

TOWN OF DALTON
ANNUAL TOWN MEETING
WAHCONAH REGIONAL HIGH SCHOOL - MAY 5, 2008 - 7:00 P.M.

The Moderator, Ronald J. Marcella, Sr., called the Meeting to order at 7:00 p.m.

Jean M Gingras, Deborah Deane Smith, Judith M. Ladd and Esther T. Balardini were appointed tellers and sworn by Town Clerk, Barbara L. Suriner. There were a total of 278 Registered Voters checked at the door as follows:

PRECINCT 1 - 141
PRECINCT 2 - 137
278

ARTICLE 1. It was moved, seconded and voted that the Town hear a report of the Select Board on the "State of the Town".

CARRIED. UNANIMOUSLY.

ARTICLE 2. It was moved, seconded and voted that the Town grant an easement to the Western Massachusetts Electric Company and Verizon New England, Inc. upon such terms and conditions as the Select Board deems in the best interest of the Town. Said easement to be a perpetual right to lay, construct, reconstruct, maintain, operate, replace and rebuild on, across, over and under the land, as shown on the plan available at the 2008 Annual Town Meeting, electric and transmission of intelligence distributions systems consisting of poles, guy, braces, wires, pipes, cables conduits, transformers, manholes, anchors, silos, handholes, transformer pads pedestals, meters, structures for streetlights and traffic signals, fixtures and other appurtenances useful in providing electric and transmission of intelligence and street lighting service and the right to enter said land for the purpose of inspecting and maintaining same.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 3. It was moved, seconded and voted that the Town, pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws, authorize the Select Board to enter into an inter-municipal agreement with other cities, towns and political subdivisions for the group purchasing of supplies, commodities and services that the town is authorized by law to purchase, and to appropriate \$400.00 for the administration of the program for the fiscal year beginning July 1, 2008.

CARRIED. UNANIMOUSLY.

ARTICLE 4. It was moved, seconded and voted that the Town authorize the Select Board to negotiate and enter into an inter-municipal agreement with the Town of Lanesborough, pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws, for the provision of Animal Control services upon such terms and conditions as the Select Board deems in the best interest of the Town.

CARRIED. UNANIMOUSLY.

ARTICLE 5. It was moved, seconded that the Town take no action under this article.

It was moved, seconded and voted to amend the Main Motion by tabling this Article until the end of this meeting.

DEFEATED. MAJORITY VOICE VOTE.

The Main Motion for Article 5 was voted.

DEFEATED. YES – 111 NO - 130.

It was moved, seconded and voted that the Town accept as a Public Way the right of way of Falls Brook Terrace as shown on a plan prepared by Hill Engineers, Architects, Planners, Inc. titled "Wahconah Brook Estates, North Street, Dalton MA - Definitive Lot Layout", which plan was approved by the Dalton Planning Board July 13, 2005 and recorded in the Berkshire Middle Registry of Deeds Plat H No. 15, and authorize the Select Board to acquire by gift, purchase or eminent domain, land or rights in land and the utilities within said way as so laid out, for all purposes for which public ways are used in the Town of Dalton.

DEFEATED. YES – 113 NO - 133.

ARTICLE 6. It was moved, seconded and voted that the Town, pursuant to the provisions of Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, authorize the establishment of revolving funds for certain town departments for the fiscal year beginning July 1, 2008 with specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum that may be spent from each fund for the fiscal year as follows:

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY09 Spending Limit</u>	<u>Disposition of FY08 Fund Balance</u>
Plumbing Inspector	Town Manager	Plumbing permit Fees and applications	Reimburse Inspector for Inspection Services	\$15,000.00	Balance Available for expenditure
Electrical Inspector	Town Manager	Electrical permit Fees and applications	Reimburse Inspector for Inspection Services	\$10,000.00	Balance Available for expenditure
Tree Warden/ Planning Board	Tree Warden	Payments from subdivision developers	Planting of trees and shrubs within specific locations	\$5,000.00	Balance Available for expenditure
Historical Commission	Town Manager & Commission Treasurer	Gifts, donations and receipts from sales	Expenses relating to the administrative functions of the commission	\$4,000.00	Balance Available for expenditure
Cemetery Department	Cemetery Trustees & Superintendent of Highway/Cemetery	Payments for burials outside of the cemetery work day	Grave digging services and overtime payroll expenses	\$5,000.00	Balance Available for expenditure
Council on Aging	Town Manager & COA Director	Receipt of fees for transportation services	Offset expenses of the BRTA bus operation	\$20,000.00	Balance Available for expenditure
Dog/Animal Control	Town Clerk	Dog license fees and other charges as provided by Chapter 40 Section 147A	Offset expenses related to the administration of licenses and other animal control matters	\$3,000.00	\$3,000 of fund balance available for expenditure, remainder reverts to the General Fund
Cemetery Department	Cemetery Trustees	Reimbursement payments for damage to town cemeteries	Payment of expenses related to the repair of sustained damage	\$5,000.00	Balance Available for expenditure
Legal Advertising	Town Manager	Legal advertising fees	Payment of expenses related to legal advertisements	\$8,000.00	Balance Available for expenditure
Parks Maintenance	Town Manager & Superintendent Highway/Cemetery	Fees from outside users of Pinegrove Pavilion	Any lawful maintenance expense in town parks	\$1,000.00	Balance Available for expenditure

