

**TOWN OF DALTON
BERKSHIRE COUNTY, MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT**

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required and directed to notify and warn the inhabitants of the Town of Dalton, qualified by law to vote in the Elections and Town Affairs, to meet in the:

**WAHCONAH REGIONAL HIGH SCHOOL
150 OLD WINDSOR ROAD, DALTON, MA
MONDAY, MAY 5, 2025 AT 7:00 P.M.**

Then and there to act on the following articles:

- ARTICLE 1.** To see if the Town, in accordance with Massachusetts General Laws Chapter 44, Section 53E½, will fix the maximum amounts that may be spent during the fiscal year beginning on July 1, 2025 for the revolving funds established in town by-laws, as on file and available for viewing in the office of the Town Clerk, for certain departments, boards, committees, agencies or officers, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; or to take any other action in relation thereto.
- ARTICLE 2.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the "Schedule of Compensation for Elected Officials" for the fiscal year beginning July 1, 2025; or to take any other action in relation thereto.
- ARTICLE 3.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money, including without limitation, appropriations from Sewer User Fees, for the purpose of defraying charges and expenses and debt service for the fiscal year beginning July 1, 2025; or to take any other action in relation thereto.
- ARTICLE 4.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money 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, 2025; or to take any other action in relation thereto.
- ARTICLE 5.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money 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, 2025; or to take any other action in relation thereto.
- ARTICLE 6.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money 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, 2025; or to take any other action in relation thereto.
- ARTICLE 7.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money to the Reserve Fund for the fiscal year beginning July 1, 2025; or to take any other action in relation thereto.
- ARTICLE 8.** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the purpose of reducing or offsetting the expected tax rate increase in the fiscal year beginning July 1, 2025; or to take any other action in relation thereto.

ARTICLE 9. To see if the Town will appropriate a sum of money 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, and any other enabling statute, for the purposes of highway maintenance, repaving, and similar roadway expenditures; and further, to authorize the Select Board to enter into contracts or grant agreements with the Commonwealth of Massachusetts for such purposes as necessary; or to take any other action in relation thereto.

ARTICLE 10. To see if the Town will transfer from the Sewer Stabilization Fund a sum of money to pay the City of Pittsfield for the additional costs of sewage treatment in the 2024 fiscal year; or to take any other action in relation thereto.

ARTICLE 11. To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money to each of the following Stabilization Funds: General Stabilization Fund, Capital Stabilization Fund, Legal Stabilization Fund, and Sewer Stabilization Fund; or to take any other action in relation thereto.

ARTICLE 12. To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum of money to the Other Post-Employment Benefits Liability Trust Fund to reduce the unfunded actuarial liability of health care and other post-employment benefits; or to take any other action in relation thereto.

ARTICLE 13. To see if the Town will rescind the vote taken under Article 1 of the May 1, 2017 Annual Town Meeting authorizing the demolition of the old Dalton High School and sale of the property for redevelopment for houses in accordance with the Zoning By-laws of the Town at that site; or to take any other action in relation thereto.

(TWO-THIRDS VOTE REQUIRED)

ARTICLE 14. To see if the Town will vote to amend the General Bylaws, by inserting a new Tax Title Payment Agreements Bylaw after Chapter 296 (“Taxation”), for the purpose of authorizing the Treasurer to enter into written tax payment installment agreements, subject to certain terms and conditions, pursuant to M.G.L. Chapter 60, Section 62A, with the proposed bylaw on file and available for viewing in the Town Clerk’s Office, and further to authorize the Town Clerk’s office to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the Bylaws; or to take any other action in relation thereto.

ARTICLE 15. To see if the Town will accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause Twenty-second I, increasing the amount of the tax exemption granted to veterans on their domiciles under Clause Twenty-second, Clause Twenty-second A, Clause Twenty-second B, Clause Twenty-second C, Clause Twenty-second E and Clause Twenty-second F of General Law Chapter 59, Section 5, annually by a cost-of-living adjustment (COLA) determined by the Department of Revenue (DOR) based on the Consumer Price Index, to be effective for any fiscal year beginning on or after July 1, 2025; or to take any other action in relation thereto .

