

REQUESTED

BUDGET

FISCAL YEAR

2014

REPORT OF THE ADVISORY COMMITTEE

The Bylaws of the Town provide for an Advisory Committee, consisting of five members appointed by the Moderator, whose charge is to study the subject matter of all articles and to make recommendations on all articles pertaining to appropriations, expenditures, incurring of debt and any other article deemed appropriate.

The budget preparation process for the Town of Hampden is always interesting. Revenue projections are just that, projections. As in prior years, we are faced with uncertainty about state and local aid and are challenged by increased costs for fuel, utilities, and employee benefits. The final state figures for the Town and the School District are not available until well after our need to make decisions at Town Meeting. The Advisory Committee seeks to balance the needs of the town departments and its residents with the realities of managing a small town in this fiscal environment. It should be noted that the Town's employees along with the elected and appointed officials have worked collectively to ensure the provision of essential services within the difficult fiscal environment and should be commended for their efforts.

The opinions of residents provide valuable input to the Advisory Committee and are always considered in our final recommendations on the budget and other warrant articles. The various department requests will be discussed at our Public Hearing regarding the fiscal year 2014 budget and warrant articles to be held in mid-April.

The residents are the appropriating body for the town and are able to exercise that authority at the annual Town Meeting. Please make every effort to attend this important meeting on April 29, 2013. It is the residents that make the final decisions.

Respectfully submitted:

Douglas Boyd, co-chair
Jamie Collins
Carol Fitzgerald, co-chair
Rick Rubin
Jeff Smith

Updated

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Fiscal 2012
Expended
FundsFiscal 2013
Appropriated
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Recommendations

GENERAL GOVERNMENT

1.0 Accountant

1.1 Salary	26,878	27,550	28,238	28,238
1.2 Clerical	107	250	250	250
1.3 Expenses (Audit)	12,527	4,500	14,000	14,000
Total Accountant	39,512	32,300	42,488	42,488

2.0 Advisory Committee

2.1 Clerical	604	4,300	4,300	4,300
2.2 Expenses	200	200	200	200
Total Advisory	804	4,500	4,500	4,500

3.0 Appeals, Board of

3.1 Clerical	3,237.41	3,245	3,245	3,245
3.2 Expenses	99.00	200	200	200
Total Appeals	3,336	3,445	3,445	3,445

4.0 Assessors, Board of

4.1 Salaries	14,224	14,224	14,580	14,580
4.2 Assistant Assessor	32,711	31,249	0	0
4.2.1 Principal Assessor	0	0	35,661	35,661
4.2 Clerical	0	10,797	9,632	9,632
4.3 Expenses	6,870	3,000	3,500	3,500
4.4 Data Processing	0	0	0	0

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	Fiscal 2012 Expended Funds	Fiscal 2013 Appropriated Funds	Fiscal 2014 Requested	Fiscal 2014 Draft Recommendations
4.5 Software Support	7,075	7,225	7,375	7,375
4.6 Mapping Maintenance	1,800	1,500	1,800	1,800
4.7 Full List Measure	-			
4.8 Field Review	3,000	3,200	2,700	2,700
Total Assessors	65,680	71,195	75,248	75,248

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	Fiscal 2012 Expended Funds	Fiscal 2013 Appropriated Funds	Fiscal 2014 Requested	Fiscal 2014 Draft Recommendations
5.0 Building Department Expenses				
5.1 Code and General Enforcement	2,000	2,000	2,000	2,000
5.2 Commissioner and Expenses				
Total Building Dept.	2,000	2,000	2,000	2,000
6.0 County Retirement	218,985	260,294	271,658	271,658
7.0 Insurance				
7.1 Property and Liability	81,814	81,000	88,000	88,000
7.2 Employee Benefits	162,136	167,000	207,000	207,000
7.3 Unemployment Compensation	2,718	2,000	2,000	2,000
7.4 Longevity	1,300	1,300	1,300	1,300
7.5 FICA	-			
Total Insurance	247,967	251,300	298,300	298,300
8.0 Law and Claims				
8.1 General	12,728	20,000	20,000	20,000
Total Law	12,728	20,000	20,000	20,000
9.0 Moderator				
9.1 Salary				
9.2 Expenses	-	100	100	100
Total Moderator	-	100	100	100

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10.0 Planning Board
10.2 Clerical
10.3 Expenses
10.4 Software support
Total Planning Board

8,538
432

8,970

11,000
1,000

12,000

12,500
1,100

13,600

12,500
1,100

13,600

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Recommendations**11.0 Registrars, Board of (Voters)**

11.1 Salaries	800	800	800	800
11.2 Election Expenses	1,426	5,000	1,500	1,500
11.3 Street Lists	1,097	2,000	2,000	2,000
Total Registrars	3,322	7,800	4,300	4,300

