

TOWN OF DALTON
ANNUAL TOWN MEETING
NESSACUS REGIONAL MIDDLE SCHOOL - JUNE 22, 2020 - 7:00 P.M.

The Moderator, Anthony P. Doyle, called the Meeting to order at 7:16 p.m.

Michele Blake, Jean Gingras, Judy Wagner, Judy Condron, Maureen M. Mitchell, Patrick Pettit, Karen Schnopp and Alecia Herrick, were appointed checkers and tellers. There was a total of 7 Non-Resident Guests and 80 Registered Voters checked at the door as follows:

PRECINCT 1 - 26
PRECINCT 2 - 54

It was moved, seconded and voted to waive the complete reading of the Warrant.

CARRIED. UNANIMOUSLY.

ARTICLE 1. To change the location for all town election voting from the Dalton Community Recreation Association at 400 Main Street to the Dalton Senior Center located at 40 Field Street Extension.

FAILED MAJORITY

ARTICLE 2. A Motion to Amend was made by Joseph Diver, seconded and voted to delete the last sentence of Section F (1) "**Animals that provide emotional support shall not qualify for the purposes of this section.**"

YES: 30 NO: 24

CARRIED

ARTICLE 2. It was moved, seconded and voted to amend Chapter 23 of the Town's General Bylaws relating to the exemption from dog licensing fees for service animals, as shown below, deleting the strikethroughs and adding the bold text as set forth herein

§ 23-3. License requirements; fees; exceptions.

E. All ferrets, dogs and cats six months of age or older must be currently vaccinated against rabies as per MGL c. 140, § 145B.

F. The annual fee for every animal license, multiple-pet permit, and commercial kennel license, and all fines relevant to animal control shall be established by the Select Board.

(I) No fee shall be charged for a license for any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. ~~A dog specifically trained to lead or serve a blind or deaf person, provided that the Division of the Blind or Deaf certifies that such dog is so trained and actually in the service of a blind or deaf person.~~ Other species of animals whether wild or domestic, trained or untrained, are not service animals for the purposes of this section.

The work or tasks for the benefit of an individual with a disability might include, but is not limited to: assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; providing non-violent protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to individuals with mobility disabilities; and helping persons with

psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

(2) The owner or keeper of dog(s) for the purpose of rehabilitation and 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 established by the Select Board pursuant to Subsection G.

G. The registering, numbering, describing and licensing of animals shall be performed in the office of the Town Clerk, on a form prescribed and supplied by the Town, and shall be subject to the condition expressed therein that the dog so licensed shall be controlled and restrained from killing, chasing or harassing livestock or fowl.

H. No license fee shall be refunded in whole or in part for any reason.

I. Should any owner or keeper of an animal fail to license that animal as required under MGL Chapter 140, before February 1, the owner or keeper shall pay a late fee as established by the Select Board before obtaining said license, except for a dog brought into the Town as provided by MGL c. 140, § 138. This late fee shall be applicable from the 31st day after arrival of such dog. Any person maintaining a commercial kennel in the Town of Dalton who fails to license as prescribed by this section and the laws of the commonwealth shall pay a late fee as established by the Select Board, commencing February 1. [Amended 11-19-2007 STM by Art. 2, approved 1-3-2008; 9-22-2008 STM by Art. 3]

J. The owner or keeper of a licensed animal shall cause it to wear around its neck or body a collar or harness to which shall be securely attached a tag issued by the Town Clerk at the time of licensing.

K. In addition to all other sums due and owing for any license fee hereunder, a person who applies for a license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this bylaw, for past periods in which said person was obligated to obtain a license. It shall be a violation of the bylaw to fail to pay any said sum due hereunder. This remedy shall be cumulative.

PASSED

MAJORITY

ARTICLE 3. It was moved, seconded and voted that the Town fix the maximum amount that may be spent during fiscal year 2021 beginning on July 1, 2020 for the revolving funds established in town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E 1/2, as follows:

<u>Revolving Fund</u>	<u>FY21 Spending Limit</u>	<u>Disposition of Fund Balance</u>
Plumbing Inspector	\$15,000.00	Balance Available for expenditure
Electrical Inspector	\$10,000.00	Balance Available for expenditure
Tree Warden/ Planning Board	\$5,000.00	Balance Available for expenditure
Cemetery Department	\$2,500.00	Balance up to \$2,500.00 available for expenditure, remainder reverts to the General Fund

Council on Aging - Transportation	\$20,000.00	Balance Available for expenditure
Council on Aging - Programs	\$15,000.00	Balance Available for expenditure
Cemetery Department	\$5,000.00	Balance Available for expenditure
Legal Advertising	\$3,000.00	Balance up to \$3,000 available for expenditure, remainder reverts to the General Fund
Parks Maintenance	\$2,000.00	Balance Available for expenditure
Highway Department (Boom Mower)	\$9,000.00	Balance Available for expenditure

PASSED

MAJORITY

ARTICLE 4. It was moved, seconded and voted the Town adopt the "Schedule of Compensation for Elected Officials" for the fiscal year beginning July 1, 2020 as follows: Moderator \$413, Town Clerk \$55,847, Select Board Chairman \$4,832, other Select Board members \$3,845 each.

PASSED

UNANIMOUSLY

ARTICLE 5. It was moved, seconded and voted the amounts of money set forth in the printed report of the Finance Committee, for Fiscal Year 2021 and totaling \$8,078,091 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.

FY2020 FY2021

ARTICLE 4: SCHEDULE OF COMPENSATION

Elected Officials		
Moderator	405	413
Select Board-Chairman	4,737	4,832
Members (4) @ 3,845/ea FY21	3,770	3,845
Town Clerk	53,490	55,847

ARTICLE 5: TOWN OPERATING BUDGET

General Government

114 Moderator		
Salary	405	413
Expenses	100	100
	505	513
122 Select Board		
Salaries-Elected	19,817	20,212
Expenses	3,657	3,657
	23,474	23,869

123 Town Manager		
Salaries (Town Mgr.+Adm Ass't combined)	153,111	163,353
Expenses	7,309	7,309
	160,420	170,662
131 Finance Committee		
Expenses	185	1,685
	185	1,685
132 Reserve Fund		
Expenses	See Article #9	See Article #10
135 Accountant		
Salary	72,095	74,899
Expenses	10,214	10,606
	82,309	85,505
138 Group Purchasing		
Expenses	1,000	800
	1,000	800
139 Financial Audit		
Expenses	-	16,000
	-	16,000
141 Assessors		
Salaries	92,525	95,570
Expenses	20,970	19,995
	113,495	115,565
142 Revaluation Certification		
Expenses	18,800	-
	18,800	-
145 Town Treasurer		
Salaries	89,984	93,829
Expenses	60,748	24,675
	150,732	118,504
146 Town Collector		
Salaries	86,018	90,263
Expenses	13,265	13,265
	99,283	103,528
151 Town Counsel		
Expenses	60,000	60,000
	60,000	60,000
152 Telephone		
Expenses	20,900	23,500
	20,900	23,500

154 Recording Secretary		
Salaries	7,041	7,184
	7,041	7,184
157 Computer		
Expenses	17,000	27,000
	17,000	27,000
158 Postage		
Expenses	17,875	17,875
	17,875	17,875
159 Tax Title		
Expenses	2,500	2,500
	2,500	2,500
161 Town Clerk		
Salary-Elected	53,490	55,847
Salaries	36,189	37,732
Expenses	10,850	11,950
	100,529	105,529
162 Elections		
Salaries	6,475	9,584
Expenses	9,040	12,495
	15,515	22,079
163 Registrars		
Salaries	7,761	8,580
Expenses	3,936	4,100
	11,697	12,680
171 Conservation Commission		
Expenses	1,921	1,921
	1,921	1,921
175 Planning Board /Board of Appeals		
Salary	39,139	47,683
Expenses	2,100	2,100
	41,239	49,783
182 Development & Industrial Commission		
Expenses	1,300	1,300
	1,300	1,300
192 Buildings Maintenance		
Salary	61,684	63,696
Expense	14,055	14,055
	75,739	77,751
195 Town Report		
Expenses	6,650	6,650
	6,650	6,650

196 Town Hall		
Salaries	7,200	7,200
Expenses	95,600	96,200
	102,800	103,400
197 Central Supplies		
Expenses	16,000	16,000
	16,000	16,000
CATEGORY TOTAL	1,148,909	1,171,783
Public Safety		
210 Police Department		
Salaries	899,490	923,325
Expenses	100,525	101,704
	1,000,015	1,025,029
222 Communications		
Salaries	208,451	208,554
Expenses	9,475	11,990
	217,926	220,544
240 Building Inspections		
Salaries	46,455	47,147
Expenses	6,600	6,730
	53,055	53,877
244 Sealer of Weights & Measures		
Salary	2,066	2,107
Expenses	5,100	5,100
	7,166	7,207
247 Inspector of Animals		
Salary	1,604	1,629
Expenses	-	-
	1,604	1,629
292 Animal Control		
Salaries	21,909	22,257
Expenses	4,655	5,500
	26,564	27,757
293 Traffic Commission		
Salaries	-	-
Expenses	1,500	1,500
	1,500	1,500
294 Forest Warden		
Salaries	1,786	1,822
Expenses	1,950	1,950
	3,736	3,772

295 Emergency Management		
Salary	2,476	2,526
Expenses	10,047	10,047
	12,523	12,573
296 Shade Tree/Tree Warden		
Salary	2,328	2,375
Expenses	20,390	20,390
	22,718	22,765
CATEGORY TOTAL	1,346,807	1,376,653
Education		
320 Vocational Education		
Expenses	579,168	607,557
	579,168	607,557
CATEGORY TOTAL	579,168	607,557
Public Works		
401 Town Engineer		
Expenses	20,000	20,000
	20,000	20,000
420 Highway Department		
Salaries	324,421	332,705
Expenses	137,148	138,248
	461,569	470,953
423 Snow & Ice		
Salaries	27,812	27,812
Expenses	131,610	131,610
	159,422	159,422
424 Streetlights		
Expenses	52,384	43,508
	52,384	43,508
433 Landfill Monitoring		
Expenses - Balance of Account #991	See Article #11	See Article #12
Expenses		5,002
		5,002
434 Transfer Station		
Expenses	21,805	37,055
	21,805	37,055

440 Sewer Maintenance (Offset Receipts)		
Salaries	95,571	97,805
Expenses	23,050	23,050
	118,621	120,855
449 Wastewater Treatment (Offset Receipts)		
Salaries	852	868
Expenses	981,053	981,053
	981,905	981,921
491 Cemetery Department		
Salaries	67,483	67,340
Expenses	22,004	22,004
	89,487	89,344
CATEGORY TOTAL	<u>1,905,193</u>	<u>1,928,060</u>
Human Services		
510 Board of Health		
Salary	50,589	53,106
Expenses	6,926	6,926
	57,515	60,032
522 Public Health Nurse		
Salary	-	-
Expenses	6,167	6,309
	6,167	6,309
523 Mental Health Sevices		
Expenses	-	-
	-	-
541 Council on Aging		
Salaries	108,746	113,497
Expenses	40,422	41,220
	149,168	154,717
543 Veterans' Services		
Salary	-	-
Expenses	124,693	125,604
	124,693	125,604
591 Berkshire Regional Planning Commission		
Expenses	15,383	15,518
	15,383	15,518
CATEGORY TOTAL	<u>352,926</u>	<u>362,180</u>

Culture and Recreation

610 Library

Salaries	133,640	137,409
Expenses	67,805	67,805
	201,445	205,214

630 Parks and Recreation

See Article #5

See Article #6

650 Parks Maintenance

Salaries	33,541	33,873
Expenses	16,914	16,914
	50,455	50,787

691 Historical Commission

Expenses	3,800	4,300
	3,800	4,300

692 Memorial Day Committee

Expenses	1,970	1,970
	1,970	1,970

693 Cultural Activities

Expenses	2,500	2,500
	2,500	2,500

CATEGORY TOTAL**260,170****264,771****Debt Service**

710-B(L) Bond Fees

500	-
500	-

710-C Debt and Interest (Capital Imp. Program)

217,001	238,106
217,001	238,106

710-EXCL (Capital Imp. Program)

909,478	418,082
909,478	418,082

710-S&D Sewers and Drains

116,012	111,639
116,012	111,639

CATEGORY TOTAL**1,242,991****767,827****Other**

911 Berkshire County Retirement Assessment

Expenses	452,466	501,821
	452,466	501,821

913 Unemployment

Expenses	5,000	5,000
	5,000	5,000

914 Group Health Insurance		
Expenses	737,950	764,272
	737,950	764,272
915 Group Life Insurance		
Expenses	15,271	15,273
	15,271	15,273
916 Medicare		
Expenses	41,000	41,000
	41,000	41,000
919 Employment Benefits		
Salaries	37,180	46,180
Expenses	2,100	2,114
	39,280	48,294
941 Court Judgments & Claims		
Expenses	3,000	3,000
	3,000	3,000
945 Town Insurance		
Expenses	210,100	220,400
	210,100	220,400
950 Commissioner of Trust Funds		
Expenses	200	200
	200	200
CATEGORY TOTAL	<u>1,504,267</u>	<u>1,599,260</u>
ARTICLE 5: TOTAL	<u>8,340,431</u>	<u>8,078,091</u>
ARTICLE 6: RECREATION (CRA)	60,125	60,125
EDUCATION		
Central Berkshire Regional School District		
ARTICLE 7 Operating Budget	7,818,789	8,145,750
ARTICLE 8: Transportation Budget	406,174	390,567
ARTICLE 9: Capital Budget	164,265	1,374,948
CATEGORY TOTAL	<u>8,389,228</u>	<u>9,911,265</u>
FREE CASH USE		

ARTICLE 10: RESERVE FUND	65,000	65,000
ARTICLE 11: REDUCE TAX RATE	200,000	200,000
ARTICLE 14: STABILIZATION FUNDS		
CAPITAL	150,000	50,000
GENERAL	100,000	140,000
LITIGATION	50,000	10,000
SEWER	200,000	200,000
SUB TOTAL	500,000	400,000
ARTICLE 15: OPEB TRUST	600,000	300,000
ARTICLE 17: PRIOR YEAR BILL	1,355	1,201
CATEGORY TOTAL	1,366,355	966,201
TRANSFERS		
ARTICLE 12: TO LANDFILL MONITORING	15,852	11,134
CATEGORY TOTAL	15,852	11,134

PASSED MAJORITY

ARTICLE 6. It was moved, seconded and voted that the Town raise and appropriate the sum of \$60,125 for the fiscal year beginning July 1, 2020, for the purpose of providing recreation and leisure time activities to the people of Dalton; or to take any other action in relation thereto.

PASSED MAJORITY

ARTICLE 7. It was moved, seconded and voted that the Town raise and appropriate a sum \$7,818,789 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, 2020;

A Motion to Amend was made by Richard Lacatell, Seconded and voted to substitute \$8,145,750 for \$7,818,789 in the main motion for the CBRSD Operating Budget.

YES: 38 NO: 36

AMENDMENT PASSED

ARTICLE 7. It was moved, seconded and voted that the Town raise and appropriate \$8,145,750 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, 2020; or to take any other action in relation thereto, as amended above.

YES: 39

NO: 34

PASSED

ARTICLE 8. It was moved, seconded and voted that the Town raise and appropriate \$390,567 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, 2020.

PASSED

ARTICLE 9. It was moved, seconded and voted that the Town raise and appropriate \$1,374,948 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, 2020.

PASSED

ARTICLE 10. It was moved, seconded and voted that the Town transfer from Free Cash, \$65,000 to the Reserve Fund (Account 132) for the fiscal year 2021 beginning July 1, 2020.

PASSED

ARTICLE 11. It was moved, seconded and voted that the Town transfer or appropriate \$200,000 from free cash in the treasury for the purpose of reducing the expected tax rate increase in the 2021 fiscal year.

PASSED

ARTICLE 12. It was moved, seconded and voted to transfer \$11,134 from the Landfill Monitoring Account # 991 to the Landfill Closure Account #434 for the fiscal year beginning July 1, 2020.

PASSED

ARTICLE 13. It was moved, seconded and voted that the Town take no action on this Article.

PASSED

ARTICLE 14. It was moved, seconded and voted that the Town transfer \$400,000 from free cash in the treasury in the following amounts to each of the following Stabilization Funds: \$200,000 to the Sewer Stabilization Fund, \$140,000 to the General Stabilization Fund, \$10,000 to the Litigation Stabilization Fund, and \$50,000 to the Capital Stabilization Fund.

PASSED

ARTICLE 15. It was moved, seconded and voted to transfer the sum of \$300,000 from Free Cash in the Treasury to the Other Post-Employment Benefits Trust Fund for the purpose of reducing the unfunded actuarial liability of health care and other post-employment benefits;

PASSED

ARTICLE 16. 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, and the Police Sergeant.

PASSED

ARTICLE 17. It was moved, seconded and voted to authorize payment of an unpaid bill of \$1,201 to the Berkshire Regional Planning Commission for FY'19 Stormwater Management Technical Assistance pursuant to the requirements of Massachusetts General Laws Chapter 44, section 64.

PASSED

ARTICLE 18. Motion to amend the amount of \$645,000 to \$545,000 in Article 18 was moved, seconded and voted.

PASSED

It was moved, seconded and voted to appropriate \$545,000 for the Fiscal Year 2021 Capital Improvement Program; including borrowing costs associated with said program and all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said sum under G.L. c.44, §7(3A) or any other enabling authority and that the Select Board is authorized to take any other action necessary to carry out this project;

TWO-THIRDS VOTE REQUIRED

Department	Item	Budget
Highway	5-Ton Plow Truck & related equipment	\$250,000
	Installation & acquisition of Pedestrian Flashers at River & Depot Streets	\$70,000
	Ford Transit Connect Van	\$25,000
Council on Aging	Rewire IT system	\$200,000
Town Hall	TOTAL	<u>\$545,000</u>

PASSED

DECLARED TWO-THIRDS

ARTICLE 19. It was moved, seconded and voted to appropriate up to the sum of \$244,645 from available funds to be reimbursed by a grant from the Commonwealth of Massachusetts in accordance with Chapter 90 Section 34 of the Massachusetts General Laws.

PASSED

ARTICLE 20. It was moved, seconded and voted to transfer \$7,004 from salaries to expenses, and to transfer \$28,385 from Free Cash in the Treasury to fund additional expenses in department #423 Snow and Ice incurred under the provisions of Massachusetts General Laws Chapter 44 Section 31D in Fiscal Year 2020.

PASSED

ARTICLE 21. It was moved, seconded and voted to appropriate and or transfer \$85,950 from the Capital Stabilization Fund, for the costs, as set forth related to the Fiscal Year 2021 annual element of the Capital Improvement Program.

TWO-THIRDS VOTE REQUIRED

Department	Item	Budget
Police	Replace 20 Portable Radios	\$28,000
	Upgrade 4 Mobile Data Terminals, replace 3 laptops, install new Windows software on 10 laptops	\$7,894
Communications	Replace, upgrade, move 25 year old switch	\$4,509
Highway	3 Scag Mowers for use in parks & cemeteries	\$30,000
Bldg. Maintenance	Replace storage shed at Senior Center	\$8,537
Town Hall	Replace door to second floor "tower" with code compliant model	\$7,010
	TOTAL	<u>\$85,950</u>

PASSED

DECLARED TWO-THIRDS

ARTICLE 22. It was moved, seconded and voted to authorize the Select Board to (i) negotiate and enter into an agreement for payments-in-lieu-of-taxes ("PILOT") pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, for both real property and personal property associated with a privately owned and operated solar photovoltaic facility to be located on the property owned by Berkshire Concrete and commonly known as the Dalton Gravel Pit (Assessor 's Map 217, Parcel 3, Assessor's Map105, Parcel 12 and Assessor's Map 105, Parcel 16), for a term of up to thirty (30) years on such terms and conditions as the Select Board deems to be in the best interest of the Town; and (ii) take all actions necessary to implement and administer such agreement.

PASSED

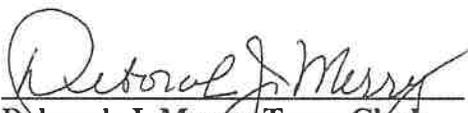
ARTICLE 23. It was moved, seconded and voted that the Town recess until MONDAY, JUNE 29, 2020 at 10:00 O'CLOCK A.M. to 8:00 O'CLOCK P.M. to meet in the DALTON COMMUNITY HOUSE, to choose and elect the following Town Officers the determination of such other matters as are by law required to be determined by ballot.

- | | | |
|-----|---------------------------|-------------|
| (2) | MEMBER(S) SELECT BOARD | FOR 3 YEARS |
| (1) | MODERATOR | FOR 1 YEAR |
| (2) | MEMBER(S) PLANNING BOARD | FOR 3 YEARS |
| (1) | CEMETERY TRUSTEE | FOR 3 YEARS |
| (3) | LIBRARY TRUSTEES | FOR 3 YEARS |
| (3) | MEMBERS FINANCE COMMITTEE | FOR 3 YEARS |

PASSED

Meeting dissolved at 8:38 p.m.

ATTEST


 Deborah J. Merry, Town Clerk