ARTICLE 16. To see if the Town will accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause Twenty-second J, increasing the tax exemption granted to veterans on their domiciles under Clause Twenty-second, Clause Twenty-second A, Clause Twenty-second B, Clause Twenty-second C, Clause Twenty-second E and Clause Twenty-second F of General Law Chapter 59, Section 5, by an amount equal to 100 percent of the exemption provided thereunder, subject to the conditions in Clause Twenty-second J, to be effective for any fiscal year beginning on or after July 1, 2025; or to take any other action in relation thereto.

ARTICLE 17. To see if the Town will accept the provisions of Massachusetts General Laws Chapter 200A, Section 9A, to provide an alternative procedure for disposing of abandoned funds held in the custody of the town; or to take any other action in relation thereto.

ARTICLE 18. To see if the Town will instruct the Dalton Cemetery Trustees to allow Green Burials at Ashuelot Cemetery and to create rules and regulations governing such burials; or to take any other action relative thereto.

ARTICLE 19. To see if the Town will authorize the Select Board to sell the landlocked parcel of land of 9.5 acres, more or less, identified as Assessors' Lot 215-13, off North Street; or to take any other action relative thereto.

(TWO-THIRDS VOTE REQUIRED)

ARTICLE 20. To see if the Town will pay a invoice from Training Force USA in the amount of \$202.00 from a prior fiscal year; or to take any other action relative thereto.

(FOUR-FIFTHS VOTE REQUIRED)

ARTICLE 21. To see if the Town will amend Section 350-39.1 (Accessory Dwelling Units) of the Town's Zoning Bylaw, as follows, with additions in underline text and deletions struck through; or to take any other action relative thereto.:

A. Purposes:

- (1) To create more housing options for Town residents.
- (2) Provide homeowners with a separate space for family, companionship, security, or service providers.
- (3) Downsize option for people who decide to remain comfortably on their property.
- (4) Provide homeowners with an opportunity for supplemental income.

B. Definitions:

ACCESSORY DWELLING UNIT (ADU)

A residential living unit on the same parcel as a single-family or two-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, or a unit that is part of an expanded or remodeled primary dwelling.

C. Intent; conditions for authorization.

(1) ~~Notwithstanding any restrictions contained in § 350-38:~~ An accessory dwelling unit within, or attached to, any single- or two-family dwelling or within any ~~in a~~ newly constructed or existing detached ~~existing~~ structure shall be authorized as of right in single-family residential zoning districts R-1, R-2, R-3, R-4, B-1, and B-2 Zones; provided that the following conditions are met.

A newly constructed detached accessory dwelling unit to any single- or two-family dwelling shall be authorized by special permit from SPGA in R-1, R-2, R-3, and R-4, B1 and B-2 zones; provided that the following conditions are met.

- (a) ADUs may not be in separate ownership from the main residence.
- (b) ~~The property must be the principal residence of the owner of the property.~~
- (b) Maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.
- (c) Only one accessory dwelling unit shall be allowed on a residential lot.

[1] A detached ADU shall not be located in the required front yard, nor any part of an ADU located between the front of the main dwelling and the street where frontage is located. (moved to section (H) [1])

(e) ~~The accessory dwelling unit shall be designed so that the appearance of the building(s) remains consistent with the residential and rural character of the neighborhood. Exterior changes made must conform to the existing architectural elements of the residence and detached structure.~~

(d) The gross floor area of a detached accessory dwelling unit is not larger in floor area than 1/2 of the floor area of the principal dwelling or 900 square feet, whichever is smaller (stairwell access, porches, patios, shall not be included in the computation).

