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 **Annual 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 Thirtieth day of April, Two Thousand and Twelve**, 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 those reports of Town officers, the Finance Committee, and any other Town boards or committees which are not available in written form.

ARTICLE 2. Transfer of Funds – Unpaid Bills (Finance Committee)

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

ARTICLE 3. Optional Tax Exemptions (Select Board)

To see if the Town will authorize a maximum additional exemption of up to 100 percent for taxpayers qualifying for exemption under M.G.L. Chapter 59, Section 5, Clauses 17D, 22, 37A, or 41C.

ARTICLE 4. Authorization for Compensating Balances (Select Board)

To see if the Town will accept the provisions of M.G.L. Chapter 44, Section 53F, which authorize the Treasurer to enter into written agreements with banking institutions pursuant to which the Treasurer agrees to maintain funds on deposit in exchange for banking services.

ARTICLE 5. Street Acceptance – Sunrise Avenue (Select Board)

To see if the Town will accept as a town way Sunrise Avenue, as laid out by the Select Board and as shown on plans of land to be filed with the Town Clerk, and authorize the Select Board to take by eminent domain, to purchase or otherwise acquire the fee or an easement in said roadway, and drainage, utility and/or other easements.

ARTICLE 6. Street Acceptance – Altered Layout of University Drive (Select Board)

To see if the Town will accept as a town way the altered layout of University Drive, as laid out by the Select Board and as shown on the plans of land to be filed with the Town Clerk, and authorize the Select Board to purchase or otherwise acquire the fee or an easement in said roadway, and drainage, utility and/or other easements.

ARTICLE 7. Sewer Easements – Harkness Road Project (Select Board)

To see if the Town will authorize the Select Board to acquire by purchase, gift or eminent domain, easements for the construction of a sewer main, drainage and general utility purposes on portions of properties in the vicinity of the Harkness Road Sewer Project.

ARTICLE 8. FY 2012 Budget Amendments (Finance Committee)

- A. To see if the Town will amend the budget voted under Article 14 of the 2011 Annual Town Meeting (FY 2012 Operating Budget) to transfer sums of money between General Government, Public Safety, Public Works, Conservation and Development, Community Services, and Debt Service accounts to balance the 2012 Fiscal Year.
- B. To see if the Town will appropriate and transfer \$91,508 from Free Cash in the Undesignated Fund Balance of the General Fund to the Health Claims Trust Fund to account for Medicare Part D reimbursements received by the Town of Amherst for prescription drug costs incurred by the Health Claims Trust Fund for Town of Amherst, Amherst-Pelham Regional School District, and Town of Pelham members.
- C. To see if the Town will appropriate and transfer \$426,206 from Free Cash in the Undesignated Fund Balance of the General Fund to the Reserve Fund for the purpose of paying the costs associated with the October 2011 snowstorm and related tree damage clean-up costs.

ARTICLE 9. Retirement Assessment (Select Board)

To see if the Town will raise and appropriate \$3,468,324 for the Hampshire County Retirement System assessment.

ARTICLE 10. Regional Lockup Assessment (Select Board)

To see if the Town will raise and appropriate \$31,323 for the Hampshire County Regional Lockup Facility assessment.

ARTICLE 11. Amherst-Pelham Regional School District Assessment Method (Amherst-Pelham Regional School Committee)

To see if the Town will vote to approve following the existing Amherst-Pelham Regional School District Agreement for allocating the total amount to be contributed by each member town of the District for Fiscal Year 2013 as required by Section VI of the Regional Agreement.

ARTICLE 12. FY 2013 Operating Budget

(Finance Committee)

To see if the Town will adopt a comprehensive operating budget for the ensuing year and raise and appropriate money therefor.

ARTICLE 13. Petition Article - Restoration of a line item for Human Services in FY 13 Budget (Eddings et al)

To see if the Town will support the restoration of a line item for Human Services in the FY 2013 budget at the FY 2008 level of funding (\$66,000).

ARTICLE 14. Reserve Fund

(Finance Committee)

To see if the Town will raise and appropriate \$100,000 for the Reserve Fund for FY 2013.

