

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 School, 26 Ashfield Road, at 7:00 PM on Wednesday, May 8, 2019**, then and there to act on the following articles:

ARTICLE 1: REPORT OF THE TOWN CLERK

To see if the Town will instruct the Town Clerk to report on the election of officers as follows:

Moderator (1)	for one year
Select Board (1)	for three years
Board of Assessors (1)	for three years
Board of Health (1)	for three years
Buckland Library Trustee (1)	for three years
Tree Warden (1)	for three years
Finance Committee (2)	for three years
Constable (1)	for three years

ARTICLE 2: 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 3: 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 2020, as line item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal 2020 Operating Budget Report, dated April 23, 2019; or take any action relating thereto.

ARTICLE 4: 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 2020, as line item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal 2020 Operating Budget Report, dated April 23, 2019; or take any action relating thereto.

ARTICLE 5: 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 2020, as line item appropriations, as recommended by the Finance Committee, in the Town of Buckland Fiscal 2020 Operating Budget Report, dated April 23, 2019, 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 6: MOHAWK TRAIL 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 2020; or take any action relating thereto.

ARTICLE 7: MOHAWK TRAIL 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 2020; or take any action relating thereto.

ARTICLE 8: 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; or take any action relating thereto.

ARTICLE 9: 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 2020; or take any action relating thereto.

ARTICLE 10: 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 2020; or take any action relating thereto.

ARTICLE 11: 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, 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 2020 Budget Report, dated April 23, 2019; or take any action relating thereto.

ARTICLE 12: 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 in the Town of Buckland Fiscal 2020 Operating Budget Report, dated April 23, 2019; or take any action relating thereto.

ARTICLE 13: 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 2020, as line item appropriations, as recommended by the Finance Committee, in the Fiscal 2020 Wastewater Treatment Facility Budget Report, dated April 23, 2019, 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 14: TOWN DEBT SERVICE

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

Project	Amount	Source of Funds	Excluded Debt
Town Hall Renovation	\$29,451	Raise & Appropriate	Yes
Mohawk Trail RSD Roof	\$18,375	Raise & Appropriate	Yes
Buckland Shelburne Elementary Roof	\$18,219	Raise & Appropriate	Yes
Mohawk Trail RSD Windows & Doors	\$12,433	Raise & Appropriate	Yes
Buckland Shelburne Elementary Capital Project	\$30,133	Raise & Appropriate	Yes
Franklin Tech Roof	\$7,029	Raise & Appropriate	No
Short Term Interest – Highway Garage	\$84,000	Raise & Appropriate	Yes
TOTAL	\$199,640		

ARTICLE 15: 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, as shown in the chart below; or take any other action relative thereto.

Account	Purpose	Amount	Source of Funds
Town Hall Expenses	Rear entrance handicap accessibility	\$15,000	Raise & Appropriate
Police Department Expenses	Police Cruiser	\$50,000	\$10,000 – Raise & Appropriate \$40,000 – Police Stabilization
Highway Expenses	Road repairs	\$50,000	\$39,500 – Raise & Appropriate \$10,500 – Free Cash
Transfer Station Exp.	Compactor	\$16,000	Raise & Appropriate
Recreation Dept. Maintenance	Pavilion maintenance	\$5,000	Raise & Appropriate
Select Board Expenses	High Speed Internet Build Out	\$24,000	Raise & Appropriate
TOTAL		\$160,000	

ARTICLE 16: FUNDING FOR STABILIZATION ACCOUNTS

To see if the Town will vote to raise and appropriate, or otherwise provide funding for Stabilization Accounts, as shown in the chart below; or take any other action relative thereto.

Stabilization Account	Amount	Source of Funds
Police Stabilization	\$10,000	Free Cash
Highway Stabilization	\$50,000	Free Cash
Technology Stabilization	\$1,000	Free Cash
General Stabilization	\$57,000	\$42,000 – Raise & Appropriate \$15,000 – Free Cash
TOTAL	\$118,000	

ARTICLE 17: SHORT TERM RENTALS

To see if the Town will vote to accept G.L. c. 64G, §3A, to impose a local room occupancy excise at the rate of six (6) percent; or take any other action relative thereto

ARTICLE 17: SHORT TERM RENTALS

To see if the Town will vote to accept G.L. c. 64G, §3A, to impose a local room occupancy excise at the rate of six (6) percent; or take any other action relative thereto

ARTICLE 18: MARIJUANA ZONING BY-LAW

To see if the Town will vote to amend its Zoning Bylaws by:

- adding a new Section XV: Adult Use Recreational Marijuana Establishments;
- revising Section II: Definitions, to address Marijuana Establishments;
- revising Section 4-2 Limit on Principal Structures Per Lot, to allow a residential land use and licensed marijuana cultivation to occur on the same lot if a Special Permit is granted;
- revising Section 4-3 Table of Use Regulations, to address Marijuana Retail Stores, Marijuana Product Manufacturing, Marijuana Microbusinesses, Marijuana Cultivation and Marijuana Independent Testing Laboratory or Research Facility;
- adding a new Section 4-7 Performance Standards for Small Scale Marijuana Cultivation, in the Rural Residential, Village Residential and Village Commercial Districts; and
- adding Marijuana Establishments to the list of projects requiring site plan review in Section XII: Site Plan Review, subsection b); or take any other action related thereto.

