

Results of the annual town Meeting
May 5, 2012

Article 1. Under this Article the following officers for the Town were elected. Polls were open from noon to 5 P.M.

Moderator: Joseph Kearns one year

Town Clerk: Marjorie Batorski for one year

Selectman: Alan Vint for three years

Cemetery Commission: Timothy Pease for three years

Finance Committee: Joseph Kearns for three years

Janine Savoy for three years

School Committee: Janine Savoy for three years (she declined the position.)

Zoning Board of Appeals: Terrance Crean for three years

Planning Board: Michael Hale for three years

Janine Savoy for three years

Assessor: Janine Savoy for three years

Council of Governments: Joseph Kearns for two years

Library Trustee: Eleanor Doyle for three years

Constable: Edward Vivier for three years

The Town Meeting opened at 1:30 P.M. Joseph Kearns, Moderator led the assembled in the Pledge of Allegiance, then he read the Warrant. Noreen Suriner, Chairman of the Board of Selectman, then presented to Cyndy Oligny, librarian of many years, a plaque in recognition of her service to the Town, to young and old. Cyndy retired this year. Noreen then introduced Gerry Garner, our new Building Commissioner, Beverly Cooper, Town Account and Jane Thielen, Town Treasurer. Also at this time, Tom Austin Chief of Police Department, presented a plaque to the widow of Bill (Willey) Paschal, who served as Fire chief for many

years. Bill died just a few weeks before the Annual Town Meeting. Also, Tom presented to Ronnie Radwich a plaque honoring Ron's wife, Cathy. Cathy was a "rock" for the Fire Department as she manned the telephone in all kinds of emergencies. Cathy died this past fall.

Article 2. Moved and seconded to act upon the reports of the Selectboard, Treasurer, Tax Collector, Assessors and other elected or appointed officers of the Town. The reports the Town Meeting referred to are in the current Town Report. There was no discussion and the agenda moved to the next Article.

Article 3. It was moved and seconded to see if the Town vote to fix the salaries and compensation of all the elected officials of the Town for FY 2013 as provided in Section 108 of Chapter 41 of the Mass. General Laws, as amended and raise and appropriate \$17,788. At this time, an amendment was made to reduce the requested salaries of the Selectmen of \$2000 back to current salary of \$1500. Before the vote on this Article took place, it was moved and seconded to take Article 17 out of order. Then the gentleman that had proposed an amendment to Article 3, had no objection to withdraw his amendment as long as he could make it again when Article 3 came up. He was told that he could. Motion was then made and seconded to take Article 17 out of order. It was an unanimous vote.

Article 17. To see if the Town will vote to discontinue the Old-East West road running from Alderman Road to the site of the old grist mill on Factory brook. The road has been known as "The Becket Road", "The Old road to the Mill", and "Meecham's Road" amongst others.

The length of this abandoned road is about 1.19 miles; and also to discontinue the North-South road that runs from the first road to where the Legal Harry Pease Road ends at the locked gate. This side road to be discontinued has a length of about 0.18 miles. More

exactly the first point on Alderman Road is at (approximate) decimal coordinates (42.333276-73.004869) and runs to (42.330330-73.017818). The second road runs from a point on the first (42.331884-73.019943) to the locked gate at (42.334287-73.021102), which is also the Southern dead end of Harry Pease Road. This vote to discontinue ratifies the original approved town votes of 1886 and 1984 whose intents were this very same discontinuance.

This Article created a great deal of discussion, and a lot of questions were raised. A member of the audience explained the location of the road in questions for those that were not familiar with its' location. More questions were asked such as could this case go to land court? Because the Town is being sued over the issue of the road, the Chairman of the Board of Selectmen stated that she had spoken to Kopleman and Paige, (attorneys for the Town) and that they advised not to rush forward as the lawsuit was only two weeks old. An amendment was then made and seconded to postpone Article 17 for six months. A concerned citizen who lives in Harry Pease Road then spoke and said she was being sued and she couldn't sell her family home. Another citizen then spoke to ratify this vote to discontinue the road. The vote was then taken to postpone Article 17 for 6 months. There were some aye's and a very resounding "no" vote. A former Select person then made a motion to amend to this part of "This vote to discontinue ratifies the original approved town votes of 1886 and 1984 whose intents were this very same discontinuance" to read "This vote to discontinue ratifies and affirms the original town votes of 1886 and 1984 whose intents were this very same discontinuance." This amendment was seconded. The amendment then passed. A secret "yes" "no" ballot vote was then taken. 90 Yes 17 No. article 17 passed with the amendment in place.