12.0 Selectman

12.1 Salaries	9,600	9,600	9,600	9,600
12.2 Administrative Asst.	36,789	39,055	39,921	39,921
12.3 Secretarial				
12.4 Expenses	1,300	1,600	1,600	1,600
12.5 Legal Advertising	572	1,000	1,200	1,200
12.6 Computer Study Committee				
12.7 Temporary Help	213	500	500	500
Total Selectman	48,473	51,755	52,821	52,821

13.0 Tax Collector

13.1 Salary	29,563	30,302	31,060	31,060
13.2 Clerical	10,950	12,070	12,295	12,295
13.3 Expenses	2,000	2,000	2,000	2,000
13.4 Computer Maintenance	2,500	3,500	3,500	3,500
13.5 Tax Title Work	473	2,500	2,500	2,500
13.6 Tax Title Admin.				
Total Tax Collector	45,486	50,372	51,355	51,355

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14.0	Town Clerk				
	14.1 Salary	29,563	30,302	31,060	
	14.2 Clerical	7,835	8,090	8,198	
	14.3 Expenses	750	1,000	1,000	
	14.4 Town Publications		100	100	
	Total Town Clerk	38,148	39,492	40,358	
15.0	Town Report	2,169	3,000	3,000	
16.0	Treasurer				
	16.1 Salary	33,597	34,437	35,298	
	16.2 Clerical	5,637	8,458	8,670	
	16.3 Expenses	1,012	1,100	1,100	
	16.4 Certifying Notes	0	100	0	
	16.5 Interest on Loans (short term)	0	0	0	
	16.6 Tax Title Expense	12,225	1,000	1,000	
	16.7 Payroll Service	6,000	6,000	6,500	
	16.8 Bank Service Charges	0	100	100	
	16.9 Tax Title Admin.	0	0	0	
	16.10 Records Mgt	0	0	1,000	
	Total Treasurer	58,471	51,195	53,668	
17.0	Veterans' Benefits	8,195	30,000	25,000	
18.0	Greater Springfield	0	0	0	

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Senior Services

0

350

350

350

TOTAL GENERAL GOVERNMENT

804,246

891,098

962,191

962,191

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GENERAL TOWN SERVICES

20.0	Academy Hall Maintenance	396	2,500	2,500	
21.0	Cemetery Commission				
	21.1 Clerical	3,996	4,000	10,500	10,500
	21.2 Expenses	524	550	550	550
	21.3 Maintenance	13,003	12,500	20,000	16,250
	21.4 Computer Maintenance	0	0	550	550
	Total Cemetery Commission	17,523	17,050	31,600	27,850
22.0	Conservation Commission				
	22.1 Clerical	2,952	6,878	6,878	6,878
	22.2 Expenses	291	400	400	400
	Total Conservation Commission	3,243	7,278	7,278	7,278
23.0	Transfer Station				
	23.1 Operation	0	0	0	0
	23.2 Monitoring/Testing	23,008	20,000	20,000	20,000
	Total Transfer Station	23,008	20,000	20,000	20,000
24.0	School Buildings Repairs	4,890	5,000	10,000	10,000
26.0	Library				
	26.1 Salaries				
	26.2 Expenses				
	26.3 Library Materials				

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4/24/2013 14:32	Fiscal 2012 Expended Funds	Fiscal 2013 Appropriated Funds	Fiscal 2014 Requested	Fiscal 2014 Draft Recommendations
Total Library	93,291	103,867	113,690	113,690
27.0 Town Events	899	1,000	1,000	1,000

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Recommendations**29.0 Office Equipment**

29.1 Acquisition	1,200	2,500	2,500	2,500
29.2 Maintenance	6,655	7,000	7,000	7,000
29.3 Supplies	2,901	2,000	3,000	3,000
29.4 Postage	13,895	17,000	17,000	17,000
Total Office Equipment	24,651	28,500	29,500	29,500

30.0 Parks and Recreation

30.1 Salaries	15,331	18,266	28,840	28,840
30.2 Operating Expenses	3,500	3,750	3,750	3,750
30.3 Capital Improvements	0	0	0	0
30.4 Baseball	0	0	0	0
30.5 Softball	0	0	0	0
30.6 Girls Soccer	0	0	0	0
30.7 Boys Soccer	0	0	0	0
30.8 Basketball	0	0	0	0
30.9 Director's Salary	0	0	0	0
30.9 Spray park	8,000	9,495	9,495	9,495
Total Parks and Recreation	26,831	31,511	42,085	42,085

32.0 Town House Maintenance

32.1 Custodial	17,934	19,000	19,000	19,000
32.2 Maintenance and Repairs	7,361	8,500	8,500	8,500
32.3 Heat and Utilities	35,642	42,000	43,000	43,000
Total Town House Maintenance	60,936	69,500	70,500	70,500