ARTICLE 15. Capital Program – Chapter 90

(Joint Capital Planning Committee)

To see if the Town will authorize a sum of money for the expenditure of Chapter 90 funds for qualifying purposes and further authorize the Treasurer to borrow in anticipation of reimbursement of these funds from the Commonwealth of Massachusetts.

ARTICLE 16. Capital Program - Equipment

(Joint Capital Planning Committee)

To see if the Town will appropriate \$1,213,804 to purchase, repair, and/or install new or replacement equipment and determine whether such appropriation shall be met by taxation, by the transfer of available funds, or otherwise and further to authorize the application for and acceptance of any gifts, bequests, or grants.

ARTICLE 17. Capital Program – Buildings & Facilities

(Joint Capital Planning Committee)

To see if the Town will appropriate \$368,396 to repair and/or improve buildings and facilities and determine whether such appropriation shall be met by taxation, by the transfer of available funds, or otherwise and further to authorize the application for and acceptance of any gifts, bequests, or grants.

ARTICLE 18. Capital Program – Debt Authorization (Joint Capital Planning Committee)

To see if the Town will appropriate \$1,071,000 for the following purposes:

- A. \$612,000 for the purchase and planting of trees and equipment related thereto, and for making other public works improvements, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to MGL Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.
- B. \$150,000 for the purchase of a large truck for the Public Works Department, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to MGL Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.
- C. \$184,000 for making repairs to the Amherst Fire Central Station, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to MGL Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.
- D. And \$125,000 for purchasing police communications equipment, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to MGL Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 19. Capital Program – Debt Rescission (Select Board)

To see if the Town will vote to rescind the \$80,000 unissued amount that was authorized to be borrowed by a vote of the Town passed at the Special Town Meeting held on November 5, 2007 (Article 5), as amended by a vote of the Town passed at the 2008 Annual Town Meeting held on April 28, 2008 (Article 17(C)), for the acquisition of portable classrooms to be used at the Mark's Meadow school facility but which is no longer needed for the purpose for which it was initially approved.

Authorizing Vote	Amount	Borrowed	Rescission
Nov. 5, 2007	\$195,000		
April 28, 2008	\$105,000		
Total	\$300,000	\$220,000	\$80,000

ARTICLE 20. Capital Program – Debt Repurpose (Select Board)

To see if the Town will appropriate the following unexpended amounts of money that were initially borrowed to finance capital projects that are now complete, and for which no further liability remains, to pay a portion of the costs of repairs to the sidewalks at Bangs Community Center authorized by Article 18 of the Annual Town Meeting May 18, 2011 and to reduce by a like amount the portion of the Bangs Community Center project funding to be raised by taxation, as permitted by MGL Chapter 44, Section 20:

Original	Borrowed	Unexpended	Repurpose	
Portable Classrooms	\$220,000	\$6,261.96	Sidewalk repair	
STM Nov. 5, 2007 and ATM April 28, 2008				

ARTICLE 21. Community Preservation Act

(Community Preservation Act Committee)

A. To see if the Town will appropriate a sum of money for Community Preservation Act Purposes recommended by the Community Preservation Act Committee and that the following amounts (items 1 – 7) be appropriated or reserved from Community Preservation Act Funds as follows, and to authorize the Town to accept or convey property interests where applicable, as required under M.G.L. Chapter 44B, Section 12.

Project	Total Appropriation	Source of Appropriation
AFFORDABLE HOUSING		
Habitat for Humanity Belchertown Road Site Improvement	\$20,000	
HAP Olympia Drive Project General Construction	\$250,000	
Total Affordable Housing	\$270,000	FY 13 Estimated Revenues

	HISTORIC PRESERVATION		
3	Amherst Historical Society Roof Repair	\$25,000	
4	Amherst Historical Society Database	22,000	
5	West Cemetery Fencing for Dickinson Plot	40,000	
	Total Historic Preservation	\$87,000	FY 13 Estimated Revenues
	OPEN SPACE		
6	Surveys & Appraisals	\$25,000	
	Total Open Space	\$25,000	FY 13 Estimated Revenues
	ADMINISTRATIVE		
7	To Fund CPAC Administrative Expenses.	\$2,000	
	Total Administrative	\$2,000	FY 13 Estimated Revenues
	TOTAL FOR ARTICLE	\$384,000	