(f) ~~An addition or remodel to an original dwelling is permitted, provided that the accessory dwelling unit shall be clearly a subordinate part of the dwelling with any addition being not more than 1/3 of the floor area of the principal dwelling or 900 square feet, whichever is smaller (excluding unfinished attic and basement, garage, porch, patio).~~

(e) An existing accessory structure or portion thereof may be converted to an accessory dwelling unit as long as the converted portion is no larger than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller.

[1] Any existing accessory structure that is deemed nonconforming shall require a special permit from SPGA.

(f) (f) One off-street parking space shall be provided for the ADU, conforming to the schedule in 35040 and 35041.

(1) No additional parking spaces are required for ADUs, located within a 1/2 mile of a Transit Station as defined by 760 CMR 71.02.

(g) (g) The construction of the accessory dwelling unit shall conform to all applicable standards in the State Sanitary, Building and other applicable codes required for a residential dwelling.

(h) (h) ADUs will shall follow the rules dimensional requirements for residential structures such as for setbacks, lot coverage, bulk and height, conforming to § 350-24, Table of Dimensional Requirements, 350 Attachment 21 and 350 Attachment 4, Illustrative Lot Layout.

(1) A detached ADU shall not be located in the required front yard, nor any part of an ADU located between the front of the main dwelling and the street where frontage is located. (moved from section "C")

(TWO-THIRDS VOTE REQUIRED)

ARTICLE 22. To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of funding the following items from the Fiscal Year 2026 Capital Program, including all incidental and related costs; or to take any other action in relation thereto:

- 1) a cruiser for the Police Department; and
- 2) a truck with catch basin cleaning and sewer flushing equipment for the Department of Public Works.

ARTICLE 23. To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of funding the Fiscal Year 2026 Capital Program as follows, including all incidental and related costs; or to take any other action in relation thereto:

Fiscal Year 2026:

Department of Public Works:

a Sidewalk Scan project to analyze and grade the condition of sidewalks throughout Town;

Buildings and Grounds Department:

painting the walls on the second floor in Town Hall;
improvements to Town Hall plumbing;
a replacement chair lift;

Town Manager's office:

an update to the Town's wage and classification system;

Senior Center:

an upgrade to the audio system.

ARTICLE 24. To see if the Town will authorize borrowing for Fiscal Year 2026 capital expenses listed below, including all costs incidental or related thereto and including all borrowing costs associated therewith; and further, to authorize the Treasurer, with the approval of the Select Board, to borrow said sum under Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, and that the Select Board is authorized to take any other action necessary to carry out this project; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or to take any other action in relation thereto.

- 1) Town Hall improvements, including an upgrade to the heating, ventilation, and air conditioning capacity and associated expenses.

(TWO-THIRDS VOTE REQUIRED)

ARTICLE 25. To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court to amend the first paragraph of Section 5 of Chapter 137 of the Acts of 1995 (AN ACT PROVIDING FOR A TOWN MANAGER IN THE TOWN OF DALTON) by removing the requirement that the town manager become a Town resident, as follows; provided that that the General Court may make clerical or editorial changes of form only to the bill, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

“The Select Board, by a majority vote of its full membership, shall appoint a Town Manager who shall be a professionally qualified person especially fitted by education, training, and previous full-time experience to perform the duties of the office. He/she shall be a citizen of the United States ~~and, although he/she need not be a resident of the Town or Commonwealth when appointed, shall become a resident of the Town within one year after appointment.~~

ARTICLE 26. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation providing that all positions in the Police Department, after passage of the Act, not be subject to the Civil Service statute, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments:

AN ACT EXEMPTING ALL POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF DALTON FROM THE CIVIL SERVICE LAW

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

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the police department of the town of Dalton shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. Notwithstanding the provisions of Section 2, no appointments or promotions made after the effective date of this act will be governed in any way by chapter 31 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

ARTICLE 27. To see if the Town will amend Chapter 185 (Noise) of the Bylaws as follows, with additions in underline and deletions in ~~strike through~~:

1. Section 185-3 (Powers, duties and qualifications of Noise Control Officers and Administrators)

Amend Paragraph D to read as follows:

“Noise measurements taken by an NCO shall be taken in accordance with the procedures specified in § 185-5. This section will apply only in noise control situations related to commercial businesses, including manufacturing and industrial businesses.”

2. Section 185-6 (Sound level limitations)

a) Amend Table 2 (Maximum Permissible Sound Levels) in Paragraph A to read as follows:

Table 2
Maximum Permissible Sound Levels*
(in dBA)

Source Property	Receiving Property		
	Residential	7:00 a.m. – 10:00 p.m.	Commercial
	p.m.	a.m.	All times
Residential	55	50	65
Commercial	65	50	65
Industrial	65	50	65

b) Amend subparagraphs (3) and (6) of Paragraph B to read as follows:

“The following are exempt from the sound level limits of Subsection A:

(3) Noise from domestic power tools, lawn mowers, snow blowers, snow throwers, snow plows, and agricultural equipment when operated between 7:00 a.m. and 8:00 p.m. on weekdays and between 8:00 a.m. and 8:00 p.m. on weekends and legal holidays except in emergency work, ~~provided that they generate less than 85 dBA at or within any real property line of a residential property;~~

(6) Noise from ~~snow blowers, snow throwers, and snowplows when operated with a muffler for the purpose of snow removal or their maintenance.~~

and re-number subsequent sections.

3. Section 185-7 (Specific prohibited acts)

Amend Paragraph B by deleting subparagraphs 1, 2 and 3 in their entirety:

- (1) ~~Operating, playing, or permitting the operation or playing of any radio, television, phonograph, or similar device that reproduces or amplifies sound in such a manner as to create a noise disturbance (as defined in § 185-6A) for any person other than the operator of the device;~~
- (2) ~~Using or operating any loudspeaker, public address system, or similar device between 10:00 p.m. and 8:00 a.m. the following day, such that the sound therefrom creates a noise disturbance (as defined in § 185-6A) across a residential real property line;~~
- (3) ~~Owning, possessing, or harboring any animal or bird that, frequently or for continued duration, generates sounds that create a noise disturbance (as defined in § 185-6A) across a residential real property line;~~

and re-number subsequent paragraphs.

This article is sponsored by the Board of Health. It is intended to codify existing policy that the Board of Health is responsible for commercial noise control and the Police Department is responsible for residential noise control; i.e. disturbances of the peace.

ARTICLE 28. *by citizen petition*

With the goal of creating a system that will assure an accurate and annually updated 5-year capital plan that will give Dalton greater control of its finances and Pursuant to MGL Part I, Title VII, Chapter 41, Section 106B, which provides for establishing a Capital Planning Committee and defining its duties, an amendment is proposed to the General By-Laws of the Town of Dalton which will add Section 59 — Capital Planning Committee as follows:

PART I, Section 59 — Capital Planning Committee

§59.1. Creation of Capital Planning Committee

A Capital Planning Committee is hereby established (hereinafter "the Committee"). Its purpose will be to develop a Capital Improvement Plan (CIP), evaluate the financial effect of proposed expenditures and make recommendations for the priority and funding of items submitted for consideration. The Committee will consider capital expenditures, and extraordinary expenses. For purposes of this bylaw, capital expenditures are defined as the request for town funding of an item(s) that will be bonded over multiple years. For the purposes of this by-law, extraordinary expenses are defined as any request for town funding of capital or expense items submitted outside of the Dalton's operating budget in the form of an independent town meeting article(s).

§59.2. Membership, Appointment and Term.

The Committee shall be composed of nine members as follows below. Members representing Town Residents, the Planning Board and Finance Committee shall be appointed and ratified in accordance with the "Town Manager Act", Chapter 137 of the Acts of 1995, Section 4, paragraph 5.

