

TOWN OF HAMPDEN

ANNUAL TOWN MEETING



MONDAY, May 9, 2022

7:00 P.M.

**Thornton W. Burgess Middle School
85 Wilbraham Road
Hampden, Massachusetts**

TABLE OF CONTENTS

ARTICLE 1	TOWN REPORTS.....	3
ARTICLE 2	ANNUAL OPERATING BUDGET	3
ARTICLE 3	PRIOR YEAR BILLS.....	3
ARTICLE 4	FISCAL 2023 SPENDING LIMITS FOR REVOLVING FUNDS	3
ARTICLE 5	ENTERPRISE FUND TRANSFER STATION.....	4
ARTICLE 6	COMMUNITY PRESERVATION COMMITTEE	4
ARTICLE 7	CONSERVATION FUND.....	4
ARTICLE 8	CHAPTER 90 - STATE HIGHWAY AID	4
ARTICLE 9	LIBRARY ADDITIONAL STATE AID	4
ARTICLE 10	ADDITIONAL COMPENSATION FOR ASSESSORS	4
ARTICLE 11	ADDITIONAL COMPENSATION FOR COLLECTORS AND TREASURERS.....	5
ARTICLE 12	TRANSFER ASSESSORS' STABILIZATION FUNDS TO THE GENERAL FUND	5
ARTICLE 13	ASSESSOR'S FUNDING FOR STATE MANDATED PROGRAMS.....	5
ARTICLE 14	SCHOOL RESOURCE OFFICER.....	5
ARTICLE 15	MUNICIPAL LIGHT PLANT To see if the Town will vote to authorize the Board of.....	6
ARTICLE 16	SPECIAL ACT FOR A HAMPDEN FIREFIGHTER	6
ARTICLE 17	LOCAL OPTION RESIDENCY REQUIREMENTS FOR VETERANS EXEMPTION.....	6
ARTICLE 18	PROCEDURE FOR FILLING BOARD & COMMITTEE VACANCIES	6
ARTICLE 19	CITIZEN'S PETITION	8
ARTICLE 20	ADVISORY COMMITTEE RESERVE FUND	8
ARTICLE 21	GENERAL STABILIZATION FUND	8
ARTICLE 22	REDUCING THE TAX RATE	8
	TOWN ELECTION WARRANT.....	9

ANNUAL TOWN MEETING

TOWN OF HAMPDEN COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

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

Greetings: 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, 85 Wilbraham Road, Hampden, on Monday, May 9, 2022, 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 ANNUAL OPERATING 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, 2022, to June 30, 2023; or take any other action relative thereto.

ARTICLE 3 PRIOR YEAR BILLS

To see if the Town will vote to authorize the payment of any departmental bills of Fiscal Year 2021 or previous years and will vote to raise and appropriate a sum of money therefor; or take any other action relative thereto.

ARTICLE 4 FISCAL 2023 SPENDING LIMITS FOR REVOLVING FUNDS

To see if the Town will vote to authorize the following total expenditures for each of the following revolving funds pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2022, to be expended in accordance with the bylaws heretofore approved; or take any other action relative thereto.

<u>FUND</u>	<u>Approved Total Expenditures</u>
Building Department Fund	\$ 85,000
Cemetery Commission Fund	\$ 30,000
Council on Aging Fund	\$ 21,000
Library Fund	\$ 3,000
Conservation Commission Fund	\$ 25,000
Planning Board Fund	\$ 10,000

ARTICLE 5 ENTERPRISE FUND TRANSFER STATION

To see if the Town will vote to appropriate a sum of money to fund the operations of the Transfer Station; determine whether the money shall be provided by the estimated income to be derived in FY2023 from the operations of the Transfer Station, by the tax levy, by transfer from available funds, including the retained earnings of relevant enterprise fund, or by any combination of these methods; or take any other action relative thereto.

ARTICLE 6 COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to appropriate or reserve from 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 2023 with each item to be considered a separate appropriation; or take any other action relative thereto.

- a) To see if the Town will vote to appropriate or reserve from Community Preservation annual revenues, in the amount recommended by the Community Preservation Committee; or take any other action relative thereto.

ARTICLE 7 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 8 CHAPTER 90 - STATE HIGHWAY 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, in accordance with Chapter 90 Section 34 of the Massachusetts General Laws and the Transportation Department's Chapter 90 Guidelines and be allowed to borrow in anticipation of reimbursement; or take any other action relative thereto.