ATTACHMENT A: The complete text of the proposed revisions is on file with the Town Clerk at the Buckland Town Hall, 17 State Street, Buckland, MA and is available for inspection during the regular business hours of the Town Clerk. The text is also posted on the Town website: <https://www.town.buckland.ma.us/>

ARTICLE 19: BAN ON SINGLE USE PLASTICS

To see if the Town will vote to amend the General By-Laws of the Town of Buckland by adding Chapter XV, Single Use Plastics By-Law; or take any other action related thereto.

ATTACHMENT B: The complete text of the proposed revisions is on file with the Town Clerk at the Buckland Town Hall, 17 State Street, Buckland, MA and is available for inspection during the regular business hours of the Town Clerk. The text is also posted on the Town website: <https://www.town.buckland.ma.us/>

ARTICLE 20: CITIZEN PETITION: SEAL AND MOTTO OF THE COMMONWEALTH

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

Whereas the Town of Buckland is situated on lands once home to Native People, including Mohicans and Pocumtuc, some of whom have moved far to the west, to Wisconsin or to northern New York, northern Vermont and Canada, yet some of whose descendants still live in our region;

Now, therefore, **BE IT RESOLVED** that the Town of Buckland hereby adopt this resolution in support of HD.2968 and SD.1495, a "**Resolve Providing for the creation of a Special Commission relative to the Seal and Motto of the Commonwealth,**" and request that Representative Natalie Blais and Senator Adam Hines continue their strong advocacy and support for the aforementioned Resolve (HD.2968 and SD.1495) in the General Court, and that the Joint Committee on State Administration and Regulatory Oversight, after holding a public hearing on the Resolve report it out favorably, and if the legislation shall pass that the governor shall sign it and work with members of the General Court to ensure its enactment.

ARTICLE 21: CITIZEN PETITION: MARIJUANA OPERATIONS

To see if the Town will vote to accept the following changes to the Buckland Zoning Bylaw relative to the use of land for licensed marijuana operations or take any other action relative thereto.

(A) Add the following definitions to Section II: Definitions, as follows:

935 CMR 500.00: Regulations promulgated by the Massachusetts Cannabis Control Commission for the licensing and control of marijuana establishments.

CCC: the Massachusetts Cannabis Control Commission

Greenhouse Marijuana Cultivation: The cultivation of marijuana in a greenhouse.

Independent Marijuana Testing Laboratory operations: The use of land or buildings by an Independent Testing Laboratory licensed by the CCC.

Indoor Marijuana Cultivation: The cultivation of marijuana in an enclosed structure, excluding greenhouses.

Licensed Marijuana Operations: The conduct of business by the holder of a marijuana establishment license from the CCC, and the exercise of all rights associated therewith, and subject to the duties and responsibilities imposed by state law, state regulation and local conditions of operation.

Marijuana Cultivation: Use of land and/or buildings for planting, tending, improving, harvesting, processing and packaging, the preparation and maintenance of soil and other media and other measures for promoting the growth of marijuana by a Marijuana Cultivator, Micro-Business, Research Facility, Craft Marijuana Cultivator Cooperative, Registered Marijuana Dispensary or other entity licensed by the CCC for marijuana cultivation.

Marijuana Product Manufacture: Use of Land and/or buildings to compound, blend, extract, infuse, or otherwise make or prepare marijuana-infused products by a Marijuana Product Manufacturer, Micro-Business, Craft Marijuana Cultivator Cooperative or other entity licensed by the CCC for marijuana product manufacture.

Marijuana Research Facility operations: The conduct of marijuana research in accordance with a Marijuana Research license issued by the CCC (935 CMR 500.050).

Marijuana Retailer: The holder of a Marijuana Retailer license issued by the CCC (935 CMR 500.050).

Marijuana Retail Sales: The conduct of a Marijuana Retailer providing a retail location accessible to the public.

Marijuana Transporter (3rd party) operations: Use of land or buildings as a base of operations for a CCC-licensed Marijuana Transporter (935 CMR 500.050).

Outdoor Marijuana Cultivation: The cultivation of marijuana in the natural elements, not in a greenhouse or enclosed structure.

