

## 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, Buckland, MA at 10:00 AM on Saturday, May 4, 2024**, then and there to act on the following articles:

#### **ARTICLE 1: CONSENT CALENDAR**

To see if the Town vote to take Articles 2, 3, 5, 7, 10, 12, 14, 15, 16 & 18 out of order in this warrant and to approve all of them as one vote without debate on any such articles, and further that the motions for each article be incorporated into this consent motion as follows:

#### **ARTICLE 2: ANNUAL TOWN REPORTS**

To see if the Town will vote to accept the **2023 Reports of Town Officers**.

#### **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 Year 2025, as line-item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative 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 Year 2025, as line item appropriations, as recommended by the Finance Committee, in the Town of Buckland Fiscal Year 2025 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 relative thereto.

#### **ARTICLE 7: 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 2025, as a line-item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 10: 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 2025, as a line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 12: 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 2025, as a line-item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 14: 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 relative thereto.

**ARTICLE 15: SPECIAL WASTEWATER TREATMENT FACILITY LINE ITEMS**

To see if the Town will vote to raise and appropriate, borrow, 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 2025, 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 relative thereto.

**ARTICLE 16: TOWN DEBT SERVICE**

To see if the Town will vote to raise and appropriate or otherwise provide a sum of money to pay the **interest and principal on Town debt** in accordance with the table below; or take any action relative thereto:

<b>Principal</b>	<b>Interest</b>	<b>Total Debt Appropriation</b>	<b>Project</b>
135,000	60,525	195,525	Town Hall Renovations & Highway Garage
9,000	1,496	10,496	Nilman Road Culvert Replacement
		<b>206, 021</b>	<b>Total Debt</b>

**ARTICLE 18: 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 relative thereto.

**\*\*\*END CONSENT MOTION\*\*\***

**ARTICLE 2: ANNUAL TOWN REPORTS**

To see if the Town will vote to accept the **2023 Reports of Town Officers**.

**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 Year 2025, as line-item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative 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 Year 2025, as line-item appropriations, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative 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 Year 2025, as line item appropriations, as recommended by the Finance Committee, in the Town of Buckland Fiscal Year 2025 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 relative thereto.

**ARTICLE 6: 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 2025, as a line-item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 7: 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 2025, as a line-item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 8: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – BUCKLAND  
SHELBURNE ELEMENTARY ENHANCED 911**

To see if the Town will vote to raise and appropriate or transfer from available funds **the sum of \$15,541 to be used to upgrade telephone infrastructure to support enhanced 911 emergency communications at Buckland Shelburne Elementary School**, including costs incidental or related thereto, said sum is to be expended under the approval of the School Committee's Building Subcommittee, or take any action relative thereto.

**ARTICLE 9: MOHAWK TRAIL REGIONAL SCHOOL DISTRICT - ENHANCED 911  
MOHAWK TRAIL REGIONAL SCHOOL**

To see if the Town will vote to raise and appropriate or transfer from available funds **the sum of \$4,297 to be used to upgrade telephone infrastructure to support enhanced 911 emergency communications at Mohawk Trail Regional School**, including costs incidental or related thereto, said sum is to be expended under the approval of the School Committee's Building Subcommittee, or take any action relative thereto.

**ARTICLE 10: 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 2025, as a line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 11: 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 2025, as a line item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 12: 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 2025, as a line-item appropriation, as recommended by the Finance Committee in the Town of Buckland Fiscal Year 2025 Operating Budget Report; or take any action relative thereto.

**ARTICLE 13: 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 2025, 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 2025 Budget Report; or take any action relative thereto.

**ARTICLE 14: 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 relative thereto.

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**ARTICLE 15: SPECIAL WASTEWATER TREATMENT FACILITY LINE ITEMS**

To see if the Town will vote to raise and appropriate, borrow, 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 2025, 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 relative thereto.

