



WARRANT FOR THE ANNUAL TOWN MEETING

Commonwealth of Massachusetts
Berkshire, ss

To any of the Constables of the Town of Richmond in said County, Greetings:

In the name of said Commonwealth, you are hereby directed to notify and warn the inhabitants of the Town of Richmond qualified to vote in town affairs to meet in the Consolidated School of said Richmond on **May 15, 2019, at 7:30 PM**, and then and there to act upon the following:

[Consent Calendar- Articles 1-3]

Article 1- To see if the Town will vote to authorize the Selectmen to determine the manner of repairing the highways and caring for the cemeteries for the year.

Article 2- REVOLVING FUND LIMITS. To see if the Town will vote, pursuant to the provisions of Section 53E 1/2 of Chapter 44 of the General Laws, to authorize the spending limits of the revolving funds outlined below. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or authorized below, shall come from any funds received by the respective boards and officers for performing services, shall be used solely for the purpose of coordinating and carrying out the programs delineated and shall be approved by a majority vote of the respective boards or officers.

- Inspectional Services - \$20,000**
- Council on Aging - \$5,000**
- Board of Health - \$2,500**
- Wetland Protection - \$5,000**
- Municipal Building or Property Rental - \$10,000**

Article 3- To see if the Town will vote to appropriate and accept any monies appropriated for use by the Massachusetts Highway Department for Chapter 90 highway aid for maintenance and reconstruction of Town roads and to fund the appropriation by transferring said amounts from available funds. Said funds shall carry over from year to year until spent by the Town and shall be reimbursed by the Commonwealth of Massachusetts in accordance with Chapter 90 of the General Laws. *(Approved by the Finance Committee)*

Article 4- To see if the Town will vote to raise and appropriate such sums of money as shall be deemed necessary for the upkeep and repair of the buildings, equipment, highways and cemeteries and for all other charges and expenses of the Town for the year and to set the salaries and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41 of the General Laws. [Fiscal Year 2019 amounts are shown for comparative purposes. Please see the Explanations section following this warrant for more information] *(Approved by the Finance Committee)*

[LINE ITEMS]

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Article 5- To see if the Town will vote to raise and appropriate the sum of **\$146,200** for a principal and interest payment on the school bond. *(Approved by the Finance Committee)*

Article 6- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$20,000** to the reserve fund. *(Approved by the Finance Committee)*

Article 7- To see if the Town will vote to raise and appropriate the sum of **\$3,499,554** for the support of the school. *(Approved by the Finance Committee)*

Article 8- To see if the town will vote to transfer from Certified Free Cash the sum of **\$5,000** for the removal of trees and for monument repair/maintenance within town cemeteries. *(Approved by the Finance Committee)*

Article 9- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$100,000** to the Other Post-Employment Benefits Liability Trust Fund, established under the provisions of M.G.L. Ch. 32B, Section 20. *(Approved by the Finance Committee)*

Article 10 - To see if the Town will vote to transfer from Certified Free Cash the sum of **\$5,000** for a fuel emergency assistance program administered under a contract with Berkshire Community Action Council for the benefit of low-income Richmond residents. *(Approved by the Finance Committee)*

Article 11 - To see if the Town will vote to transfer from Certified Free Cash, the sum of **\$25,000** for maintenance and repairs to the Town Hall. *(Approved by the Finance Committee)*

Article 12- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$9,500** for the conservation land fund. *(Approved by the Finance Committee)*

Article 13- To see if the Town will vote to transfer from available funds the sum of **\$225,000** to operate the sewer enterprise, as follows:

Salaries	\$21,855
Expenses	\$27,805
Emergency Reserve	\$4,000
<u>Debt Payment</u>	<u>\$171,340</u>
Total	\$225,000

And that **\$225,000** to be raised as follows:

Department receipts	<u>\$225,000</u>
Total	\$225,000

(Approved by the Finance Committee)

