

## Results of the Annual Town Meeting

May 1, 2010

The Annual town meeting was opened at 1:30 P.M. by the Moderator, Joseph Kearns. Mr Kearns led the assembled in the Pledge of Allegiance, then he read the Town Meeting Warrant.

Under Article 1.A- those chosen to be on the ballot for the term of three years:

Selectman	Noreen Suriner
Assessor	Laura Lafreniere
Library Trustee	Christine Bresnahan
Zoning Board of Appeals	Mitchell Feldmesser
Finance Committee	Scott Artioli
Finance Committee	Edward Vivier
School Committee	Charles Hanshaw
Planning Board	Maureen Sullivan
Cemetery Commissioner	Mark Doane
Constable	Charles Hunter

For the term of one year:

Moderator	Joseph Kearns
Town Clerk	Marjorie Batorski

1.C.-Shall the town of Middlefield be allowed to assess an additional \$90,000.00 in Real Estate and personal property Taxes for the purpose of partially covering additional vocational school expenses(\$50,000), and to compensate for the elimination of the Community Policing Grant (\$10,000) and the reduction of state Aid (\$61,789), for fiscal year 2011, beginning July 1, 2010?

YES — 38; NO — 97. The ballot question failed.

Article 2. A motion was made and seconded to see if the Town will vote to transfer \$60,000 from Free Cash to offset the tax levy.

A amendment to the motion was made and seconded to amend the Article to transfer from Free Cash \$100,000 instead of \$60,000. At this point, Mary Courtney, Selectwoman, spoke on the legality of the the ballot question.(Art 1C.) She said she had spoken to Town Council and the office of the Secretary of State, and the ballot question as written was not legal. Much more discussion. Finally a motion was made and seconded to vote on the amended article. The amended article is as follows: "To transfer \$100,000 from Free Cash instead of \$60,000 to offset the tax levy. The motion was passed unanimously.

Article 3. A motion was made and seconded to see if the Town will vote to transfer \$65,000 from Stabilization fund to offset the tax levy. An amendment to the motion was made to reduce the \$65,000 to \$50,000. A motion was then made to table Article 3. This will require a 2/3 vote. After much discussion a motion to table was voted. YES to table 36; NO to table 25.The motion to table this Article failed. It needed 2/3 vote.

Another motion was made and seconded to reduce the \$65,000 to \$50,000. The amended article now reads to see if the Town will vote to transfer \$50,000 from Stabilization fund to offset the tax levy. After much more discussion, a standing voice counting vote was taken and the results are as follows: Yes to pass as amended – 54; No to amend motion –11. Article 3 passed.

Article 4. To hear the report of the Selectmen, Treasurer, Accountant, Tax Collector, Assessors, and the School Committee and act thereon.

Each one gave a short report and also stated that their individual reports are in the Town Report.

Article 5. A motion was made and seconded to see if the Town will vote to fix the salaries and compensation of all elected officers of the town for Fiscal 2011 as provided in Section 108 of chapter 41 of the Massachusetts General Laws,. as amended.

This Article generated a great deal of discussion. A motion was made and seconded to amend the Town Clerk's salary from \$4,120 to \$4,000. A member of the Finance Committee spoke and pointed out that the Selectmen voluntarily reduced their salary by 10% from \$1,500 to \$1,350. The member also suggested that maybe the Assessors would reduce their salary in line with the Selectmen. Much more discussion followed. A motion was made and seconded to call the question and Article 5 was voted on with the following salaries:

Moderator	100
Town Clerk	4,000
Assessor, chair	2,700
Assessor, 2 <sup>nd</sup>	2,700
Assessor, 3 <sup>rd</sup>	2,700
Selectman, chair	1,350
Selectman, 1 <sup>st</sup>	1,350
Selectman, 2 <sup>nd</sup> 1	1,350
Constable, 1 <sup>st</sup>	90
Constable, 2 <sup>nd</sup>	90

This Article passed with the amendments in place. Total: \$16,430. The Moderator declared this motion passed on a voice vote.