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34.0 Ambulance

0

35.0 Gasoline

35.1 Fuel

36.1 Gasoline Expenses

Total Gasoline

65,000
10,000
75,000

36.0 Street Lighting

19,100

37.0 Council on Aging

37.1 Director's Salary

37.2 Clerk

37.3 Expenses

37.4 Temporary Help

37.5 Outreach Coordinator

37.6 Receptionist

41,939
15,831
2,000
0
7,724
7,861
75,355

Total Council on Aging

75,355

38.0 Senior Center

38.1 Custodial

38.2 Utilities

38.3 Building Maintenance

38.4 Grounds Maintenance

Total Senior Center

10,593
18,375
12,128
0
41,096

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39.0 Historical Commission	-	250	250	250
<u>Total General Town Services</u>	<u>424,787</u>	<u>464,185</u>	<u>538,954</u>	<u>535,204</u>

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HIGHWAY DEPARTMENT

40.0	Superintendent's Salary	74,516	76,752	79,882	79,882
41.0	Tree Warden				
	41.1 Expenses	8,690	8,860	8,860	8,860
	41.1.2 Salary			5,000	5,000
	41.2 Tree Planting				
	41.3 Insect Pest Control				
42.0	Public Grounds	29,888	30,704	37,242	37,242
43.0	Highway Maintenance	119,946	120,309	138,003	138,003
	43.1 Expenses				
	43.2 Paving			50,000	50,000
44.0	General Highway Expense	86,646	88,112	98,518	98,518
45.0	Snow and Ice Removal	59,990	60,000	70,000	70,000
46.0	Contract Services				
	46.0 Contract Services				
	46.1 Street Sweeping	37,394	37,400	37,400	37,400
	46.2 Catch Basin Cleaning				
47.0	Other Highway Accounts				
	47.1 Road Machinery Maintenance	13,995	14,000	14,000	14,000

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47.2 Highway Engineering					
47.3 Equipment Acquisition					
48.0 Building Expenses					
48.1 Utilities	6,941	11,000	11,000	11,000	11,000
TOTAL HIGHWAY DEPARTMENT	438,006	447,137	549,905	549,905	549,905

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PROTECTION OF PERSONS AND PROPERTY

50.0	Animal Inspection				
	50.1 Salary	2,047	2,047	2,098	2,098
	50.2 Expenses	0	240	240	240
	50.3 Rabies Management	0	0	0	0
	50.4 Wildlife Control	0	2,500	2,500	2,500
	Total Animal Inspection	2,047	4,787	4,838	4,838
51.0	Emergency Management	6,000	6,000	8,000	8,000
51.5	Traffic Control	6,810	10,000	10,000	10,000
52.0	Dog Officer				
	52.1 Animal Control Account	10,498	12,000	12,000	12,000
	52.2 Dog Damage Fund	300	500	500	500
	Total Dog Officer	10,798	12,500	12,500	12,500
53.0	Fire Department				
	53.1 Fire Chief Salary	0	0	0	0
	53.2 Fire Chief Expenses	1,492	1,493	1,493	1,493
	53.3 Operation	41,017	33,982	33,982	33,982
	53.4 Equipment	10,578	14,100	14,100	14,100
	53.5 Training Stipend*	24,000	33,000	33,000	33,000
	Total Fire Department	77,088	82,575	82,575	82,575
	* Approved in STM				
54.0	Forest Fires	443	1,490	1,490	1,490

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	Fiscal 2012 Expended Funds	Fiscal 2013 Appropriated Funds	Fiscal 2014 Requested	Fiscal 2014 Draft Recommendations
55.0 Forest Fire Warden	0	0	0	0
56.0 Health, Board of				
56.1 Salary	4,373	4,373	4,482	4,482
56.2 Clerk Salary	20,865	21,675	25,545	25,545
56.3 Expenses	0	1,000	1,000	1,000
Total Board of Health	25,238	27,048	31,027	31,027

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	Fiscal 2012 Expended Funds	Fiscal 2013 Appropriated Funds	Fiscal 2014 Requested	Fiscal 2014 Draft Recommendations
56.5 Water District				
565.1 Operations	8,381	7,500	7,500	7,500
565.2 Testing	1,867	2,000	2,000	2,000
Total Water District	10,247	9,500	9,500	9,500
57.0 Police				
57.1 Chief's Salary	75,223	76,728	78,263	78,263
57.2 General Salaries	819,242	851,786	903,828	903,828
57.3 Maintenance of Cruisers	8,175	8,810	10,550	10,550
57.4 General Expenses	51,675	56,700	60,107	60,107
57.5 New Cruisers	31,991	32,500	33,000	33,000
57.6 Training	22,243	23,045	25,860	25,860
57.7 Equipment	9,601	5,535	5,000	5,000
57.8 Career Incentive Pay (Quinn Bill)	70,180	77,602	79,607	79,607
57.9 Additional Officer				
58.0 Other Police Accounts				
58.1 Election and Town Meetings	820	2,276	2,322	2,322
58.2 Towing Clerk	0	100	100	100
58.3 WMLEC	500	500	500	500
59.0 Parking Clerk				
Total Police	1,089,651	1,135,582	1,199,137	1,199,137
TOTAL PROTECTION	1,228,322	1,289,482	1,359,067	1,359,067