Article 14- To see if the Town will vote to transfer and appropriate the sum of **\$50,000** from the ambulance receipts account to the ambulance expense account for the operation of the Richmond Ambulance service, the maintenance of the town ambulance, and for payments to Comstar and to other ambulance services providing backup and advanced life support to the Richmond Ambulance service, with any unexpended balance to be returned to the ambulance reserve account. *(Approved by the Finance Committee)*

Article 15- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$5,700** for the purchase of new voting equipment. *(Approved by the Finance Committee)*

Article 16- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$5,000** for the purchase of Self-Contained Breathing Apparatus (SCBA) masks for the Fire Department. *(Approved by the Finance Committee)*

Article 17- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$25,000** for the purchase or construction of a storage shed to house the Fire Department rescue boat at the Richmond Pond. *(Approved by the Finance Committee)*

Article 18- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$15,000** for the treatment of weeds in Richmond Pond. *(Approved by the Finance Committee)*

Article 19- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$1,250** to support the Town's contribution to the All-Pond Goose Management Plan for Richmond Pond. *(Approved by the Finance Committee)*

Article 20- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$28,000** for the purchase of a Mini-Excavator to be shared with the Town of West Stockbridge and to

authorize the selectmen to enter into an agreement with the Town of West Stockbridge confirming the terms and conditions for use of the shared vehicle. *(Approved by the Finance Committee)*

Article 21- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$11,000** for the purchase of a new Highway Department lawn mower. *(Approved by the Finance Committee)*

Article 22- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$18,000** to fund the Engineering Services and/or repairs to the Richmond Highway Department Garage. *(Approved by the Finance Committee)*

Article 23- To see if the Town will vote to transfer and appropriate the sum of **\$181,500** from the ambulance receipts account to purchase a new ambulance for the Richmond Ambulance Department, with any unexpended balance to be returned to the ambulance reserve account. *(Approved by the Finance Committee)*

Article 24- To see if the Town will vote to transfer the sum of **\$58,500** from the Stabilization Fund to purchase a new ambulance for the Richmond Ambulance Department. *(Approved by the Finance Committee)*

2/3 Majority Vote Required

Article 25- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$15,000** for the purchase of a new stretcher for the Richmond Ambulance. *(Approved by the Finance Committee)*

Article 26- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$60,000** to replace the HVAC control system at the Richmond Consolidated School. *(Approved by the Finance Committee)*

Article 27- To see if the Town will vote to transfer from the Stabilization Fund the sum of **\$32,100** to replace the HVAC control system at the Richmond Consolidated School. *(Approved by the Finance Committee)*

2/3 Majority Vote Required

Article 28- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$621** to fund the payment of two prior fiscal year bills for the Board of Health and the Recreation Committee. *(Approved by the Finance Committee)*

9/10 Majority Vote Required

Article 29- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$10,000**
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for the purchase of a new Town Hall copier/printer. *(Approved by the Finance Committee)*

Article 30 - To see if the Town of Richmond will vote to authorize the following:

To authorize the Selectmen to petition the Legislature to enact Legislation so that, notwithstanding any general or special law to the contrary, Steven Traver may be employed as Chief of the Fire Department of the Town of Richmond, subject to approval by the Board of Selectmen, until June 30, 2023 or until the date of his retirement, or until the Selectmen vote not to reappoint him to this position in accordance with all applicable law; provided, however, that he is mentally and physically capable of performing the duties of such position. If requested, Steven Traver shall be examined by an impartial physician designated by the Selectmen to determine such capability. Deductions shall continue to be made from the regular compensation of Steven Traver under Chapter 32 of the General Laws while he is employed as Chief of the Fire Department in accordance with all applicable law, or take any other action in relation hereto.

Article 31 – Noise General Bylaw – To see if the Town will vote to adopt the following new general bylaw, to be codified as Article XV of the Town’s General Bylaw:

CHAPTER XV

Noise Bylaw

SECTION 1. “Excessive Noise” is defined as noise generated between the hours of 11:00 p.m. and 7:00 a.m., in a residential neighborhood, which unreasonably disturbs residents, or disrupts sleep, or is continuous or repetitive; and is noticeably louder than normal background noises. If measured, an increase of more than 10dB(A) above ambient conditions at both the property line of the source and at any sensitive receptors is evidence that the noise is excessive.

