Road

Agenda Items

- > Appointments: Board of Registrars, Jim Picardi
- > Annual Election, position approval, Board of Health
- > FY20 Community Development Block Grant, contract extension & budget transfer
- > Comcast Cable HD Connection, Cable Advisory Committee recommendation
- > Municipal Aggregation Request for Proposal Signatory Authorization
- > Highway Salt Shed Design & Location
- > FY24 Budget
 - Regional School Assessment
 - Shared Policing Cost Sharing
 - Proposition 2 1/2 Override Discussion

Documents to Sign

- > Contract & Grant Documents - n/a
- > Permits & Licenses -
 - Cooperative Public Health Service, Health Training
 - Traffic Light Control Box Painting
 - Bridge Dinner
 - Marlboro Morris Men
- > Minutes

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting

Select Board Member Concerns

Town Administrator's Report

Public Comment

Volunteer Recognition

Announcements & Upcoming Meetings

Attendees

Barry Del Castilho - Select Board Chair
 Clinton Phillips - Select Board Vice-chair
 Lawrence Wells - Select Board Member
 Heather Butler - Town Administrator
 Mary Bolduc - Boards' Clerk
 Dana McNay - Falls Cable
 Dena Willmore - Finance Committee
 Larry Langford - Finance Committee
 Paula Consolo - Finance Committee
 Martha Thurber - School Committee
 Greg Bardwell - Police Chief
 Charles Patenaude - Resident, Dog Owner
 Kyle Dragon - Animal Control Officer, FCSO
 Naureen Collins
 Cheyenne Lincoln
 Terri Haire
 Brian Cook
 Brain Frampton

Meeting

Mr. Del Castilho opened the meeting at 5:30 p.m.

Appointments -

> Dog Hearing - Charles Patenaude, 60 Purinton Road - Mr. Charles Patenaude was sent a letter (by certified mail and hand delivered) informing him that at the request of Animal Control Officer Kyle Dragon the Buckland Select board would hold a public hearing to determine whether he is in violation of a nuisance dog order issued on July 26, 2022. Mr. Patenaude was present for the hearing on this date, March 21, 2023.

Mr. Dragon stated the dogs have not caused personal injury .

Mr. Dragon swore in all witnesses present. He stated that the order of testimony would be witnesses, then dog owner.

Witness Brian Cook - Lived on property of Mr. Patenaude. Stated dogs not dangerous, but do jump on people and stop plows. Dogs are not controlled but should not be put down (euthanized).

Witness Naureen Collins - Visits daughter and her boyfriend who live on Purinton Rd. Mr. Patenaude's dogs chased Ms. Collin's car and she was too frightened to exit her vehicle until daughter's boyfriend came out to help her. She is terrified to go down that road and stopped visiting after fourth trip. Neighbors are afraid of retaliation; dogs do the same to other vehicles. Caused damage to her car. Accused dogs' owners of laughing when dogs chase vehicles and intimidate drivers.

Witness Cheyenne Lincoln - Has witnessed dogs attacking neighbors that live in area who have to travel in vicinity of Patenaude residence; addressed fear and intimidation experienced by neighbors.

Witness Brain Frampton - Lives on Mr. Patenaude's property. Spoke in favor of the dogs' behavior; not aggressive or dangerous.

Witness Diane Terrill - Stated that dogs are curious when she visits property and referred to them as sweet, gentle giants.

Witness Terri Haire - Wife of Charles Patenaude. Denied that dogs are free 24/7 as implied by witnesses. They (she and Mr. Patenaude) have employed electric shock collars, dogs are walked on leashes one at a time and are restrained in their yard. If people did not yell at dogs when loose, the dogs could hear owners when they issue a recall. She did admit that the dogs did get loose on occasion and when they were, they chased vehicles, especially those that were unfamiliar to them. Ms. Haire stated that the dogs "got loose" not were purposely allowed to roam unrestrained. She also disputed allegations of laughing when dogs chase other people's cars.

Mr. Patenaude - Dog owner. Does let dogs loose occasionally in fenced in area, also one at a time with radio tracking collar (not physical restraint), but not on a daily basis. He also admitted to letting dogs loose (unrestrained) one at a time under his supervision, stating that is the only way to evaluate training. He stated that the dogs do not approach neighbors with chickens. Other times, when dogs are outside with him, they are on 50' leads. He has continuous tracking data since last July to document the dogs' whereabouts when using the radio tracking collars.