- B. To see if the Town will appropriate the sum of \$200,000 from the Community Preservation Fund Balance Account for Community Preservation Act purposes recommended by the Community Preservation Act Committee as a Budgeted Reserve.
- C. To see if the Town will appropriate the sum of \$25,000 from Community Preservation Fund estimated revenues for the purpose of acquiring a conservation restriction on two parcels of land in North Amherst, which parcels are shown on Assessors Map 5C as Parcels 28 and 151, located on North Pleasant Street, and are portions of the premises in deeds recorded with the Hampshire Registry of Deeds in Book 8351, Page 91 and Book 8788, Page 122; and further, to authorize the Select Board to acquire said restriction by gift, purchase, or eminent domain, to be held by the Conservation Commission in accordance with Chapter 40, Section 8C of the General Laws; and further, to authorize the Town Manager and/or the Conservation Commission or their designee to seek and file on behalf of the Town any and all applications deemed necessary for grants under which this conservation restriction acquisition may be eligible for funding and to accept said grants; and further, to authorize the Select Board, the Town Manager, and/or the Conservation Commission to enter into any and all agreements, and execute any and all instruments, as may be necessary or appropriate to effectuate the foregoing acquisition.

ARTICLE 22. Free Cash

(Finance Committee)

To see if the Town will appropriate and transfer a sum of money from Free Cash in the Undesignated Fund Balance of the General Fund to balance the Fiscal Year 2013 Budget.

ARTICLE 23. Stabilization Fund

(Finance Committee)

To see if the Town will appropriate and transfer a sum of money from the Stabilization Fund to balance the Fiscal Year 2013 Budget.

ARTICLE 24. Zoning – Form Based Zoning and Atkins Corners Rezoning (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw and Official Zoning Map as shown in the document "Town of Amherst, Village Center Form-Based Zoning," as follows:

Add Form-Based Design Regulations

1. To add a new Article 16, Form-Based Regulations, excluding all regulations specific to Atkins Corners and North Amherst village centers, and to amend Sections 3.01 and 5.061, and Articles 7 and 12.

Add Form-Based Design Regulations for Atkins Corners

2. To add those regulations under Article 16, Form-Based Regulations, specific to zoning districts and overlay districts in Atkins Corners village center, and to amend Articles 2, 3, 5, 6, 7, 8, 12 and 16, as well as Section 3.3, Use Classification and Standards (Use Chart), and Table 3, Dimensional Regulations, including all amendments specific to the Atkins Corners village center.

Add Atkins Corners zoning districts to Official Zoning Map

3. To amend zoning district boundaries as shown on Figure 1A for the Atkins Corners village center.

ARTICLE 25. Zoning – Form Based Zoning and North Amherst Rezoning (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw as shown in the document "Town of Amherst, Form-Based Zoning," as follows:

Add Form-Based Design Regulations

1. To add a new Article 16, Form-Based Regulations, excluding all regulations specific to Atkins Corners and North Amherst village centers, and to amend Sections 3.01 and 5.061, and Articles 7 and 12.

Add Form-Based Design Regulations for North Amherst village center

2. To add those regulations under Article 16, Form-Based Regulations, specific to North Amherst village center, and to amend Articles 2, 3, 5, 6, 7, 8, 12 and 16, as well as Section 3.3, Use Classification and Standards (Use Chart), and Table 3, Dimensional Regulations, all, including all amendments specific to North Amherst village center.

