

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE COUNTY

To one of the constables of the Town of Stockbridge in said county.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the

**STOCKBRIDGE TOWN OFFICES
50 MAIN STREET**

in Stockbridge on **MONDAY, THE EIGHTEENTH DAY OF MAY 2008** at 6:30 o'clock in the evening Eastern Daylight Time, for the following purposes, to wit:

ARTICLE 1. To choose all Town Officers necessary to be chosen at the Annual Town Meeting, other than those to be chosen by ballot.

ARTICLE 2. To hear the report of any Town Officer or Committee, and to see if the Town will vote to accept all printed reports, or to take any other action in relation thereto.

ARTICLE 3. To see if the Town will vote to fix the salary and compensation of all elective officers of the Town as provided by Chapter 41, Section 108 of the General Laws as amended: Moderator, Selectmen, Town Clerk, Town Treasurer, Town Collector, Board of Assessors, Board of Health, Tree Warden, and to raise and appropriate a sum of money therefor, or to take any other action in relation thereto.

ARTICLE 4. To see if the Town will vote to raise and appropriate a sum of money for the following purposes, or to take any other action in relation thereto:

- Section 1. MODERATOR
- 2. SELECTMEN'S DEPARTMENT
- 3. TOWN ADMINISTRATOR
- 4. FINANCE DEPARTMENT
- 5. RESERVE FUND
- 6. ACCOUNTANT
- 7. ASSESSORS' DEPARTMENT
- 8. TREASURER'S DEPARTMENT
- 9. TOWN COLLECTOR'S DEPARTMENT
- 10. LEGAL DEPARTMENT
- 11. TOWN CLERK'S DEPARTMENT
- 12. ELECTIONS & REGISTRATIONS
- 13. CONSERVATION COMMISSION
- 14. PLANNING BOARD
- 15. BOARD OF APPEALS
- 16. TOWN HALL
- 17. TOWN OFFICES
- 18. TOWN REPORT
- 19. INFORMATION TECHNOLOGY DIRECTOR
- 20. POLICE DEPARTMENT
- 21. FIRE DEPARTMENT
- 22. LEE AMBULANCE SERVICE
- 23. ANIMAL CONTROL OFFICER
- 24. BUILDING INSPECTOR
- 25. GAS INSPECTOR
- 26. PLUMBING INSPECTOR
- 27. WIRE INSPECTOR
- 28. EMERGENCY MANAGEMENT
- 29. TREE WARDEN DEPARTMENT
- 30. VOCATIONAL EDUCATION
- 31. ENGINEERING DEPARTMENT
- 32. HIGHWAY DEPARTMENT

- a.) MACHINERY
- b.) COMPACTOR
- c.) CEMETERY
- 33. STREETLIGHTS
- 34. TRASH REMOVAL
- 35. SEWER DEPARTMENT
- 36. WATER DEPARTMENT
- 37. HYDRANT RENTAL
- 38. HEALTH DEPARTMENT
 - a) BOARD OF HEALTH
 - b) HEALTH OFFICER
- 39. LEE REGIONAL VISITING NURSE ASSOCIATION
- 40. MENTAL HEALTH & SUBSTANCE ABUSE SERVICES
- 41. COUNCIL ON AGING
- 42. VETERAN'S SERVICES
- 43. STOCKBRIDGE LIBRARY
- 44. CHIME TOWER
- 45. PARKS & RECREATION COMMISSION
- 46. HISTORICAL COMMISSION
- 47. MEMORIAL DAY COMMITTEE
- 48. HISTORIC DISTRICT
- 49. HISTORIC PRESERVATION
- 50. LONG-TERM DEBT & SHORT-TERM DEBT
- 51. BERKSHIRE REGIONAL RETIREMENT SYSTEM
- 52. UNEMPLOYMENT COMPENSATION
- 53. BERKSHIRE COUNTY INSURANCE GROUP
- 54. INSURANCE

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund cost items included in collective bargaining agreements executed by the Town, as well as salary and benefit increases for non-union personnel, or to take any other action in relation thereto.

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the assessment of the Berkshire Hills Regional School District, or to take any other action in relation thereto.

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money toward the Berkshire Hills Regional School District's capital cost of constructing the new school buildings, or to take any other action in relation thereto.

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to increase the Stabilization Fund, which sum is specified for the purchase of a fire truck, or to take any other action in relation thereto.

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for resurfacing selected Town roads as determined by the Board of Selectmen and the Highway Superintendent, or to take any other action in relation thereto.

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to increase the Stabilization Fund, which sum will be specified for the purchase of equipment for the Highway Department, or to take any other action in relation thereto.

