

REVIEW OF TOWN MEETINGS AND ELECTIONS IN 2013

**Special Town Election
March 12, 2013**

Selectman (1 year)	John Sears
Assessor (1 year)	Richard Kean

**State Primary Election/Annual Town Election
April 30, 2013**

Special State Primary

Senator ó Republican	Gabriel Gomez
Senator ó Democrat	Edward Markey

Annual Town Election

Selectman (3 years)	Philip C. Keenan
Assessor (3 years)	Jason Velazquez
Auditor (1 year)	Kirby Lark Thwing
Moderator (1 year)	Kirby Lark Thwing
Tree Warden (1 year)	Richard Gould
Representative/Hawlemont (3 years)	Hussain Hamdan
Non-parent LEC for Hawlemont (3 years)	Suzanne Crawford

**Annual Town Meeting
May 6, 2013**

At eight o'clock in the evening the meeting will convene to act on the following articles:

Article 1: To act on the reports of the Town Officers, and to hear a presentation by the Finance Committee, or take any other action in relation thereto. **Approved**

Article 2: To see if the Town will vote to fix the salaries, compensation, or expense accounts of all elective officers of the Town as provided in Section 108 of Chapter 41, General Laws, as amended, and raise and appropriate the sum of \$62,000.00 for payment of the same, together with such clerical and other office help as the Selectmen may approve, or take any other action relative thereto. **Approved**

Salaries being voted on are as follows:

Chairman of Selectboard	1800.00
Selectboard members	1600.00
Town Clerk	4200.00
Chairman of Assessors	1300.00
Assessors members	1100.00
Tax Collector	5400.00
Auditor	115.00
Moderator	115.00
Treasurer	7350.00

Article 3: To see if the Town will vote to raise and appropriate the following appropriations as recommended by the Selectboard:

Approved

Snow Roads	75,800.00
Employee Vacations	8,460.00
Employee Holidays (11)	4,727.00
Employee Sick Days (5)	2,500.00
Employee Health Insurance	24,300.00
Drug and Alcohol Testing	500.00
Town Insurances	27,000.00
Massachusetts Unemployment	3,000.00
FICA/Medicare (Town's share)	4,000.00
Town Building Expenses	13,000.00
Selectboard Expenses	2,000.00
Treasurer Expenses	2,000.00
Town Clerk Expenses	600.00
Outside Utilities	200.00
Finance Committee Expenses	250.00
Conservation Comm. Expenses	100.00
Historical Comm. Expenses	100.00
Planning Board Expenses	100.00
Zoning Board of Appeal Expenses	500.00
Assessor's Expenses	3,500.00
Tax Collector Expenses	2,000.00
Board of Health Expenses	1,000.00
Town Reports	1,500.00
Bonding	500.00
Police Department	1,250.00
Emergency Management Expenses	200.00

Emergency Management Director Salary	1,000.00
Fire Department	10,000.00
Fire Chief's Salary	2,500.00
EMT Equipment	2,500.00
Insect Pest Control	182.00
Veterans Benefits	2,000.00
Care of Cemeteries	2,000.00
Interest	4,000.00

The following items do not require a vote, but nevertheless represent amounts which will have to be raised:

W. Franklin Veterans Service Center	744.00
Franklin County Retirement System	20,875.00

Total for Article 3	226,388.00
Total corrected by Virginia Gabert:	224,888.00

Article 4: To see if the Town will vote to raise and appropriate the sum of \$153,129.00 to cover its share of operating expenses of the Hawlemont Regional School District, or take any other action in relation thereto. **Approved**

Article 5: To see if the Town will vote to raise and appropriate the sum of \$1,492.00 to cover its share of the capital expenses for the renovations of the Hawlemont Regional School District, or take any other action in relation thereto. **Approved**

Article 6: To see if the Town will vote to raise and appropriate or otherwise provide \$1,800.00 for the purpose of paying certain costs associated with the Hawlemont preschool program or take any other action in relation thereto. **Approved**