CARRIED. UNANIMOUSLY.

ARTICLE 7. It was moved, seconded and voted that the Town adopt the "Schedule of Compensation for Elected Officials" for the fiscal year beginning July 1, 2008 as follows:

ELECTED OFFICIALS FY 2009

Moderator	\$ 337.00
Select Board - Chairman	4,020.00
- Members	3,120.00
Town Clerk	35,497.00

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 8. It was moved, seconded and voted that the amounts of money set forth in the printed report of the Finance Committee, for Fiscal Year 2009 and totaling \$5,718,635.00 be appropriated for the several purposes therein itemized, each numbered item being considered as a separate appropriation, and that the same be expended only for such purposes..

TOWN OPERATING BUDGET**General Government**

114	Moderator		
	Salary		337
	Expenses		100
			437
122	Select Board		
	Salary-Elected		16,500
	Expenses		3,300
			19,800
123	Town Manager		
	Salaries		114,703
	Expenses		9,200
			123,903
132	Reserve Fund		
	Expenses	See Article #10	
131	Finance Committee		
	Expenses		185
			185
135	Accountant		
	Salaries		38,674
	Expenses		6,760
			45,434
138	Group Purchasing		
	Expenses	See Article #3	
139	Financial Audit		
	Expenses		16,500
			16,500
141	Assessors		
	Salaries		82,542
	Expenses		17,175
			99,717
142	Tri Revaluation		
	Expenses		12,000
			12,000
145	Town Treasurer		
	Salaries		39,965
	Expenses		13,850
			53,815
146	Town Collector		
	Salaries		53,678
	Expenses		10,659
			64,337
151	Town Counsel		
	Expenses		34,000
			34,000
152	Telephone		
	Expenses		16,500
			16,500
154	Recording Secretary		
	Salary		4,032
			4,032
155	Interdepartmental Clerks		
	Salaries		44,457
			44,457
157	Computer		
	Expenses		7,650
			7,650
158	Postage		
	Expenses		16,800
			16,800
159	Tax Title		
	Expenses		2,500
			2,500
161	Town Clerk		
	Salary-Elected		35,497
	Salaries		27,520
	Expenses		2,655
			65,672
162	Elections		
	Salaries		8,248
	Expenses		5,150
			13,398
163	Registrars		
	Salaries		3,974
	Expenses		2,800
			6,774

171	Conservation Commission		
	Expenses	2,025	
		2,025	
175	Planning Board/Board of Appeals		
	Salary	22,021	
	Expenses	480	
		22,501	
182	Industrial Development Commission		
	Expenses	1,010	
		1,010	
191	Old Dalton High		
	Salary	1,500	
	Expenses	10,500	
		12,000	
195	Town Report		
	Expenses	6,650	
		6,650	
196	Town Hall		
	Salaries	46,513	
	Expenses	65,000	
		111,513	
197	Central Supplies		
	Salaries	0	
	Expenses	13,592	
		13,592	
	CATEGORY TOTAL		817,202
	Public Safety		
210	Police Department		
	Salaries	853,311	
	Expenses	81,008	
		934,319	
222	Communications		
	Salaries	163,549	
	Expenses	2,106	
		165,655	
240	Building Inspections		
	Salaries	37,111	
	Expenses	1,500	
		38,611	
244	Sealer of Weights & Measures		
	Salary	1,219	
	Expenses	225	
		1,444	
247	Inspector of Meat & Cattle		
	Salary	1,148	
	Expenses	0	
		1,148	
292	Animal Control		
	Salaries	19,108	
	Expenses	4,228	
		23,336	
293	Traffic Commission		
	Salaries	0	
	Expenses	0	
		0	
294	Forest Warden		
	Salary	2,256	
	Expenses	1,240	
		3,496	
295	Emergency Response		
	Salary	3,221	
	Expenses	3,672	
		6,893	
296	Shade Tree/Tree Warden		
	Salary	1,919	
	Expenses	15,690	
		17,609	
	CATEGORY TOTAL		1,192,511
	Education		
320	Vocational Education		
	Expenses	318,667	
		318,667	
	CATEGORY TOTAL		318,667
401	Town Engineer		
	Expenses	8,000	
		8,000	