**ARTICLE 16: TOWN DEBT SERVICE**

To see if the Town will vote to raise and appropriate or otherwise provide a sum of money to pay the **interest and principal on Town debt** in accordance with the table below; or take any action relative thereto:

Principal	Interest	Total Debt Appropriation	Project
135,000	60,525	195,525	Town Hall Renovations & Highway Garage
9,000	1,496	10,496	Nilman Road Culvert Replacement
		206, 021	Total Debt

**ARTICLE 17: 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** in accordance with the table below, or take any other action relative thereto:

73,859	LOADER LEASE
40,910	MINI EXC LEASE
66,000	HWY F350
50,000	REPAVING
20,000	TOWN HALL COMPUTERS
35,000	RECREATION WATER PUMP
285,769	TOTAL CAPITAL EXPENSE

**ARTICLE 18: 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 relative thereto.

**ARTICLE 19: ESTABLISH TAX TITLE REVOLVING FUND**

To see if the Town will vote to accept the provisions of G.L. c.60, §15B and create a Tax Title Collection Revolving Fund to which shall be credited fees, charges and costs incurred by the Tax Collector/Treasurer in relation to tax collections, and collected upon the redemption of tax titles and sales of real property acquired through foreclosures of tax titles, for expenditure by the Tax Collector/Treasurer only for related purposes, all as provided by said §15B; and, in connection therewith, to authorize the Tax Collector to expend such funds as are in said account and available for expenditure; or take any action relative thereto.

**ARTICLE 20: RESCIND ESTABLISHMENT OF OPIOID SETTLEMENT STABILIZATION ACCOUNT**

To see if the Town will vote to revoke the Opioid Settlement Stabilization Fund and transfer any dedicated funds to the Opioid Settlement Special Revenue Fund as per the Massachusetts General Laws Chapter 44, Section 53, Clause 4; and, as authorized by the Department of Revenue, Division of Local Services' Director of Accounts, or take any action relative thereto.

**ARTICLE 21: APPROVE PRIOR FISCAL YEAR INVOICES**

To see if the Town will vote to raise and appropriate from available funds, or otherwise provide a sum of money to pay an unpaid FY2022 invoice; or take any action relative thereto.

**ARTICLE 22: HIGHWAY STABILIZATION APPROPRIATION**

To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to the **HIGHWAY STABILIZATION FUND**, or take any action relative thereto.

**ARTICLE 23: GENERAL STABILIZATION APPROPRIATION**

To see if the Town will vote to raise and appropriate, borrow, or otherwise provide a sum of money to the **GENERAL STABILIZATION FUND**, or take any action relative thereto.

\*\*\*\*\* **SHORT TERM RENTAL BYLAWS** \*\*\*\*\*

**ARTICLE 24: GENERAL BY-LAW AMENDMENT – SHORT TERM RENTAL  
REGISTRATION & ENFORCEMENT**

To see if the Town will vote to amend the General By-Laws of the Town of Buckland by adding Chapter XVI, SHORT TERM RENTAL BYLAW, as follows:

**CHAPTER XVI SHORT TERM RENTAL BYLAW**

**Sec. 1 Purpose**

The purpose of this chapter is to allow for short term rentals while ensuring public safety, preventing possible nuisances for abutters, minimizing reductions to available long term (greater than 31 days) rental housing, and preserving the character of the town's neighborhoods. It will assist the Town in the enforcement of state and local health and safety regulations and provide a method of correcting violations requiring immediate attention.

**Sec. 2 Definitions**

For this chapter, the following terms shall have the meanings indicated:

**SHORT TERM RESIDENTIAL RENTAL:** A Single-Family, Two-Family and Multi-Family Dwelling where rooms for overnight accommodation are rented, other than by tenancies at will or by lease, for not more than 31 consecutive days. Short Term Residential Rentals include traditional Bed & Breakfasts, but do not include motels, hotels or inns.

**OWNER OCCUPIED RESIDENTIAL DWELLING:** A Residential Dwelling that is the primary residence of the property owner and where they reside for at least 9 months of the year.