Article 7: To see if the Town will vote to raise and appropriate the sum of \$138,833.00 (**corrected to \$139,145.00**) to cover its share of the operating expenses of the Mohawk Regional School District, or take any other action in relation thereto. **Approved**

Article 8: To see if the Town will vote to raise and appropriate the sum of \$4,480.00 to cover its share of the capital expenses for the renovations of the Mohawk Trail Regional School District, or take any other action in relation thereto. **Approved**

Article 9: To see if the Town will vote to raise and appropriate the sum of \$57,000.00 to cover the cost of tuition for students attending vocational schools, or take any other action in relation thereto. **Approved**

Article 10: To see if the Town will vote to raise and appropriate the sum of \$40,000.00 to cover the cost of transportation for students attending vocational schools, or take any other action in relation thereto. **Approved**

Article 11: To see if the Town will vote to raise and appropriate the sum of \$1,000.00 for the Tyler Memorial Library, or take any other action in relation thereto. **Approved**

Article 12: To see if the Town will vote to raise and appropriate the sum of \$3,500.00 to cover Hawley's share of the compensation for the Franklin County Cooperative Inspector Program, or take any other action in relation thereto. **Approved**

Article 13: To see if the Town will vote to raise and appropriate the sum of \$14,400.00 to meet the cost of solid waste disposal in the year beginning July 1, 2013, or take any other action in relation thereto. **Approved**

Article 14: To see if the Town will vote to raise and appropriate the sum of \$1,145.00 to cover its allocated share of the budget for the Franklin County Solid Waste Management District, including household hazardous waste, or take any other action in relation thereto. **Approved**

Article 15: To see if the Town will vote to raise and appropriate the sum of \$78,500.00 for the General Highways Account, or take any other action in relation thereto. **Approved**

Article 16: To see if the Town will vote to accept any amount available in Chapter 90 road funds available subject to conditions detailed by the Massachusetts Highway Department pursuant to Chapter ____ of the Acts of ____, with any unexpended balances to be carried forward into the next fiscal year, or take any other action in relation thereto. **Approved**

Article 17: To see if the Town will vote to transfer from Free Cash the sum of \$2,000.00 for the Reserve Fund, or take any other action in relation thereto. **Approved**

Article 18: To see if the Town will vote to authorize the Selectboard to employ counsel and to defend any suit that may be brought against the Town and to raise and appropriate the sum of \$5,000.00 for the purpose, or take any other action in relation thereto. **Approved**

Article 19: To see if the Town will vote to transfer from Free Cash the sum of \$450.00 for the Right-to-Know budget in anticipation of reimbursement from the State for this expenditure, or take any other action in relation thereto. **Approved**

Article 20: To see if the Town will vote to raise and appropriate the sum of \$45,000.00 for Machinery Maintenance, or take any other action in relation thereto. **Approved**

Article 21: To see if the Town will vote to raise and appropriate the sum of \$300.00 for use by the Council on Aging, such sum to help the COA qualify for a \$3,500.00 Council on Aging formula grant, or take any other action in relation thereto. **Approved**

Article 22: To see if the Town will vote to raise and appropriate the sum of \$1,000.00 for new equipment and grant matching funds for the Fire Department, or take any other action in relation thereto. **Approved**

Article 23: To see if the Town will vote to raise and appropriate the sum of \$3,000.00 for a gasoline account, or take any other action in relation thereto. **Approved**

Article 24: To see if the Town will vote to raise and appropriate the sum of \$1,800.00 for internet service expenses, or take any other action in relation thereto. **Approved**

Article 25: To see if the Town will vote to raise and appropriate the sum of \$3,380.00 for its share of the statutory charges (\$1,397.00); regional services assessments (\$1,883.00); and Regional Emergency Planning Committee assessment (\$100.00) of the FRCOG, or take any other action in relation thereto. **Approved**

Article 26: To see if the Town will vote to raise and appropriate the sum of \$1,954.00 for the Regional Health Agent Program, services provided

by the Franklin Regional Council of Governments, or take any other action in relation thereto. **Approved**

