



Action taken at the Annual Town Meeting held May 13, 2013 at the Belchertown High School Veterans' Auditorium

FY14

Moderator – Frances J. South

Meeting called to order 7:32PM

Registered voters present - 185 (Quorum requires 75)

The Clerk read the Warrant

Raymond J. Janke, III, Veterans' Agent, led the group in the Pledge of Allegiance and the National Anthem was performed by Belchertown High School Women's Ensemble directed by Susan Comstock

Selectman Ronald E. Aponte presented the Citizen of the Year Award to Alfred J. Roccanti

Selectman Brenda Q. Aldrich presented the Volunteer of the Year Award to Christina M. Aponte

Selectman George "Archie" Archible presented Employee of the Year Award to Rollin J. Dewitt

A motion was made to change the order of business and consider Articles 24 through Article 30 first.

(Vote – Majority Yes)

Article 24 Voted to appropriate from the Community Preservation Fund estimated annual revenues the sum of \$12,326 for the administrative expenses of the Committee in FY 2014; and that the Town reserve for future appropriation from the Community Preservation Fund estimated annual revenues the amounts recommended by the Community Preservation Committee, with each item to be considered a separate reserve:

- \$24,652 from FY 2013 Community Preservation Fund revenues for Open Space
- \$24,652 from FY 2013 Community Preservation Fund revenues for Historic Resources
- \$24,652 from FY 2013 Community Preservation Fund revenues for Community Housing,

And to appropriate and transfer \$29,509 from the Community Preservation Historic Resources Reserve and \$21,991 from the Community Preservation Fund Balance for a total appropriation of \$51,500 to pay the debt service on the bonds issued under Article 26 at the May 10, 2010 Annual Town Meeting,

And to appropriate and transfer \$36,400 from the Community Preservation Fund Balance to pay the debt service on the bonds issued under Article 29 of the May 14, 2012 Annual Town Meeting,

And further to appropriate and transfer \$41,600 from the Community Preservation Open Space Reserve to pay the debt service on the bonds issued under Article 33 of the May 14, 2012 Annual Town Meeting.

(Vote – majority Yes)

Article 25 Voted to appropriate and transfer the sum of \$40,000 from the Community Preservation Fund Balance for the purpose of creating Jessica's Boundless Playground, such funds to be used to prepare the recreational land and equip and install recreational facilities thereon, with such funds to be expended under the direction of the School Committee. (Endorsed by Community Preservation Committee 7-1-0 Yes)

(Vote – Unanimous Yes)

Article 26 Voted to appropriate and transfer the sum of \$4,900 from the Community Preservation Historic Resources Reserve for the Grave Stone preservation and restoration project at the historic Mount Hope/Lake Vale Cemetery, with such funds to be expended under the direction of the Veterans Graves Officer of the Town of Belchertown. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Unanimous Yes)

Article 27 Voted to appropriate and transfer the sum of \$10,000 from the Community Preservation Historic Resources Reserve for the purpose of retaining a consultant to survey buildings located outside the Belchertown Historic District that are of cultural, historical, archeological, and/or architectural significance, with such funds to be expended under the direction of the Historical Commission. (Endorsed by Community Preservation Committee 7-0-1 Yes)

A voice vote was taken and could not be determined by the Moderator.
Moderator requested a hand count.

(Vote – Hand Count – 119 Yes, 33 No – Article Passed)

Article 28 Voted to appropriate and transfer the sum of \$7,500 from the Community Preservation Historic Resources Reserve for the purpose of enhancing access to and the preservation of the Town’s historic records by digitalizing Sentinel newspapers from 1915 to 2007, with such funds to be granted to the Belchertown Historical Association pursuant to a grant agreement, and authorize the Board of Selectmen to enter into said grant agreement to set forth the terms and conditions under which such funds may be expended. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Majority Yes)

Article 29 Voted to appropriate and transfer the sum of \$75,000 from the Community Preservation Fund Balance for the purpose of rehabilitating the historic Hope United Methodist Church by making improvements to comply with the Americans with Disabilities Act and other federal, state and/or local building or access codes, pursuant to a grant agreement with the Hope United Methodist Church; and authorize the Board of Selectmen, in consultation with the Historic District Commission and the Community Preservation Committee, to enter into said grant agreement, which agreement shall require a historic preservation restriction to be imposed on the property and set forth the other terms and conditions under which such funds may be expended; and, further, authorize the Board of Selectmen to acquire said restriction. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Majority Yes)

Article 30 Voted to appropriate and transfer the sum of \$45,000 from the Community Preservation Fund Balance for the purpose of preserving and rehabilitating recreational facilities by designing and constructing a new skate park at the existing skate park location, with said funds with such funds to be expended under the direction of the Skate Park Committee. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Majority Yes)

Article 1 Voted to elect Paul Anziano and Ellen Lachance as Almoners of the Whiting Street and Mrs. Susan M.D. Bridgman Funds, each for one year; and Mary Olberding as Trustee of the Calvin Bridgman Fund for three years.

(Vote – Unanimous Yes)

Article 2 Voted to accept the reports of the officers of the Town with the exception of the Finance Committee.

(Vote – Unanimous Yes)

Article 3 Voted to authorize the Assessors and the Board of Health members to appoint themselves to work in their various departments for the ensuing fiscal year, at hourly rates not exceeding the following:

- Assessors \$9.29
- Board of Health Members \$7.25

(Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 4 Voted to raise and appropriate the sum of \$100.00 to be used by the Assessors for legal counsel in resolving court tax cases. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

- Article 5** Voted to raise and appropriate the sum of \$30,000.00 to the Reserve Fund for use by the Finance Committee. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Article 6** Voted to authorize the Board of Selectmen to apply for and accept funds from the Commonwealth of Massachusetts Highway Improvement Program for use on approved town ways. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Article 7** Voted to appropriate from the Sale of Cemetery Lots Account the sum of \$2,500.00 to the Cemetery Lot Development Account. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Article 8** Voted to authorize the Board of Selectmen to apply for Massachusetts Small Cities Program or other Federal or State monies and to expend any monies received as set forth in the application following a public hearing. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Article 9** Voted to fix the salaries and compensation of all elected officers of the Town, as provided for by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended; to raise and appropriate or appropriate from available funds in the treasury for departmental and incidental expenses of the Town for the ensuing fiscal year; and that the various major categories of the budget as contained in the Finance Committee’s report be considered separately and acted upon; and further that these sums of money granted and appropriated for the several specific purposes therein designated, be expended only for those purposes as specifically designated and under the direction of the respective officers, boards and committees of the Town.
(Endorsed by Finance Committee 5-0-0 Yes)
(Vote Unanimous Yes)
- Voted to raise and appropriate the sum of \$1,674,968.00 and appropriate from the Wetlands Hearing Fees Account the sum of \$2,000.00 to the Conservation Commission Salary Account, for a total appropriation of \$1,676,968.00 for General Government, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Voted to raise and appropriate the sum of \$2,973,239.00 and appropriate the sum of \$485,000.00 from the Ambulance Receipts Reserved for Appropriation Account, for a total appropriation of \$3,458,239.00 for Public Safety, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)
- Voted to raise and appropriate the sum of \$25,764,363.00, and appropriate from free cash in the Treasury the sum of \$115,500.00, for a total appropriation of \$25,879,863.00 for the Town School Department with each item and amount recommended as shown in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Majority Yes)
- Voted to raise and appropriate the sum of \$1,167,095.00 for the Pathfinder Regional Vocational Technical High School District, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$1,520,837.00, and appropriate from free cash in the Treasury the sum of \$49,500.00, for a total appropriation of \$1,570,337.00 for the DPW-Highways, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to appropriate from Landfill receipts the sum of \$274,500.00 and appropriate from Landfill Enterprise free cash in the treasury the sum of \$18,709.00 for a total appropriation of \$293,209.00 to the Landfill Enterprise Fund, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$28,959.00, and appropriate from Sewer Enterprise free cash in the treasury the sum of \$178,034.00 and appropriate from Sewer receipts the sum of \$1,384,661.00 for a total appropriation of \$1,591,654.00 to the Sewer Enterprise Fund, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Majority Yes)

Voted to raise and appropriate the sum of \$818,892.00 for the Human Services Departments, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$713,433.00 for Culture and Recreation Departments, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Majority Yes)

Voted to raise and appropriate the sum of \$739,950.00 for DPW Buildings and Grounds Departments, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$3,149,660.00, and appropriate from the Stabilization Fund the sum of \$325,000.00, and transfer from the Pension Reserve Trust Account the sum of \$29,765.00, for a total appropriation of \$3,504,425.00 to the Pensions and Insurance Accounts, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – 2/3 Required – 2/3 Yes)

Voted to raise and appropriate the sum of \$55,623.00 to the Unclassified Accounts, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$3,493,418.00 for the Interest and Debt Accounts, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 5-0-0 Yes)
(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$7,500.00 for Hampshire Council of Governments, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting.
 (Endorsed by Finance Committee 4-0-1 Yes)
 (Vote – Majority Yes)

Article 10 Voted to authorize the use of the following revolving funds pursuant to Massachusetts General Laws, as amended, Chapter 44, Section 53E ½, for the fiscal year beginning July 1, 2013 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following purposes, not to exceed the following spending limits, respectively.

Fund	Revenue Source	Authority to Spend Funds	Use of Funds	Spending Limit	Restrictions/ Comments
Senior Center Transportation Program	Receipts from said Transportation Program	Director of the Senior Center	Operation of Senior Center Transportation Program	\$10,000	None
Council on Aging Programs	Receipts from said Programs	Council on Aging	Operation of Council on Aging Programs	\$10,000	None
Firefighters’ Protective Clothing & Equipment Purchase	Receipts from Open Air Burning Permit Fees	Fire Chief	Firefighters’ Protective Clothing & Equipment Purchase & Maintenance	\$10,000	None
Town Beach Concession	Receipts from said Concession	Town Administrator	Operating Town Beach Concession	\$15,000	None
Operating Town Beach	Receipts from Daily & Seasonal Entrance Fees	Town Administrator	Operating Town Beach	\$50,000	None
Pool Programs	Receipts from said Programs	Town Administrator	Pool Programs	\$130,000	None
Witnessing and Documenting Percolation Tests	Receipts from said Witnessing and Documenting tests	Board of Health	Witnessing & Documenting Percolation Tests	\$15,000	None
Police Department Technology Fund	Receipts from Firearms License & FID Card Fees	Police Chief or his designee	Police Department Technology, Firearms Licensing & FID Card Fees	\$15,000	None
Transportation of pupils in Grades 7-12	Receipts from said Transportation	School Committee	Transportation of pupils in Grades 7-12	\$150,000	None

(Endorsed by Finance Committee 5-0-0 Yes)
 (Vote – Unanimous Yes)

Article 11 Voted to authorize the creation of a “Tween and up programs” revolving fund pursuant to MGL, as amended, Chapter 44, Section 53E ½, for the fiscal year beginning July 1, 2013, to be credited with receipts from the operation of tween and up programs, to be expended under the authority and direction of the Town Administrator for the operation of said “Tween and up programs”, not to exceed a spending limit of \$25,000. (Endorsed by Finance Committee 5-0-0 Yes)
 (Vote – Majority Yes)

Article 12 Voted to fund the “Tween and up Programs” revolving fund by transferring the remaining balance of the Teen Center revolving fund as of June 30, 2013 into said fund on July 1, 2013. (Endorsed by Finance Committee 5-0-0 Yes)
 (Vote – Unanimous Yes)

Article 13 Voted to amend the Code of Belchertown, Chapter 91, Personnel, as previously amended, in the following prescribed manner:

- In 91 Attachment 1, Appendix A, Town Classification-Compensation Plan:
- **Remove** Management, Administrative or Professional Exempt chart with ending date of December 31, 2012;
- **Revise** current Management, Administrative or Professional Exempt chart ending June 30, 2013 to end on August 31, 2013;
- **Add** Management, Administrative or Professional Exempt chart as follows, to be effective September 1, 2013:

Effective September 1, 2013 through June 30, 2014

Director of Public Works	\$80,989 - \$103,387
Fire Chief	\$80,989 - \$103,387
Director of Information Technology	\$67,491 - \$ 86,155
Town Planner	\$67,491 - \$ 86,155
Town Treasurer-Collector	\$64,277 - \$ 82,053
Town Accountant	\$64,277 - \$ 82,053
Chief Building Inspector	\$64,277 - \$ 82,053
Director of Assessments	\$64,277 - \$ 82,053
Conservation Administrator	\$61,805 - \$ 78,897
Senior Center Director	\$61,805 - \$ 78,897
Recreation Director	\$61,805 - \$ 78,897
Veterans' Agent	\$54,451 - \$ 69,509

In Classified Nonexempt Employees

➤ **Add** the following title and grade list to be effective September 1, 2013, and to replace current list as of that date:

Teen Center Assistant	2
Council on Aging Van Driver	2
Nutritional Aide	2
Senior Center Aide	2
Assistant Cook	3
Building Custodian	3
Department Clerk	3
Secretary to the Conservation Commission	3
Supportive Day Program Assistant	3
Certified Pool Operator	4
Accounting Clerk	4
Assistant Children's Librarian	4
Facility Maintenance/Recreation Specialist	4
Council on Aging Receptionist/Dispatch Supervisor	5
Library Department Assistant I	5
Animal Control Officer	5
Accounting Department Assistant	5
Assistant Teen Center Coordinator	5
Administrative Secretary to the Board of Selectmen	5
Department Assistant I	5
Library Technician	5
Transfer Station Supervisor	5
Technical Office Assistant	5
Administrative Secretary to Chief of Police/Dispatch Supervisor	6
Aquatic Coordinator	6
Benefits Coordinator	6
Department Assistant II	6
Department Assistant/Financial	6
Fire Department Administrative Secretary	6
Teen Center Coordinator	6
Computing Department Technical Assistant	6
Elder Nutrition Program Coordinator	6
Social Services/Outreach Assistant	6
Supportive Day Program Coordinator	7
Program and Volunteer Coordinator	7
Assistant Town Clerk	7
Assistant Treasurer/Collector	7
Field Reviewer	7
Fire Prevention and Safety Officer	7
Assistant Building Inspector	7
Assistant Town Accountant	7
Administrative Assistant	7
Assistant Assessor	7
Network Analyst/Administrator	8

Technical Services Librarian	8
Youth Services Librarian	8
Head of Circulation and Reference	8
Council on Aging Administrative Assistant	8
Recreation Department Administrative Assistant	8
Executive Secretary to the Board of Selectmen and Town Administrator	8
Social Services/Outreach Coordinator	9
WWTP Operator II	9
Fire Captain/Chief Fire Inspector	9
Maintenance Division Working Foreman	9
Highway – Working Foreman	9
Assistant Information Technology Director	9
Public Buildings and Grounds Supervisor	10
Highway Division Supervisor	10
WWTP Operations Supervisor	10
Director of Emergency Medical Services	10

In Part-Time Hourly Schedule Employees

Change the following range:

- Election Workers \$8.00-\$14.00/hour

In 91 Attachment 1, Appendix B – Weekly Salary Schedule for Classified Employees:

- **Remove** compensation chart ending December 31, 2012;
- **Revise** ending date of compensation chart ending June 30, 2013 to end August 31, 2013;
- **Add** the following chart effective September 1, 2013:

Effective September 1, 2013 through June 30, 2014

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$10.54	\$10.83	\$11.12	\$11.43	\$11.74	\$12.07	\$12.40	\$12.74	\$13.09	\$13.45
2	\$13.70	\$14.07	\$14.46	\$14.86	\$15.27	\$15.69	\$16.12	\$16.56	\$17.02	\$17.49
3	\$15.75	\$16.19	\$16.63	\$17.09	\$17.56	\$18.04	\$18.54	\$19.05	\$19.57	\$20.11
4	\$18.11	\$18.61	\$19.12	\$19.65	\$20.19	\$20.75	\$21.32	\$21.90	\$22.51	\$23.12
5	\$19.93	\$20.47	\$21.04	\$21.62	\$22.21	\$22.82	\$23.45	\$24.09	\$24.76	\$25.44
6	\$21.92	\$22.52	\$23.14	\$23.78	\$24.43	\$25.10	\$25.79	\$26.50	\$27.23	\$27.98
7	\$24.11	\$24.77	\$25.45	\$26.16	\$26.87	\$27.61	\$28.37	\$29.15	\$29.95	\$30.78
8	\$25.08	\$25.76	\$26.47	\$27.20	\$27.95	\$28.72	\$29.51	\$30.32	\$31.15	\$32.01
9	\$26.08	\$26.80	\$27.53	\$28.29	\$29.07	\$29.87	\$30.69	\$31.53	\$32.40	\$33.29
10	\$27.90	\$28.67	\$29.46	\$30.27	\$31.10	\$31.96	\$32.84	\$33.74	\$34.67	\$35.62

(Vote – Unanimous Yes)

Article 14 Voted to authorize the Board of Selectmen to petition the General Court for the enactment of a special law allowing the town to purchase additional group life and group accidental death and dismemberment insurance for employees in accordance with the provisions of chapter thirty-two B of the General Laws, with no premium contribution by the Town, up to the limits provided in G.L. c. 32B, §11A, and to ratify the town’s provision of such benefits previously; provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition.

(Vote – Unanimous Yes)

Article 15 **CITIZEN PETITION:** Voted to repeal the establishment of a Recreation Commission which took place at the Annual Town Meeting of May 10, 2004, Article 30, and to further reestablish the Parks and Recreation Committee, as voted at a Special Town Meeting on March 6, 1967, Article 20, and amended by a vote at a Special Town Meeting on February 12, 2001, Article 28, which increased the Committee’s membership from five members to seven members.

Upon passage of this, all current Recreation Commission members' terms will expire June 30, 2013. The Board of Selectmen, acting as appointing authority, shall appoint seven members to the newly constituted Recreation Committee for terms beginning July 1, 2013, for three year terms with the exception of the first membership appointment which will be for terms expiring June 30 but so arranged that expiration dates will be staggered: two members for a one year term (2014), three members for two year terms (2015), and two members for three year terms (2016).

A voice vote was taken and determined by the Moderator this Article had failed
A motion was made for a hand count and approved.

(Vote – Hand Count – 55 Yes, 49 No – Article Passed)

Article 16 Voted to authorize the Board of Selectmen to convey the property known as 8 Berkshire Avenue, as shown on Assessors Map 243, Lot 244, consisting of approximately .981 acres, on such terms and conditions as deemed to be in the best interest of the Town.

(Vote – 2/3 Required – 2/3 Yes)

Article 17 Voted to authorize the Board of Selectmen to convey the property known as 41 Jabish Street, as shown on Assessors Map 244, Lot 19, consisting of approximately .510 acres, on such terms and conditions as deemed to be in the best interest of the Town.

(Vote – 2/3 Required – Unanimous Yes)

Article 18 Voted to authorize the Board of Selectmen to convey the Town property known as the former Franklin School at 720 Franklin Street, as shown as Assessor Map 109, Lot 51, consisting of approximately 1.6 acres, on such terms and conditions as deemed to be in the best interest of the Town.

(Vote – 2/3 Required – Unanimous Yes)

Article 19 Voted to authorize the Board of Selectmen to enter into a lease contract of up to five years for a tractor for the Department of Public Works. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 20 Voted to authorize the Board of Selectmen to enter into renewable energy power purchase and/or net metering credit purchase agreements, including agreements for such power or credits generated by solar photovoltaic systems for terms of more than three years, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, and to authorize the Board of Selectmen to take all actions necessary to implement and administer such agreements.

(Vote – Unanimous Yes)

Article 21 Voted to accept Center Street as a public way, as heretofore laid out by the Board of Selectmen and shown on a plan entitled “Center Street”, Commons Group, LLC, Belchertown, MA,” dated May 21, 2001, and revised through January 10, 2006, prepared by Sherman and Woods, Land Surveying & Engineering and recorded in the Hampshire County Registry of Deeds in Plan Book 209, Pages 89 and 90, and as shown on plans entitled “Plan of Land in Belchertown, MA, prepared for Commons Group, LLC, Street Acceptance Plan & “As-Built” Conditions Plan,” dated March 1, 2012, and revised February 28, 2013, prepared by Sherman & Frydryk, Land Surveying and Engineering, and recorded with said Deeds Plans in Book 229, Page 29, a copy of which are on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, a public way easement in the subject way and all related access, drainage and utility easements. (Endorsed by Planning Board 3-0-0 Yes)

(Vote – Unanimous Yes)

Article 22 Voted to amend the Code of Belchertown, Chapter 278, User Charge System, as previously amended, by removing it in its entirety and replacing it with the following new language:

CHAPTER 278; USER CHARGE SYSTEM

§ 278.1. Purpose; authority

§ 278.2. Notice of fees and charges

§ 278.3 Financial management system

§ 278.4 Methodology

§ 278.5 Abatements

§ 278.6 Inactive accounts

§ 278.7 Inconsistent agreements

§ 278.8 Adoption of system

General References

Sewers (bylaw) — See Ch. 104.

Sewer use (regulations) — See Ch. 256.

§ 278-1. Purpose; authority

A. This user charge system has been designed to produce revenues required for the operation and maintenance of the Town of Belchertown's wastewater treatment plant and sanitary sewers, including capital costs for wastewater treatment plant upgrade and sanitary sewer extensions.

B. This user charge system is also designed to generate sufficient revenues to cover, at a minimum, replacement stock for sewers; costs relating to the replacement and repair of sewers, including street work and maintenance of all equipment and related appurtenances necessary for provision of wastewater treatment services; all costs of chemicals and other supplies relating to the treatment of wastewater; costs relating to personnel for wastewater collection and treatment systems; and all administrative costs relating to operation of the wastewater collection and treatment system and the collection of fees as provided for by this user charge system.

C. This user charge system has been developed in accordance with the requirements, providing that each user which discharges pollutants that cause an increase in the cost of managing the effluent or sludge from the treatment works shall pay for such increased cost.

§ 278-2. Notice of fees and charges

Notification of fees and other charges assessed under this user charge system shall be provided to users in conjunction with a regular bill to be issued quarterly under most circumstances, but in no case less than annually. This notification shall include the rate and that portion of the user charges which is attributable to wastewater treatment services.

§ 278-3. Financial management system.

The town shall maintain a financial management system that will accurately account for revenues generated by this user charge system and expenditures for operation and maintenance (including replacement) of the treatment system, based on an adequate budget identifying the basis for determining the annual operation and maintenance costs and the costs of personnel, material, energy and administration. The budget shall be prepared on an annual basis and shall be approved by town meeting vote. An independent audit of the financial management system shall be performed on a periodic basis.

§ 278-4. Methodology

This user charge system provides for the recovery of wastewater and sewer-related costs from three sources: user fees, wastewater treatment assessments and general property tax rates. This system has been designed to acknowledge that the improvements to the wastewater treatment works will benefit the community as a whole and will benefit future as well as current users.

A. User fees. User fees shall be developed based on the annual projected budget for operation and maintenance of the wastewater treatment facilities, including maintenance and repair of the

collection system. These costs shall be allocated to all users based on equivalent dwelling units as calculated per 310 CMR 15.203 (Title V design criteria) or based on estimates of the long-term average flow for the facility or other method as deemed appropriate by the Board of Selectmen to capture the costs and expenses of the services provided by the Town through such system. Multiple family dwelling establishments shall not be calculated below 0.67 EDU per living unit. Where a commercial or industrial user discharges wastes of unusual characteristics, the Board of Selectmen may impose additional fees to cover the costs associated with treatment of such wastes.

Billing will be conducted quarterly as described herein:

A1. Any person proposing a new discharge into the sewer system or a substantial change in the volume or character of pollutants is required to complete a connection application. The Board of Selectmen, acting through the Department of Public Works will review, and if found appropriate, approve the connection application constituting the issuance of a connection permit. Once a sewer connection permit is issued, it is the permit holder's responsibility to notify the Department of Public Works at least 24 hours in advance of any work related to the installation of the sanitary sewer service. The Department will schedule the necessary inspections. If the connection is installed properly and ready for use, the Department of Public Works will notify the appropriate Town agencies, and sewer billing will be implemented in the following manner:

- For existing, developed property, and modifications to an existing connection which will result in a substantial change in the volume or character of pollutants, sewer billing will begin as of the date the connection is deemed complete.
- For new construction requiring a building permit, sewer billing will begin as of the date the building inspector issues a Certificate of Occupancy. For multiple unit facilities, sewer billing will begin for the total number of units for which the Building Inspector issued a Certificate of Occupancy, during the billing period (quarterly).

A2. New accounts, regardless of type, will be established in the following manner:

- If the account status is billable prior to the middle of the quarter, sewer billing will include the entire quarterly charges; if the account status is billable on or after the middle of the quarter, billing will begin on the first day of the next quarter.
- Account status will remain as billable unless the property is deemed uninhabitable by the building inspector or by the issuance of a demolition permit, condemnation order, or any similar order that may be issued by the local, state, or federal agencies with the proper authorization to do so. It is the property owner's responsibility to notify the Town when their property becomes uninhabitable. Abatements and/or status change, if approved, will be effective as of the date written notification was received by the Town. Properties deemed uninhabitable will be required to obtain a connection permit, in accordance with Chapter 256 of the Code of Belchertown.

Modifications to existing accounts will only be considered upon written request from the property owners or their authorized representative. The Town may, from time to time, audit accounts on file and make changes as required. All modifications will be implemented as of the date written notification was received, in the manner previously described.

B. Wastewater treatment assessments. The capital costs for wastewater treatment plant improvements shall be recovered in majority through a wastewater treatment assessment applied to all users. Wastewater treatment assessments will apply to all users based on equivalent single-family dwelling units as Per 310 CMR 15.203 (Title V design criteria) or based on estimates of the long-term average flow for the facility or other method as deemed appropriate by the Board of Selectmen to capture the costs and expenses of the services provided by the Town through such system. Additionally, a portion of the capital costs for the wastewater treatment system improvements may be funded through the general tax rolls.

1. For the purposes of calculating the wastewater treatment assessment, the total capital costs for the improvements over the loan period will be divided by the existing equivalent dwelling units. This will determine the wastewater treatment assessment per equivalent single-family dwelling. The wastewater treatment assessment for other types of residential or commercial facilities will be determined by multiplying the single-family equivalency factor times the single-family dwelling wastewater treatment assessment. That portion of the

capital costs for the wastewater treatment improvements which is not covered by revenues generated by the wastewater treatment assessment will be adsorbed by the general tax revenues.

C. General property tax. As discussed above, a portion of the capital costs for wastewater treatment facility improvements may be funded from the general property tax revenues. The amount to be funded from the general property tax rolls may decrease as additional users are brought on line. The amount to be funded from the general tax rolls will be determined each year by the Board of Selectmen by subtracting projected revenues from betterment and wastewater treatment assessments from the total capital recovery costs for the year.

§ 278-5: Abatements:

A. Abatements shall be given for errors in billing calculations provided such errors are brought to the Boards attention within sixty (60) calendar days of the billing date. Abatements may be granted for financial hardship if it is in the opinion of the Board of Selectmen that such abatement is warranted. Abatements will only be granted for sewer costs; assessments and betterments will still apply.

B. Submission of Abatement request

1. The board of Selectmen or its designee shall be responsible for issuance and/or denial sewer abatement request.

2. A sewer abatement applicant shall request issuance of abatement in writing and Submitted to the Board of Selectmen or its designee.

C. Time Limits for Applications

1. Review and comment by the Board of Selectmen or its designee will begin once the applicant has provided sufficient documentation to support the reasons for the abatement.

2. When the request is deemed complete, the Board of Selectmen or its designee will stamp the request complete, indicating the date of completion. Completed abatement requests shall be approved or denied by the Board of Selectmen or its designee within 30 days of completion date.

§ 278-6 Inactive accounts: A sewer connection permit may be considered as an inactive account if the owner of record can provide satisfactory documentation, in the form of water or electrical usage, the\at the premises have not been occupied for a period of 366 consecutive days. Those accounts that are deemed to be inactive shall be place in an inactive filed and not billed for the current fiscal year. The status of inactive accounts shall be checked form time to time and reviewed annually. When an inactive account has been reoccupied and reconnected to the utilities, the permit shall be considered active and billed from the period when utilities were reconnected to the end of the fiscal year, at the prevailing rate.

(Vote – Unanimous Yes)

Article 23 Voted to authorize the Board of Selectmen to enter into an Inter-Municipal Agreement with the Town of Granby for the discharge of wastewater from the Town of Granby to the Belchertown Wastewater Treatment Facility for treatment.

(Vote – Unanimous Yes)

Meeting adjourned at 9:42PM

Attest:

William R. Barnett
Town Clerk