

**Town of Leyden
Commonwealth of Massachusetts**

**Annual Town Meeting
Warrant**

**Monday, June 2, 2025
6:00 PM**

To a Constable in the Town of Leyden, in the County of Franklin, **GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Leyden, qualified to vote in Town affairs to meet at the **LEYDEN TOWN HALL on 16 West Leyden Road, on Monday June 2, 2025 at 6:00 PM**, then and there to act on the following articles to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, June 2, 2025, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This site is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Please call the Town Clerk's office at 413-774-411.

The meeting can be attended virtually. Virtual participants can request to be recognized by the moderator to comment or ask questions through the question and answer or the chat feature which will be monitored and facilitated. Virtual participants cannot cast votes even if they are registered voters in the Town of Leyden. The access virtual participation is: <https://us06web.zoom.us/j/82566120160> and will also be posted on the Town website.

In addition, if you need reasonable accommodation in order to participate in the meeting, contact the ADA Coordinator Michele Giarusso at Leyden Town Offices, 7 Brattleboro Road, Leyden, 413-774-7511, ext.1(towncoord@townofleyden.com) no later than 5 days in advance of the meeting. While the Town will do its best to accommodate you, certain accommodation requires the hiring of outside contractors who may not be available if requested immediately before the meeting.

ARTICLE 1-

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums in accordance with the proposed budget to defray the operating expenses of the town for the fiscal year ending June 30, 2026, or take any action related thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 2-

To see if the Town will vote by consent articles 3-8 or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL

ARTICLE 3-

To see if the Town will vote to set the stipend compensation for the elected officials who receive compensation from the Town as provided by M.G.L. c.41, section 108 to be made effective from July 1, 2025, as contained in the budget or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 4-

To see if the Town will vote to authorize the Treasurer to enter into compensating balance agreements during the fiscal year ending June 30, 2026, as permitted by M.G.L. c. 44, section 53F, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 5-

To see if the Town will vote to accept the report of the Town Officers for the fiscal year 2024 or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL

ARTICLE 6-

To see if the Town will vote to authorize all Town departments, boards, and committees to apply for any new state or federal grants and authorize the Select Board to accept, approve and to expend such grants. Any grant requiring matching funds will be subject to appropriation at a Town Meeting or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 7-

To see if the Town will vote to accept the Library Incentive Grant, Municipal Equalization Grant, and the Non-Resident Circulation Grant (state aid award) and to transfer those sums to the Robertson Memorial Library account for expenditures or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 8-

To see if the Town will vote to accept any sum of money that may be granted by the Quintus Allen Trust Fund, and to appropriate such funds for equipment, activities and supplies for the benefit of Leyden children, or take any vote or votes in relation thereto.

Quintus Allen was an original trustee of the Greenfield Savings Bank. Upon his death in 1884, he established a trust fund to be used for education-related expenses in Colrain, Gill, Leyden, and Shelburne. The interest earned by the Trust is distributed to those towns each year.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 9-

To see if the Town will vote to accept and expend any sum of money that may be available under the provisions of Chapter 90 of the Massachusetts General Laws and authorize the Select Board to enter into a contract with the Massachusetts Highway Department, and to authorize the Treasurer with the approval of the Select Board, to borrow in anticipation of 100% reimbursement of said amount or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL
Requires 2/3 vote

ARTICLE 10-

To see if the Town will vote to raise and appropriate the sum of \$1,500 to the Land Acquisition account or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 11-

To see if the Town will vote to transfer from Free Cash the sum of \$4,000 to the Conservation Commission knotweed project account or take any vote or votes in relation thereto.