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SCHOOLS

69.0 Regional School District
69.1 Assessment
69.2 Teacher Deferral
Total Regional School District

6,460,240
0
6,460,240

6,609,193
0
6,609,193

6,717,334
0
6,717,334

SUB TOTAL

9,355,602

10,123,701

70.0 Local Government Debt

70.1 Principal
70.2 Interest
70.3 School Debt
70.4 Green Meadow Bond
70.5 Highway Truck
70.6 Fire Truck
70.7 Infrastructure Roads
70.8 Minnechaug BAN

260,406
0
35,547
339,333
353,817

253,468
0
0
233,333
441,554

246,300
50,000
45,150
0
473,686

Total Local Government Debt

989,103

815,136

GRAND TOTAL

10,344,705

10,938,837

4/24/2013

**HAMPDEN
TOWN
WARRANT
2014**

TOWN OF HAMPDEN

Commonwealth of Massachusetts

County of Hampden

Town of Hampden

TO: Either of the Constables of the said Town of Hampden in said County:

Greeting: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Hampden qualified to vote in Town Affairs, to meet at Thornton W. Burgess Middle School, Wilbraham Road, Hampden, on Monday, April 29, 2013 at seven o'clock in the evening, then and there to act on the following articles:

Article 1. TOWN REPORTS

To hear the Annual Town Reports of all officers of the Town and any committee whose duty it may be to report at said meeting, and act thereon, or take any other action relative thereto.

Article 2. BUDGET

To see if the Town will vote to fix the salary and compensation of all elective officers of the Town as provided for by Section 108 of Chapter 41, General Laws and to raise and appropriate the necessary sums to cover same, and to raise money and make appropriations to defray the expenses of the Town for the period July 1, 2013 to June 30, 2014 or take any other action relative thereto.

Article 3. PREVIOUS BILLS

To see if the Town will vote to authorize the payment of any departmental bills of Fiscal Year 2012 or previous years, and will vote to raise and appropriate a sum of money therefor, or take any other action relative thereto.

Article 4. REVOLVING FUNDS FOR FISCAL YEAR 2014

To see if the town will vote to establish the following revolving funds, in accordance with General Laws Chapter 44, Section 53E1/2, separate from the general fund and deposited with the Town Treasurer for the Town departments, sources of receipts, purposes of payment and in the maximum amounts as set forth below, or take any other action relative thereto.

Board of Assessors: Fees collected to defray the costs of equipment and supplies connected with public documents. \$2,500

Board of Health: Fees collected for issuance of licenses, permits and inspections to defray salaries of part-time employees. \$40,000

Building Department: Fees collected for issuance of building permits, inspection fees, including weights and measures to defray salaries and expenses of part-time employees of the Building Department and consultants. \$50,000

Library Trustees: Fines collected for overdue, lost and/or damaged materials to defray the costs of repairs and supplies, to purchase books and library materials and to pay wages for part time employees. \$6,000

Council on Aging: Proceeds from classes, programs and other fees to defray the costs of classes, supplies and other necessary expenses. \$30,000

Tax Collector: Monies from charges collected to defray the costs of equipment and supplies connected to public documents. \$2,500

Fire Department: Monies from charges collected to defray operational/training expenses and the costs of the permitting and inspection program and to defray salaries of part-time employees. \$10,000

Cemetery Commission: Monies from charges collected to defray the costs for grave maintenance. \$24,000

Article 5. REVOLVING FUND REPORTS

To see if the Town will vote to receive from each of those boards, departments and officers having charge of a revolving fund a report showing the total amount of receipts and expenditures for each revolving fund for Fiscal Year 2012 and for Fiscal Year 2013 through December 31, 2012 and also showing the amount of any increase, if any, in spending authority granted by the Selectmen and the Advisory Committee with respect to such revolving fund during Fiscal Year 2012 and Fiscal Year 2013, to date, or take any other action relative thereto.

Article 6. ENTERPRISE FUND TRANSFER STATION

To see if the town will vote to appropriate a sum of money from anticipated transfer station revenues and/or raise and appropriate from available funds for the purpose of funding the Transfer Station Enterprise Fund for Fiscal Year 2014, or take any other action relative thereto.

Article 7. COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to appropriate or reserve from the Community Preservation Annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2014 with each item to be considered a separate appropriation, or take any other action relative thereto.