Article 6. A motion was made and seconded to see if the Town will vote to raise and appropriate the salaries and compensation of appointed staff for FY 2011.

This Article also raised a great deal of conversation and many questions were asked. A member of the finance Committee spoke again and was hoping again that the salaries of the appointed officials could be reduced by 10%.

Suggested amounts were:

Treasurer:	from 7,000 to 6,300
Tax Collector:	from 10,000 to 9,000
Administrative Asst:	from 5,000 to 0
Town Accountant:	from 11,000 to 9,900

The Tax Collector spoke defending his salary. There questions asked what were the duties of the Administrative Assistant? Two members of the Board of Selectmen spoke, detailing the duties. A motion was made and seconded that the Administrative still be maintained at \$5,000. A seconded motion was made and seconded that the FY 2011 requested amounts be accepted. Following are the amounts:

Treasurer	7,000
Tax Collector	10,000
Town Accountant	11,000
Assistant Assessor	5,400
Administrative Asst.	5,000
BOS Recording Secretary	3,200

Town Hall Custodian                      3,000

Total: \$44,600.00. The motion passed on a voice vote.

A member of the audience spoke up and said that the meeting brings to mind a former member of the Board of Selectmen, by the name of Ann Jewett, who would humorously say "Grow Up" after some of the discussions that could be generated by some of the Articles. (Ann died several years ago.)

Article 7. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for General Government. Total being \$109,730. It was a unanimous vote.

Article 8. A motion was made and seconded to see if the town will vote to raise and appropriate the sum of money for the expense accounts.

A question was raised about how many copies have been made on the copies. Answer was 81,680 copies since we have had the copier, and the income from the copies has been around \$50. Being no more discussion the vote was taken and it was unanimous. The total amount was \$34,190.

Article 9. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for the Highways.

It was noted that the Highway Supt. had reduced Highway Maintenance of \$35,000 requested to \$30,000. Being no more discussion, the vote was taken and it was in favor. The total amount was \$322,568.

Article 10. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money to the Library, Veterans and Cemetery Accounts. Being no discussion, the vote was taken and it was in favor. Total: \$9,300.

Article 11. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for Protection of Persons and Property Accounts. Being no discussion, the vote was taken and it in favor. The total amount was \$41,188

Article 12. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for Health and Sanitation. Discussion concerning the Hilltown Resource Management, the figure amount should be \$1,690, not \$1,610. Being no further discussion, the vote was taken and it was in favor. The total amount was \$28,510.

Article 13. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for debt and Interest. Being no discussion, the vote was taken and it was in favor. The total amount was \$21,500.

Article 14. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of money for the Miscellaneous Accounts. The Council on Aging was reduced to \$1350 from \$1500 and the Recreation Committee was reduced from \$1000 to \$750. Being no further discussion, the vote was taken and it was in favor. The total amount was \$8,247.

Article 15. A motion was made and seconded to see if the Town vote to raise and appropriate the sum of \$340,420 for Middlefield's minimum contribution of the budget for the Gateway Regional School district. It was mentioned that this was a bill that comes to the Town and it has to be paid. The vote was taken and it was in favor.

Article 16. A motion was made and seconded to see if the Town will vote to raise and appropriate a sum of \$120,495 for Middlefield's share of the above minimum contribution to the budget for the Gateway Regional School District, or take any other action relative thereto. There was some discussion concerning this; the assessment has gone up and the State Aid has gone down. There was a self-counted standing vote taken. Yes: 39; No: 18. The Article passed.

Article 17. A motion was made and seconded to see if the Town will vote to raise and appropriate the sum of \$114,399 for Middlefield's share of the Non-Discretionary portion (Transportation and Debt Service) of the budget for the Gateway Regional School District for the period July 1, 2010 through June 30, 2011. There was some discussion. The vote was taken and it was a majority vote in favor. The Article passed.

Article 18. A motion was made and seconded to see if the town will vote to raise and appropriate the sum of \$120,000 for vocational education. It was mentioned that the Town now has three students at the Vocational School and that there will be five students next year. A vote was taken after a bit more discussion, and it was unanimous. The Article passed.