**OPERATOR:** the property owner and any other person or entity operating a Short Term Residential Rental, including, but not limited to, a lessee, sublessee, mortgagee in possession, or licensee. It is the intent of this bylaw that Operator shall a meaning consistent with General Laws c, 64G, §1.

**Sec. 3 Short Term Rental Licensing and Registration**

1. No Short Term Residential Rental may be operated within the Town of Buckland until it is registered with the Town in accordance with this Chapter and with the Commonwealth of Massachusetts Department of Revenue pursuant to the applicable provision of General Laws Chapter 64G, and complies with further requirements of this Chapter and regulations adopted hereunder.
2. The Operator of the Short Term Residential Rental, which shall include each owner of the property where the unit is located, shall submit a Short Term Residential Rental registration application to the Town of Buckland Town Clerk.
  - a. Each application for registration shall include: (a) submission of a complete application and payment of all associated fees; (b) contact information for the Operator and any agent designated by the Operator on a 24/7 basis to respond to any disturbances or emergencies associated with the Short Term Residential Rental within two (2) hours notice; (c) a certificate of insurance evidencing liability insurance coverage for the Short Term Residential Rental in an amount consistent with industry standards.

- b. The application shall be followed by a health inspection and certification of compliance with applicable sanitary and building codes.
3. The period of registration shall be for one year, beginning January 1 of the year following the effective date of this bylaw. Applications for renewal shall be submitted each year by November 1. All renewals shall require a new application to be submitted and payment of annual fee as well as proof of compliance with sanitary and building codes. Renewal shall be conditional upon compliance with the provisions of this Chapter and any associated regulations during the preceding year.
4. Acceptance of registration and issuance of a Town registration number in accordance therewith shall constitute a license to operate the Short Term Residential Rental in the Town, subject to the provisions of this Chapter. The fee for the license shall be set by the Select Board.

#### **Sec. 4 Non-Transferability**

Short Term Residential Rental registrations shall be granted solely to an Operator and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon sale or transfer of the property for which the registration has been issued.

#### **Sec. 5 Regulations**

1. The Board of Health may promulgate regulations to carry out and enforce the provisions of this Chapter. Such regulations may include but are not limited to requirements to insure that the operation of the Short-Term Rental does not create or cause a nuisance to the surrounding neighborhood due to unreasonable noise, sanitary conditions, and other nuisance conditions.
2. The Town-issued registration number shall be included on any listing offering the Short Term Rental for rent.
3. The Operator of each Short Term Residential Rental shall keep a register containing the name of every person occupying each short term rental unit, their principal residence address, and the dates of occupancy. The register shall be retained for two (2) years and shall be made available upon request to the Board of Health, Building Inspector, or other duly appointed or authorized code compliance staff of the Town of Buckland.
4. A Short Term Residential Rental property shall maintain compliance with all applicable federal, state and local laws. It shall have no outstanding building, electrical, plumbing, mechanical, fire, health, housing or zoning violations at the time of registration. Failure to timely correct such violations arising within the registration period shall be cause to suspend or revoke such registration.

#### **Sec. 6 Initial Compliance Period**

Upon the effective date of this Bylaw, existing Short Term Residential Rentals will have the ability to operate based on the conditions below:

1. All existing Owner Occupied Short Term Residential Rentals must meet the standards of this Bylaw within six (6) months of the effective date of this bylaw.
2. All existing Non-Owner Occupied Short Term Residential Rentals that have previously registered with the Department of Revenue's Public Registry of Lodging



Operators and been inspected by the Franklin County Cooperative Public Health Service as of the Buckland Planning Board's Public Hearing held on Tuesday, March 26, 2024, must meet the standards of this Bylaw within six (6) months of the effective date of this bylaw.