Article 8. CONSERVATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Conservation Fund, said fund to be used for the purpose of acquiring available land for the Town for conservation purposes, if said purchase is voted upon and approved at an Annual or Special Town Meeting prior to such purchase, or take any other action relative thereto.

Article 9. HIGHWAY STATE AID

To see if the Town will vote to accept a sum of money from the Commonwealth of Massachusetts under the provisions of local aid fund distribution, the General Laws Chapter 90, Section 34, and be allowed to borrow in anticipation of reimbursement, or take any other action relative thereto.

Article 10. LIBRARY ADDITIONAL STATE AID

To see if the Town will vote that in Fiscal Year 2014, if State aid for the Library is received, this money will be made available for Library Trustees to use at their discretion, or take any other action relative thereto.

Article 11. ASSESSORS

To see if the Town will vote to raise and appropriate and/or transfer from available funds to the Assessor's Stabilization fund to meet all Department of Revenue mandated programs, or take any other action relative thereto.

Article 12. ASSESSORS

To see if the Town will transfer from the Assessor's Stabilization Fund a sum of money for the FY2014 Revaluation Year services.

Article 13. HIGHWAY

To see if the Town will vote to appropriate a sum of money to be raised by borrowing, contingent on the passage of a referendum question pursuant to M.G.L. c.59, Section 21C(k), or otherwise to fund road, intersection and drainage improvements and reconstruction, consisting of the resurfacing thereof with bituminous concrete or other road material, including leveling, structural overlays, utility adjustments, minor drainage improvements and curbing, the replacement of culverts and for design, permitting, appraisals, permanent and temporary easements, construction and services during construction and project contingency, or take any other action relative thereto.

Article 14. HIGHWAY – EQUIPMENT REPLACEMENT

To see if the Town will vote to raise and appropriate and /or transfer from available funds a sum of money to purchase a Brush Chipper for the Highway Department, or take any other action relative thereto.

Article 15. HIGHWAY – EQUIPMENT REPLACEMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase a one ton asphalt roller for the Highway Department, or take any other action relative thereto.

Article 16. HIGHWAY – EQUIPMENT REPLACEMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase a 52 inch riding mower for the Highway Department, or take any other action relative thereto.

Article 17. HIGHWAY BUILDING MAINTENANCE

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to install a new standing seam roof on the shed and garage, or take any other action relative thereto.

Article 18. DARE PROGRAM

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to fund the DARE program at Thornton W. Burgess School, or take any other action relative thereto.

Article 19. SCHOOL RESOURCE OFFICER

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to fund the School Resource Officer for FY13 at Minnechaug Regional High School, or take any other action relative thereto.

Article 20. WATER RESOLUTION

To see if the Town will vote to transfer from the overlay surplus account, a sum of money to cover the cost of providing water to those homes whose wells have been adversely impacted by runoff from the Town's salt shed, or take any other action relative thereto.

Article 21. WEST BROOK ACQUISITION

To see if the Town will vote to raise, borrow, and/or appropriate \$106,000 for the purchase of the parcel known as West Brook Phase II, consisting of 11 acres, more or less, as shown as Parcel 5 on a plan entitled "Plan of Land, Mountain Road in Hampden" by Paul Smith Land Surveyors, dated May 31, 2012, for the purpose of conservation and passive recreation; that said land be conveyed to the Town of Hampden under the provisions of MGL Ch. 40, Section 8c, that this purchase is contingent upon receipt of the Commonwealth of Massachusetts LAND grant award, and approval of CPA funds transferred for this purpose in accordance with MGL Ch. 293. This land is to be managed and controlled by the Conservation Commission which is authorized to apply on behalf of the Town for the grant and to seek reimbursement under the LAND grant program, Ch. 132A. Sec 11, and enter into any necessary contracts. Conservation Restrictions in favor of Minnechaug Land Trust in accordance with MGL Ch. 293 will be conveyed following purchase of this parcel.

Article 22. ZONING BYLAW, TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will vote to amend the Zoning Bylaw of the Town by adding as new Section 6.12 - Temporary Moratorium on Medical Marijuana Treatment Centers, that would provide as follows, and further to amend the Table of Contents to add Section 6.12, "Temporary Moratorium on Medical Marijuana Treatment Centers", or take any other action relative thereto:

Section 1. Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013, and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center

is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enhance bylaws in a manner consistent with sound land use planning goals and objectives.

Section 2. Definition

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies or educational material to qualifying patients or their personal caregivers."

Section 3. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 20-14. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Medical marijuana in the Town, consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Article 23. ZONING BYLAW - Flood Plain Change

Hampden Massachusetts Floodplain and Wetland Districts

To see if the Town will vote to replace Zoning Bylaw 6.9, Floodplain and Wetland Districts in its entirety with the changes requested by FEMA and the state as follows, or take any other action relative thereto.