ARTICLE 11. To see if the Town will vote to transfer from the Stabilization Fund, a sum of money to be added to monies previously transferred by Article 15 of the 2003 Annual Town Meeting and Article 16 of the 2004 Annual Town Meeting for the closure of the Landfill on Glendale Middle Road, or to take any other action in relation thereto.

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be added to the Stockbridge Bowl Fund, established by Article 22 of the 1990 Annual Town Meeting pursuant to Chapter 40, Section 5 of the General Laws, to be used, upon further appropriation, for maintenance, dredging,

cleaning or improvement of the Stockbridge Bowl; public access thereto; retaining walls, piers, wharves or moorings thereof; or law enforcement or fire prevention in connection therewith, or to take any other action in relation thereto.

ARTICLE 13. To see if the Town will vote to transfer from Water Available Surplus, a sum of money to be added to sums previously transferred for the water meter program, or to take any other action in relation thereto.

ARTICLE 14. To see if the Town will vote to transfer from Water Available Surplus, a sum of money to install VFD (variable frequency drives) in the Water Treatment Plant, or to take any other action in relation thereto.

ARTICLE 15. To see if the Town will vote to transfer from Sewer Available Surplus, a sum of money to provide for a portion of the cost of the debt service payment (principal and interest) of the Sewer System Expansion and Update Project authorized by Article 3 of the Special Town Meeting of April 1, 2002, or to take any other action in relation thereto.

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to meet the Town's share of the cost of participating with other communities for the collection of household hazardous waste, or to take any other action in relation thereto.

ARTICLE 17: To see if the Town will vote, as recommended by the Community Preservation Committee and pursuant to the Community Preservation Act, to:

- a. appropriate or transfer from the Community Preservation Fund a sum of money to the CPA Affordable Housing Reserve Fund;
- b. appropriate or transfer from the Community Preservation Fund a sum of money to the CPA Open Space Reserve Fund; and a sum of money to the CPA Open Space Reserve Fund for the Kamposoa Bog Project; and a sum of money to the CPA Open Space Reserve Fund for Lake Management; and a sum of money to the CPA Open Space Reserve Fund for a Community Garden.
- c. appropriate or transfer from the Community Preservation Fund a sum of money to the CPA Historical Preservation Reserve Fund for preservation of documents and photographs of Stockbridge Fire Department; and a sum of money to provide financial assistance for the preservation of archival photographs for the Norman Rockwell Museum; and a sum of money for restoration work at the Mission House; and a sum of money for restoration work at the Indian Burial Grounds.
- d. appropriate or transfer from the Community Preservation Fund a sum of money for the CPC Administrative budget.

or to take any other action in relation thereto.

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money toward the installation of solar panels on the Highway Garage, or to take any other action in relation thereto.

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase Heater Meal Kits for the Emergency Management Department, or to take any other action in relation thereto.

ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase fencing for the Town Beach to protect the beach from geese, or to take any other action in relation thereto.

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the amounts voted under Article 5 of the Special Town Meeting of October 17, 2005 and Article 2 of the Special Town Meeting of

May 22, 2006 to pay the cost associated with the renovations of the former Plan School or to take any other action in relation thereto.

ARTICLE 22. To see if the Town will vote to accept Chapter 152, Section 69 of the General Laws and to amend Article III of the General Bylaws by adding the following new section thereto:

Section 5. All employees of the Town and such elected or appointed officers of the Town as the Board of Selectmen may, from time to time, designate, shall be eligible to receive worker compensation benefits from the Town pursuant to Chapter 152, Section 69 of the General Laws; provided, however, that no member of the Board of Selectmen or of the Police or Fire Department shall be eligible, by reason of such membership, to receive such benefits.

ARTICLE 23. To see if the Town will vote to amend Article V of the General Bylaws by striking said Article in its entirety and replacing it with the following:

Article V

Cemetery Regulations

Section 1. General Regulations

1.1 The Cemetery Commission shall consist of the Board of Selectmen, Town Clerk, Cemetery Consultant, Highway Superintendent, and one member of the Laurel Hill Association. This Commission shall have charge, care and management of the Town Cemeteries.

1.2 Residents or taxpayers, including long-time residents or taxpayers who have needed to move to assisted living or nursing facilities, shall be entitled, upon death, to be interred in a burial plot in the Town Cemetery, subject to the requirements of this Article. No right of interment pursuant to this Article may be transferred, or sold.

1.3 The rights of persons eligible pursuant to the provisions of section 1.2 shall be governed by this Article and by sections 29 to 39 inclusive of Chapter 114 of the General Laws, as applicable.