Article 27: To see if the Town will vote to raise and appropriate the sum of \$1,500.00 for Blackboard Connect Notification System, or take any other action in relation thereto. **Approved**

Article 28: To see if the Town will vote to raise and appropriate the sum of \$654.04 to cover expenses relating to Emergency Communications Maintenance Assessment, or take any other action in relation thereto. **Approved**

Article 29: To see if the Town will vote to raise and appropriate the sum of \$22,160.00 to cover this year's payment for the purchase of the McCloud property (principal payment of \$20,000.00 and interest payment of \$2,160.00), or take any other action in relation thereto. **Approved**

Article 30: To see if the Town will vote to raise and appropriate the sum of \$24,400.00 to cover this year's payment for the purchase of the loader (principal payment of \$23,000.00 and interest payment of \$1,400.00), or take any other action in relation thereto. **Approved**

Article 31: To see if the Town will vote to raise and appropriate the sum of \$2,000.00 for the Town Computer Account to cover periodic upgrades and repairs, with any unexpended balance to be carried into the next fiscal year, or take any other action in relation thereto. **Approved**

Article 32: To see if the Town will vote to raise and appropriate or otherwise provide a sum or sums for the Town Building maintenance and renovation account, with any unexpended balance to be carried into the next fiscal year, or take any other action in relation thereto. **Passed over as sum for this fund is zero.**

Article 33: To see if the town will vote to raise and appropriate the sum of \$1,000.00 to cover continuing education and conferences expenses for town officers in FY14 with any remaining balance to be carried into the next fiscal year, expenditures from this account to be approved in advance by the Board of Selectmen, or take any action in relation thereto. **Approved**

Article 34: To see if the Town will vote to raise and appropriate \$2,500.00 to cover expenses relating to tax title and foreclosure of real estate

parcels for delinquent taxes or take any other action in relation thereto.

Approved

Article 35: To see if the Town will vote to authorize a revolving account pursuant to Massachusetts General Laws Chapter 44, section 53E ½ for which revenues from fees or fines related to the licensing and care of dogs will be deposited into the fund and expended to purchase dog tags; pay for various expenses in relation to licensing, care and other related dog control expenses under the direction of the Town Clerk, and total expenditures for the fiscal year beginning July 1, 2013 will be limited to \$400, with all money remaining in the fund at the end of each fiscal year, or take any other action in relation thereto. **Approved**

Article 36: To see if the Town will vote to raise and appropriate \$5,000.00 for Landfill Maintenance, or take any other action in relation thereto.

Article 37: To see if the Town will vote to transfer \$10,000.00 from Free Cash to the Fire Equipment Stabilization Fund, or take any other action in relation thereto. **Approved**

Article 38: To see if the Town will vote to transfer \$10,000.00 from Free Cash to the Highway Equipment Stabilization Fund, or take any other action in relation thereto. **Approved**

Article 39: To see if the Town will vote to transfer \$12,000.00 from Free Cash to the Interest Account to cover interest on the Storm Damage loan, or take any other action in relation thereto. **Approved**

Article 40: To see if the Town will vote to transfer \$6,000.00 from Free Cash to replace a plow for the Highway Department, or take any other action in relation thereto.

Article 41: To see if the Town will vote to hear the recommendations of the Job Description Review Committee relative to the salary for the Town Clerk and further vote to raise and appropriate an additional sum to cover any increase, or take any other action in relation thereto. **Tabled until the Job Description Review Committee has determined an additional sum to be discussed**

Article 42: To see if the Town will vote to transfer the sum of \$4,435.00 from FY13 Overlay Surplus into the FY13 Legal Services account, or take any other action in relation thereto. **Approved**

Article 43: To see if the Town will vote to instruct our members of Congress to support an amendment to the United States Constitution to clarify that corporations do not have the same rights as people and that money is not speech for purposes of election-related spending, and/or take any action relative thereto. **Discussion ensued regarding pros and cons. Tabled until proposed amendment can be re-worded and discussed in more detail**