A motion was then made and seconded "To see if the Town will vote to ask the Selectboard to prepare an inventory of all legal town roads and prepare a vote for the mass discontinuance of the

roads not enumerated at their earliest convenience. This vote to discontinue to be taken no later than six months from today. This motion was passed.

Back to Article 3

Article 3. It was moved and seconded to see if the Town will vote to fix the salaries and compensation of all elected officials of the Town for FY 2013 as provided in Section 108 of Chapter 41 of the Mass General Laws, as amended, and raise and appropriate \$17,788. (At this time, the gentleman who had previously amended this Article, made the following amendment.) A motion was made and seconded to reduce the requested Selectmen salary of \$2000 back to last year, salary of \$1500. Some discussion concerning this Article followed. A standing vote was taken: Yes-54 No-37. The amendment passed. A motion was made and seconded to also reduce the Assessors' salary \$3000 to \$1500. After much discussion centering on hours, Laurie Lafreniere, Assistant Assessor, spoke of the hours the Assessors are in the office---9-12 on Saturdays, and by appointment on Wednesdays. One gentleman spoke of a 100% disabled veteran having his exemption and abatements taken away while he was in a Nursing Home. There was a standing vote taken. Yes to reduce---53, No to reduce---33. A motion was then taken on Article 3 with the amendments in place and Article 3 passed. (\$13,300)

A break was taken at 3:40 P.M.

Article 4. It was moved and seconded to see if the Town will vote to raise and appropriate the salaries and compensation of appointed staff for FY 2013. It was then moved and seconded to reduce the salary of the Assistant Assessor of \$5,400 to \$4,400. The Assistant Assessor spoke to this stating what her duties were, such as making forms, mailing them out, and doing correspondence. One

Selectman spoke in favor of the Assistant Assessor. After more discussion, a standing vote was taken. Yes to reduce---29 No to reduce—45. The amendment failed. Article 4 passed as presented in the Warrant at \$46,400.

A motion was then made and seconded to see if the assembled would go to the School Budget Articles 13,14,15,16. The motion passed to do so.

Article 13. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of \$349,274 for Middlefield's minimum contribution of the budget for the Gateway regional School District. The Moderator explained that this a bill that is sent to the Town. The vote was taken and article 13 passed easily.

Article 14. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of \$47,910 for Middlefield's share of the above minimum contribution to the budget for the Gateway Regional school District. Being no discussion, Article 14 passed.

Article 15. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of \$112,637 for Middlefield's share of the Non-Foundation portion (Transportation and Debt service) of the budget for the Gateway Regional School District for the period July 1, 2012 through June 30, 2013. Being no discussion, Article 15 passed unanimously.

Article 16. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of \$90,000 for vocational education. No discussion and Article 16 passed unanimously.

Back to article 5

Article 5. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of money (\$98,700) for General Government . Not much discussion created. The vote was taken and Article 5 passed.

Article 6. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of money for Expense Accounts. (\$44,773)Not much discussion followed and Article 6 passed easily.

Article 7. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of money for the Highways. (\$350,587) A motion was then made to amend the Highway Department wages of \$118,000 recommended by the Finance Committee to the Selectboard recommendation of \$100,000. Some discussion followed. The vote was taken on the amendment and it failed. A motion was then made and seconded to vote on Article 7 and it passed unanimously.

Article 8. It was moved and seconded to see if the Town will vote to appropriate the sum of money to the Library, Veterans and Cemetery accounts.(\$13,800)Susan-Baker Donnelly, Library Trustee, spoke of the Library saying that \$5,200 is requested because of the requirements of a Librarian are a College Degree and Library Courses. After more discussion, the vote was taken and Article 8 passed.

Article 9. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of money for Protection of Persons and Property Accounts (\$49,785). Ron Radwich of the Fire Department spoke of the need of more turn our gear and equipment. Someone then asked about Fund Raisers. No answer. Vote was taken and Article 9 passed easily.

Article 10. It was moved and seconded to see if the Town will vote to raise the sum of money for Health and Sanitation.(\$28,810) Being no discussion the vote was taken. It was a unanimous vote. Article 10 passed.

Article 11. It was moved and seconded to see if the town will vote to raise and appropriate \$5000 to establish a Reserve Fund to provide for extraordinary or unforeseen expenditures, as provided by M.G.L. Chapter 40, section 6, as amended. Being no discussion, the vote was taken and Article 11 passed with one nay.

Article 12. It was moved and seconded to see if the town will vote to raise and appropriate the sum of money for the Miscellaneous Accounts. (\$3,697)A question was asked if the Town has a Recreation Committee? No was the answer, we just have volunteers. Being no more discussion, the vote was taken and it was unanimous.