1.4 Notwithstanding any other provision of this Article, any right to be interred in a burial plot shall be governed by the provisions of this Article in effect at the time the right was given, and by any conditions imposed thereon by the Cemetery Commission.

1.5 Eligible persons shall be entitled to be interred in the next available burial plot in the Town Cemetery so long as vacant burial plots are available.

1.6 All monuments, markers, boundary markers, and permanent plantings shall be subject to the approval of the Cemetery Commission, and their placement shall be under the supervision of the Cemetery Commission. Hedges, trees, and shrubs shall not be permitted in the Town Cemetery except as required by the Cemetery Commission. Seasonal decorations are allowed and may be removed at the discretion of the Highway Superintendent.

1.7 Monuments/head stones must meet the requirements of 2-foot side setbacks, 1-foot head setback, and 30-inch height limit. All markers and corner stones must be flush with the ground.

1.8 Each plot must be marked with corner markers.

Section 2. Interment Regulations

2.1 Ample notification prior to interment shall be given to the Cemetery Consultant and Highway Superintendent.

2.2 Permanent vaults (not liners) shall be used in all casket interments.

Section 3. Financial Regulations

3.1 In order that perpetual care shall be provided for each burial, a one-time fee shall be required to be deposited with the Town Treasurer. The Cemetery Commission shall fix and amend from time to time a schedule of fees for interments and perpetual care.

or to take any other action in relation thereto.

ARTICLE 24: To see whether the Town will vote to amend Article VI, Section 6 of the General Bylaws by striking said section in its entirety and replacing it with the following:

Section 6. No person shall consume an alcoholic beverage, as defined by Chapter 138, Section 1, of the General Laws, or possess an opened container of such beverage, or smoke, ingest, or otherwise use or consume marihuana or tetrahydrocannabinol, as defined by Chapter 94C, Section 1, of the General Laws, within the limits of any park, playground, public building or any public land (but not including a public way) owned or under the control of the Town of Stockbridge; nor shall any person consume an alcoholic beverage or smoke, ingest, or otherwise use or consume marihuana or tetrahydrocannabinol, as previously defined, on any public way or way to which the public has a right of access as invitees or licensees, including any person in a motor vehicle while it is in, on, or upon any public way or any way to which the public has a right of access as aforesaid, within the limits of the Town of Stockbridge; nor shall any person consume an alcoholic beverage or smoke, ingest, or otherwise use or consume marihuana or tetrahydrocannabinol, as previously defined, in, on, or upon any private land or place without the consent of the owner or person in control of such private land or place.

All alcoholic beverages, marihuana or tetrahydrocannabinol used in violation of this section may be seized and held until final adjudication of the charge against any such person or persons has been made by a court.

Whoever violates the provisions of this Section shall be punished by a fine not exceeding one hundred (\$100) dollars for such offense, in addition to any civil penalty imposed under Chapter 94C, Section 32L of the General Laws.

and to amend Article XIII, Section 2 of the General Bylaws by adding the following specific penalty and enforcing person thereto:

Article VI, Section 6	(Alcoholic Beverage, Open Container, and Marihuana)
Penalty:	\$100
Enforcing Persons:	Police Department

or take any action relative thereto.

ARTICLE 25. To see if the Town will vote to amend the General Bylaws by adding thereto a new Article XXV as follows:

Article XXV

Agricultural and Forestry Commission

Section 1. There shall be an Agricultural and Forestry Commission, which shall, as appropriate, advise Town Boards and officials regarding initiatives and strategies to support commercial agriculture and other farming and forestry activities; to encourage the pursuit of agriculture and forestry; to promote agriculture- or forestry-based economic opportunities; to work for the preservation of agricultural and forest lands; and to pursue the creation of a sustainable agricultural and forestry community in the Town.

Section 2. The Agricultural and Forestry Commission shall consist of three members, appointed by the Board of Selectmen, who are substantially engaged in the pursuit of agriculture or forestry within the Town, or who have experience and a demonstrated interest in agricultural or forestry matters. The Selectmen may also appoint one or two alternate members of the Commission.

Section 3. The terms of office of the members initially appointed to the Agricultural and Forestry Commission shall be as follows: One member for a term of three years; one member for a term of two years; and one member for a term of one year. Upon the expiration of any member's term, a member shall be appointed or re-appointed for a term of three years. In the event of a vacancy, the Board of Selectmen shall appoint a new member to complete the unexpired term.

or to take any other action in relation thereto.