**Sec. 7 Complaint Process and Enforcement**

1. The Board of Health or its designee, pursuant to Chapter VII, Section 6 of these Bylaws, shall be the "Enforcing Person" for this Bylaw.
2. The Enforcing Person may issue orders as appropriate to aid in the enforcement of this Bylaw and the regulations adopted hereunder, and may enforce these provisions in equity, including the request for injunctive relief in a court of competent jurisdiction and by noncriminal disposition pursuant to G.L. c. 40, §21D. Failure to comply with any order issued hereunder shall be punishable by a fine of \$300.00. Each day of continued noncompliance shall constitute a separate violation. The imposition of a fine shall not be construed to prevent enforcement of any other bylaws, laws or regulations nor prevent other enforcement measures or fines, including civil or legal action against the Operator to require compliance with the order.
3. Upon receipt of a complaint from any person alleging that the condition, operation, or use of a Short Term Residential Rental unit is in violation of this Bylaw, or otherwise as the Enforcing Person may determine in its discretion, the Enforcing Person may require an inspection of the Short Term Residential Rental property by each official or board with jurisdiction to address the alleged violation. The Operator shall make a good faith effort to arrange access by authorized Town personnel to the Short Term Residential Rental property for the purpose of conducting inspections within twenty-four (24) hours of receiving a request.
4. Upon a hearing by the Enforcing Person with notice to the Operator, the Enforcing Person may suspend or revoke a Short Term Residential Rental license upon its determination that the Operator is in violation of this Chapter and has failed or is unable to cure the violation within the time required.

**Sec. 8 Severability**

If any part of this Bylaw is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Bylaw. The Town of Buckland declares the provisions of this Bylaw to be severable; or take any other action related thereto.

**ARTICLE 25: ZONING BY-LAW AMENDMENT – SHORT TERM RENTALS**

To see if the Town will vote to amend the Zoning By-Law of the Town of Buckland to allow and regulate short term residential rentals, as follows:

1. Amend Section 4-3 b) Table of Use Regulations, to delete the language struck through and insert underlined language as follows:

<b>Section 4-3 Table of Use Regulations</b>	<b>VC</b>	<b>VR</b>	<b>RR</b>	<b>C</b>	<b>I</b>	<b>HI</b>
<b>BUSINESS USES</b>						
Business, Professional Offices with 3,000 square feet of enclosed floor space or less	Y	SP	SP	Y	Y	Y
Business, Professional Offices with more than 3,000 square feet of enclosed floor space	Y	SP	SP	Y	Y	SP
Banks	Y	N	N	Y	Y	SP
Conversion of an Historic (50 Years or older) Industrial or Commercial Structure(s) on one lot to a mix of Retail Stores, Business or Professional Offices, Restaurants, Artisan Studios, or Residential Uses within the existing footprint of the Historic Structure(s) and no more than an average of 280 passenger vehicle trips per day.	Y	SP	N	SP	Y	Y
Standalone Automated Teller Machines (ATM)	N	N	N	N	N	N
Restaurant drive through	N	N	N	N	N	N
Restaurant, other	Y	SP	SP	Y	SP	SP
Motor Vehicle Sales which comply with Section 4-5	SP	N	N	SP	SP	Y
Motor Vehicle Sales which do not comply with Section 4-5	SP	N	N	SP	SP	SP
Car Wash	SP	N	N	N	SP	SP
Laundry, Laundromat	SP	N	N	SP	N	SP
Theaters	SP	N	SP	SP	SP	SP
<u>Short Term Residential Rentals with 1-2 rooms for overnight accommodations available to rent, with or without kitchen facilities, in an owner occupied residential dwelling and meeting all the requirements of Section 4-9</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>
<u>Short Term Residential Rentals with 3-4 rooms for overnight accommodations available to rent, with or without kitchen facilities, in an owner occupied residential dwelling and meeting all the requirements of Section 4-9</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>SP</u>
<u>Short Term Residential Rentals with 5 rooms or more for overnight accommodations available to rent, with or without kitchen facilities, in a residential dwelling</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Short Term Residential Rentals with 1-4 rooms for overnight accommodations available to rent, with or without kitchen facilities, in a non-owner occupied residential dwelling and meeting all the requirements of Section 4-9</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>SP</u>
Motels, Hotels	SP	N	N	SP	N	SP
Inns, Lodging Houses	SP	SP	SP	SP	N	SP
Building Materials, Sales & Storage	SP	N	N	SP	Y	SP
<b>RESIDENTIAL USES</b>	<b>VC</b>	<b>VR</b>	<b>RR</b>	<b>C</b>	<b>I</b>	<b>HI</b>
Single-Family Dwelling	Y	Y	Y	Y	SP	Y
Two-Family Dwelling	Y	Y	Y	Y	SP	Y