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings (öreal peopleö); and,

WHEREAS, corporations are not mentioned in the Constitution and The People have never granted rights to corporations;

WHEREAS, the United States Supreme Court in Citizens United v. Federal Election Commission presents a serious threat to self-government by allowing unlimited corporate spending to influence elections;

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy;

NOW THEREFORE, BE IT RESOLVED that the voters of Hawley, Massachusetts hereby instruct the Senators representing the Commonwealth of Massachusetts and the member of the United States House of Representatives representing this Congressional District to propose and our state legislators to ratify an amendment to the United States Constitution to provide that corporations are not entitled to the constitutional rights of real people and that money is not speech for purposes of campaign-related expenditures and contributions.

The text of the proposed amendment is as follows:

Amendment

Section 1 (A corporation is not a person and can be regulated)

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the people, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2 (Money is not speech and can be regulated)

Federal, State, and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State, and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3

Nothing contained in this amendment shall be construed to abridge the freedom of press.

Article 44: To see if the Town will vote on the following resolution, or take any other action in relation thereto. **Approved**

Whereas, Baystate Franklin Medical Center in Greenfield is the only hospital in Franklin County, the most rural county in Massachusetts; and,

Whereas, local access to a full-service community hospital is essential to the health and well-being of the residents of Franklin County; and,

Whereas, some important services previously available at Franklin Medical Center are now only available at Baystate Medical Center in Springfield; and,

Whereas, the lack of public transportation and the long distance between parts of Franklin County and Springfield presents a challenge for many residents; and,

Whereas, it is critical for the health of Franklin County resident that they have access to the broadest range of quality health care services in Franklin County.

Therefore be it resolved that the Town of Hawley calls upon Baystate Health System to commit all necessary resources to ensure the provision of all needed services and to commit to the long-term viability of a full-service community hospital at Baystate Franklin Medical Center which will meet the health care needs of the residents of Franklin County; and,

Be it further resolved that the Town Clerk be directed to send copies of this resolution to Mark Topolsky, President and Chief Executive Officer of Baystate Health System, and to Chuck Gijanto, President of Baystate Regional Markets.

Article 45: To see if the Town will vote to change the position of Tree Warden for the Town of Hawley from an elected position to an appointed position, or take any other action in relation thereto. **Approved**

Article 46: (submitted by petition) To see if the Town will vote to combine the two jobs held by the Treasurer and Tax Collector into one job, or take any other action in relation thereto. **Tabled until reviewed by the Job Description Review Committee**

Article 47: To transact any other business that legally may come before the Town Meeting. **No other business came before the voters**

**Special State Election
June 25, 2013**

Senator in Congress TIE: Gabriel Gomez / Edward Markey

**Special Town Meeting
June 26, 2013**

At 7:30 o'clock in the evening the meeting will convene to act on the following articles:

- Article 1: To see if the Town will vote to transfer the sum of \$2,500.00 from Free Cash to the FY13 Town Buildings Expenses account, or take any other action in relation thereto. **Approved unanimously.**
- Article 2: To see if the Town will vote to transfer the sum of \$5,801.45 from Free Cash to the FY13 Snow Roads account, or take any other action in relation thereto. **Approved (1 opposed).**
- Article 3: To see if the Town will vote to transfer the sum of \$200.00 from Free Cash to the FY13 Employee Holiday account, or take any other action in relation thereto. **Discussion ensued as to if there are any extra days not taken this year – negative. Approved unanimously.**
- Article 4: To see if the Town will vote to transfer the sum of \$500.00 from Free Cash to the FY13 Town Clerk Expenses account to cover the cost of AutoMark programming, or take any other action in relation thereto. **Approved unanimously.**
- Article 5: To see if the Town will vote to transfer the sum of \$200.00 from Free Cash to the Tri-Town Landfill account, or take any other action in relation thereto. **Approved (1 abstained).**
- Article 6: To see if the Town will vote to transfer the sum of \$1,500.00 from Free Cash to the Internet Access account to cover

installation services and equipment for high speed internet at the Town Office, or take any other action in relation thereto. **Discussed – money is for equipment and not actual internet connection. Approved unanimously.**