Article 19. A motion was made and seconded to see if the Town will vote to authorize a revolving fund account pursuant to MGL, chapter 44, section 53E ½ to authorize the receiving of inspection fees to be expended during FY 2011 without further appropriation for the purpose of administrative duties. The following Accounts will be capped at:

Board of Health Inspector	2,500
Electrical Inspector	2,500
Conservation Commission	1,000

It was mentioned that maybe the conservation Commission Account be changed to \$500 and agreed to the lower amount. Vote was taken and it was unanimous.

Article 20. A motion was made and seconded to see if the Town will vote to transfer from overlay surplus \$7,800 for FY2011 triennial certification project, or take any other action relative thereto. No discussion and it was in favor. The Article passed.

Article 21. A motion was made and seconded to see if the

Town will vote to transfer from overlay surplus \$1,800 for FY2011 Commercial/Open permit Appraisals, or take any other action relative thereto. There was a "friendly" amendment made to reduce the amount \$1,800 from overlay surplus to \$1,200. The amendment was seconded then the Article with the amendment was voted on and it was in favor.

Article 22. A motion was made and seconded to see if the Town will vote to transfer \$5,980 from Free Cash to fund the first payment of the Highway Truck loan. The accountant stated that there is more than \$20,000 in the Free Cash account. The Moderator also said that this Article would require a 2/3 vote to pass. After a great deal more discussion, it was voted on and seconded to table this Article until another time. The vote was unanimous.

It will be taken up at a Special Town Meeting.

Article 23. A motion was made and seconded to see if the Town will vote to create a Policy By Law Review by Town Counsel Account in the sum of \$2,500 to be raised and appropriated. The amount of \$2,500 was amended to \$1,500 and it was an unanimous vote to amend the amount. The Article with the amendment was voted on and it was in favor.

Article 24. A motion was made and seconded to see if the Town will vote to transfer from the Refunded Dog Tax Fund the sum of \$161.73 to the Library Account. It was a unanimous vote and the Article passed.

Article 25. A motion was made and seconded to see if the town will vote to authorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E ½ , which may be spent on the Transfer Station without further appropriation during FY2011. Collected Transfer Station fees may be used for the Transfer Station attendant's salary, for capital equipment, grounds improvement or other related expenses to benefit the Transfer Station. The Selectmen may spend up to \$6,000 in revolving fund monies for the transfer station during FY2011 and retain in this account all collected fees. Being no discussion, the vote was taken and it was in favor.

Article 26. A motion was made and seconded to see if the Town will 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, or take any other action relative thereto. This Article raised a great deal of

discussion; questions like what does the assistant assessor does, how does she get paid? After all the questions were asked and answers were given, a vote was taken by a self-counted standing vote and the Article was passed by a majority vote.

Article 27. A motion was made and seconded to see if the Town will vote to continue membership in the Hampshire council of governments for the Fiscal year 2011 through Fiscal year 2014 with a 25% reduction from the FY 2007

Four-year annual dues assessment, or take another action relative thereto. Being no discussion, the Article was passed and it was unanimous.

Article 28. A motion was made and seconded to see if the Town will vote to add to Chapter III, "Town Officers", of the Town of Middlefield General By-Laws a new entry titled "Personnel Committee" with the following sections; or take any other action relative thereto:

SECTION 1. There shall be a Personnel Committee consisting of five (5) members: one member of the Selectboard, selected annually by a vote of the Selectboard, one member of the Finance Committee selected annually by a vote of the Finance Committee, who shall not be a Town employee or hold a Town Office paying more than \$500 per year, one Town employee working 20 hours or more per week elected annually by regular employees of the Town working 20 hours or more per week, one member, who shall be a registered voter of the Town, selected annually by the Town Moderator, and the Payroll Officer/Town Treasurer.

SECTION 2. The Personnel Committee shall recommend to the Selectboard personnel policies and procedures, job descriptions, compensation and fringe benefit policies and/or practices and organizational changes.