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Accessory Dwelling Unit – Attached (amended 10/23/21)	Y	Y	Y	Y	N	Y
Accessory Dwelling Unit – Detached (new 10/23/2021)	SP	SP	SP	SP	N	SP
Temporary Mobile Home (see Section 8-4)	Y	Y	Y	Y	Y	Y
Mobile Home	N	N	Y	N	N	N
Mobile Home Parks	N	N	N	N	N	N
Bed and Breakfast, Up to 4 rooms	Y	SP	Y	Y	N	SP

2. Amend Section II Definitions, to add new definitions and amend existing definitions by inserting the underlined language and deleting the language struck through, as follows:

SHORT TERM RESIDENTIAL RENTAL: A Single-Family, Two-Family or Multi-Family Dwelling where rooms for overnight accommodation are rented, other than by tenancies at will or by lease, for not more than 31 consecutive days. Short Term Residential Rentals include traditional Bed & Breakfasts, but do not include motels, hotels or inns.

OWNER OCCUPIED RESIDENTIAL DWELLING: A Residential Dwelling that is the primary residence of the property owner and where they reside for at least 9 months of the year.

OPERATOR: the property owner and any other person or entity operating a Short Term Residential Rental, including, but not limited to, a lessee, sublessee, mortgagee in possession, or licensee. It is the intent of this bylaw that Operator shall have a meaning consistent with General Laws c. 64G, §1.

LODGING HOUSE: A residential dwelling licensed or required to be licensed under G.L. c.140, §23 and where lodgings are rented for more than 31 consecutive days to not less than 4 people who shall not be within the second degree of kindred to the owner or operator of such lodging house.

BED-AND-BREAKFAST: an accessory use to a an owner-occupied dwelling unit consisting of overnight lodging with breakfast. No meals other than a breakfast shall be served, and no breakfast shall be served nor any retail or consumer services shall be provided to any member of the public not lodged as an overnight guest.

INN: an owner-occupied historic structure used or designed for the primary purpose of providing overnight lodging for transient guests, and which may also provide a restaurant to lodgers and the public. An historic structure for the purposes of this definition shall be a building fifty (50) years or more in age. A guest(s) may not stay at an Inn for more than 90 days in any six-month period; or take any other action related thereto.

3. Add a new Section 4-9 as follows:

4-9 PERFORMANCE STANDARDS FOR SHORT TERM RESIDENTIAL RENTALS

The purpose of this section is to allow for short-term rentals while ensuring public safety, preventing possible nuisances for abutters, minimizing reductions to available long term (greater than 31 consecutive days) rental housing, and preserving the character of the town's neighborhoods. Rentals for a period of 31 days or less may be allowed in residential dwellings subject to the conditions outlined below.

a) Continuance of Operation

Upon the effective date of this Bylaw, existing Short Term Residential Rentals will have the following ability to operate based on the conditions below:

1. All existing Owner Occupied Short Term Residential Rentals have the right to continue as a permitted use, so long as they are registered and licensed.
2. All existing Non-Owner Occupied Short Term Residential Rentals that have registered and been inspected with the Town of Buckland as of March 26, 2024, have the right to continue as a permitted use, so long as they continue to be registered and licensed.