(Article 13,14,15,16, 17, had action taken on them previously.)

Article 18. It was moved and seconded to see if the Town will vote to direct the Board of Assessors to remove the erroneous use of the name “:Harry Pease Road “ from any place on the town Assessors’ maps other than the accepted Town Road with its north end starting at Town Hill Road and running southward for a distance of .81 miles to a dead end, encompassing only a north to south orientation as shown on the 1983 map of town roads, which accompanied the list of accepted roads voted at the 1984 Town Meeting. Article 18 passed as presented.

Article 19. It was moved and seconded to see if the Town will vote to authorize revolving fund accounts for the receipt of inspection fees, pursuant to MGL Chapter 44, Section 53E1/2, to

be expended during FY 2013 without further appropriation for the purpose of administrative duties, capped at the amounts in the table below. Electrical Inspector: \$2500 adopted in FY 2012; \$2500 FY 2013, Conservation Committee: \$2000 adopted in FY 2012; \$2000 FY 2013. No discussion, and the vote was taken. It was unanimous and Article passed.

Article 20. It was moved and seconded to see if the Town will vote to authorize a revolving fund, under Massachusetts General Law, chapter 44, Section 53E1/2, which may be spent on the transfer station without further appropriation during FY2012. Collected Transfer Station fees may be used for the Transfer Station attendant salary, for capital equipment, grounds improvement, or other related expenses to benefit the Transfer Station. The Selectboard may spend up to \$6,000 in revolving fund monies for the Transfer station during FY 2013 and retain in this account all collected fees. The vote was taken and Article 20 passed unanimously.

Article 21 . It was moved and seconded to see if the Town will vote to see if the Town will vote to raise and appropriate the sum of money for Debt and Interest. (\$21,500) A question was asked about the loan and the Treasurer said that we have only one loan and we pay \$16,400 per year in principal with interest cost added. Being no further discussion, the vote was taken and Article 21 passed unanimously.

Article 22. It was moved and seconded to see if the Town will vote to raise and appropriate \$25,000 to purchase turn-out gear for the Fire Department. This Article is sponsored by the Fire Department and the Selectboard and Finance Committee recommend. A question was raised as to why raise and appropriate? A motion was then made to amend the Article to take the \$25,000 from Free Cash. There was a standing count taken.

Yes--50 to take from Free Cash and No---3 not to take from Free Cash. A vote was then taken with the amendment in place.

Article 22 passed unanimously.

Article 23. It was moved and seconded to see if the Town vote to authorize the Board of Assessors to appoint a member of the Board or some other person, if the board so desires to serve as the assistant assessor at the salary fixed and voted on by the Town. This Article created some discussion. The vote was taken and Article 23 passed with a few nays.

Article 24. It was moved and seconded to see if the Town will raise and appropriate \$10,000 for the Town's fiscal audit. The question was asked when the last audit was done and the reply was that it had been done three years ago. The Department of Revenue recommends an audit be done on a three year cycle. The vote was taken and Article 24 passed easily.

Article 25. It was moved and seconded to see if the Town will vote to establish an EMS(Medical Service Department)and raise and appropriate\$1,000. Tom Austin, Chief of Police spoke to this issue, saying that this would beef up our response time, as we are one hour out for help in case of an emergency. He also stated that we now have three people in training as E.M.T'S. and they need 180 hours in training; they have to 8 hours of hands on experience plus a written test. Then a question was asked "why would this be separate from the Fire Department? The answer was that some only want to do E.M.S. work. Also, who would run this? The reply was that Ed Vivier of the E.M.S. would work with our Fire Chief, Larry Pease. After some more discussion, the vote was taken and the Article passed with a few nays.

Article 26. It was moved and seconded to see if the Town will vote to expend the sum of \$3,922 from free cash towards the Town's share of the cost to restore and preserve the historic

Hampshire County Court House. The Moderator said that all 20 towns in Hampshire County were asked to share the cost. After more discussion, the vote was taken and Article 26 failed.

Article 27. It was moved and seconded to see if the Town will vote to expend the sum of \$5,000 from free cash to hire an architect to design a garage to house the EMS, Fire Department, and Police vehicles. There was some discussion and the vote was taken. Article 27 failed.

Article 28. It was moved and seconded to see if the Town will vote to expend the sum of \$3,000 from free cash to engage a consultant to develop a plan to bring the Town Hall electrical wiring to code compliance. Discussion followed and the vote was taken and Article 28 failed.