A. Members:

1. The Town Manager
2. Two members at large, who shall be residents of the Town
3. Two members of the Finance Committee,
4. One member of the Planning Board
5. The Town Planner
6. The Principal Accessor
7. The Town Accountant, or Finance Director, if the Town shall have created said position.

B. The Town Manager, Town Planner, Principal Accessor and Town Accountant are ex-officio members of the committee through their term of employment with the Town of Dalton, The members of the Finance Committee and Planning Board shall be recommended to the Town Manager by their respective boards and, if appointed, shall also serve ex-officio during their term of office.

C. Terms of the members at large shall be for three years provided that at the inception of the committee, one member shall be appointed for two years and one for three years.

§59.3. Duties of the Committee.

The Committee is charged with the responsibility of reviewing all potential and proposed capital and extraordinary expense items and to submit an annual CIP to the Town Manager pursuant to the requirement of the "Town Manager Act" Ch. 137 of the Acts of 1995, Section 6 (C). The CIP shall include a) a recommended capital and extraordinary expense plan/budget for the coming year and b) a capital and extraordinary expense budget for the following four (4) years, which will include all anticipated and continuing capital and extraordinary expenditures. In developing the CIP, the committee shall also prepare a CIP financing plan consisting of a five-year forecast of revenues and expenses which shall consider the ability of the Town to pay debt service on any borrowings therefor, what Free Cash and or Stabilization Funds may be available, and what Federal or state aid may be available for said purposes.

To support the best possible report and its most effective use, the following guidelines are to be followed:

- A. All officers, department heads, boards and committees, and inter/intra-municipal entities shall, on or before October 15 of each year, give to the Committee requests concerning all capital expenditures or extraordinary expenses they anticipate proposing for the next five (5) years. The Committee shall act on emergency requests as deemed necessary.
- B. The Committee shall consider all requests noted above in section A and, while doing so, may confer with any town officer, department, board or committee or request additional information it determines is needed in order to evaluate and prioritize submitted items.
- C. The Committee shall consider the relative need, impact, timing and cost of proposed capital expenditures or extraordinary expenses and the effect each will have on the financial position of the Town. In evaluating and scheduling the requests, the Committee will consider the following criteria:
 1. Risks to public safety or health
 2. Reliability of services
 3. Deterioration of Town facilities and infrastructure
 4. Requirements of state or federal laws or regulations
 5. Improvement of operating efficiency
 6. Potential as a financially viable enterprise opportunity
 7. Systematic replacement of major equipment and vehicles
 8. Recommendations of Emergency Management Plan, Municipal Vulnerability Plan, and Climate Action Plan
 9. Recommendations of Town Master Plan
 10. Coordination with other Capital requests and existing debt
 11. Equitable provision of services and facilities
 12. Educational, historical, cultural or community value.
- D. Each year on or before January 31, the Committee shall submit the CIP to the Town Manager.
- E. The Committee shall meet when necessary and at a minimum of semi-monthly in the months of October, November, December and January. Additionally, upon finalizing the CIP, representatives of the Committee will meet with the Town Manager, who shall if he finds the submission acceptable, transmit said plan to the Select Board and the Finance Committee.
- F. The Committee shall annually make use of any and all technical assistance provided by the Department of Revenue Division of Local Services

§59.4. Committee Leadership

The Committee shall elect a Chairman, Vice Chairman and Clerk from among its members at the beginning of each fiscal year.

To see if the Town will vote to approve and petition the Massachusetts General Court as follows:

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled: The citizens of the Town of Dalton respectfully petition for the adoption of the accompanying bill:

An Act providing for recall elections in the town of Dalton

PART I, Section YY — An Act Providing for Recall Elections in the Town of Dalton.

SECTION 1. Any holder of an elective office in the town of Dalton may be recalled by the registered voters of the town as herein provided.