b) Performance Standards

1. No more than two (2) adult occupants per room for overnight accommodation.
2. A minimum of one (1) off-street parking space shall be provided for each room for overnight accommodation to be rented, unless an alternate parking plan is provided and approved by Special Permit subject to the criteria outlined in the purpose of this section. Total parking for the short term residential rental shall not exceed more than a total of four (4) spaces.
3. No loud noise or music, excessive traffic, or other disturbances shall be allowed.
4. The Operator must obtain all the necessary state and local licenses and approvals for the short term rental prior to renting out rooms for overnight accommodation, including the following:
  - a. Demonstrated compliance with all applicable Board of Health and Building Code provisions, which may include application to the Board of Health and inspections by the Board of Health and Building Inspector.
  - b. Demonstrated compliance with Buckland Short Term Rental General Bylaw and regulations promulgated thereunder, which shall include registration of the Short Term Residential Rental with the Town containing

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information where the owner or their agent can be contacted on a 24/7 basis to respond to any disturbances or emergencies associated with the Short Term Residential Rental.

5. The Short Term Residential Rental property may not be used for commercial events such as weddings or other large parties unless a Special Permit is granted subject to the criteria outlined in the purpose of this section.
6. Outdoor lighting to guide visitors to their accommodations shall be pedestrian in scale and shall be directed downward to shield abutting properties from impacts. Lighting shall incorporate full cut-off fixtures to reduce light pollution and fixtures shall be “dark sky” compliant and meet International Dark Sky FSA certification requirements.

Or take any other action related thereto.

**\*\*\*\*\*REGIONAL SCHOOL DISTRICT AGREEMENT AMENDMENTS \*\*\*\*\***

**ARTICLE 26: 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

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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:

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

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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-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.

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.

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- (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.



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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.

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**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

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- additions, plans, architects' and consultants' fees, grading and other costs incidental to placing school buildings and additions and related premises in operating condition;
- (2) remodeling, or making extraordinary 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, 2025 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, 2025, 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

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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.

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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, 2025 (for Fiscal Year 2026) and ending on June 30, 2030.

- (a) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), 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 2027 (commencing July 1, 2026 and ending on June 30, 2027), 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 2028 (commencing July 1, 2027 and ending June 30, 2028), 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 2029 (commencing July 1, 2028 and ending June 30, 2029), 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 2030 (commencing July 1, 2029) 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**

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- (1) Capital Costs assessed to member towns prior to July 1, 2025 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, 2025, 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, 2025 (for Fiscal Year 2026) and ending on June 30, 2030.

  - (a) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), 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 2027 (commencing July 1, 2026 and ending on June 30, 2027), 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 2028 (commencing July 1, 2027 and ending June 30, 2028), 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 2029 (commencing July 1, 2028 and ending June 30, 2029), 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).

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- (e) For Fiscal Year 2030 (commencing July 1, 2029) 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, 2025 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, 2025, 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, 2025 (for Fiscal Year 2026) and ending on June 30, 2030.

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- (a) For Fiscal Year 2026 (commencing July 1, 2025 and ending on June 30, 2026), 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 2027 (commencing July 1, 2026 and ending on June 30, 2027), 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 2028 (commencing July 1, 2027 and ending June 30, 2028), 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 2029 (commencing July 1, 2028 and ending June 30, 2029), 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 2030 (commencing July 1, 2029) 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.

Or take any action relative thereto.

**ARTICLE 27: 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 8<sup>th</sup>, 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 relative 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.



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**(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 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 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 relative 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

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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;

Or take any action relative thereto.

## **ARTICLE 28: 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, 2024, 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 2026;

Or take any action relative thereto.

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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.

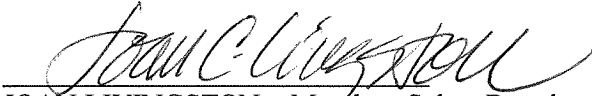
Given under our hands this 23rd day of April in the year Two Thousand Twenty-Four.



CLINTON PHILLIPS – Chair, Select Board



LAWRENCE WELLS – Member, Select Board



JOAN LIVINGSTON – 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:

