

TOWN OF DALTON
ANNUAL TOWN MEETING
WAHCONAH REGIONAL HIGH SCHOOL - MAY 1, 2006 - 7:00 P.M.

The Moderator, Ronald J. Marcella, Sr., called the Meeting to order at 7:07 p.m.

Dawn Fahey, Jean Gingras, Victoria Sedgwick and Malia Windrow-Carlotto were appointed tellers and sworn by Town Clerk, Barbara L. Suriner. There were a total of 242 Registered Voters checked at the door as follows:

PRECINCT 1 - 125
PRECINCT 2 - $\frac{117}{242}$

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

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 2. 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 joint provision of services or for the group purchasing of supplies, commodities and services that the town is authorized by law to purchase, and to raise and appropriate \$400.00 for the administration of the program for the fiscal year beginning July 1, 2006.

CARRIED. UNANIMOUSLY.

ARTICLE 3. 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, 2006 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>FY07 Spending Limit</u>	<u>Disposition of FY06 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 Pine Grove Pavilion	Any lawful maintenance expense in town parks	\$1,000.00	Balance Available for expenditure

CARRIED. UNANIMOUSLY.

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ARTICLE 4. It was moved, seconded and voted that the Town adopt the "Schedule of Compensation for Elected Officials" for the fiscal year beginning July 1, 2006.

ELECTED OFFICIALS FY 2007

Moderator	\$ 315.00
Select Board - Chairman	4,020.00
- Members	3,120.00
Town Clerk	33,130.00

CARRIED. UNANIMOUSLY.

ARTICLE 5. It was moved, seconded and voted that the amounts of money set forth in the printed report of the Finance Committee, for the Fiscal Year 2007 and totaling \$5,107,996.00 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		315
Expenses		119
		434
122 Select Board		
Salary-Elected		16,500
Expenses		5,200
		21,700
123 Town Manager		
Salaries		107,410
Expenses		9,200
		116,610
131 Finance Committee		
Expenses		175
		175
135 Accountant		
Salaries		36,076
Expenses		6,160
		42,236
139 Financial Audit		
Expenses		13,500
		13,500
141 Assessors		
Salaries		80,933
Expenses		14,950
		95,883
142 Tri Revaluation		
Expenses		0
		0
145 Town Treasurer		
Salaries		36,961
Expenses		12,600
		49,561
146 Town Collector		
Salaries		49,926
Expenses		8,340
		58,266
151 Town Counsel		
Expenses		35,000
		35,000
152 Telephone		
Expenses		16,600
		16,600
154 Recording Secretary		
Salary		3,195
		3,195
155 Interdepartmental Clerks		
Salaries		40,933
		40,933
157 Computer		
Expenses		7,650
		7,650
158 Postage		
Expenses		15,692
		15,692
159 Tax Title		
		5,000
		5,000

161	Town Clerk		
	Salary-Elected		33,130
	Salaries		25,644
	Expenses		2,245
			61,019
162	Elections		
	Salaries		7,565
	Expenses		5,125
			12,690
163	Registrars		
	Salaries		3,716
	Expenses		2,485
			6,201
171	Conservation Commission		
	Expenses		1,875
			1,875
175	Planning Board/Board of Appeals		
	Salary		18,458
	Expenses		450
			18,908
182	Industrial Development Commission		
	Expenses		1,000
			1,000
191	Old Dalton High		
	Salary		1,500
	Expenses		10,500
			12,000
195	Town Report		
	Expenses		6,650
			6,650
196	Town Hall		
	Salaries		38,688
	Expenses		51,286
			89,974
197	Central Supplies		
	Expenses		18,925
			18,925
	CATEGORY TOTAL		751,677
	Public Safety		
210	Police Department		
	Salaries		745,297
	Expenses		61,543
			806,840
222	Communications		
	Salaries		156,182
	Expenses		2,075
			158,257
240	Building Inspections		
	Salaries		34,482
	Expenses		1,450
			35,932
244	Sealer of Weights & Measures		
	Salary		1,143
	Expenses		225
			1,368
247	Inspector of Meat & Cattle		
	Salary		1,071
			1,071
292	Animal Control		
	Salaries		17,836
	Expenses		2,980
			20,816
293	Traffic Commission		
	Expenses		1
			1
294	Forest Warden		
	Salary		2,112
	Expenses		1,165
			3,277
295	Emergency Response		
	Salary		2,992
	Expenses		7,015
			10,007
296	Shade Tree/Tree Warden		
	Salary		1,800
	Expenses		16,284
			18,084
	CATEGORY TOTAL		1,055,653

Education		
320 Vocational Education		
Expenses		228,568
		228,568
CATEGORY TOTAL		228,568
Public Works		
401 Town Engineer		
Expenses		7,000
		7,000
420 Highway Department		
Salaries		312,201
Expenses		109,090
		421,291
423 Snow & Ice		
Salaries		25,200
Expenses		104,900
		130,100
424 Streetlights		
Expenses		72,875
		72,875
433 Sanitary Landfill		
Expenses		13,000
		13,000
434 Transfer Station		
Salaries		1,668
Expenses		34,800
		36,468
440 Sewer Maintenance (Offset Receipts)		
Salaries		13,500
Expenses		6,750
		20,250
449 Sewer Treatment Plant (Offset Receipts)		
Expenses		465,237
		465,237
491 Cemetery Department		
Salaries		71,050
Expenses		20,075
		91,125
CATEGORY TOTAL		1,257,346
Human Services		
510 Board of Health		
Salary		22,939
Expenses		1,291
		24,230
522 Visiting Nurse Association		
Expenses		11,582
		11,582
523 Berkshire Mental Health		
		2,000
		2,000
541 Council on Aging		
Salaries		83,400
Expenses		6,605
		90,005
543 Veterans' Services		
Salary		5,857
Expenses		10,300
		16,157
591 Berkshire Regional Planning Commission		
Expenses		4,172
		4,172
CATEGORY TOTAL		148,146
Culture and Recreation		
610 Library		
Salaries		114,809
Expenses		47,049
		161,858
630 Parks and Recreation		See Article #6
650 Parks Maintenance		
Salaries		24,038
Expenses		14,392
		38,430

691 Historical Commission Expenses	717
	717
692 Memorial Day Committee Expenses	1,970
	1,970
693 Cultural Activities	1,530
	1,530
CATEGORY TOTAL	204,505
Debt Service	
710B Bond Fees (Landfill)	500
	500
710L Debt and Interest (Landfill)	131,050
	131,050
710H Debt and Interest (Highway)	58,355
	58,355
710C Debt and Interest (Capital Improvement Program)	See Article #18
CATEGORY TOTAL	189,905
Other	
911 Berkshire County Retirement Assessment Expenses	330,882
	330,882
913 Unemployment Expenses	9,000
	9,000
914 Group Health Insurance Expenses	711,640
	711,640
915 Group Life Insurance Expenses	8,472
	8,472
916 Medicare Expenses	25,000
	25,000
919 Employment Benefits Salaries	15,000
Expenses	1,580
	16,580
941 Court Judgments & Claims Expenses	3,000
	3,000
945 Town Insurance Expenses	157,393
	157,393
950 Commissioner of Trust Funds Expenses	229
	229
998 Pension Reserve Fund Expenses	10,000
	10,000
CATEGORY TOTAL	1,272,196
ARTICLE TOTAL	5,107,996

CARRIED. UNANIMOUSLY.

ARTICLE 6. It was moved, seconded and voted that the Town raise and appropriate for the fiscal year beginning July 1, 2006, the sum of \$57,717.00 for the purpose of providing recreation and leisure time activities to the people of Dalton.

CARRIED. UNANIMOUSLY.

