



WARRANT ARTICLES
Special Town Meeting
Tuesday, October 15, 2024, 7:00pm
Historic Old Town Hall

Hampshire, ss.

To one of the Constables of the Town of Pelham, in said County.

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Pelham, Massachusetts, qualified to vote in the Town affairs to meet in the Pelham Historic Old Town Hall, located at the intersection of Route 202 and Amherst Road in said Pelham on Tuesday, the 15th day of October, in the year A.D. 2024 at 7:00 pm for the reading of the Town Warrant and to proceed with the meeting. After opening of the meeting, the meeting will move to the Pelham Elementary School, at 45 Amherst Road, Pelham.

Article 1.

To see if the Town will vote to raise and appropriate \$13,000 to be added to the Police Department Full Time Officer salary line of the FY25 annual budget to cover increasing costs for hiring new officers, or take any other action relative thereto.

Recommended by the Select Board.

Article 2.

To see if the Town will vote to appropriate from the Capital Equipment Stabilization Fund the sum of \$435,000 to purchase and equip a new or used tanker for the Fire Department, or take any other action relative thereto.

Recommended by the Select Board.

Article 3.

To see if the Town will vote to adopt the recommendation of the Community Preservation Committee to appropriate and transfer the sum of \$9,500 from the Community Preservation Open Space and Recreation Fund for the Pelham Elementary School Playground Committee's application to pay the Berkshire Design Group (BDG) for Tasks IV: Construction Documents, and Task V: Bidding & Construction Observation as part of the BDG's feasibility study on the required Americans with Disabilities Act (ADA) upgrades to the school playground, or take any other action relative thereto.

Recommended by the Select Board.

Article 4.

To see if the Town will vote to adopt the recommendation of the Community Preservation Committee to appropriate and transfer the sum of \$99,000, of which \$33,000 shall be from Pelham's FY25 Community Preservation Fund Budgeted Reserve, \$33,000 shall be from the Community Preservation Open Space and Recreation Fund, and \$33,000 shall be from the Community Preservation Undesignated Fund, for the Amherst-Pelham Regional School District's application for funding for a renovation of the running track and fields at the regional high school, or take any other action relative thereto.

Recommended by the Select Board.

Article 5.

To see if the Town will vote to amend the FY25 annual budget voted under Article 3 of the warrant for the 2024 Annual Town meeting by changing the Grand Total to read \$4,461,245, or take any other action relative thereto.

Recommended by the Select Board.

Article 6.

To see if the Town will vote to commit to municipal decarbonization (defined as the elimination of all on-site burning of fossil fuels in municipal buildings and vehicles) by 2050 in accordance with state climate goals, by adopting the following resolution.

Be It Resolved that the members of the Town of Pelham Town Meeting commit the Town to reduce on-site fossil fuel combustion in municipal buildings and vehicles and associated greenhouse gas emissions to zero as quickly as possible and no later than 2050. We call on Town government and staff to commit to a climate mobilization effort, with appropriate support from the state and federal governments to follow through on this commitment.

Article 7.

To see if the Town will vote to amend the Town of Pelham General Bylaws, by adding a new chapter entitled “Specialized Energy Code,” for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments or modifications thereto, with an effective date of September 1, 2025, a copy of which is on file with the Town Clerk, and to authorize the Town Clerk to assign a chapter number for such code, or take any other action relative thereto.

Chapter ____

SPECIALIZED ENERGY CODE

[Adopted 0-0-20xx ATM / STM by Art.]

§ ____-1 Definitions

§ ____-2 Purpose

§ ____-3 Applicability

§ ____-4 Stretch Code

§ ____-1 Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy

code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

Specialized Energy Code - Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code is an appendix to the Massachusetts Stretch Energy Code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency and reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050..

Stretch Energy Code - Codified by the combination of 225 CMR 22 and 231, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

§ ____-2 Purpose

The purpose of 225 CMR 22 and 23 including Appendices RC and CC is to provide a more energy efficient and low emissions alternative to the Stretch Energy Code or the base Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings.

§ ____-3 Applicability

This energy code applies to residential and commercial buildings.

§ ____-4 Specialized Code

The Specialized Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including

any future editions, amendments, or modifications, is herein incorporated by reference into the Town of Pelham General Bylaws, as Chapter _____.

