

TOWN OF TYRINGHAM
WARRANT FOR ANNUAL TOWN MEETING

MAY 8, 2018

COMMONWEALTH OF MASSACHUSETTS

Berkshire SS.

To any of the Constables of the Town of Tyringham in said County

GREETINGS:

IN THE NAME of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Tyringham, qualified to vote in town affairs, to meet at the Town Hall in said Town on Tuesday, May 8, 2018, following the Special Town Meeting at 7:00 p.m., then and there to act on the following articles:

ARTICLE 1. To hear and act on the reports of the Town Officers and Town Committees.

Chairman James Consolati presented the attached slides with an overview of the the town finances, a Review of FY2018 and a look ahead for FY2019.

ARTICLE 2. To see if the Town will vote to have its Selectmen act as its agents in any suit of law for or against the Town.

Unanimous vote

ARTICLE 3. To see if the Town will vote to take \$4,500.00 from Free Cash or any other amount for the Affordable Housing Trust Fund or take any other action in respect there to.

\$4,500.00 Free Cash Vote – Unanimous vote

ARTICLE 4. To see if the Town will vote to take 50,019.00 from Free Cash or any other amount for the Stabilization Fund or take any other action in respect there to.

\$50,019.00 Free Cash Vote – 53 yes / 0 no

ARTICLE 5. To see if the Town will vote to take \$11,850.00 from Free Cash or any other amount to purchase a Ferri offset in-line slope mower for the Highway Dept. or take any other action in respect there to.

\$11,850.00 Free Cash Vote - Unanimous vote

ARTICLE 6. To see if the Town will raise and appropriate or, otherwise provide, the following sums of money or any other sums as listed under:

- 6.1 Town Administration;
- 6.2 Roads, Buildings and Grounds;
- 6.3 Education;
- 6.4 Fire and Safety;
- 6.5 Committees, Commissions and Reserves.

6.1 Town Administration

(a) Select Board

1	Selectman - Chairman	4,000
2	Selectman - Clerk	3,500
3	Selectman - Member	3,000
4	Selectman expenses	3,500

Sub-total Select Board: 14,000

(b) Town Hall Offices

1	Town Administrator	56,660
2	Town Secretary	22,626
3	Janitor (4 hrs/week)	5,000
4	Town Clerk salary	10,000
5	Town Clerk expenses	1,700
6	Accounting software support	4,800
7	Town Report printing	1,600
8	Website management and e-mail	3,920
9	Blackboard Connect (Robocall system)	1,100
10	Moderator	250
11	Moderator expenses	200
12	Board of Registrars	400
13	Election of Officers	2,700
14	Town Counsel	5,500
15	Professional Services (consulting, legal, other)	13,000
16	Office supplies	1,300
17	Town Administration expenses	2,000
18	Supply Purchase Agreement	600

Sub-total Town Offices: 133,356

(c) Financial Management Expenses

1	Assessor Chairman/Certified (Elected)	2,000
2	Assessor Clerk/Certified (Elected)	1,800
3	Assessor Member/Certified (Elected)	1,800
4	Assessor Consultant	19,000
5	Assessor expenses	4,000
6	Assessor on-line data/maintenance	3,150
7	Revaluation expenses	-
8	Tax Collector salary (Elected)	10,000
9	Tax Collector certification	1,000
10	Tax Collector expenses	4,500
11	Treasurer salary (Elected)	10,000
12	Treasurer expenses	2,400
13	Interest Account (short-term loans)	2,000
14	Accounting Officer expenses	1,000

Sub-total Financial Management: 62,650

(d) Employee/Retiree Benefits, Incentives & Other Expenses

1	Berkshire County Retirement	69,406
2	Employee Family Health (3)	53,352
3	Employee Single Health (1)	6,642

4	Retiree Health (6)	17,982
5	Dental Employees & Retirees	3,558
6	Compensation for Health Waivers (2)	6,642
7	Employee Salary Increases & Incentives	18,000
8	Medicare	8,000
9	Animal Inspector	250
10	Animal Control Officer (formerly Dog Officer)	600
11	Share of Animal Control Officer Health Ins	1,100
12	Berkshire Regional Planning	255
13	Veterans Services	1,906
14	Mental Health Services	250
15	Women's Service Center (Freeman Ctr.)	250
16	Gift and Flowers	325
Sub-Total Other Expenses:		188,518
Total Town Administration:		398,524

6.2 Roads, Buildings and Grounds

(a) Highway Team

1	Road Superintendent	60,466
2	Laborer	43,472
3	Laborer	40,311
4	Uniforms	900
5	Division of Employment Security	1,082
Sub-total Highway Team:		146,231