- Article 7: To see if the Town will vote to transfer the sum of \$300.00 from Free Cash to the All-Hawley River Day account, or take any other action in relation thereto. **After discussion, the article was tabled.**
- Article 8: To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to the Highway Equipment Stabilization Fund, or take any other action in relation thereto. **Approved unanimously.**
- Article 9: To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to the Fire Department Equipment Stabilization Fund, or take any other action in relation thereto. **Approved unanimously.**
- Article 10: To see if the Town will vote to appropriate and borrow a sum of money not to exceed \$100,000.00 to purchase a used Pumper for the Fire Department, and to authorize the Treasurer, with the approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44, section 7(9), or any other general or special law, for a period not to exceed five years, provided, however, that this appropriation and debt authorization be contingent upon passage of a Proposition 2 ½ debt exclusion referendum under General Laws Chapter 59, section 21C (i½), or take any other action in relation thereto. **Discussion ensued. Greg Cox explained that the pumper is 32 years old and parts are no longer available. This would be the first step in the possibly year long process of finding a new pumper. Approved unanimously.**
- Article 11: To see if the Town will vote to authorize proceeding with the repair of the damage to East Road caused by Hurricane Irene, using the funds borrowed under previous authorization for storm damage repair in anticipation of reimbursement from FEMA and MEMA, provided that FEMA and DEP approve the

engineer's plans for the work, or take any other action in relation thereto. **Discussion ensued. There is no risk of not being reimbursed if the funds are approved by FEMA/MEMA. Approved unanimously.**

Article 12: To see if the Town will vote to authorize proceeding with the repair of the damage to Forge Hill Road caused by Hurricane Irene, using the funds borrowed under previous authorization for storm damage repair in anticipation of reimbursement from FEMA and MEMA, provided that FEMA and DEP approve the engineer's plans for the work, or take any other action in relation thereto. **Discussion ensued. FEMA has allotted at this point \$91,000 for the repair. The first engineering firm came up with a much higher quote, but a new firm is working on a quote which includes moving the road away from the river, which should be lower. Water bars were discussed as a way of controlling drainage. Approved unanimously.**

Article 13: To see if the Town will vote to increase the Town Clerk's salary, and further vote to raise and appropriate a sum or sums to fund this increase, or take any other action in relation thereto. **Rick Kean reviewed the findings of the Job Description Committee. The Committee recommends raising the Town Clerk salary from \$4200 to \$8500, based on a 15 hour work week, effective July 1, 2013. It was mentioned that the TC's responsibilities are designated by the State and that all the responsibilities should be done by the TC and not others in Town Hall. It was brought up that this 100% raise should not set a precedent for all positions. Approved (1 not in favor).**

Article 14: To see if the Town will vote to support the following resolution:

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings (öreal peopleö); and

WHEREAS, the United States Supreme Court in Citizens United v. Federal Election Commission

presents a serious threat to self-government by allowing unlimited corporate spending to influence elections;

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy;

NOW THEREFORE, BE IT RESOLVED that the voters of Hawley, Massachusetts hereby instruct the senators representing the Commonwealth of Massachusetts and the member of the United States House of Representatives representing this congressional district to propose, and our state legislators to ratify, an amendment to the United States Constitution to provide that corporations are not entitled to the constitutional rights of real people and that money is not speech for the purposes of campaign-related expenditures and contributions. **Heated discussion ensued regarding this topic. A paper vote was taken. Approved (21 in favor, 17 not in favor and 7 abstained).**

**Special Town Election
July 9, 2013**

Selectman (2 years)	Robert MacLean
Town Clerk (1 year)	Pamela Shrimpton
Representative/Hawlemont (1 year)	Courtney Hoyt

Question: Shall the Town of Hawley be allowed to exempt from the provision of Proposition two and one-half, so called, the amounts required to pay for the bond issued in order to purchase a used Pumper for the Fire Department? Yes