6.91 The purpose of these Districts are:

6.911 To provide that the lands in the Town of Hampden subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purpose in such a manner as to endanger the health or safety of the occupants thereof.

- 6.912 To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public and safety of the Town of Hampden.
To assure the continuation of the natural flow pattern of the water course (s) within the Town of Hampden in order to provide adequate and safe flood water storage capacity to protect persons and property against the hazards of flood inundation.

6.92 Floodplain District Boundaries and Base Flood Elevation and Floodway Data

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Hampden designated as Zone A, AE, AH, AO, A99, V, or VE on the Hampden County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Hampden County FIRM that are wholly or partially within the Town of Hampden are panel numbers 25013C0430E, 25013C0435E, 25013C0440E, 25013C0445E, 25013C0453E, and 25013C0461E dated July 16, 2013. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Hampden County Flood Insurance Study (FIS) report dated July 16, 2013. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission. In Zone A, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, Local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

6.923 Notification of Watercourse Alteration - Notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

1. Adjacent Communities
2. Bordering State
3. NFIP State Coordinator

Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

4. NFIP Program Specialist

Federal Emergency Management Agency, Region I

99 High Street, 6th Floor
Boston, MA 02110

6.924 Use Regulations

1. The Flood plain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or special permit, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:
 - Section of the Massachusetts State Building Code which addresses floodplain areas - currently 780 CMR;
 - Wetlands Protection Regulations - currently 310 CMR 10.00;
 - Inland Wetlands Restriction – currently 310 CMR 13.00;
 - Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, currently - 310 CMR 15, Title V.

Any Variances from the provisions and requirements of the state regulations referenced above may only be granted in accordance with the required variance procedures of these State regulations.

2. In the Wetland District, and in the Flood Plain outside of the Designated Floodway, no new buildings other than accessory buildings or municipal public works structures may be erected or constructed. Construction of accessory buildings in the Flood Plain shall be allowed only so long as they are anchored to prevent flotation and lateral movement, and are constructed with flood-resistant materials and methods, as determined by the Building Inspector in conformance with the State Building Code. Additionally, no dumping, filling, or transfer or relocation shall be permitted in the above mentioned districts, nor shall any land, building, or structure be used for any purpose except:
 - a. Outdoor recreation, including play areas, nature study, boating, fishing, and hunting where legally permitted, but excluding buildings and structures

- b. Non-commercial signs (as permitted in the Residential District), foot, bicycle, and/or horse paths and bridges, and wildlife management areas, provided such use does not affect the natural flow pattern on any watercourse.
- c. Grazing and farming, including truck gardening and harvesting of crops.
- d. Forestry and nurseries.
- e. Conservation of water, plants, and wildlife.
- f. Dwellings and other structures and uses lawfully existing prior to the adoption of these provisions, but not including substantial improvements as defined in the National Flood Insurance Programs Rules and Regulations published in the Federal Register of October 26, 1976.
- g. Other uses, which are permitted in the underlying zoning districts, and are proposed within the Wetland and Flood Plain outside of the Designated Floodway, may be allowed by Special Permit from the Board of Appeals subject to the following:
 - (1) All proposals for special permits must have been referred to the Planning Board, the Board of Health, and the Conservation Commission for review to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided to reduce exposure to flood hazards. The proposals must be reported favorably by two of the three boards. If the boards fail to act upon the proposal or fail to notify the Town Clerk and the applicant of their action within forty-five days after its submission, the proposal shall be deemed approved, and the Town Clerk shall issue a certificate to the same effect.
 - (2) The proposed use will not be detrimental to the public health, safety and welfare.
 - (3) All proposed new construction in the Flood Plain must be in conformance with the regulations as referenced in Section 6.924-1 of this bylaw as determined by the Building Inspector.

- (4) In the Flood Plain all subdivision proposals and other proposed new developments greater than fifty (50) lots or five (5) acres, whichever is less, must include base flood elevation data.
- (5) All new water systems must be located and designed so as to avoid impairment due to flooding.
- (6) Within Zones AE, all new construction and substantial improvements (the cost of which equals or exceeds fifty percent of the market value of the structure) of residential and non-residential structures shall conform to the regulations as referenced in Section 6.924-1 of this bylaw.
- (7) Within Zone A (un-numbered A zone), where the base flood elevation is not provided on the Flood Insurance Rate Map, the applicant shall produce the best available Federal, State, local or other floodway data which shall be used to ensure conformance to the State Building Code .Section 780 CMR. In cases where data is not available the Wetlands Protection Act may require engineering studies to be performed in order to determine base flood elevations in unnumbered A zones.
- (8) Where watertight flood proofing of a structure is permitted in lieu of elevation, a registered professional engineer or architect shall certify to the building inspector that the methods used are in conformance with the regulations as referenced in Section 6.924-1 of this bylaw.
- (9) The proposed use must comply in all other respects to the provisions of the underlying District or Districts within which the land is located.
- (10) No encroachments (including fill, new construction, substantial improvements to existing structures, or other development) shall be allowed unless it is demonstrated by the applicant that the proposed development, as a result of compensating actions, will not result in any increase in flood levels during the occurrence of a 100-year flood in accordance with the Federal Emergency Management Agency's regulations for the National Flood Insurance Program.