420 Highway Department		
Salaries		332,286
Expenses		109,090
		441,376
423 Snow & Ice		
Salaries		26,208
Expenses		109,900
		136,108
424 Streetlights		
Expenses		76,734
		76,734
433 Sanitary Landfill		
Expenses		14,000
		14,000
434 Transfer Station		
Salaries		1,657
Expenses		46,077
		47,734
440 Sewer Maintenance (Offset Receipts)		
Salaries		13,500
Expenses		6,750
		20,250
449 Sewer Treatment Plant (Offset Receipts)		
Salaries		865
Expenses		637,253
		638,118
491 Cemetery Department		
Salaries		77,122
Expenses		20,075
		97,197
CATEGORY TOTAL		1,479,517
Human Services		
510 Board of Health		
Salary		25,273
Expenses		1,357
		26,630
522 Visiting Nurse Association		
Expenses		12,168
		12,168
523 Berkshire Mental Health		
Expenses		2,101
		2,101
541 Council on Aging		
Salaries		89,027
Expenses		8,102
		97,129
543 Veterans' Services		
Salary		6,245
Expenses		10,300
		16,545
591 Berkshire Regional Planning Commission		
Expenses		4,383
		4,383
CATEGORY TOTAL		158,956
Culture and Recreation		
610 Library		
Salaries		118,270
Expenses		51,848
		170,118
630 Parks and Recreation		See Article #9
650 Parks Maintenance		
Salaries		26,261
Expenses		14,392
		40,653
691 Historical Commission		
Expenses		600
		600
692 Memorial Day Committee		
Expenses		1,970
		1,970
693 Cultural Activities		
		2,280
		2,280
CATEGORY TOTAL		215,621

Debt Service

710B Bond Fees (Landfill)	500	500
710L Debt and Interest (Landfill)	121,000	121,000
710H Debt and Interest (Highway)	56,526	56,526
710C Debt and Interest (Capital Improvement Program)	See Article #16	
710L/S Debt and Interest (Library SC)	28,168	28,168
710So.St. Debt and Interest (Highway)	0	0
CATEGORY TOTAL		206,194
Other		
911 Berkshire County Retirement Assessment Expenses	339,555	339,555
913 Unemployment Expenses	9,000	9,000
914 Group Health Insurance Expenses	734,985	734,985
915 Group Life Insurance Expenses	8,472	8,472
916 Medicare Expenses	31,798	31,798
919 Employment Benefits Salaries	15,000	
Expenses	1,580	16,580
941 Court Judgments & Claims Expenses	3,000	3,000
945 Town Insurance Expenses	176,348	176,348
950 Commissioner of Trust Funds Expenses	229	229
998 Pension Reserve Fund Expenses	10,000	10,000
CATEGORY TOTAL		1,329,967
ARTICLE TOTAL		5,718,635

CARRIED. UNANIMOUSLY.

ARTICLE 9. It was moved, seconded and voted that the Town raise and appropriate the sum of \$60,665.00 for the fiscal year beginning July 1, 2008, for the purpose of providing recreation and leisure time activities to the people of Dalton.

CARRIED. UNANIMOUSLY.

ARTICLE 10. It was moved, seconded and voted that the Town transfer \$65,000.00 from Free Cash in the Treasury to the Account 132, the Reserve Fund, for the fiscal year beginning July 1, 2008.

CARRIED. UNANIMOUSLY.

ARTICLE 11. It was moved, seconded and voted that the Town adopt a proposal for amendment of SECTION V. TRANSPORTATION of the Central Berkshire Regional School District Agreement as follows: "School transportation shall be provided by the regional school district and the cost thereof shall be apportioned on the basis of the actual cost of transporting students in each town".