ARTICLE 9 LIBRARY ADDITIONAL STATE AID

To see if the Town will vote that in Fiscal Year 2023, 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 10 ADDITIONAL COMPENSATION FOR ASSESSORS

To see if the Town will vote to accept the following local option legislation:

Chapter 59 Section 21A: Additional Compensation of Assessors for Courses of Study

Section 21A. In any city or town which accepts this section, an assessor or assistant assessor who has completed the necessary courses of study and training and has been awarded a certificate by the International Association of Assessing Officers as a certified assessment evaluator or who

has been awarded a certificate by the Association of Massachusetts Assessors as a certified Massachusetts assessor shall receive as compensation from such city or town, in addition to the regular compensation paid by such city or town for services in such office, an amount equal to ten per cent of such regular compensation; provided, however, that in no event shall such additional compensation exceed one thousand dollars annually, if such assessor or assistant assessor is employed on a full-time basis, or five hundred dollars, if such assessor or assistant assessor is employed on a part-time basis. An assessor who has been awarded both certificates referred to above shall receive such additional compensation for only one of such certificates. In order to qualify for such additional compensation, an assessor or assistant assessor shall submit proof that he has been awarded either or both of the aforesaid certificates to the mayor or the board of selectmen of such city or town. The additional compensation herein provided shall be prorated for any twelve-month period in which an eligible person does not hold the office of assessor or assistant assessor for twelve consecutive months;

or take any other action relative thereto.

ARTICLE 11 ADDITIONAL COMPENSATION FOR COLLECTORS AND TREASURERS

To see if the Town will vote to accept the following local option legislation:

Chapter 41 Section 108P: In any city, town or district that accepts this section, a collector or a treasurer who has completed the necessary courses of study and training and has been awarded a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer or a certified Massachusetts district treasurer, shall receive as compensation from such city, town or district, in addition to the regular annual compensation paid by such city, town or district for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. In order to qualify for such additional compensation, a collector or treasurer shall submit to the mayor or the board of selectmen of such city or town, or the governing board of a district proof of the award of either or both such certificates. The additional compensation provided in this section shall be prorated for any 12-month period in which an eligible person does not hold the office of collector or treasurer for 12 consecutive months. Such additional compensation shall be discontinued when certification is discontinued or withdrawn;

or take any other action relative thereto.

ARTICLE 12 TRANSFER ASSESSORS' STABILIZATION FUNDS TO THE GENERAL FUND

To see if the Town will transfer the remaining balance of the Assessors Stabilization Fund to the General Fund and close out the Assessors Stabilization Fund; or take any other action relative thereto.

ARTICLE 13 ASSESSOR'S FUNDING FOR STATE MANDATED PROGRAMS

To see if the Town will raise and appropriate and/or transfer from available funds a sum of money to meet Massachusetts Department of Revenue mandated programs; or take any other action relative thereto.

ARTICLE 14 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 FY2022 at Minnechaug Regional High School; or take any other action relative thereto.

ARTICLE 15 MUNICIPAL LIGHT PLANT

To see if the Town will vote to authorize the Board of Selectmen to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services, or to take any other action relative thereto.

ARTICLE 16 SPECIAL ACT FOR A HAMPDEN FIREFIGHTER

To see if the Town will vote to authorize the Board of Selectmen to file a Special Act with the Massachusetts General Court to permit a Hampden firefighter to continue serving past the normal age of 65 as and potentially 70 years of age.

SECTION 1. Notwithstanding any general or special law to the contrary, Peter Hatch, a member of the fire department of the town of Hampden, may continue to serve in such position until the age of 70, the date of his retirement or non-reappointment or the date he is relieved of his duties by the town, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office; and provided further, that the town may, at its own expense, require that Firefighter Hatch be examined by an impartial physician designated by the town to determine such capability. No deductions shall be made from the regular compensation of Firefighter Hatch pursuant to chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 in connection with his service to the town for retirement or pension purposes and, upon retirement, Firefighter Hatch shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at age 65.

SECTION 2. This act shall take effect upon its passage

ARTICLE 17 LOCAL OPTION RESIDENCY REQUIREMENTS FOR VETERANS EXEMPTION

To see if the Town will vote to adopt the local option so that the Veterans' Exemptions available pursuant to General Laws chapter 59, section 5, clauses 22 and 22A through 22F may be granted to otherwise eligible persons who have resided in the Commonwealth for 1 year prior to the date of filing for exemptions pursuant to the applicable clause; or take any other action relative thereto.

ARTICLE 18 PROCEDURE FOR FILLING BOARD & COMMITTEE VACANCIES

To see if the Town will vote to amend the Town By-Laws as follows:

The provisions of this section shall apply to all appointments, including *ad hoc* appointments, made by the Town Moderator, the Board of Selectmen or the Selectmen and the remaining members of an Elected Board who are authorized by Massachusetts General Laws to fill a vacant seat on said Elected Board.

As used in this Section, the following terms shall have the following meanings:

"Board" shall mean any Board, Committee, Commission or other body of the Town, including *Ad Hoc* Committees, however named or constituted, which is composed of two or more members

and has been or is established pursuant to Massachusetts General Laws, these By-Laws, vote of a Town Meeting or vote of the Board of Selectmen.