- 6.93 Within the designated floodway, no encroachments, including fill, new construction, substantial improvements and other development shall be permitted, except for municipal public works structures and repairs to existing facilities, subject to the provisions in section 6.924(2)(g)(10).
- 6.94 The portion of any lot within the area delineated on the Hampden Zoning Map as Flood Plain and Wetland district or other existing wetland as defined by M.G.L. Chapter 131, Section 40, may be used to meet the area and yard requirements for the district or districts in which the remainder of the lot is situated (provided the proposed construction site be a non-wetland or non-flood plain area of at least 75% of the minimum lot area requirements).
- 6.95 Where the bounds are in doubt, the burden of proof shall be on the owner(s) of the land in question, to show where they should be properly located. However, the Town of Hampden retains its authority to determine the actual boundaries of the flood plain/wetland within the area in question.
- 6.96 The donation of recreational easements to provide public access to the Scantic River shall be encouraged within the Floodplain District.

Article 24. ZONING BYLAW – Home Occupation

To see if the town will vote to amend the zoning bylaw of the town by inserting the following new definition of "Home Occupation" in Section 2.72 of the zoning bylaws

2.72 Home Occupation

"An occupation conducted in a dwelling unit."

To replace the existing definition which reads as follows, or take any other action relative thereto:

2.72 Home Occupation

Any occupation conducted in a dwelling unit provided that:

2.721 No more than one person, other than members of the family residing on the premises, shall be engaged in such occupation.

2.722 The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

2.723 There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, no exceeding one (1) square foot in area, and non-illuminated.

2.724 No home occupation shall be conducted in any accessory building, except by Special Permit from the Planning Board.

2.725 No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be off the street

and other than in a required front yard.

2.726 No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference, detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuation in line voltage off premises.

Article 25. ZONING BYLAW – R-4 and R-6 Districts

To see if the Town will vote to amend the zoning bylaw of the town by inserting the following new Section 6.1 in its entirety and amending Section 6.2 by adding “and R-6” in the opening line as set forth below, or take any other action relative thereto.

NEW SECTION 6.1

6.1 The R-4 and R-6 Districts are intended for residential and non-commercial uses as permitted according to the Table of Use Regulations 6.0.

6.11 Additional regulations:

1. Private garages shall be limited to as many stalls plus one (1) as there are bedrooms in the dwelling of which it is an accessory use. In addition, all accessory building(s) shall not exceed, in aggregate area, a square footage which is more than one half (1/2) the ground floor area of the main dwelling including any attached garage. Any deviation from the above will require a special permit from the Planning Board as provided in Section 10 of the Zoning Bylaws.
2. Any accessory buildings, including bars, sheds, and workshops, for the personal use of the residents of the premises are permitted subject to the size restrictions outlined in Section 6.11; provided that no building used for horses, livestock or for more than 3 “pets”, is located within 50 feet of any occupied dwelling on the premises or within 65 feet of the premises property line.

EXISTING SECTION 6.1

Section 6.1 The R-6 District is intended for residential and non-commercial uses as permitted according to the Table of Use Regulations 6.0

6.11 Additional regulations:

1. Permitted accessory uses shall include such normal accessory uses as private garages, storage sheds, tennis courts, swimming pools, cabanas for swimming pools summer houses, detached fireplaces, and a structure approved by Civil Defense authorities and designed for the use by the inhabitants, employees or customers of the property to which it is accessory and used for shelter from natural disaster or war. Private garages shall be limited to as many stalls plus one (1) as there are bedrooms in the dwelling to which is accessory, provided that if the ground floor area of any accessory

building, including private garage, exceeds one-half (1/2) the ground floor area of the main building, Site Plan Review-Administrative Review approval shall be obtained as provided under Section 10 of this bylaw.

2. "Pets (and accessory buildings) for the personal use of the residents of the premises provided that no building for horses is located within fifty (50) feet of any lot line or within fifty (50) feet of any occupied dwelling on the premises or within one hundred (100) feet of any other occupied dwelling."

REVISED SECTION 6.2

Section 6.2 The R-4 and R-6 Districts are intended for residential and non-commercial uses as permitted according to the Table of Use Regulations 6.0

Article 26. HAMPDEN WILBRAHAM REGIONAL SCHOOL DISTRICT STABILIZATION FUND

To see if the Town will vote to approve the establishment of a Stabilization Fund by the Hampden Wilbraham Regional School District, beginning July 1, 2013, pursuant to Section 16G 1/2 of Chapter 71 of the General Laws; or take any other action relative thereto.