ARTICLE 7. It was moved, seconded and voted that the Town transfer \$55,000.00 from Free Cash in the Treasury to the Reserve Fund (Account 132) for the fiscal year beginning July 1, 2006.

CARRIED. UNANIMOUSLY.

ARTICLE 8. It was moved, seconded and voted that the Town raise and appropriate the sum of \$6,002,133.00 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, 2006.

CARRIED. UNANIMOUSLY.

ARTICLE 9. It was moved, seconded and voted that the Town raise and appropriate the sum of \$367,967.00 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, 2006.

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 10. It was moved, seconded and voted that the Town raise and appropriate the sum of \$256,190.00 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, 2006.

CARRIED. UNANIMOUSLY.

ARTICLE 11. It was moved, seconded and voted that the Town approve the vote of the Central Berkshire Regional District to borrow \$352,808.00 for extraordinary capital bonding to be used for capital expenses at Craneville School, Kittredge School, Nessacus Regional Middle School and Wahconah Regional High School.

CARRIED. MAJORITY VOICE VOTE.

It was moved from the floor, seconded and voted to address Article 23 at this time.

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 23. (This Article was submitted as required by law pursuant to a Town Meeting Citizen Petition). It was moved, seconded and voted that no action be taken under this Article.

CARRIED. MAJORITY VOICE VOTE.

ARTICLE 12. It was moved, seconded and voted that the Town reauthorize employment agreements between the Town and the Highway/Cemetery Superintendent, the Highway/Cemetery Foreman, and the Police Sergeant, all of which include annual salaries that were previously funded under Article 5 hereinabove.

CARRIED. UNANIMOUSLY.

ARTICLE 13. It was moved, seconded and voted that the Town accept as a Town Way, the right of way of South Street as shown on the "PLAN OF ALTERATION OF SOUTH STREET, TOWN OF DALTON, BERKSHIRE COUNTY, MASSACHUSETTS", dated January 9, 2006 prepared by Sackett Survey Services, Inc., and authorize the Select Board to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Dalton, and the utilities within said way.

TWO-THIRDS VOTE REQUIRED

CARRIED. DECLARED 2/3 VOTE.

ARTICLE 14. It was moved, seconded and voted that the Town amend the Town Bylaws Chapter 23, Animals, by inserting a new section 3:g, to provide as set forth below, and to renumber the remaining subsections accordingly: "The owner or keeper of dogs for the purpose of rehabilitation or adoption, upon the submission of written proof from a licensed animal rescue league or animal hospital may be issued a single license for use with multiple animals kept consecutively within any license period; provided, however, that if such owner or keeper keeps more than one animal at the same time, the owner or keeper must obtain an additional license for each additional animal, and pay the annual fee for the same as established by the Select Board pursuant to subsection 3:g."

CARRIED. UNANIMOUSLY.

ARTICLE 15. It was moved, seconded and voted that the Town adopt a bylaw regarding provision of street listing information that provides substantially as follows:

“An innholder, keeper of a lodging house or public lodging house licensed thereunder, multi-dwelling unit owner, and administrator of a nursing home or of a rest home, as defined in M.G.L. Chapter 51 §10A, shall deliver to the Board of Registrars the reports required by M.G.L. Chapter 51 §10A in the detail and manner and within the time required by the Board of Registrars in accordance with its authority as provided by M.G.L. Chapter 51. Violations of this bylaw shall be punished pursuant to M.G.L. Chapter 40, §21 and §21D, and Town Bylaw, Enforcement, Section A, by a fine of up to \$300.00, and pursuant to Town Bylaw, Enforcement, Section B, by Non-Criminal Disposition. And further, to amend Town Bylaw, Enforcement, Section B, Non-Criminal Disposition Schedule under Chapter 40, §21D, to reflect the above referenced fine and Non-Criminal Disposition Fine Schedule as follows: First Offense \$100.00, Second Offense \$200.00, Third and Subsequent Offenses \$300.00, and to list the Town Clerk or designee, or any police officer of the town as the “Enforcement Officer”.