The Specialized Code is enforceable by the inspector of buildings or building commissioner.

Article 8.

To see if the Town will vote to adopt the following Zero-Emission First Vehicle policy, that requires Town officials when purchasing new vehicles to purchase available Zero-Emission Vehicles as defined in the following policy, or take any other action relative thereto.

Town of Pelham Zero-Emission First Vehicle Policy

1) PURPOSE

The purpose of this Zero-Emission First Vehicle Policy is to set standards and guidelines for the purchase, operation, and maintenance of the Town of Pelham fleet vehicles that will advance the economic, energy, and climate sustainability of municipal operations by achieving long-term reductions in energy costs, energy consumption, and greenhouse gas (GHG) emissions. The primary objectives of this policy are to:

- Accelerate the adoption of emissions-reduction technologies and the transition of the fleet to all electric or other environmentally advantageous vehicles
- Minimize the long-term environmental and financial impacts of fleet vehicles
- Optimize the composition of the fleet to achieve maximum fuel efficiency
- Advance the installation of electric charging infrastructure across municipal facilities

Prioritize the utilization of grants, rebates, and incentives to support the acquisition of vehicles and technologies that will improve efficiency and reduce GHG emissions.

This policy shall not require a department to take any action which conflicts with local, state, or federal requirements nor mandate the procurement of products that do not perform adequately for their intended use, exclude adequate purchasing competition, or require the purchase of vehicles that are not commercially available or practicable.

2) DEFINITIONS

- a) **Acquisition** - In the context of this policy, acquisition refers to the purchase or lease of on-road vehicles (whether used or new) by and for the Town of Pelham either to replace an existing fleet vehicle or to expand a fleet.
- b) **Alternative fuel vehicles (AFVs)** - Dedicated, flexible fuel, or dual-fuel vehicles designed to operate on at least one alternative fuel (such as electricity, biodiesel, propane, or natural gas) to reduce carbon emissions.
- c) **Battery electric vehicle (BEV)** – An electric vehicle that draws propulsion energy solely from an onboard electrical energy storage device during operation that is charged from an external source of electricity.
- d) **Electric vehicle supply equipment (EVSE) or electric vehicle charging station** – An electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.
- e) **Exempt vehicles** - Vehicles that are exempt from the Green Communities [Fuel Efficient Vehicle Policy](#) include off-road vehicles, motorcycles and heavy-duty vehicles with a manufacturer’s gross vehicle weight rating (GVWR) of more than 8,500 pounds. Examples include fire engines, ambulances, and some public works vehicles.

- f) **Fleet vehicles** - In the context of this policy, refers to on road vehicle assets owned or leased and operated by the Town of Pelham.
- g) **Fuel-cell electric vehicle (FCEV or FCV)** - An electric vehicle that draws propulsion energy solely from an on-board energy storage device during operation, where energy stored as hydrogen is converted to electricity by a fuel cell, that is recharged from an external source of hydrogen.
- h) **Fuel Efficient Vehicle (FEV) Policy** - Issued by the Massachusetts Department of Energy Resources (DOER) to fulfill the requirements of the Green Communities Act. The [FEV Policy](#) requires designated Green Communities to acquire fuel-efficient vehicles; applies to all light-duty vehicle acquisitions with a gross vehicle weight rating (GVWR) of 8,500 pounds or less.
- i) **Gross vehicle weight rating (GVWR)** - The maximum safe operating weight of a vehicle, as specified by the manufacturer, including passenger and cargo loads.
- j) **Heavy-duty vehicle** – A vehicle with a manufacturer’s gross vehicle weight rating (GVWR) of more than 8,500 pounds.
- k) **Hybrid electric vehicle (HEV)** – A vehicle powered by an internal combustion engine and a small electric motor that uses energy stored in a battery. Under light load, for instance during initial acceleration, only electricity is consumed. The vehicle is typically fueled with gasoline to operate the internal combustion engine, and the battery is charged through the engine and regenerative braking, not by plugging in.
- l) **Light-duty vehicle**– A vehicle with a GVWR of 8,500 pounds or less.
- m) **Plug-in hybrid electric vehicle (PHEV)** – An electric vehicle with an on-board electrical energy storage device that can be recharged from an external source of electricity and that also has the capability to run on another fuel.
- n) **Telematics** - A system that is installed in a vehicle that records and transmits information about the vehicle such as the current odometer, maintenance needs, and fuel/electricity consumption.
- o) **Zero emission vehicle (ZEV)** – Zero emission vehicles include battery electric vehicles, plug-in hybrid electric vehicles, and fuel-cell electric vehicles; if the most recent definition of ZEVs per the Massachusetts Zero Emission Vehicle Commission diverges from this scope, the Commission definition shall take precedence.

