

**Town of Leyden  
Commonwealth of Massachusetts**

**Annual Town Meeting  
Warrant**

**Saturday, May 18, 2019  
9:00AM**

To either of the Constables 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 said Town, qualified to vote in elections and in Town affairs, to meet for the purpose of electing officials, by ballot, **the polls will be opened at 8:00 in the morning and will be closed at 4:00 in the afternoon on Saturday, May 18, 2019 in the LEYDEN TOWN HALL on 16 West Leyden Road.**

Town Officials Ballot

- One Moderator for one year,
- One Selectboard Member for three years,
- One Assessor for three years,
- One Board of Health Member for three years,
- One Constable for three years,
- One Town Clerk for three years,
- One Planning Board Member for five years,
- One Planning Board Member for two years,
- One Tree Warden for one year,
- One Library Trustee for three years,

And you are further directed to notify and warn the inhabitants qualified to vote in town affairs to meet at the **LEYDEN TOWN HALL on 16 West Leyden Road, on Saturday, May 18, 2019 at 9:00 in the morning, then and there to act on the following articles:**

**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, 2020, or take any action related thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 2-**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$2681.29 for Leyden's share of the cost of Pioneer Valley Regional School Capital Projects to replace carpeting and wifi, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 3-**

To see if the Town will raise and appropriate or vote to transfer from Stabilization, the sum of \$25,000 for the purpose of purchasing equipment for the Leyden Fire Department to bring the department up to compliance, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL  
REQUIRES 2/3 VOTE

**ARTICLE 4-**

To see if the Town will raise and appropriate or transfer from Stabilization the sum of \$25,000.00 to cover expenses incurred from the closure of Pearl Rhodes Elementary School to repurpose the building, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL  
REQUIRES 2/3 VOTE

**ARTICLE 5-**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$2,000.00 to the Audit Fund, to be administered by the Selectboard for Town audits, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 6-**

To see if the Town will vote to establish an Assessor's Stabilization Account for future software mapping needs or updates, or take any vote or votes in relation thereto.

SUBMITTED BY THE ASSESSORS  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 7-**

To see if the Town will vote to transfer from the Overlay Surplus Account \$19,909.52 to the Assessor’s Stabilization Account, or take any vote or votes in relation thereto.

SUBMITTED BY THE BOARD OF ASSESSORS  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 8-**

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$1,500.00 to the Land Acquisition Fund, to be administered by the Conservation Commission, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD

**ARTICLE 9-**

To see if the Town will vote to raise and appropriate \$62,911.00 or transfer from available funds, the sum of \$62,911.00 for a one time operational subsidy to the Broadband Enterprise, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 10-**

To see if the Town will appropriate \$118,611.00 for Broadband Enterprise Fund Operations in FY2020 with \$55,700.00 to be funded by user fees and \$62,911.00 from taxation from Article 9 of the ATM warrant, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 11-**

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. The Town received \$2,640.96 from the Trust this year.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 12-**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to allow Gilda Galvis, Town of Leyden Police Officer, notwithstanding the provisions of any general or special law to the contrary, to serve in such position until the age of 70, or until the date of her retirement or non-reappointment, whichever occurs first; provided, however that no deductions from the regular compensation of Gilda Galvis shall be made under chapter 32 of the General Laws subsequent to her reaching the age of 65 in connection with her service to the Town for retirement or pension purposes; provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve such amendments which shall be within the scope of the general public objectives of the petition, or take any vote or votes in relation thereto.

SUBMITTED BY SELECTBOARD  
SELECTBOARD RECOMMENDS APPROVAL

**ARTICLE 13-**

To see if the town will vote to accept the provisions of M.G.L. c, 64G, section 3A, and impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, short term rental, or motel located within the Town at a rate of 6% (choice of percent up to 6%), said excise tax to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of the Town Meeting, or take any action relative thereto.

SUBMITTED BY THE FINANCE COMMITTEE  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 14-**

To see if the Town will vote to accept the report of the Town Officers for the year 2018, or take any vote or votes in relation thereto.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 15-**

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 Selectboard to enter into a contract with the Massachusetts Highway Department, and to authorize the Treasurer with the approval of the Selectboard, to borrow in anticipation of 100% reimbursement of said amount.

