

THE COMMONWEALTH of MASSACHUSETTS
Berkshire, SS.
To either of the Constables of the TOWN of CHESHIRE in
the County of BERKSHIRE
GREETING.

In the Name of THE COMMONWEALTH OF MASSACHUSETTS, 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 said Cheshire.

Place: Cheshire Elementary School Auditorium
191 Church St., Cheshire 01225

Date: Monday, June 11, 2018

Time: 7:00pm

Voter check-in to begin at 6:30pm.

CHESHIRE ANNUAL TOWN MEETING

Article 1. To hear the Annual Report of the Selectmen and the other officers and to act thereon.

Article 2. To see if the Town will vote to raise and appropriate from available funds in the Treasury such sum or sums of money as may be necessary to defray the ordinary expenses of the Town for the ensuing year, and to pay interest on loans maturing in this year, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 3. To see if the Town will vote to appropriate from certified free cash the sum of \$170,000 (one hundred seventy thousand dollars) to reduce the tax rate, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 4. To see if the Town will vote to borrow and appropriate any additional sum or sums of money which will be reimbursed by the Commonwealth under any applicable State Aid Highway Programs for construction or improvements to Town roads and bridges as requested by the Selectmen, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 5: To see if the Town will vote to appropriate from certified free cash the sum of \$4,500 (four thousand five hundred dollars) for the purpose of purchasing an "e-permitting" system to be utilized by the Town's building, electrical and plumbing inspectors, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 6: To see if the Town will vote to appropriate from certified free cash the sum of \$40,000 (forty thousand dollars) for the purpose of purchasing a new model year 4-wheel drive three-quarter ton pick-up truck and plow for use of the Highway Department, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 7: To see if the Town will vote to appropriate from certified free cash the sum of \$1,500 (one thousand five hundred dollars) for the purpose of funding a ride sharing pilot program for Cheshire residents needing transportation to medical appointments beyond the geographical limits of the Cheshire Council on Aging van, *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 8: To see if the Town will vote to amend the Town of Cheshire bylaws by accepting the provisions of MGL Chapter 60, Section 6N, "Private Ways; Temporary Repairs, Ordinances or By-laws", specifically and limited to the following conditions: (a) repairs to non-accepted Town ways shall be limited to the leveling of existing ways; (b) any repairs are required by public necessity to allow for the safe travel of emergency vehicles and; (c) the Town shall be exempt from any liability resulting from these repairs, *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 9: To see if the Town will vote to amend the Town of Cheshire bylaws Article 5 **Advisory Committee** by changing the title from Advisory Committee to Finance Committee, *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 10: To see if the Town will vote to amend the Town of Cheshire bylaws Article 39, Section 1 **Town Compactor Site** as follows: "The Board of Health shall have control, supervision and responsibility for the operation of the Town Compactor and related activities other than the supervision of the Town Compactor attendants, who shall fall under the direct supervision of the Board of Selectmen or their designee", *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 11: To see if the Town will vote to charge for each written demand issued by the Collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by MGL Chapter 60, Section 15, effective as of July 1, 2018, *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 12: To see if the Town will vote to transfer the sum of \$25,000 (twenty-five thousand dollars) from Certified Water Operations Retained Earnings and appropriate the same amount to the FY 2019 Water Department Operations line item, *or take any other action in relation thereto.*

[NOTE: The Advisory Board recommends approval of this Article.]

Article 13: To see if the Town will vote to amend its Zoning bylaws by inserting a new section, "8.7 Marijuana Establishments", *or take any other action in relation thereto.*

The purpose of this section is to provide for the placement of Marijuana Establishments (MEs) and Medical Marijuana Treatment Centers in suitable locations in the Town of Cheshire in recognition of and in accordance with "The Regulation of the Use and Distribution of Marijuana Not Medically Prescribed," M.G.L ch. 94G and "Medical Use of Marijuana", M.G.L. 94I. The specific purpose of this section is to safeguard the built environment by permitting compliance with state law in a manner consistent with community and neighborhood concerns,

while also ensuring that those entities permitted to operate a ME or Medical Marijuana Treatment Center, as defined herein, comply with the relevant provisions of Chapter 334 of the Acts of 2016, Chapter 351 of the Acts of 2016, Chapter 55 of the Acts of 2017, and the regulations promulgated by the Cannabis Control Commission (CCC) found at 935 CMR 500.000 and 105 CMR 725.000 et seq.

[NOTE: The full text of this proposed bylaw (8.7) shall be made available at this meeting.]

Article 14: To see if the Town will vote to accept the provisions of M.G.L. Chapter 32B, Section 20, which will allow the Town to establish and fund and Other Post-Employment Benefits Liability Trust Fund (OPEB), *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

Article 15: To see if the Town will vote to raise and appropriate the sum of \$2,000 (two thousand dollars) to the Other Post-Employment Benefits Liability Trust Fund (OPEB), *or take any other action in relation thereto.*

[NOTE: Action on this article is conditional upon approval of the preceding article (Article 14).

Article 16: To see if the Town will vote to authorize the Treasurer, per MGL Chapter 44, Section 2, to borrow the sum of \$230,000 (two hundred thirty thousand dollars) for the purpose of purchasing a new model year 10-wheel, all season dump body truck with plow and side wing and to dispose of a 2003 International Model 7600 dump truck and associated snow plowing equipment and a 2006 International Model 7500 and associated snow plowing equipment to the highest responsible bidder, contingent upon subsequent passage of a Proposition 2 1/2 debt exclusion vote, *or take any other action in relation thereto.*

[NOTE: *The Advisory Board recommends approval of this Article.*]

[NOTE: This article requires a two-thirds vote for borrowing approval and subsequent majority ballot vote for a Proposition 2 1/2 debt exclusion to be held at a future election.]

Article 17: To do and transact any other business that may properly come before this meeting, *or take any other action in relation thereto.*

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place of meeting as aforesaid.

Posted: Cheshire Town Hall, Town Hall Annex, Cheshire Police Department, H.D. Reynolds General Merchandise, Cheshire Post Office and Cheshire Community/Senior Center.

Given under our hands this 29th day of May in the year of our Lord two thousand eighteen.

_____ *Carol Francesconi*

_____ *Edmund St. John IV*

_____ *Robert Ciskowski*

A true copy: Attest:

_____, *Constable*
C.J. Garner

Berkshire, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Cheshire by posting up attested copies of the same at:

Cheshire Town Hall, Town Hall Annex, Cheshire Post Office, Cheshire Police Department, H.D. Reynolds General Merchandise and the Cheshire Community/Senior Center.

_____ days before the date of the meeting, as within directed.

_____ *Constable of Cheshire*

C.J. Garner