ARTICLE 26. To see if the Town will vote to amend footnote (f) to Section 5.5 of the Zoning Bylaws by adding to the end thereof the following:

Docks shall be a minimum of twenty (20) feet from any adjoining property and shall not exceed 200 sq. ft. in area.

and to amend Section 6.5.5 of the Zoning Bylaws by adding to the end thereof the following:

- The painting of a dock with creosote or oil-based paint.

and to amend Section 6.5.9 of the Zoning Bylaw by adding to the end thereof the following:

e. Docks

- All docks shall be kept in good repair and free from defects that might cause a hazard to person or watercraft.

or to take any other action in relation thereto.

ARTICLE 27. To see if the Town will vote to reauthorize the Board of Selectmen to petition the General Court for the passage of a Special Act substantially as follows:

AN ACT RELATIVE TO THE MEMBERSHIP OF THE CONSERVATION
COMMISSION OF THE TOWN OF STOCKBRIDGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding section 8C of chapter 40 of the General Laws, the board of selectmen of the town of Stockbridge may appoint two alternate members of the conservation commission of the town for staggered terms not to exceed three years.

The chairmen of the conservation commission may designate any of the alternate members to sit on the commission in the case of absence, inability to act or conflict of interest on the part of a member of the commission or, in the event of a vacancy on the conservation commission, until the vacancy is filled in accordance with said section 8C of said chapter 40.

or to take any other action in relation thereto.

ARTICLE 28. To see if the Town will accept Chapter 32B, Section 18 or 18A of the General Laws, or to take any other action in relation thereto.

ARTICLE 29. To see if the Town will vote to adopt the following Resolution proposed from the Stockbridge Green Team:

WHEREAS, a new UN Climate Change Treaty is scheduled to be approved in December, 2009 in Copenhagen: and

WHEREAS, the Obama administration and the House and Senate leadership have called for strong national legislation to be enacted this year to reduce greenhouse gas emissions, the citizens of Stockbridge, in recognition of this important agenda, are committed to doing their part; and

WHEREAS, the Stockbridge Green Team, whose Mission is to reduce greenhouse gas emissions through environmental awareness, responsibility and action, and with the support of the Selectmen, is committed to a Lighting Initiative with the goal to have every residence, business, not-for-profit and school install at least one compact fluorescent light (cfl) within the next 3 years beginning with giving one free compact fluorescent light (cfl) to each person attending the 2009 Annual Town Meeting;

NO THERFORE, BE IT RESOLVED, that the Town of Stockbridge commits to participate in and support the Stockbridge Green Team's Lighting Initiative.

ARTICLE 30. To see if the Town will vote to transfer a sum of money from available funds for the purpose of lowering the property tax rate, or to take any other action in relation thereto.

ARTICLE 31. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to increase the Stabilization Fund as defined in Chapter 40, section 5B of the General Laws, or to take any other action in relation thereto.

ARTICLE 32. To transact any other business that may legally come before this meeting.

ARTICLE 33. To choose by ballot votes on Tuesday, May 19, 2009 at an adjourned session of the above meeting in the Town Offices, the following Officers:

Office	Term (Years)
Moderator	3
Selectman	3
Board of Assessors	3
Board of Health	3
Sewer and Water Commissioner	3
Planning Board	4
Planning Board	5
Tree Warden	3
Parks and Recreation	3
Housing Authority	5

Also to vote "Yes" or "No" on the following question appearing on the ballot:

QUESTION #1

Shall the Town of Stockbridge be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued for the Sewer Expansion Project?


All of said officers and said ballot question are to be voted for using the official ballots furnished the voters at the polls. The polls will be opened at the Town Offices, 6 Main Street, at 8:00 o'clock a.m. and may be closed at 6:30 o'clock p.m.

You are directed to post true and attested copies of this Warrant, one in each of the Post Offices of said Town, the Town Hall, Stockbridge Firehouse and Interlaken Firehouse, at least seven days before the time of said meeting. Hereof fail not and make

due return of this warrant with your doings thereon to the undersigned or to the Town Clerk at or before the time of said meeting.

Given under our hands at Stockbridge, May 4, 2009

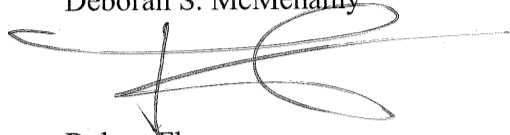
Board of Selectmen



George E. Shippey, Chairman



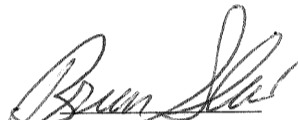
Deborah S. McMenemy



Robert Flower

by hand
Indicate Method of Service

5-5-09
Date



Constable

POSTED AT:
Stockbridge Post Office
Glendale Post Office
Stockbridge Firehouse
Interlaken Firehouse
Stockbridge Town Offices