"Appointed Board" shall mean a Board any of the members of which are appointed by an Appointing Authority.

"Appointing Authority" shall mean the Moderator, the Board of Selectmen or any other officer or Board of officers, or combination thereof, responsible for the appointment of members of an Appointed Board or for filling a vacancy on an elected board.

"Elected Board" shall mean any Board the members of which are elected by all the voters of the Town at a Town Election.

A vacancy on a Board due to a resignation shall be effective upon receipt by the Town Clerk of notice by the resigning member, or such later time certain as may be specified in such resignation, pursuant to the provision of MGL c.41, §11 and §109.

In the event of a vacancy on an Elected Board, the Selectmen and the remaining members of that Board on which the vacancy occurred shall act to fill that vacancy pursuant to and in accordance with the provision of MGL c.41, §11, or other applicable state statute.

The Chairperson or if the Chairperson has resigned the remaining members of the Elected Board which has a vacancy shall notify, in writing, the Chairperson of the Board of Selectmen and the Town Administrator of the vacancy.

To attract qualified and interested persons, vacancies will be made public as far in advance as practicable, the Town Administrator shall publicize each vacancy by press release, on the Town's website, and other relevant social media platforms.

The Selectmen and the remaining members of that Elected Board shall jointly evaluate the submitted expressions of interest to determine if any candidates are qualified and available to serve on the Board.

If qualified candidates exist, the Selectmen and the remaining members of that Board shall jointly at a duly posted meeting publicly interview the candidates.

The Selectmen, with the remaining members of that Elected Board, shall fill the vacancy by roll call vote as mandated by the applicable provisions of Massachusetts General Laws.

All appointments shall be made based on fitness demonstrated by competency and suitability to perform the duties of the position and the person appointed shall serve until the next annual Town Election at which time they must run for election to fill the remainder of the term of the office to which they have been appointed.

If a vacancy occurs in the membership of an appointed board, the Appointing Authority shall appoint a new member to serve for the balance of the unexpired term. The chairperson of the Appointed Board shall notify the appropriate Appointing Authority of the vacancy.

April 19, 2022

Members of affected Boards, Committees and Commissions shall have the right to actively recruit individuals for appointment to vacant positions, including the Board of Selectmen.

It will be the responsibility of the Appointing Authority to appoint a qualified candidate as soon as possible.

Once appointed, the member will receive an appointment letter from the Appointing Authority and report to the Town Clerk to be sworn into their position and advised of their responsibilities under the Open Meeting Law and the Conflict-of-Interest Law Chapter 268A; or take any other action relative thereto.

ARTICLE 19 CITIZEN’S PETITION

To see if the Town will vote to authorize the Board of Selectmen to investigate and if feasible to negotiate a 'purchase and sale agreement' for certain properties and parcels of land currently known as 2 Somers Road (5.81 acres-Parcel ID 12-40-0) and 16 Somers Road (3.4 7 acres Parcel ID 12-039-000) and or any portion thereof or take any other action upon terms that the Board of Selectmen deem to be in the best interest of the Town.

ARTICLE 20 ADVISORY COMMITTEE 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 Advisory Committee Reserve Fund; or take any other action relative thereto.

ARTICLE 21 GENERAL STABILIZATION FUND

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

ARTICLE 22 REDUCING THE 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 2023; or take any other action relative thereto.

April 19, 2022

TOWN ELECTION WARRANT

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 Monday, May 16, 2022, 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:

Town Moderator (1)

Planning Board (1)

To choose for the term of three years the following:

Board of Selectmen (1)

Town Clerk (1)

Tax Collector (1)

Treasurer (1)

Board of Assessors (1)

Hampden Library Trustee (1)

Constable (3)

Cemetery Commissioner (1)

Park and Recreation Commissioner (1)

Planning Board (1)

To choose for the term of five years the following:

Planning Board (1)

Also, to choose all other necessary Town Officers.

April 19, 2022

And you are directed to serve this Warrant by posting and attested copy thereof at each of the places designated by the Town. Hereof, fail not and make do 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 19th day of April 2022.

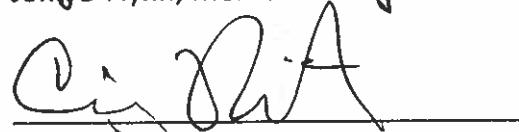
Board of Selectmen



Donald L. Davenport, Chairman



John D Flynn, Member



Craig A. Rivest, Member

April 19, 2022

I, Constable for the Town of Hampden, have on this date posted copies of the warrant for the Town Meeting to be held on May 9, 2022, at 7:00 pm in all places as designated by the Town of Hampden.

Constable, Town of Hampden

Date