APPLICABILITY

This policy applies to all divisions and departments of the Town of Pelham. It applies to road-worthy passenger vehicles, pick up and utility trucks, and SUVs. It does not apply to specialized equipment or off-road vehicles.

VEHICLE PROCUREMENT GUIDELINES

Electric-first procurement

Vehicle procurement should be prioritized as follows:

1. Battery-electric vehicle (BEV)
2. Plug-in hybrid vehicle (PHEV)
3. Hybrid electric vehicle (HEV) or other alternative fuel vehicle (AFV)
4. Standard vehicle operated by the most fuel-efficient internal combustion engine fueled by fossil fuels

This policy is electric-first, meaning that electric vehicles shall be prioritized when the Town of Pelham purchases or leases light-duty vehicles for its operations, followed by plug-in hybrid vehicles, then hybrid electric or other alternative fuel vehicle. As the numbers and types for zero-emission vehicles are released in the marketplace, the ZEV purchasing requirements will be revised accordingly.

Fuel-efficient requirements for standard vehicles

If it is determined that a ZEV does not meet operational needs, the purchased or leased vehicle must be the most fuel-efficient class, drive train, and model available that will fulfill the intended municipal function. When determining the most fuel-efficient vehicle for a given class, the Town of Pelham will utilize the fuel efficiency limits contained in the most [recent guidance for the Fuel-Efficient Vehicle Policy](#) established by DOER's Green Communities Division.

While exempt vehicles are not required *at this time* to meet the zero-emission requirements, exempt vehicle purchases should prioritize the most fuel-efficient model available and consider fuel-reduction and emissions reduction technology, such as diesel particle filters, selective catalytic reduction systems, exhaust gas recirculation, NOx adsorbers, oxidation catalysts, anti-idling devices, etc.

I. These limits are based on the most recently published U.S. Environmental Protection Agency combined city and highway MPG ratings (see www.fueleconomy.gov). The EPA maintains a [database](#) on vehicle fuel efficiency that is updated throughout the year as new models are released.

Inventory

Pelham will continue to utilize the MassEnergyInsight tool and maintain the full municipal fleet within this database. The vehicle inventory will be reviewed on an annual basis, along with this policy to plan for new acquisitions as part of planning for the new fiscal year.

II. Zero-Emission First Replacement Plan

All vehicles shall be replaced following the electric-first hierarchy as indicated by this policy. Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement is more efficient than the vehicle it is replacing. In addition, when considering vehicle replacement, the function of the vehicle will be reviewed for potential replacement with a more fuel-efficient vehicle, including a zero-emission non-exempt vehicle.

III. Enforcement

This policy is enforced by the Select Board and/or ITS designee(s).

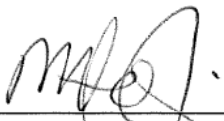
Article 9.


To see if the Town will vote to require the Town to construct a decarbonization roadmap that meets all DOER Climate Leaders program requirements. The roadmap will be constructed by designees of the Select Board and with input from all relevant Town committees and town departments. The roadmap will be submitted to the Select Board for review and approval of a plan that meets all such requirements no later than December 2, 2024. The approved plan shall be submitted to DOER as part of a complete Climate Leaders application no later than December 30, 2024, or to take any other action relative thereto.

Article 10.

To see if the Town will vote to accept subsection (b)(1) of section 54 of MGL c.44 to enable the Treasurer to manage trust funds in accordance with MGL c.203C, the Massachusetts Prudent Investor Rule, which refers to the fiduciary duty of trustees to act with respect to the interest of the trust and beneficiary, or take any other action relative thereto.

Recommended by the Select Board.

Robert Agoglia, Chair 

Tara Loomis, Vice-Chair 

David Shanabrook, Clerk _____

Date Signed by the Select Board: 9/26/2024

Constable 

Date Posted at Fire Station/Police Station and Rhodes Building 9/27/24