Article 27. BULK PURCHASE OF ELECTRICITY

To see if the Town will vote to authorize the Board of Selectmen to enter into agreements for power supply and other related services, including agreements for the bulk purchase of electricity, independently on behalf of the Town or in joint action with other municipalities, or take any other action relative thereto.

Article 28. RESERVE FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Reserve Fund, or take any other action relative thereto.

Article 29. GENERAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the General Stabilization Fund, or take any other action relative thereto.

Article 30. REDUCING TAX RATE

To see if the Town will vote to transfer from the General Stabilization Fund a sum of money for the purpose of reducing the tax rate for Fiscal Year 2014, or take any other action relative thereto.

And you are further required to notify and warn the inhabitants of the Town of Hampden qualified to vote in elections of Town Officers to meet at the Hampden Town House, 625 Main Street, Hampden, on Tuesday the 30th of April, 2013 AD at seven o' clock in the forenoon, then and there to give in their votes on one ballot to the election officers of said Town for the following officers, to wit:

To choose for the term of one year the following:

1 Moderator

To choose for the term of three years the following:

1 Selectman
1 Assessor
1 Collector of Taxes
1 Town Clerk
1 Town Treasurer
1 Library Trustee
1 Cemetery Commissioner
1 Park Commissioner
3 Constables

To choose for the term of five years the following:

1 Planning Board member
1 Housing Authority Member

Also, to choose all other necessary Town Officers.

Also to vote the following ballot question:

1. Shall the Town of Hampden be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to finance the cost of road, intersection and drainage improvements and reconstruction, consisting of the resurfacing thereof with bituminous concrete or other road material, including leveling, structural overlays, utility adjustments, minor drainage improvements and curbing, the replacement of culverts and for design, permitting, appraisals, permanent and temporary easements, construction and services during construction and project contingency?

And you are directed to serve this Warrant by posting and attested copy thereof at each of the five places designated by the Town. Hereof fail not, and make due return of this Warrant with your doings thereon, to the Town Clerk at or before the time of meeting aforesaid. Given under our hands this day of 2013.

Vincent J. Villamaino, Chairman

John D. Flynn

Norman Charest

Board of Selectmen

I, Constable for the Town of Hampden, have on this date posted copies of the warrant for the Town Meeting to be held on April 29, 2013 at 7:00 pm in all five places as designated by the Town of Hampden.

Constable, Town of Hampden

Date

INFORMATION & EMERGENCY TELEPHONE NUMBERS

Town Government	
POLICE Department EMERGENCY	911
Business Office	566-8011
FIRE Department EMERGENCY	911
Business Office	566-3314
Selectmen/Administrative Asst.: Pamela Courtney	566-2151 x100
Highway: Dana Pixley	566-8842
Library: Dianne Regnier	566-3047
Council on Aging: Becky Moriarty	566-5588
Dog Officer: Shelley Sears	566-8011
Veterans' Agent: John Comerford, 110 Main St., Monson	267-4140
Building Inspector: Lance Trevallion	566-2151 x250
Electrical Inspector: Gary Courtney	566-2151 x251
Plumbing Inspector: Dennis Chaffee	566-2151 x252
Board of Health Agent: Lorri McCool	566-2151 x102
Board of Health Coordinator: Jane Budynkiewicz	566-2151 x102
Schools	
Green Meadows Elementary School, North Road	566-3263
Thornton W. Burgess School, Wilbraham Rd.	566-8950
Principal's Office: Noel Pixley	566-3931
Minnechaug Regional High School, Main St., Wilbraham	596-9011
Superintendent's Office: M. Martin O'Shea	596-3884
Churches	
Bethlehem Baptist Church, Allen St.: Rev. Brian MacLeod	566-5572
Federated Community Church, Main St	566-3711
Parsonage:	566-3402
St. Mary's Church, Somers Rd.: Rev. Timothy Murphy	566-8843
Utilities	
Bay State Gas: Business Office	781-9200
Bay State Gas: Billing	781-9200 x 4
GAS LEAK EMERGENCY	800-525-8222
Massachusetts Electric – Customer Service & Emergency	800-322-3223
Massachusetts Electric – Power Outage Only	800-465-1212
Verizon - Residential	800-870-9999
Verizon - Repair - 24 hour	800-446-8946
Charter Communications - Cable Company	888-557-1115
Hospitals	
AMBULANCE: AMR - 24 hour service	533-3362
Baystate Medical Center - Springfield	794-0000
Mercy Medical Center - Springfield	748-9000
Healthsouth Rehabilitation - Ludlow	589-7581
Wing Memorial Hospital - Palmer	283-7651
U.S. Post Office, Main St.	566-5393
Poison Control Center	800-222-1212
Department of Social Services	205-0500