SUBMITTED BY THE CONSERVATION COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 12-

To see if the Town will vote to transfer from Free Cash the sum of \$10,000 to the Audit Fund account to be administered by the Select Board for Town audits or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 13-

To see if the Town will vote to raise and appropriate the sum of \$3,000 to the Audit Fund, to be administered by the Select Board for Town audits or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 14-

To see if the Town will vote to transfer from Free Cash the sum of \$75,000 to the Highway Stabilization account or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 15-

To see if the Town will vote to transfer from Free Cash the sum of \$10,000 to the Fire Development Fund account or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 16-

To see if the Town will vote to transfer from Free Cash the sum of \$47,000 to the Fire Stabilization account or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 17-

To see if the Town will vote to transfer from Free Cash the sum of \$15,000 to the Police Capital Stabilization account per the Intermunicipal Agreement or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 18-

To see if the Town will vote to transfer from Free Cash the sum of \$26,157.36 to the General Stabilization account or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 19-

To see if the Town will vote to transfer from the Town Building Stabilization account \$35,000 to repair the town office building roof or take any vote or votes in relation thereto.

SUBMITTED BY THE FINANCE COMMITTEE
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL
Requires 2/3 vote

ARTICLE 20-

To see if the town will vote to adopt the following general bylaw to change the Annual Report publication from an annual calendar year report to a fiscal year report according to M.G.L. c.40, section 49, or take any vote or votes in relation thereto;

Annual Report

The Selectboard shall cause the annual report to be printed on a fiscal year basis.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL

ARTICLE 21-

To see if the Town will vote to accept M.G.L. c.200A, section 9A. Disposition of abandoned funds by city or town; notice of period during which funds may be claimed; city treasurer authorized to hear claims; appeal; disbursement or take any vote or votes in relation thereto.

If passed this gives the ability to the treasurer to follow this law. A procedure to dispose of abandoned funds.

SUBMITTED BY THE TREASURER

SELECT BOARD RECOMMENDS APPROVAL

FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 22-

To see if the town will vote to accept the provisions of M.G.L. c.40, section 57, which allows municipalities to deny licenses, permits, renewals or transfers, when the applicant or owner of the property owes municipal taxes or fees and to adopt the following bylaw or take any other action relative thereto

Bylaw:

The Town may deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section 21D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on

said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this bylaw shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The Select Board may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section 1 of chapter 268A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits:

- open burning; section 13 of chapter 48;
- bicycle permits; section 11A of chapter 85;
- sales of articles for charitable purposes, section 33 of chapter 101;
- children work permits, section 69 of chapter 149;
- clubs, associations dispensing food or beverage licenses, section 21E of chapter 140;
- dog licenses, section 137 of chapter 140;
- fishing, hunting, trapping license, section 12 of chapter 131;
- marriage licenses, section 28 of chapter 207 and
- theatrical events, public exhibition permits, section 181 of chapter 140.

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 23-

To see if the Town will vote to adopt and enact the amendments to the Franklin Regional Council of Governments (FRCOG) Charter, said amendment(s) having been proposed by a two-thirds majority of the weighted vote of the full membership of the FRCOG Council and a majority vote of the FRCOG Executive Committee, with said amendment(s) taking full effect immediately upon adoption by two-thirds of the member towns unless a later effective date is otherwise specified; or take any action relative thereto. **A two-thirds majority vote by this town meeting is required for adoption and enactment of this article.**

Copies of the 2025 Proposed Amendment to the FRCOG Charter are available at Town Office prior to the Annual Town Meeting and copies will be available at the Annual Town Meeting.

Proposed by the Franklin Regional Council of Governments Executive Committee/Council

SUBMITTED BY THE SELECT BOARD

SELECT BOARD RECOMMENDS APPROVAL

ARTICLE 24-

To see if the town will vote to amend the general bylaws of the Town of Leyden by adding a new section to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under M.G.L. c.44, section 53E1/2, or take any other action relative thereto.

DEPARTMENTAL REVOLVING FUNDS

1. Purpose. This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by M.G.L. c.44 § 53E1/2.

2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this bylaw without appropriation subject to the following limitations:

A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund (except for those employed as school bus drivers).

B. No liability shall be incurred in excess of the available balance of the fund.

C. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the selectboard and finance committee.

3. Interest. Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.

4. Procedures and reports. Except as provided in M.G.L. c.44 section 53E1/2 and this bylaw, the laws, bylaws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this bylaw. The town accountant shall include a statement on the collections credited to each fund; the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. Authorized Revolving Funds. The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or officer.
- B. The department or agency head, board, committee or officer authorized to spend from each fund.
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant.
- D. The expenses of the program or activity for which each fund may be used.
- E. Any restrictions or conditions on expenditures from each fund.
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this bylaw.

Revolving Fund	Fees, Charges or Receipts Credited to Fund	Entity Authorized to Spend from Fund	Program or Activity expenses Payable from Fund	Restrictions Or Conditions on Expenses Payable from Fund	Other Requirements/ Reports/ Fund Balance/	Fiscal Years
Recreation Committee Revolving Account	Fees Collected for Recreation Committee Events	Recreation Committee	Recreation Committee Expenses	\$2,000	Balance Available for Expenditure \$2025	FY26
Animal Control Officer Revolving Account	Fees Collected for citations, licenses and registration	Animal Control Officer	Animal Control Expenses	\$5,000	Balance Available for Expenditure \$1006	FY26
Fire Safety Inspections Revolving Account	Fees Collected for Safety Inspections by the Fire Department	Fire Chief or Designee	Pay for the Safety Inspection Services	\$2,000	Balance Available for Expenditure \$725	FY26
Planning Board Revolving Account	Fees collected from applications requiring public hearings, copies of bylaws	Planning Board	Planning Board advertising expenses	\$3,000	Balance Available for Expenditure \$1979	FY26
Agricultural Commission Revolving Account	Fees collected for fines or Agricultural Commission events	Agricultural Commission	Agricultural Commission expenses	\$2,000	Balance Available for Expenditure \$929	FY26
East Hill Cemetery Commission Revolving Account	Fees collected for burial plots or donations	Select Board or Designee	East Hill Cemetery Expenses	\$5,000	Balance Available for Expenditure \$0	FY26
ZBA Revolving Account	Fees collected from applications requiring	ZBA	ZBA Advertising expenses	\$1,000	Balance Available for Expenditure \$0	FY26

SUBMITTED BY THE SELECT BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 25-

To see if the Town will vote to recommend that the following sums be appropriated and approved to operate the Leyden Municipal Light Plan (MLP) Enterprise Fund:

MLP Budget

Expenses	\$141,150
Administration	44,100
ISP	<u>169,900</u>
Total Expense	\$355,150

Revenue

Internet and phone	<u>\$355,100</u>
Total Revenues	\$355,150

SUBMITTED BY MLP BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 26-

To see if the Town will vote to move \$23,056 from the Leyden MLP Certified Retained Earnings to pay down broadband debt or take any vote or votes in relation thereto.

SUBMITTED BY THE MLP BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL

ARTICLE 27-

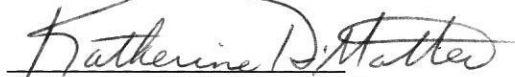
To see if the Town will vote to move \$100,000 from the Leyden MLP Certified Retained Earnings to the MLP Stabilization account or take any vote or votes in relation thereto.


SUBMITTED BY THE MLP BOARD
SELECT BOARD RECOMMENDS APPROVAL
FINANCE COMMITTEE RECOMMENDS APPROVAL


You are directed to serve this Warrant by posting a copy thereof attested to by you in writing in each of three public places in the Town at least seven days before the time for holding the meeting called for in the Warrant.

Hereof, fail not, and make do return of this Warrant, with your doing thereon, to the Town Clerk, at the time and place of said meeting.

Given under our hands this 21st day of May, in the year of our Lord, Two Thousand Twenty-Five.



Katherine DiMatteo, Chair
Leyden Select Board


Erica Jensen
Leyden Select Board


Jeffrey Baker
Leyden Select Board

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Leyden by posting up attested copies of the Warrant at Leyden Town Hall, Leyden Town Office, Robertson Memorial Library, seven days before the date of said meeting.

I hereby attest that I posted said warrant at least seven days before said meeting.


Constable, Town of Leyden

5/22/25
Date