(B) Insert the following sections into Section 4-3 Table of Use Regulations, as follows:

1. Under AGRICULTURAL & RECREATIONAL USES, the following lines are added:

	V C	V R	R R	C	I	HI
Greenhouse Marijuana Cultivation up to 5,000 square feet of canopy	N	N	SP	SP	SP	SP
Outdoor Marijuana Cultivation up to 5,000 sq. ft. of canopy	N	N	SP	SP	SP	SP
Greenhouse or Outdoor Marijuana Cultivation exceeding 5,000 sq. ft. of canopy	N	N	N	N	SP	N

2. Under BUSINESS USES, the following lines are added:

	V C	V R	R R	C	I	HI
Marijuana Retail Sales	SP	N	N	SP	N	SP
Independent Testing Lab operations	SP	N	N	SP	SP	SP

3. Under INDUSTRIAL USES, the following lines are added:

	V C	V R	R R	C	I	HI
Indoor Marijuana Cultivation up to 5,000 sq. ft.	N	N	SP	SP	SP	SP
Indoor Marijuana Cultivation exceeding 5,000 sq. ft.	N	N	N	SP	SP	SP
Marijuana Product Manufacture	N	N	N	SP	SP	SP
Marijuana Transporter (3d party) operations	N	N	N	SP	SP	SP
Marijuana Research	SP	N	SP	SP	SP	SP

(C) Insert a new subsection in SECTION IV: USE REGULATIONS as follows:

4-7 LICENSED MARIJUANA OPERATIONS

- Proximity to Schools.** No marijuana-related operations may occur within five hundred feet (500') of a pre-existing public or private primary or secondary school, as measured in a straight line from the nearest point of the school property to the nearest point of the property line of the Marijuana Establishment.
- Controls.** No land or buildings may be used for marijuana-related operations except
 - in accordance with a license in good standing from the CCC; and
 - in such zoning districts as designated in the Table of Use Regulations and subject to such conditions as reasonably may be imposed on time, place and manner by the Special Permit Granting Authority. Such conditions may include, but are not limited to, restrictions on the visibility of operations and goods or equipment associated therewith, outside storage, the emission of light, noise, odor or fumes, and times of operations.
- Scope.** The controls imposed by this ordinance on the uses of land and buildings for marijuana-related operations shall apply regardless of the class or type of license issued by the CCC for the site in question. For example, without limitation, cultivators will be subject to these rules whether they are licensed as a Marijuana Cultivator, Craft Marijuana Cultivator Cooperative, Micro-Business, or Research Facility as those terms are defined in 935 CMR 500.002.

4. Hemp. Nothing in this bylaw shall be construed to regulate the cultivation of industrial hemp, as same is regulated by the Massachusetts Department of Agricultural Resources pursuant to General Laws, Chapter 128, Sections 116-123. Use of land or buildings for hemp, processing and/or product manufacture shall be subject to such zoning controls as apply to other (non-marijuana) processing and product manufacture operations.

ARTICLE 22: CITIZEN PETITION: LIMITS ON ELIGIBILITY FOR SELECT BOARD APPOINTMENTS TO MULTIMEMBER BOARDS

For all boards appointed by the Select Board and consisting of more than two appointed members, the following restriction applies. Any person having served on said board for three or more consecutive three year terms, or two or more consecutive five year terms, is ineligible for reappointment to said board for a one year period following the expiration of their most recent term. For purposes of this section, a person shall be deemed to have served as a member of a multiple member body for a "term" if they are appointed to fill an unexpired term for a period equivalent to more than one-half of the original term of appointment. Members of state regulatory boards and boards requiring specialized training (e.g. Board of Registrars, Conservation Commission, Emergency Management Team) are exempt from this bylaw.

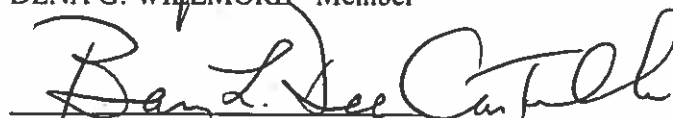
You are directed to serve this warrant by posting attested copies thereof at the Post Office, the Public Library in Buckland Center and Buckland Town Hall, 17 State Street, in said Town, seven days at least, before the time of holding said election and meeting.

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 23rd day of April, in the year Two Thousand Nineteen.


ZACHARY J. TURNER - Chair


DENA G. WILLMORE - Member

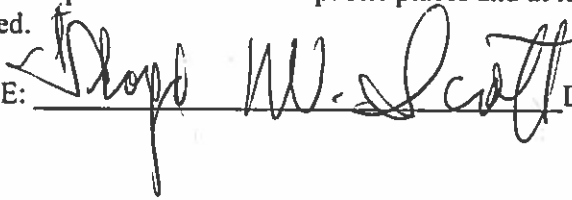

BARRY L. DEL CASTILHO - Member

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:

4-24-19