



TOWN WARRANT

Hampshire, ss.

To one of the Constables of the Town of Amherst, in said county, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the registered voters of the Town of Amherst of the **Special Town Meeting** to be held in the Auditorium of the Amherst Regional Middle School in said Amherst at seven-thirty o'clock p.m. on **Monday, the twenty-seventh day of October, two thousand and three**, when the following articles will be acted upon by town meeting members:

ARTICLE 1. Reports of Boards and Committees
(Select Board)

To see if the Town will hear only those reports of Town officers, the Finance Committee, and any other Town boards or committees which are not available in written form.

ARTICLE 2. Modify Rules of Order
(Town Meeting Improvements Committee)

To see if the Town will modify the Rules of Order of Town Meeting so that:

- A Consent Calendar is used to expedite handling of articles with no opposition
- Green and Red cards are used during debate to indicate a desire to speak FOR or AGAINST, respectively, the current motion
- The current Rule on Voice Votes, Talled Votes, and Standing Votes is replaced by a modified Rule
- The Rule permitting Voting by Secret Ballot is deleted
- Redundant Rules on Smoking and Ex-Officio Membership are deleted

ARTICLE 3. Town Meeting Coordinating Committee
(Town Meeting Improvements Committee)

To see if the Town will establish a Town Meeting Coordinating Committee consisting of seven Town Meeting Members, not more than two of whom may reside in the same Precinct, who shall serve staggered two-year terms. Its charge shall be to provide continuing leadership and organization to Town Meeting and to extend outreach to the community on behalf of Town Meeting. The Committee agenda shall evolve over time, but may include in its first year (1) organizing warrant forums prior to Town Meeting open to the public, (2) communicating to the public about Town Meeting through various means, (3) improving the education and orientation system for new Members, and (4) researching ways for recording individual votes at Town Meeting. The Committee shall also perform other duties as Town Meeting shall determine from time to time.

ARTICLE 4. Electronic Voting Study
(Town Meeting Improvements Committee)

To see if the Town will endorse the concept of incorporating electronic voting into the operations of Town Meeting and will direct the Town Meeting Improvements Committee to study the available systems and recommend an appropriate system and associated operating and capital budget.

ARTICLE 5. Special Act – Amend Amherst Town Government Act
(Town Meeting Improvements Committee)

To see if the Town will direct the Select Board to submit to the Great and General Court a Special Act amending the Amherst Town Government Act, Chapter 216 of the Acts of 2001, as amended, by:

- Requiring Town Meeting candidates to collect the signatures of at least ten registered voters in their precinct in order to be nominated
 - Requiring a minimum of ten votes to be elected to Town Meeting
 - Requiring that any Town Meeting seat unfilled in a Town Election remain unfilled until the next Town Election
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ARTICLE 6. Childcare Study
(Town Meeting Improvements Committee)

To see if the Town will authorize a study to determine whether the diversity of Town Meeting could be increased by providing a small stipend to Amherst residents who currently are unable to serve in Town Meeting because of the expenses of child care or other family or health issues. This study would be entrusted to a committee of five Town Meeting Members appointed by the Moderator. A recommendation would be returned to the Town Meeting, including an estimate of the number of persons who might participate and the probable cost.

ARTICLE 7. Transfer of Funds – Unpaid Bills
(Select Board)

To see if the Town will, in accordance with Chapter 44, Section 64, appropriate and transfer a sum of money to pay unpaid bills of previous years.

ARTICLE 8. Reserve Fund
(Finance Committee)

To see if the Town will raise and appropriate \$60,000 to increase the FY 04 Reserve Fund.

ARTICLE 9. Amend FY 04 Budget
(Finance Committee)

To see if the Town will amend the FY 2004 Operating Budget by increasing the appropriations for Debt Service, Pools and Public Health.

ARTICLE 10. Petition – Resolution - Rental Property Registration Program
(V. O'Connor)

“Whereas, the Amherst Board of Health’s Rental Property Registration Program proposes charging landlords – and therefore tenants – an initial annual fee of ten dollars a year for each and every rental unit or rental bedroom in Amherst, to perform, by complaint only, inspections already required by the Commonwealth to be provided by municipalities; and,

Whereas, the proposed Rental Property Registration Program’s regulations are limited by a requirement that the process be complaint driven, and would, if complaints were made, result in the imposition of penalties only on an already identified very small minority of landlords and tenants; and,

Whereas, complaints are unlikely to be made by residents of most of Amherst’s problem rentals because those apartments and homes are primarily three or more bedrooms units whose monthly rent and utilities costs, since the demise of Rent Review, require the presence of more than four unrelated tenants, in violation of the Amherst Zoning Bylaw and of most standard leases proffered by landlords and signed by tenants in the town of Amherst; and,

Whereas, the proposed Rental Property Registration Program was referred to the Board of Health for adoption after town officials determined the program could not pass town meeting muster; Now, Therefore, Be It Resolved that the Amherst Representative Town Meeting request that the Amherst Board of Health suspend the operation of its proposed Rental Property Registration Program, and that, as an alternative, 1) town officials vigorously pursue the already identified rental units for building and sanitary code violations that may exist or with noise complaints and complaints that said units are both public and private nuisances; and 2) if those approaches are not sufficient, town officials, in the most extreme of cases, after obtaining the authorization of this town meeting, take the offending units by eminent domain, provide compensation consistent with the properties' assessed values and, as immediately thereafter as practicable, sell or transfer said properties primarily for use as owner-occupied affordable housing, using Community Preservation Acts funds to make up the difference between the units' selling price and their acquisition costs."

ARTICLE 11. Transportation Subsidies
 (Select Board)

To see if the Town will raise and appropriate \$15,000 for bus and van transportation subsidies.

ARTICLE 12. Petition – Public Transportation Policies
 (F. Wells)

“To see if the town will vote to adopt the following public transportation policies:

- a) in response to request by other communities in the Pioneer Valley Transit Authority Region, ask the Select Board to instruct Amherst's representative on the PVTA Board to vote to reduce regional co-payments for senior and disabled van riders to \$1 per ride from \$2 per ride; and,
 - b) request that the Select Board and town manager identify the size of the annual lump sum payment to PVTA necessary to return the day-to-day operations of PVTA bus and van service within the town of Amherst to fare-free status and to present to town meeting a request to appropriate that sum of money for FY 2004 as soon as possible.”
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ARTICLE 13. Capital Program - Equipment
 (Joint Capital Planning Committee)

To see if the Town will appropriate \$130,000 for ambulances, ambulance repairs and equipment and to meet such appropriation transfer \$130,000 from the Ambulance Receipts Reserved From Appropriation Account.

ARTICLE 14. Capital Program - Town Center and Neighborhood Improvements
 (Joint Capital Planning Committee)

To see if the Town will appropriate \$1,200,000 for Town Center and neighborhood roadway, sidewalk and lighting improvements and to meet such appropriation authorize the Treasurer to borrow in accordance with M.G.L. Chapter 44, Section 7(5) and other applicable laws.

ARTICLE 15. Community Preservation Act
 (Community Preservation Act Committee)

To see if the Town will adopt the budget of the Community Preservation Act Committee and determine whether the appropriations therein shall be met by the transfer of available funds from the Community Preservation Act Trust Fund, by borrowing, by acceptance of gifts, bequests or grants, or otherwise.

ARTICLE 16. Open Space and Agricultural Lands
(Select Board)

To see if the Town will urge the Governor of the Commonwealth to restore spending for the protection of open space and agricultural lands in the Commonwealth.