SUBMITTED BY THE SELECTBOARD  
 SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 16-**

To see if the Town will vote to authorize the following revolving funds under Massachusetts General Laws Chapter 44 § 53E ½ for the fiscal year beginning July 1, 2019:

Fund	Revenue Source	Authority to Spend Fund	Use of Fund	Spending Limit	Disposition of FY15 Fund Balance	Restrictions/Comments
Recreation Committee Revolving Account	Fees Collected for Recreation Committee Events	Recreation Committee	Recreation Committee Expenses	\$2,000	Balance Available for Expenditure	
Animal Control Officer Revolving Account	Fees Collected for citations, licenses and registration	Animal Control Officer	Animal Control Expenses	\$5,000	Balance Available for Expenditure	
Fire Safety Inspections Revolving Account	Fees Collected for Safety Inspections by the Fire Department	Fire Chief or Designee	Pay for the Safety Inspection Services	\$700	Balance Available for Expenditure	
Planning Board Revolving Account	Fees collected from applications requiring public hearings, copies of bylaws	Planning Board	Planning Board advertising expenses	\$1,000	Balance Available for Expenditure	
Agricultural Commission Revolving Account	Fees collected for fines or Agricultural Commission events	Agricultural Commission	Agricultural Commission expenses	\$2,000	Balance Available for Expenditure	
East Hill Cemetery Commission Revolving Account	Fees collected for burial plots or donations	Selectboard or Designee	East Hill Cemetery Expenses	\$5,000	Balance Available for Expenditure	

SUBMITTED BY THE SELECTBOARD  
 SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 17-**

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 Selectboard to accept such grants. Any grant requiring matching funds will be subject to a public hearing.

SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 18-**

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 it to the Robertson Memorial Library budget, or take any vote or votes in relation thereto.

SUBMITTED BY THE LIBRARY TRUSTEES  
SELECTBOARD AND FINANCE COMMITTEE RECOMMEND APPROVAL

**ARTICLE 19-**

**RESOLUTION IN SUPPORT OF CHANGING THE STATE FLAG & SEAL OF MASSACHUSETTS**

**Whereas** the history of the State of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winter on their land;

Whereas members of the Native Nation for whom the State of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, in April of 1623, barely two years after the Pilgrims arrived on their shores;

Whereas the naked Colonial broadsword brandished above the head of the Native man on the Massachusetts State Flag and Seal is modeled over Myles Standish's own broadsword, borrowed from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomet, known to the English as King Philip, who was among the Wampanoag leaders who resorted to a mutually destructive war in 1675-76 in defense of Native lands against Euro-Colonial encroachment;

Whereas the proportion of the body of the Native man in the flag and Seal were taken from a Native skeleton kept in Winthrop, the bow modeled after a bow taken from a Native man shot and killed by a colonist in Sudbury in 1665, and his features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in 1675, their subsequent enslavement in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Native men women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Native adult males by 1722, half that amount for Native women and children;

Whereas Native Nations within the boundaries of Massachusetts were kept in a state of serfdom, and their members legally considered incompetent wards of the state until the nonviolent action of the so-called Mashpee Rebellion of 1833 led to the granting of Native self rule by the Massachusetts legislature in 1834, as if the sovereign right of Native self-government was the Massachusetts legislature's to confer;

Whereas Native Americans were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that law was finally repealed;

Whereas the 400<sup>th</sup> anniversary of the landing of the Euro-Colonists at Plymouth Plantation, which gave the rise to the long chain of genocidal wars and deliberate policies of cultural destruction against Native Nations of this continent, is approaching in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to a new awareness of a better relationship between the descendants of the Euro-Colonial immigrants and the Native Nations of the Commonwealth;

And whereas Native Americans have long suffered the many abuses of racism, the appropriation of their symbols for public schools and sports teams, the diminution and pollution of the ancestral lands and the encroachment of their cultural lifeways;

Whereas the land area now known as the Town of Leyden shares a rich Native history with modern tribal Nations such as the Abenaki, who frequented this area for thousands of years before the first colonial settlers arrived in 1737;

Now, therefore, **BE IT RESOLVED** that the Town of Leyden hereby adopts this resolution in support of H.2776 and S.1877, a **“Resolve Providing for the creation of a Special Commission relative to the Seal and Motto of the Commonwealth,”** and requests that Representative Paul Mark and Senator Jo Comerford continue their strong advocacy and support for the aforementioned Resolve (H.2776 and S.1877) in the General Court, and that the Joint Committee on the State Administration and Regulatory Oversight, and after holding a public hearing on the Resolve report it out favorably, and if the legislation shall pass that the governor shall sign it and work with members of the General court to ensure its enactment.

**SUBMITTED BY CITIZEN’S PETITION**

**ARTICLE 20-**

To see if the Town will vote to raise and appropriate the sum of \$794,653.00 to fund Leyden’s portion of the PVRSD budget and Leyden’s School Committee travel expense, or take any vote or votes in relation thereto.

**SUBMITTED BY THE SELECTBOARD  
SELECTBOARD AND FINANCE COMMITTEE HAS NO RECOMMENDATION**

Hereof, fail not, and make due 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 9th day of May, in the year of our Lord, Two Thousand Nineteen.

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William H. Glabach, Chair  
Leyden Selectboard

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Jeffrey A. Neipp  
Leyden Selectboard

\_\_\_\_\_  
Lance H. Fritz  
Leyden Selectboard

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

\_\_\_\_\_  
Constable, Town of Leyden

\_\_\_\_\_  
Date