Add North Amherst village center zoning districts to Official Zoning Map

3. To amend zoning district boundaries as shown on Figure 1B for North Amherst village center.

ARTICLE 26. Zoning – Residential Parking Design Regulations (Planning Board)

To see if the Town will amend Sections 7.00 and 7.1 of the Zoning Bylaw, as follows:

- A. Amend Section 7.00 by reorganizing sentences, deleting the lined out language, and adding the language in *bold italics*, as follows:
- 7.00 In all districts except Educational Districts, off-street parking spaces shall be provided and maintained in connection with the construction, conversion or increase in dwelling units or dimensions of buildings, structures or use. The provisions of this section shall apply to parking spaces for cars, vans, light trucks, and similar vehicles used predominantly for personal transportation. Parking for commercial vehicles or vehicles used for private or public transit shall be governed under the provisions of Sections 7.1, 7.3 and 7.5. such Except as may be required otherwise by the Permit Granting Board or Special Permit Granting Authority, as applicable, parking spaces to shall be provided in at least the following minimum amounts.
 - 7.000 For dwellings, including apartments:
 - 7.0000 \(\pma T\) wo (2) parking spaces for each dwelling unit.
 - 7.0001 Parking spaces for Ccars or similar vehicles parked in the front set back shall be shall be on a parking paved surface such as concrete, bituminous asphalt, masonry pavers, oil and stone, gravel, trap rock, or a similar material (see Section 7.100).
 - 7.0002 In any residential district, #there shall be a maximum of two (2) cars or similar vehicles allowed to be parked in the front setback of any property. Parking in the front setback shall be on paved surfaces only. Where five (5) or more cars are regularly parked on a given property in association with a residential use, parking in the front setback shall be designed so as to ensure free passage at all times for regular users and unrestricted access for emergency vehicles.
- B. Amend Section 7.1 by deleting the lined out language and adding the language in *bold italics*, by adding a new Section 7.100, and by renumbering the remaining sections accordingly, as follows:

SECTION 7.1 DESIGN STANDARDS AND LANDSCAPE STANDARDS

The purposes of these design and landscaping requirements are to provide for: the safe and efficient flow of pedestrian and vehicular traffic; the separation of parking areas from abutting streets; visual relief from expanses of unbroken blacktop and vehicles; proper drainage and snow removal; and general visual enhancement of parking areas. Residential uses of four or fewer units shall be exempt from Sections 7.100 7.102 and 7.101 7.103.

- 7.10 Design Standards
 - 7.100 For new or altered parking areas consisting of a total of five (5) or more parking spaces, where no Special Permit or Site Plan Review approval is required:

- 7.1000 Parking Plan Required: An accurate scaled site plan shall be submitted to the Building Commissioner demonstrating compliance of the proposed parking with this Bylaw with respect to driveways, grading, slope, drainage, design, setbacks, layout, location on the site, circulation, lighting, landscaping, and other pertinent features.
- 7.1001 Waiver or Modification: Where not otherwise provided for under Section 7.90 or other sections of the Bylaw, any provision of Section 7.1 may be waived or modified by the Building Commissioner for compelling reasons of safety or design, except that no such administrative waiver or modification may be granted for maximum lot coverage.
- 7.101 Paving: For the purposes of this bylaw, a paved parking surface shall be considered to be one which has a prepared subgrade and compacted gravel base with a minimum total 12 inch depth, appropriate grading and drainage, and which is surfaced with a minimum 2 inch top coat of concrete, asphalt, masonry pavers, oil and stone, gravel, trap rock, or similar material, as approved or modified by the Town Engineer. To the extent feasible, permeable or porous paving shall be employed in new construction or site renovations or improvements.
- 7.102 *Slope:* Parking areas used for parking and vehicle maneuvering shall have grades not to exceed five percent slope.
 - Driveways used exclusively for ingress or egress or interior parking lot circulation shall have slopes not exceeding 12 percent except within 30 feet of the road, in which case the slope shall not exceed 5 percent.
- 7.103 Set back from buildings: except for parking within an enclosed structure, no parking space shall be located within eight feet of a building wall. No access aisle, entrance or exit driveway shall be located within five feet of a building. Loading docks are exempt from this requirement.
- 7.104 Dimensions, Marking & Delineation

The area of all parking areas shall be included in the calculation of maximum lot coverage.