ARTICLE 17. Special Act - Town Land off Olympia Drive
(Housing Partnership/Fair Housing Committee)

To see if the Town will authorize the Select Board to petition the General Court for a Special Act to remove from the provisions of Article 97 of the Massachusetts Constitution a certain parcel of land located on Olympia Drive, Amherst, Massachusetts, which parcel is the northwestern portion of the land taken pursuant to an Order of Taking dated July 13, 1987, and recorded in the Hampshire Registry of Deeds in Book 3018, Page 309, also being a portion of Assessors Map 8D, Parcel 20, and containing 11.4 acres, more or less.

ARTICLE 18. Zoning Map – East Pleasant Street at Fraternity/Sorority Park Entrance (Olympia Drive) from R-F to R-N
(Planning Board)

To see if the Town will amend the Official Zoning Map by rezoning Map 8D, Parcels 1, 2, 24 and portions of Parcels 3 and 15, from Fraternity Residence (R-F) to Neighborhood Residence (R-N).

ARTICLE 19. Economic Opportunity Area and Tax Increment Financing
(Atkins Fruit Bowl, Inc.)

- 1) To see if the Town will designate the properties shown on the Official Tax Maps as Map 25B, Parcels 51 & 57, as an Economic Opportunity Area (EOA) as provided for in M.G.L. Chapter 23A, Sections 3A-3H, for a term of not more than twenty (20) years, for the purposes of allowing eligible certified projects within the EOA to participate in the Massachusetts Economic Development Incentive Program and a local Tax Incentive Financing/Special Tax Assessment agreement, said EOA to be called the “Atkins Corner EOA”.
 - 2) To see if the Town will authorize the Select Board to enter into a Tax Increment Financing (TIF) agreement with Orchard Run Associates and Atkins Fruit Bowl, Inc.
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ARTICLE 20. Petition – Hampshire Council of Governments Committee
(B. Bouricius)

“To see if the town will vote to request the Select Board to appoint a five-member committee to examine the costs and benefits to the town of rejoining the Hampshire Council of Governments, and further request that the Select Board direct said committee to report its findings and recommendations in writing to the Board by February 2004, or to take any action related thereto.”

ARTICLE 21. Petition – Legislation – Municipal Light Plant House Bill 1468
(B. Bouricius)

“To see if the Town will vote to endorse H1468, “An Act Relative to the Purchase of Existing Plant by a Municipal Lighting Plant,” sponsored by State Representative Daniel Bosley, and request that our representatives to the Massachusetts General Court, State Senator Stanley Rosenberg and State Representative Ellen Story, co-sponsor and support H1468, and that upon adoption of this resolution the town clerk send a copy of the resolution and the outcome of the vote upon it to Senator Rosenberg, Representative Story, and the co-chairs of the General Court’s Joint Legislative Committee on Government Regulations.”

ARTICLE 22. Petition – Two-way Bilingual Education Programs
(M. Santiago)

“To see if the Town will vote to request the Amherst School Committee and the Amherst Superintendent of Schools: 1) to implement two-way bilingual education programs in the Amherst elementary schools to the maximum extent feasible, and 2) to report on their progress toward accomplishing this goal to the 2004 Annual Town Meeting.”

ARTICLE 23. Petition – Environmental and Traffic Impacts – Home Depot, Hadley
(V. O’Connor)

“To see if the town will vote to request that the Select Board and town manager organize a coordinated effort by town staff, appropriate town boards and committees, and qualified experts and special counsel if necessary, with policy guidance for the Select Board, to participate on the town’s behalf in any and all environmental and traffic impact evaluations prepared relative to the Home Depot project proposed for Russell and North Maple Streets in Hadley with at least the following purposes: 1) objecting to a proposed project size which would result in substantial daily or peak traffic volume increases on any Amherst town way, or require any short- to long-term expansion in the number of lanes on any town way; 2) objecting to a proposed project size that would result in the degradation by one level of service or more for any intersection within Amherst; 3) objecting to any entry to or exit from that project onto North Maple Street, other than a chained, unpaved emergency exit, and to take any other action related thereto.”