“Sensitive Receptors” are defined as schools, hospitals and dwelling places.

SECTION 2. Excessive Noise is prohibited, except when permitted by permit pursuant to Section 3. This Bylaw is not intended to prevent noise that is audible on undeveloped land.

SECTION 3.

(A) Applications for permits for noise levels exceeding the limits specified in this chapter shall be made to the Selectmen and shall contain a statement as to why such relief is requested. A permit may be granted by the Selectmen for a period not to exceed 90 days and may contain conditions to minimize adverse effects on the neighborhood or the community at large. New noise sources shall be required to mitigate sound emissions that the source generates to levels below those defined as Excessive Noise in this Bylaw.

(B) A permit so granted may be renewed for an additional period of no more than 90 days, provided that the Selectmen make a finding that the renewal is necessary to provide

additional time for the applicant to modify the activity or operation to comply with this chapter. No more than one renewal may be granted for any permit.

SECTION 4. The provisions of this chapter shall not apply to warning devices, such as horns or sirens; to emergency equipment or vehicles, such as fire engines, ambulances, police and rescue vehicles and the like; to motor vehicles operated lawfully; to snow plows or other municipal equipment while in operation; to church bells; or to lawful activities of temporary duration, including but not limited to parades, firework displays, or to activities conducted pursuant to a farm function or special event permit.

SECTION 5. This chapter shall be enforced by the Town Building Inspector. Penalties for violations of this chapter will be due as set forth in Chapter XI of the General Bylaws.

Article 32- Solar Energy Systems Bylaw To see if the Town will vote to amend the Zoning Bylaws by adding a new Section 13, Accessory Ground-Mounted Solar Energy Systems, and revising Section 4.8 A and Section 4.8 B. The Purpose of the Amendment is to add additional opportunities to develop solar energy systems of all sizes, subject to reasonable regulations throughout the Town. Among other changes, the amendment would allow construction of solar energy systems on any accessory structure by right subject to the zoning setbacks and limits on height in the zoning district.

Section 4.8 B. PERMITTED ACCESSORY USES	DISTRICTS
Continued:	RA-A
	RA-C SR COMM 1&2

17. Accessory SOLAR ENERGY SYSTEMS

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|--|-----|-----|-----|
| a) A Solar Energy System that is structurally mounted to the roof or side of a building, provided the front yard, side yard, and rear yard setbacks are met. Any roof-mounted system shall not exceed the maximum building height for the district in which the building is located. | YES | YES | YES |
| b) A Solar Energy System that is structurally mounted to the ground with a project area of 750 square feet or less, and is 15 feet or less in height, provided the requirements of Section 13 of this by-law are met. | YES | YES | YES |
| c) A Solar Energy System that is | SPP | NO | SPP |

structurally mounted to the ground with a project area greater than 750 square feet or is more than 15 feet in height, provided the requirements of Section 13 of this by-law are met.

Section 13. Accessory Ground-Mounted SOLAR ENERGY SYSTEMS

13.1 Purpose. The purpose of this Section is to:

1. Provide reasonable regulations to govern Accessory Ground-Mounted Solar Energy Systems in order to regulate the size, placement, design, and construction, of such installations;
2. Minimize the impact on and loss of scenic, natural, agricultural and historic resources, and the character of residential neighborhoods;
3. Protect public health, safety, and welfare.

13.2 Dimensional Regulations.

1. Setbacks: A ground mounted solar energy system shall not be located within the front, side, or rear yard setback required in the zoning district in which the system is located.
2. Height: The maximum height of the solar collectors, including supporting structures, at their highest point, shall not exceed 20 feet. The height shall be measured vertically from the highest point to the nearest point on the ground.

13.3 Design and Performance Standards. Accessory Ground-Mounted solar energy systems shall comply with the following standards:

1. Visual Impact. Reasonable efforts shall be made to minimize visual impact from public rights of way and abutting properties. Dense vegetation is the preferred method of screening.
2. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be minimized. Areas of clearing shall be revegetated.
3. Utility Lines. Any utility lines between a solar energy system and the primary use structure shall be underground to the extent feasible.