Parking areas shall be clearly delineated and shall be provided with a permanent dust-free surface and adequate drainage. Each parking space shall be at least 9 feet x 18 feet in size, and all parking areas must have adequate access and maneuvering areas. The Zoning Board of Appeals (SP) or the Planning Board (SPR) may allow, upon application, small car parking spaces (8 feet x 16 feet) to be substituted for up to fifty percent of the standard parking spaces. Compact parking spaces shall be designated by clearly visible signs.

In all parking areas of five (5) or more parking spaces, individual spaces shall be painted, marked or otherwise delineated in a manner sufficient to visibly identify said spaces.

Curb radii, driveway width, and other such dimensions shall comply with the "Street and Site Work Construction Standards", adopted by the Select Board, as such standards may

be amended, unless otherwise specified in Section 7.1, Design Standards and Landscape Standards.

Ramps between parking areas of different elevations shall not exceed 12 percent slope, with a maximum 5 percent transition slope for a minimum length of 20 feet at the upper and lower end of the ramp slope. All parking plans involving ramps shall be accompanied by profiles showing the ramp, ramp transitions, and overhead and wall clearances.

7.105 Lighting: adequate lighting shall be provided for all parking areas of 40 5 spaces or more if these areas are to be used at night. Any illumination, including security lighting, shall be arranged so as to reflect away from adjoining properties and rights of way. Residential projects containing eight or fewer dwelling units are exempt from 7.103. All exterior site lighting associated with parking areas shall be downcast and shall be directed or shielded to eliminate light trespass onto any street or abutting property and to eliminate direct or reflected glare perceptible to persons on any street or abutting property and sufficient to reduce a viewer's ability to see.

Adjacent properties shall be protected from light intrusion through the use of cut-off luminaries, light shields, lowered height of light poles, screening or similar solutions. All exterior site lighting shall be kept extinguished outside of normal hours of use, except for lighting necessary for site security and the safety of employees and visitors, which lighting shall be activated and controlled through motion sensors or similar technology.

7.106 Entrance and exit driveways: for parking areas containing fewer than 5 spaces, the minimum width of entrance and exit drives shall be 10 feet wide for one-way use and 18 feet wide for two-way use. For facilities containing five or more spaces, such drives shall be a minimum of 10 feet wide for one-way use and 18 feet wide for two-way use. The minimum curb radius shall be 15 feet. The maximum width of such driveways at the property line shall be 24 feet. The permit granting board may modify these width and radius limitations to facilitate traffic flow and safety.

Driveways shall be located and designed so as to minimize conflict with traffic and provide clear visibility and sight distances for the observation of approaching pedestrian and vehicular traffic. The design and layout of driveways and circulation serving parking areas of 5 or more spaces shall prevent vehicles from backing into a street in order to exit the site. Circulation design, layout, and signs associated with non-residential uses shall direct exiting vehicles in a safe and convenient manner toward main thoroughfares and away from secondary streets passing through adjacent residential neighborhoods. No portion of the driveway at the edge of the street pavement shall be closer than 75 feet from an intersection, unless allowed by the Special Permit Granting Authority or Permit Granting Board.

7.11 Landscape Standards

- 7.110 Parking areas of 10 or more spaces shall provide a minimum of 10 percent of the total parking area as landscaped open space (this may be included in the calculation of open space area under Table 3: Dimensional Regulation: Maximum Lot Coverage).
- 7.111 Parking areas of 25 or more spaces shall provide landscaped islands of a minimum width of four feet, with raised curbs, throughout the parking area for the purposes of: a) defining

parking lot entrances, b) defining the ends of a portion of the parking aisles, c) defining the location and pattern of primary internal access drives, d) separating parking spaces within long rows of spaces, and e) separating some of the rows of parking spaces from other rows.

7.112 Screening: parking areas with 5 or more spaces shall provide effective screening of the parking area from adjacent streets or properties. Such screening may be accomplished by: depressions in grade 3 feet or more; a hedge or wall; or any type of appropriate natural or artificial permanent division. Any required screening barrier shall not be less than 3 feet high. Screening shall not be located to obstruct driver visions so as to impair safety at intersections or driveway entrances or exits.

ARTICLE 27. Local Historic District (Historic Commission)

To see if the Town will vote to amend the General Bylaws of the Town by adding an Historic District Bylaw, and to create The Dickinson Historic District pursuant to MGL Chapter 40C.

ARTICLE 28. Petition Article - Reversing Citizens United v. Federal Elections Commission (Swift et al)

WHEREAS, the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations;

WHEREAS, Corporations are not people but instead are entities created by the law of states and nations;

WHEREAS, this corporate takeover of the First Amendment has reached its extreme conclusion in the United States Supreme Court's ruling in Citizens United v. Federal Elections Commission;

WHEREAS, the United States Supreme Court's ruling in Citizens United v. Federal Elections Commission overturned longstanding precedent prohibiting corporations from spending their general treasury funds in our elections;

WHEREAS, the United States Supreme Court's ruling in Citizens United v. Federal Elections Commission has unleashed a torrent of corporate money in our political process unmatched by any campaign expenditure totals in United States history;

WHEREAS, the people of the United States have previously used the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and self-government;

Now be it resolved that the Town of Amherst, Massachusetts, hereby calls upon the United States Congress to pass and send to the states for ratification a constitutional amendment to reverse Citizens United v. Federal Elections Commission and to restore constitutional rights and fair elections to the people.

And be it further resolved that the Massachusetts Legislature be urged to call upon the United States Congress to pass and send to the states for ratification a constitutional amendment to reverse Citizens United v. Federal Elections Commission and to restore constitutional rights and fair elections to the people.

Now be it further resolved that the Town Clerk be directed to send a copy of this resolution to Sen. John F. Kerry and Sen. Scott P. Brown, Congressman John W. Olver, Massachusetts State Senator Stanley Rosenberg, and Massachusetts State Representative Ellen Story.

ARTICLE 29. Petition Article – Bylaw Regarding Sharing of Information with Federal Agencies (Hooke et al)

WHEREAS the Town of Amherst has been enriched and built by generations of immigrants; and,

WHEREAS the program called "Secure Communities" (SComm), run by federal Immigration and Customs Enforcement, harms our communities by mandating local law enforcement reporting of information with the Department of Homeland Security on individuals they detain or arrest, thus involving local Jaw enforcement in federal immigration policy; and,

WHEREAS SComm is an unfunded mandate, meaning that the burden of incarceration, detention, and care for detained people falls upon the budget of local law enforcement and upon the Town of Amherst; and.

WHEREAS SComm rejects a community policing model, which is based upon trust between law enforcement and the population it is meant to protect and serve, and has already been shown to increase distrust and fear of local authorities, making many immigrants afraid to be witnesses and report crimes against themselves and others; and,

WHEREAS SComm violates the Town of Amherst Bylaws, including the Human Rights Bylaw (STM-November 8, 1999, Art. 16), as SComm explicitly promotes discrimination on the basis of nation of origin and implicitly promotes discrimination on the basis of race, color, and socio-economic status; and,

WHEREAS current Code of Federal Regulations that govern the Federal Bureau of Investigation (FBI) states in 28 C.F.R. Pt. 20 et seq., that "[s]tate and local governments will determine the purposes for which dissemination of criminal history record information is authorized" and that state and local governments are permitted to decide whether or not the FBI is authorized to share their data with other agencies by "State law, executive order, local ordinance, or court rule, decision or order" and may "place a total ban on dissemination."; then

NOW, THEREFORE, BE IT RESOLVED that the Amherst Representative Town Meeting vote to amend the town's General Bylaws, in accordance with the "Classification of New By-laws" (ATM-March 20, 1939- Art. 12), to include the following:

Criminal history record information shall be defined as Information collected by criminal justice agencies on individuals consisting of names; addresses; biometric information including but not limited to fingerprint records, photographs, video recordings and iris scans; identifiable descriptions; notations of arrests, detentions and indictments; information, or other formal criminal charges and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release.

Criminal justice agencies shall be defined as Agencies tasked with law enforcement or criminal justice functions, such as police, courts, and district attorneys.

Criminal history record information that originates in the Town of Amherst and is transmitted to the FBI, whether through a state or local entity, shall, in accordance with 28 C.F.R. Pt. 20 et seq, not be disseminated by the FBI to other agencies for any reason;

FURTHER BE IT RESOLVED that the Amherst Town Manager is instructed to send, within 15 days of the taking effect of this Bylaw, notice to the FBI informing the Agency of the passage of this Bylaw, and instructing the FBI that pursuant to 28 C.F.R. Pt.20 et seq., the Agency shall immediately cease the dissemination to other agencies of criminal history record information originating in the Town of Amherst, Massachusetts; and,

FURTHER BE IT RESOLVED that the Amherst Town Manager, after the taking of effect of this Bylaw, is instructed to send copies of this Bylaw to the Governor of the Commonwealth of Massachusetts Deval Patrick, to Senators John Kerry and Scott Brown, to our Representative in Congress, John W. Olver, and to State Senator Stanley Rosenberg and State Representative Ellen Story.

ARTICLE 30. Petition Article – Bylaw Regarding Measures Relative to Banking of Town Funds (O'Connor et al)

To see if the Town will vote to enact the following measures relative to banking the town's governmental funds:

1a. Resolved, that the Amherst Representative Town Meeting vote to amend the Town's general bylaws in accordance with rules previously adopted by adding the following:

All taxes, fees, fines, penalties and other monies collected or received by the Town of Amherst, its enterprise funds, and the Amherst Elementary Schools shall be deposited in accordance with the laws and regulations of the Commonwealth as they apply to municipal governments, only in banks, credit unions, and other financial institutions operating solely within the Commonwealth of Massachusetts.

1b. Resolved, that the town vote to request that our representatives to the Great and General Court, State Senator Stanley Rosenberg and State Representative Ellen Story; to sponsor, support and vote for special legislation for the Town of Amherst exempting said Town of Amherst from any and all Massachusetts laws and regulations requiring the town to deposit its governmental monies in banking institutions not operating solely within the boundaries of the Commonwealth.

And, Further Be It Resolved, that upon the taking effect of the above vote, the Town Clerk shall, within ten working days, transmit a certified copy of this request and vote thereon to the town's representatives to the Great and General Court.

2. Resolved, that the town vote to request that our representatives to the Great and General Court, State Senator Stanley Rosenberg and State Representative Ellen Story, sponsor, support and vote for legislation establishing The Bank of Massachusetts - into which all governmental monies of the Commonwealth and every institutional and political subdivision thereof shall be deposited and whose investments and loans shall be confirmed to governmental securities of the United States, the Commonwealth of Massachusetts and its institutional and political subdivisions, loans to undergraduate and graduate college students who are residents of Massachusetts or who attend Massachusetts institutions of higher learning, non-resalable Massachusetts home mortgages for individuals and families whose incomes are 120% or less than the median income for their region, loans for energy conservation and renewable energy generation to governmental institutions and businesses whose physical facilities lie wholly within the Commonwealth, and for such other purposes as the General Court shall prescribe.

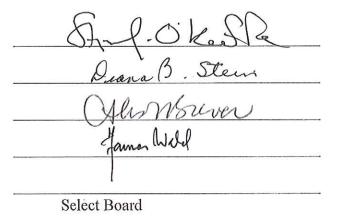
And, Further Be It Resolved, that upon the taking effect of the above vote, the Town Clerk shall, within ten working days, transmit a certified copy of this request and vote thereon to the town's representatives to the Great and General Court.

You are hereby directed to serve this call by posting attested copies thereof at the usual places:

Prec. 1	North Amherst Post Office	Prec. 6	Fort River School
Prec. 2	North Fire Station	Prec. 7	Crocker Farm School
Prec. 3	Immanuel Lutheran Church	Prec. 8	Munson Memorial Library
Prec. 4	Amherst Post Office	Prec. 9	Wildwood School
Prec. 5	Town Hall	Prec. 10	Campus Center, UMass

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands on this thirtieth day of March, 2012.



 $\frac{3/30/2012}{\text{Date}}$

Hampshire, ss.

In obedience to the within warrant, I have this day as directed posted true and attested copies thereof at the above designated places, to wit:

Constable, Town of Amherst