Article 29. It was moved and seconded to see if the Town will vote to expend the sum of \$44,000 from free cash for a new Police Cruiser This Article created a great deal of discussion. The Chief of Police explained that the present cruiser stands out in all kinds of weather due to the lack of garaging and it also has about 30,000 miles on it. The cruiser is about 10 years old. After more discussion, a standing vote was taken. Those in favor—31 Those not in favor—31. Being a tie vote, Article 29 failed.

Article 30. It was moved and seconded to see if the Town will vote to transfer \$60,000 from the 2008 Ice Storm account and FEMA reimbursements for the down payment for a new ten ton rear-wheel drive tandem axle drive dump truck, equipped, and borrow the \$115,000 balance for up to five years. There was discussion on this Article and the Highway Supt. explained the finances. After more discussion, the vote was taken. A 2/3 vote is necessary because of borrowing. The vote was taken by a show of hands. Those in agreement:---45, those opposed---7 Article 30 passed with the 2/3 vote.

Article 31. It was moved and seconded to see if the Town will vote to accept the Franklin Regional Transit authority as the official transportation agent for the Council on Aging. Some discussion followed. The vote was taken and Article 31 passed unaminously.

Article 32. It was moved and seconded to see if the Town will vote to accept Chapter 90 and all other Highway grant funds from the Commonwealth of Massachusetts, for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges and other related costs. The vote was taken and Article 32 passed unanimously.

Article 33. It was moved and seconded to see if the Town will vote to expend the sum of \$10,000 from Free Cash for tree removal al Bell Cemetery. A member of the Cemetery Commission explained about the trees and was waiting for more bids to come in to get the tree and/or trees removed. Following more discussion, an amendment was made 'to expend up to \$5,000, not \$10,000' The amendment passed, then the Article was voted on with the amendment in place. Article 33 passed unanimously.

Article 34. It was moves and seconded to see if the Town will vote transfer from the Refunded Dog Tax Fund the sum of \$150 to the Library account. Being no discussion, the vote was taken and Article 34 passed unanimously,

Article 35. It was moved and seconded to see if the Town will vote to raise and appropriate the sum of \$5,000 for a fuel monitoring system at the Town Garage. The Highway Supt. explained how the system would work and that it was only for diesel fuel. Question was asked why this was needed and the

answer was that it was a way to check on potential loss of fuel at the garage. Following more discussion, the vote was taken and Article 35 failed.

Article 36. It was moved and seconded to see if the Town will vote to expend the sum of \$60,000 from Free Cash to reduce the Tax Rate. Being no discussion, a vote was taken and Article 36 passed unanimously.

Article 37. It was moved and seconded to see if the town will vote to replace the Town's Chap. IV Article 11, Section 2 By-Law the Building Inspector shall also be the Board of Health agent for observing percolation tests and septic disposal systems.

WITH:

The Board of Health or its agent shall witness all title 5 inspections for percolation tests and septic disposal systems. There was some discussion and an amendment was made and seconded to read:” the Board of Health or its agent shall witness for percolation tests and septic systems.” The amendment was voted on with 36 in favor and 12 not in favor. Article 37 was then voted on with the amendment in place and Article 37 passed 36-12. The 2/3 vote was met.

Article 38. It was moved and seconded to see if the Town will vote to replace the Town's Chapter II, Section 7 By-Law: Notice of every Town Meeting shall be given by posting an attested copy of the Warrant calling the same in the Town Post Office and on another designated place in the center of Town on the bulletin board at the Middlefield elementary School, on a designated place in the Bancroft section of the Town, and on a designated place in Smith Hollow, not less than seven days before the day appointed for the Annual Town Meeting, and not less than 14 days before the day appointed for a Special Town Meeting and the return of the officer stating the manner of notice shall be endorsed in the Warrant.

WITH:

Notice of every Town Meeting shall be given by posting an attested copy of the Warrant calling the same in the Town Post Office and on the outside bulletin board at the Middlefield Town Hall, not less than seven days before the day appointed for the Annual Town Meeting, and not less than 14 days before the day appointed for a Special Town Meeting and the return of the officer stating the manner of notice shall be endorsed in the Warrant.

This Article generated a lot of discussion. The vote was taken and Article 38 failed.

Article 39. During this time, Tom Austin, Chief of Police presented to Larry Pease a plaque, commending him for his time and service with the Fire Department as Chief. Also at this time, Noreen Suriner, Chairman of the Board, thanked all the people, elected, appointed and volunteers for their help in keeping the Town going. A motion was then made to dissolve the meeting. It was an unanimous vote. Meeting ended at 7:05 P.M.

Marjorie Batorski
Town Clerk