Naureen Collins - Doesn't not agree with Mr. Patenaude's statements regarding his dogs.

Cheyenne Lincoln - Stated dogs were under Mr. Frampton's supervision when they killed a deer.

Ms. Lincoln stated she has videos, which Mr. Patenaude questioned because they were taken without his permission. Because videos were taken from roadway and on property on which Ms. Lincoln was allowed to live, videos are allowable. Mr. Del Castilho asked for some input from Mr. Dragon who added that chasing vehicles is in violation of the leash law. Road boss had admitted to dogs chasing plows. Mr. Patenaude would like copies of videos, and Mr. Wells stated he would like to view videos.

Mr. Phillips stated he did not need to see videos because at the last hearing last year, Mr. Patenaude was given his final chance to keep the dogs under his control and on his property. Mr. Phillips further stated that in that meeting Mr. Patenaude and Ms. Haire admitted the dogs were running down the road chasing vehicles; therefore, in Mr. Phillips' opinion, Mr Patenaude has failed to control his dogs as ordered and should not own them, but he also felt that the dogs should not be euthanized.

Mr. Del Castilho asked Mr. Dragon if he had dealt with any similar situations, and if so, what were his recommendations. Mr. Dragon said that a corrective measure could be taken, and the dogs could be removed from the owner. Mr. Dragon proceeded to read verbatim from MGL Ch.140 Sec 157A.

After further discussion, and hearing from witnesses and dog owner, it was decided to table any further action until the next meeting so the Board could review the minutes from the July 2022 meeting. Mr. Del Castilho moved to continue the hearing to March 28, 2023 at 6:00 p.m. Mr. Wells seconded and vote in favor of the motion was unanimous.

Agenda Items

> *Appointments: Board of Registrars, Jim Picardi* - Mr. Phillips moved to appoint Jim Picardi to the Board of Registrars to serve a three year term, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

> *Annual Election, position approval, Board of Health* - Mr. Phillips moved to add a three year BOH position to the available positions for election at the June 6th Annual Town Election at the Town Clerk's request. Mr. Wells seconded the motion and vote in favor was unanimous.

> *FY20 Community Development Block Grant, contract extension & budget transfer* - Mr. Phillips moved to request DHCD to extend the FY20 CDBG to June 30, 2023 and to reprogram funds to the Food Pantry and administrative costs. He also moved to authorize the Select Board Chair to sign the extension and budget amendment requests. Mr. Wells seconded the motion and vote in favor was unanimous.

> *Comcast Cable HD Connection, Cable Advisory Committee recommendation* - We signed the Comcast Cable Contract several months ago and shortly after received a letter from Comcast stating they wanted a separate side agreement for building the HD Channel referenced in the contract. They originally provided us a quote that included fiber to the police station as well as the Town Hall. Not knowing the future of that building Ms. Butler asked for a revised quote for just Mohawk and the Town Hall. Our Comcast Advisory Committee had recommended to move forward with the connection to Mohawk and to hold off on any additional connections for cost and service considerations. It is anticipated the cost of this work would be at the expense of Falls Cable. Mr. Phillips moved to accept the recommendation of the Cable Advisory Committee and confirm that agreement to Comcast in a letter from the Town. Mr. Wells seconded, and vote favor of the motion was unanimous.

> *Municipal Aggregation Request for Proposal Signatory Authorization* - Ms. Butler explained that Franklin County's current contract with Dynegy ends in January 2024 and gave the Board an overview of the timeline and process for the next RFP.

This agenda item was informational only, no action was taken. Ms. Butler asked Board members to please review information and options to revisit at a later meeting.

> *Highway Salt Shed Design & Location* - Ms. Butler reported that progress is being made on the salt shed project and a decision must be made on which of the 2 Sears Street parcels to site the shed. Handouts were given illustrating the choices, noting that Option One allowed the town to partner with the business owner next door. Following discussion, Mr. Del Castilho moved to site the new salt shed in accordance with Option 1, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

> FY24 Budget

Regional School Assessment - Ms. Thurber reported, citing cost drivers being transportation and special education expenses. She emphasized that great effort is made to provide the same level of education our students could receive elsewhere, and that 70% take advanced coursework via wither AP or Honors Classes. With dwindling enrollment, it is a balancing act. Paula Consolo of the Finance Committee added that it is a "totally reasonable budget". Discussion followed on transportation and the plight of rural schools.