CARRIED. UNANIMOUSLY.

ARTICLE 16. It was moved, seconded and voted that the Town adopt a bylaw regarding filing of so-called “dba” certificates that provides substantially as follows:

“Any person conducting business in the Commonwealth of Massachusetts under any title other than the real name of the person conducting the business, whether individually or as a partnership, whose office is situated in the Town of Dalton shall file in the office of the Town Clerk, a certificate stating the full name and residence of each person conducting such business, the place, including street and number, where, and the title under which it is conducted, and shall amend and/or renew said certificate from time to time, and pay the appropriate fee, as required by M.G.L. Chapter 110 §5. Violations of this bylaw shall be punished pursuant to M.G.L. Chapter 40, §21 and §21D and Town Bylaw, Enforcement, Section A, by a fine of up to \$300.00, and pursuant to Town Bylaw, Enforcement, Section B, by Non-Criminal Disposition. And further, to amend Town Bylaw, Enforcement, Section B, Non-Criminal Disposition Schedule under Chapter 40, §21D, to reflect the above referenced fine and Non-Criminal Disposition Fine Schedule as follows: First Offense \$100.00, Second Offense \$200.00, Third and Subsequent Offenses \$300.00, and to list the Town Clerk or designee, or any police officer of the town as the “Enforcement Officer”.

CARRIED. UNANIMOUSLY.

ARTICLE 17. It was moved, seconded and voted that the Town transfer from Free Cash in the Treasury the sum of \$600,000.00 for the purpose of reducing the expected tax rate increase in the 2007 fiscal year.

CARRIED. UNANIMOUSLY.

ARTICLE 18. It was moved, seconded and voted that the Town transfer from the Capital Stabilization Fund, the sum of \$181,346.00 for the purpose of paying the principal and interest on debt incurred under the Capital Improvement Program, due and payable in the 2007 fiscal year.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 19. It was moved, seconded and voted that the Town transfer from Free Cash in the Treasury, the sum of \$375,000.00 to the Capital Projects Stabilization Fund.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 20. It was moved, seconded and voted that the Town transfer from Free Cash, the sum of \$100,000.00 to the General Stabilization Fund.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 21. It was moved, seconded and voted that the Town transfer from Free Cash, the sum of \$25,000.00 to the Litigation Stabilization Fund.

TWO-THIRDS VOTE REQUIRED

CARRIED. UNANIMOUSLY.

ARTICLE 22. (This Article, which amends a portion of the Zoning By-Law was initiated by the landowner). It was moved, seconded and voted that the Town amend a portion of the "Zoning Map, Town of Dalton, Massachusetts", dated May 2, 1974, effective September 16, 1974 as amended and described in Section 3.2 of the "Zoning Bylaw, Town of Dalton, Massachusetts", dated October 3, 1994, in the following manner: "Re-zone the entire area of Lot 47 as shown on the Assessor's Map 121, consisting of approximately 7.6 Acres from B-1 Business to R-2 Residential.

TWO-THIRDS VOTE REQUIRED

CARRIED. YES-89 NO-14

ARTICLE 24. It was moved , seconded and voted that the Town appropriate the sum of \$25,000.00 from Free Cash in the Treasury to the Reserve Fund for the purpose of paying for extraordinary and unforeseen expenses through the end of the 2006 fiscal year.

CARRIED. UNANIMOUSLY.

ARTICLE 25. It was moved, seconded and voted that the Town recess until Monday, May 8, 2006 at 10:00 O'CLOCK A.M. to meet in the DALTON COMMUNITY HOUSE where we will Choose and Elect the following Town Officers:

- (1) Member(s) - Select Board For 3 Years
- (1) Town Clerk 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 10:10 p.m.

Barbara L. Suriner, TOWN CLERK