SECTION 2. Any fifty (50) registered voters of the town of Dalton may initiate a recall by filing with the Town Clerk an affidavit of intent to recall, containing the name of the officer sought to be recalled and a statement of the grounds for recall. The Town Clerk shall thereupon within 2 business days deliver to the voter first named on such affidavit a sufficient number of copies of petition blanks demanding such recall, printed forms of which he/she shall keep available. The blanks shall be issued by the Town Clerk with his/her signature and Official Seal attached thereto. The petitions shall be dated and addressed to the Select Board, shall contain the name of the person to whom they were issued, the number of petitions so issued, the name of the person sought to be recalled, the grounds of recall as stated in said affidavit, and shall demand the election of a successor to such office.

SECTION 3. The reason for which a recall may be initiated include but are not limited to:

- (i) Lack of Fitness. Insobriety while performing official functions, involuntary commitment to a mental health facility, placed under guardianship or conservatorship by a probate court.
- (ii) Conviction. Conviction of any felony involving moral turpitude, conviction or bribery, or extortion.
- (iii) Neglect of Duties. Repeated absences from meetings without just cause. Just cause shall include, but not be limited, to illness or regular vacation periods.
- (iv) Misfeasance. Performance of official acts in an unlawful manner, or a willful violation of the conflict of interest law, open meeting law or other ethical violations.

SECTION 4. A copy of the blank recall petition shall be entered in a record book to be kept in the office of the Town Clerk. Said recall petitions shall be returned and filed with the Town Clerk within twenty working days after the date the blank petitions were provided to the first named voter. The recall petition before being returned and filed shall bear the signatures and residential address of no less than 50% of the voters who participated in the last annual town election. The said recall petition shall be submitted to the Town Clerk and to the Registrars of Voters, and the Registrars shall within 4 business days certify thereon the number of signatures which are names of registered voters of said town.

SECTION 5. If the petition shall be found and certified by said Town Clerk to be sufficient, he/she shall submit the same with his/her certificate to said Select Board without delay. The Select Board shall within three working days give written notice by registered mail to said officer of the receipt of said certificate and shall, if the officer sought to be recalled does not resign within five days thereafter, order an election to be held on a date fixed by the Board, not less than sixty days and not more than ninety days after the date of the Town Clerk's certificate that a sufficient petition has been filed; provided, however, that if any other Town election is to occur within 100 days after the date of said certificate, the Select Board shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

SECTION 6. Any officer sought to be recalled may be a candidate to succeed himself/herself and, unless the person requests otherwise in writing, the Town Clerk shall place the person's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the same shall all be in accordance with the provisions of General Law relating to elections unless otherwise provided by this act. The election to replace the officer sought to be removed shall be held on the same day as the recall election.

SECTION 7. The incumbent shall continue to perform the duties of his/her office until the recall election. If not recalled, he/she shall continue in the office for the remainder of his/her unexpired term but shall not again be subject to recall for the remainder of his/her unexpired term. If recalled, he/she shall be deemed removed upon the qualification of his/her successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

SECTION 8. Ballots used in a recall election shall state the following propositions in the order indicated: For the recall of (name of officer). Against the recall of (name of officer). Adjacent to each proposition, there shall be a place to vote for either of the said propositions. Under the proposition shall appear the word "Candidates" and the names of candidates nominated as required by Section 42 of Chapter 54 of the Massachusetts General Laws. The action of the voters to recall shall require a majority vote but shall not be effective unless the total of those voting for and against recall shall exceed 80% of the number of registered voters that voted in the most recent annual Town election. If sufficient voters and a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If sufficient voters and a majority of votes on the question is in the negative, the ballots for candidates need not be counted, except as provided in section 5 above.

SECTION 9. No recall petition shall be filed against an officer within six months after he/she takes office, nor within six months of the end of the officer's term, nor in the case of an officer subject to a recall election during his/her current term and not recalled thereby. No person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her, shall be a candidate for or appointed to any town office within three years after such removal or such resignation.