Shared Policing Cost Sharing - Mr. Langford addressed the training costs constraints of fully trained officers and gave an overview of the circumstances leading to the shared services collaboration. He then turned the floor over to Chief Bardwell who presented the shared police services budget, a projected budget for a Buckland Police Department without the shared services, including direct and indirect costs for both scenarios. He also presented comparative statistics for Buckland and Shelburne for data such as demographics, call data, crash data, comparative land area, and property classifications. Chief Bardwell expressed his appreciation for cooperation from both towns.

Proposition 2 1/2 Override Discussion - Buckland is facing a \$200K deficit due to operating increases which may result in a Proposition 2 1/2 override or cuts in budget that impact services or positions. An override would eliminate the deficit and provide a cushion; the last Prop 2 1/2 override was in 2007 for \$100K which in today's dollars would be about \$150K. Discussion followed regarding what could be cut from the budget to avoid the override, and how much an override would add to a property owner's tax bill; the answer was approximately \$1 per \$1000.

Documents to Sign

> Contract & Grant Documents - n/a

> Permits & Licenses -

Cooperative Public Health Service, Health Training - Train the Trainer (Narcan Training) for BOH's & municipal staff in CPHS district. Hall Fee Waived. May 26, 2023, 9 am - 3 pm. Mr. Phillips moved to approve town property use and to waive fee, seconded by Mr. Wells. Vote in favor of motion was unanimous.

Traffic Light Control Box Painting - Submitted by Missy Ashton. Funded by a Cultural Council Grant to paint the traffic light control box by the Iron Bridge. Painting to be in keeping with Bridge of Flowers motif, and the Select Board would like a rendering before painting begins. Mr. Phillips moved to approve contingent on rendering, seconded by Mr. Wells. Vote in favor of motion was unanimous.

Bridge Dinner - Jennifer Pease submitted a street use permit on behalf of the Mohawk Trail Athletic Association to close the iron Bridge on August 20, 2023, from 2 pm to 9 pm for a Bridge Dinner. Discussion followed. Mr. Phillips moved to approve, seconded by Mr. Wells. Vote in favor of the motion was unanimous.

Marlboro Morris Men - Parade/Street use Permit for May 13, 2023. About 40 Morris dancers and musicians will perform in 2 -3 parking spaces in front of McCusker's from approximately 4 -5:30 pm. Dancers also stand in alley between Mo's Fudge and McCusker's. Mr. Phillips moved to approve, seconded by Mr. Wells. Vote in favor of motion was unanimous.

> *Minutes* - Mr. Phillips moved to approve Select Board minutes of February 28, 2023, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Mr. Del Castilho moved to approve Executive Session minutes of January 24, 2023, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Mr. Del Castilho moved to approve the Executive Session minutes of December 13, 2022, seconded by Mr. Phillips. Vote in favor of the motion was unanimous.

Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - No items not reasonably anticipated.

Select Board Member Concerns - No concerns expressed.

Town Administrator's Report - Ms. Butler hopes everyone has enjoyed Conway Road being open. The construction crew is coming back on March 27 and will try to keep one lane open. Need to discuss sidewalk and riverwalk.

Will bring Ch.90 review to next meeting.

Gave an overview of the Upper North Street Public Hearing and other options to obtain that information; it is all on website.

Public Comment - No public comment.

Volunteer Recognition - Recognition given to all the good deeds done during the snow storm of March 14, neighbors helping neighbors.

Announcements & Upcoming Meetings - Annual Town Meeting May 6, 10 a.m.; next Select Board meeting March 28; Finance Committee meeting on March 27; Upper North Street Reconstruction Public Hearing, March 23, 6 p.m.

With no further business, Mr. Phillips moved to adjourn, seconded by Mr. Wells. Vote in favor of the motion was unanimous. Meeting adjourned at 7:57 p.m.

Respectfully submitted by Mary Bolduc, Boards' Clerk, April 18, 2023

Signed:

Barry Del Castilho_____

Clinton Phillips_____

Lawrence Wells_____