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 12. It was moved, seconded and voted that the Town amend the Fiscal Year 2008 Town Operating Budget for Department 449 Sewer Treatment Plant Expenses, to increase the expense amount appropriated thereunder from \$558,687 to \$619,187 and further, to transfer \$60,500.00 from Free Cash in the Treasury to pay said expenses.

CARRIED. UNANIMOUSLY.

ARTICLE 13. It was moved, seconded and voted that the Town approve the vote of the Central Berkshire Regional School District to borrow \$1,437,000.00 for the renovation of Wahconah Regional High School; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

CARRIED. UNANIMOUSLY.

ARTICLE 14. It was moved, seconded and voted that the Town re-authorize employment agreements between the Town and the Highway/Cemetery Superintendent, the Highway/Cemetery Foreman, the Communications Director and the Police Sergeant; all of which include annual salaries that are provided for under Article 8 hereinabove.

CARRIED. UNANIMOUSLY.

ARTICLE 15. It was moved, seconded and voted that the Town transfer \$560,000.00 from Free Cash in the Treasury and \$46,173.00 from the Overlay Surplus Account for the purpose of reducing the expected tax rate increase in the 2009 fiscal year.

CARRIED. UNANIMOUSLY.

ARTICLE 16. It was moved, seconded and voted that the Town transfer \$100,000.00 from Free Cash in the Treasury to the Capital Projects Stabilization Fund.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 17. It was moved, seconded and voted that the Town accept General Laws Chapter 44B sections 3 through 7, known as the Community Preservation Act, which establishes a special "Community Preservation Fund" that may be appropriated and spent for certain open space, historic resources and affordable housing purposes, to approve a property tax surcharge in the amount of three percent of the taxes assessed annually on real property which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2008, and to exempt from the surcharge the following: (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community and (2) \$100,000 of the assessed valuation of Class One, Residential, parcels; provided however, that such vote shall not take effect until the Town votes affirmatively on an acceptance referendum at the next regularly scheduled municipal or state election.

DEFEATED. DECLARED VOICE VOTE.

ARTICLE 18. It was moved, seconded and voted that the Town raise and appropriate the sum of \$6,621,619.00, of which \$246,618.00 is expressly contingent upon subsequent Town approval of a Proposition 2 ½ override vote, for the purpose of paying the Town's share of the Operating Budget of the Central Berkshire Regional School District for the fiscal year beginning July 1, 2008.

CARRIED. YES – 158 NO - 86.

ARTICLE 19. It was moved, seconded and voted that the Town raise and appropriate the sum of \$551,561.00 for the purpose of paying the Town's share of the Transportation Budget of the Central Berkshire Regional School District for the fiscal year beginning July 1, 2008.

CARRIED. UNANIMOUSLY.

ARTICLE 20. It was moved, seconded and voted that the Town raise and appropriate the sum \$236,204.00 for the purpose of paying the Town's share of the Capital Budget of the Central Berkshire Regional School District for the fiscal year beginning July 1, 2008.

CARRIED. UNANIMOUSLY.

ARTICLE 21. It was moved that the Town transfer \$75,000.00 from Free Cash in the Treasury funds to fund additional expenses in department # 423 Snow and Ice incurred under the provisions of Massachusetts General Laws Chapter 44 Section 31D.

It was moved, seconded and voted that the pending motion be amended by deleting \$75,000.00 and substituting therefor \$88,133.00 comprised of Salaries - \$7,133.00 and Expenses - \$81,000.00.

CARRIED. UNANIMOUSLY.

ARTICLE 22. It was moved, seconded and voted that the Town recess until Monday, May 12, 2008 at 10:00 O'CLOCK A.M. to meet in the DALTON COMMUNITY HOUSE to Choose and Elect the following Town Officers:

(2) Member(s) - Select Board	For 3 Years
(1) Moderator	For 1 Year
(1) Member - Planning Board	For 5 Years
(1) Cemetery Trustee	For 3 Years
(3) Library Trustees	For 3 Years
(1) Member – Dalton Housing Authority	For 5 Years
(3) Members - Finance Committee	For 3 Years

and the determination of such other matters as are by law required to be determined by ballot.

CARRIED. UNANIMOUSLY.

Meeting adjourned at 10:42 p.m.

Barbara L. Suriner, TOWN CLERK