ARTICLE 30. *by citizen petition*

Petition to rescind the Stretch Energy Code, Bylaw 285 in its entirety

This petition moves that the Stretch Energy Code, Dalton By-law 285, which came into effect July 1, 2015 and adopted the provisions of 7809 CMR 115.AA (i.e., Appendix 115.AA of the State Building Code or the "Stretch Energy Code"), and any amendments to same, be rescinded and that Dalton resume the Base energy code as set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00 that was in effect in Dalton prior to July 1, 2015.

ARTICLE 31. To see if the Town will recess until MONDAY, MAY 12, 2025 at 11:00 O'CLOCK A.M. to 7:00 O'CLOCK P.M. to meet in the DALTON SENIOR CENTER, 40 Field Street Extension in Dalton, MA, to choose and elect the following Town officers and the determination of such other matters as are by law required to be determined by ballot:

(2) MEMBER SELECT BOARD	FOR 3 YEARS
(1) MODERATOR	FOR 1 YEAR
(1) MEMBER DALTON HOUSING AUTHORITY	FOR 5 YEARS
(1) MEMBER DALTON HOUSING AUTHORITY	FOR 2 YEARS
(1) CEMETERY TRUSTEE	FOR 3 YEARS
(2) MEMBERS PLANNING BOARD	FOR 3 YEARS
(4) LIBRARY TRUSTEES	FOR 3 YEARS
(4) MEMBERS FINANCE COMMITTEE	FOR 3 YEARS
(1) MEMBER FINANCE COMMITTEE	FOR 2 YEARS
(1) MEMBER FINANCE COMMITTEE	FOR 1 YEAR

And to vote on the following question:

Question 1. Shall the Town petition the Massachusetts General Court to amend the first paragraph of Section 5 of Chapter 137 of the Acts of 1995 (AN ACT PROVIDING FOR A TOWN MANAGER IN THE TOWN OF DALTON) by removing the requirement that the town manager become a Town resident, as follows; provided that that the General Court may make clerical or editorial changes of form only to the bill, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

“The Select Board, by a majority vote of its full membership, shall appoint a Town Manager who shall be a professionally qualified person especially fitted by education, training, and previous full-time experience to perform the duties of the office. He/she shall be a citizen of the United States ~~and, although he/she need not be a resident of the Town or Commonwealth when appointed, shall become a resident of the Town within one year after appointment.~~

Yes _____

No _____

* * *

And you are directed to serve this Warrant by posting five attested copies thereof as required by the Bylaws of said Town, seven days at least before the time of holding said meetings.

And you are further required and directed to notify and warn the inhabitants of said Town of Dalton, qualified by law to vote in the Elections to meet in the DALTON SENIOR CENTER, 40 Field Street Extension in Dalton, MA, on MONDAY, MAY 12, 2025 at 11:00 O'CLOCK A.M. to 7:00 O'CLOCK P.M. to bring in their votes for Town officers per Article 22 and the determination of such other matters as are by law required to be determined by ballot.

Hereof, fail not, and make due returns of this Warrant with your doings thereon to the Town Clerk at the time and place of holding meetings as aforesaid.

Given under our hands and seal this _____ day of _____, 2025.

A true copy. ATTEST:

Heather A. Hunt, TOWN CLERK

SIGNED: _____

Robert Bishop, Chairman

Daniel E. Esko, Vice Chairman

John F. Boyle

Marc E. Strout

Robert E. W. Collins

SELECT BOARD

By virtue of the within Warrant, I have served the same by posting in at least five public places attested copies thereof as the Bylaws of the Town direct, seven days at least before the time of holding said meeting.

CONSTABLE

DATE: _____

POSTED: Dewey's Public House, Dalton Restaurant, Greenridge Variety Convenience, U.S. Post Office, Country Corner Package & Variety, Town Hall Bulletin Board