SECTION 3. The members of the Personnel Committee shall choose their own officers and shall serve without pay. A true record shall be kept of the Committee's proceedings.

A question was asked as to how this Article was put on the Town Meeting warrant? The answer was that it was put on by a petition signed by some of the Townspeople. There was then an amendment made to Section 1 stating that the first three members elect the last two members. Also to have an organizational meeting in July. After much more discussion, the vote was taken. It was a self-counting vote was taken on the amended Article. The results are as follows: YES: 19; NO: 19. Because the vote was a tie, the Article failed.

Article 29. A motion was made and seconded to see if the town will vote to replace SECTION 2 of Chapter V1, "Contracts", of the Town of Middlefield General By-Laws with the following section;

SECTION 2. The awarding of contracts for any work or service to be performed for the town, and the purchase of materials, supplies, and equipment, shall be done in accordance with Massachusetts General Laws.

(Current Section 2): No contract shall be awarded for any work or service to be performed for the town, and no purchase of materials, supplies, or equipment shall be made, the estimated cost of which is Four Thousand Dollars(\$4000) or more, unless competitive bids have been invited by advertising at least twice in a newspaper of general circulation in the town. The selectmen may exempt a purchase or contract from any or all of the provisions of this section when, in their opinion, an emergency exists requiring immediate action to protect the health and safety of persons or property, or when no reasonable substitute can be obtained for the article or service to be purchased or contracted for. Evidence indicating that such an emergency exists, or that no reasonable substitute for a purchase or service can be obtained, shall be furnished in writing by the

Selectmen, and shall be kept on file with other records of such transactions.

An amendment was moved and seconded: Any situation requiring solicited, written sealed bids shall be labeled and delivered directly to the Selectboard. All bids shall be opened and publicly read aloud at a time and date specified by the Selectboard at a regularly scheduled Selectboard meeting. After discussion, the amendment was passed on a vote of 32 in favor and 8 opposed. The vote was announced by the Moderator.

A second amendment was made to the original motion and second. It proposed to add Article III penalties from the Town By-Laws, all 3 sections to the new by-law about contracts.

After discussion, the amendment was defeated 17 to 19 on a self counted standing vote led by the Moderator. The Moderator declared the amendment failed.

A third amendment was made and seconded to the original "Contracts" motion: All such bids as previously defined and/or contracts must be approved by the Board of Selectmen. After discussion, the third amendment was passed ; 25 in favor and 14 opposed on a self-counted standing vote. The moderator declared the third amendment passed.

A discussion followed on the use of "Massachusetts General Laws" in the original motion. After debate with the aid of one informed citizen, it was agreed to not add any specific laws for MGL.

A vote was taken by a self-counting standing vote led by the Moderator on the original "contracts" by-law with two amendments. The vote was 28 in favor and 12 opposed. This article was declared passed by the Moderator.

Article 30. To see if the Town will vote to accept Chapter 90 funds and all other grant funds. Being no discussion, a vote was taken and the Article passed. It was a unanimous vote.

Article 31. A motion was made and seconded to see if the town will vote to enter into immediate discussions with other Western Massachusetts municipalities with the intent of entering an inter-municipal agreement, by and through the Selectboard, pursuant to Chapter 40, Section 4A of the Massachusetts General Laws, for the purpose of establishing a universal, open access, financially self-sustaining communication system for the provision of broadband service, including high-speed Internet access, telephone and cable television, to all the residents, businesses and institutions of these municipalities. Being no discussion, the Article passed. It was unanimous.

Article 32. A motion was made and seconded to see if the Town will vote to accept Franklin Regional Transit Authority as the official transportation agent for the Council on Aging.

Being no discussion, the vote was taken and it was unanimous.

Article 33. To transact any other business to come said meeting. Thanks were extended to Joe Kearns for securing a grant of \$121,000 to replace the boiler and windows in the Town Hall. A motion was made and seconded to adjourn this meeting. Meeting adjourned at 6:40 pm.