13.4 Definitions:

PROJECT AREA: The land area required to accommodate and support the installation and operation of a solar energy system, ground-mounted. The projected foot print area on the ground covered by the installation. The project area shall include the cumulative area of all separate ground-mounted installations on the same lot or adjoining lot.

SOLAR COLLECTOR: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY SYSTEM: A device or structural design feature for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating. Includes a PHOTOVOLTAIC SYSTEM

PHOTOVOLTAIC SYSTEM (ALSO REFERRED TO AS PHOTOVOLTAIC INSTALLATION): An active solar energy system that converts solar energy directly into electricity.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED: A Solar Energy System that is structurally mounted to the ground and is not roof-mounted.

SOLAR ENERGY SYSTEM, ROOF-MOUNTED: A Solar Energy System that is structurally mounted to the roof or side of a building

Rated Nameplate Capacity, The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

DISTRICTS

Section 4.8 A. PERMITTED PRINCIPAL USES	RA-A
Continued:	RA-C SR COMM1&2

17. Commercial Scale Ground-Mounted Solar Photovoltaic Installations with less than 250 kW of rated nameplate capacity. NO NO SPP*

*Note: special permit not required if the ground-mounted solar photovoltaic installation meets the requirements of Section 4.8 B, Permitted Accessory Uses, Section 17, (b).

2/3 Majority Vote Required

Article 33- Accessory Buildings

To see if the Town will vote to amend the Zoning Bylaw by revising the section below to substitute the Planning Board for the Board of Selectmen as the Permit Granting Authority. No other changes are included.

Section 4.8 B. PERMITTED ACCESSORY USES
Continued:

RA-A
RA-C SR COMM 1&2

11. Accessory Buildings

b) Accessory buildings or buildings exceeding **SPP SPP SPP**
20 feet in height or buildings that exceed
one half the total area of the dwelling on the
premises or having a total aggregate floor area
of more than 1,000 square feet.

2/3 Majority Vote Required

Article 34- BY PETITION- To see if the Town will vote to transfer from Certified Free Cash the sum of **\$9,600** which will be applied to the shortfall in the sewer enterprise account.
(Approved by the Finance Committee)

You are also directed to notify and warn the inhabitants of Richmond qualified to vote in town affairs to meet in the Town Hall on Saturday, May 18, 2019 at 11:00 AM, to bring in votes for the following Town Officers:

- One Member of the Board of Selectmen – 3 year term
- Two Members of the Board of Health - 3 year terms
- Two Members of the Finance Committee – 3 year terms
- One Member of the Finance Committee – 2 year term
- One Member of the School Committee – 1 year term
- One Member of the Board of Library Trustees - 3 year term
- One Member of the Planning Board – 2 year term
- One Member of the Planning Board – 4 year term
- One Member of the Planning Board – 5 year term
- Town Moderator – 1 year term

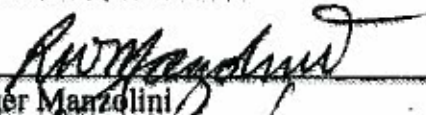
And the polls may close at 7:00 PM.

And you will serve the warrant by posting up true and attested copies hereof, one at the Richmond Town Hall, one at the Richmond Post Office, one at the Bartlett's Orchard bulletin board and one at the Richmond Shores Civic Association bulletin board, seven days at least before the time of said meeting.

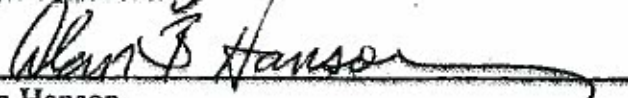
Given under our hands this 10th day of April 2019.



Neal Pilson, Chairman



Roger Manzolini



Alan Hanson
Board of Selectmen

I have posted up true and attested copies hereof. one at the Richmond Town Hall, one at the Richmond Post Office, one at the Bartlett's Orchard bulletin board, and one at the Richmond Shores Civic Association bulletin board.

Constable

Date