(b) Roads and Bridges

1	Snow and sand (and overtime)	50,000
2	Summertime overtime	2,000
3	Bridges	30,000
4	Road construction	70,000
5	Highway Superintendent expenses	2,000
6	Road mower	1,000
7	Removal of dead ash	10,000
8	Removal of dead trees	10,000
9	Tree planting	1,500
10	Street lights	1,500
11	Highway environmental	10,000
12	Highway debris disposal	5,000
13	Highway police detail	7,000
14	Highway Building Committee	500
Sub-total Roads and Bridges:		200,500

(c) Equipment

1	Machinery maintenance and fuel	55,000
2	Freightliner Truck loan payments	22,000
3	Equipment Committee	500
Sub-Total Equipment:		77,500

(d) Town Grounds and Buildings

1	Post Office Staff	23,000
2	Grounds & Buildings (utilities, maintenance, improvements)	52,000
3	Insurance (property, auto, workman's comp.)	33,000
4	Alarm monitoring	1,500
5	Elevator maintenance	4,500
6	Librarian	2,500
7	Library Trustees (2)	200
8	Library expenses	3,500
9	Park and swimming	2,000
10	Cemetery mowing and maintenance	15,469
11	Transfer Station salary	11,500
12	Transfer & disposal of refuse	40,000
13	Hazardous waste collection	750
Sub-Total Town Grounds and Buildings:		189,919
Total Roads, Buildings and Grounds Maintenance:		614,150

6.3 Education

(a) Support and Transportation

1	Support of Public Schools	168,412
2	Transportation	92,582
Sub-Total Support and Transportation:		260,994

(b) School Committee

1	School Committee - Chair	300
2	School Committee - Clerk	250
3	School Committee - Member	250
Sub-Total School Committee:		800
Total Education:		261,794

6.4 Fire and Safety

(a) Fire Department

1	Fire Chief	1,500
2	Deputy Fire Chief	500
3	First Assistant to Fire Chief	500
4	Second Assistant to Fire Chief	500
5	Fire Warden	1,500
6	Deputy Fire Warden	500
7	Fire Fighter stipends	11,000
8	Workers comp for Fire Dept.	5,413
9	Fire Protection expenses	9,384
10	Lease Renegotiation/Rent Increase	14,000
11	Forest Fire	270
12	Hearing Officer/city of Pittsfield	200
13	Fire Company equipment	7,600
Sub-total Fire Dept:		52,867

(b) Police Department

1	Full-time Officer/Chief	58,906
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2	Workers Comp Police	2,007
3	Part-time Officer	5,000
4	Fuel and expenses	15,000
5	Berkshire County Sheriff's Office	7,500

Sub-total Police Dept: 88,413

(c) Emergency Management

1	Emergency Management Director	2,000
2	Emergency Management expenses	500
3	SBREPC	500
4	Visiting Nurses Association	1,789
5	Lee Ambulance Service	15,004

Sub-total Emergency Management: 19,793

Total Fire and Safety: 161,073

6.5 Committees, Commissions and Reserves

(a) Board of Health

1	Chairman/Certified	300
2	Clerk/Uncertified	100
3	Member/Uncertified	100
4	Expenses	2,750

Sub-Total Board of Health: 3,250

(b) Planning Board

1	Chairman	1,000
2	Members (4)	2,000
3	Expenses	750

Sub-Total Planning Board: 3,750

(c) Conservation Commission

1	Chairman	1,000
2	Members (4)	800
3	Expenses	450

Sub-Total Conservation Commission: 2,250

(d) Cemetery, Park, Historical & Cultural

1	Cemetery Committee Members (3)	600
2	Park Commission Members (3)	600
3	Cultural Commission (Chair)	200
4	Historical Commission expenses	1,500

Sub-Total Cemetery, Park, Cultural & Historical: 2,900

(e) Board of Appeals

1	Chairman	400
2	Alternates (2)	200
3	Members (4)	800
4	Expenses	100

Sub-Total Board of Appeals: 1,500

(f) Finance Committee

1	Chairman	1,000
2	Members (2)	1,000

3	Expenses	100
4	Reserve Fund (Extraordinary/Unforeseen Exp,)	20,000
	Sub-Total Finance Committee:	22,100
	Total Committees, Commissions & Reserves:	35,750

Article 6 Grand Total: 1,471,291

All articles were voted unanimously except the following lines (6.1 d line 7 Employee Salary Increases & Incentives; 6.3 line a-1 Support of Public Schools; 6.4 a line 10 Lease Renegotiation/Rent Increase. A discussion ensued about line 7, a-1, and 10. James Consolati explained That employee salary increases and incentives were annual raises given to the employees, Matthew Puntin Explained that the Board is devising a "longevity" incentive program.

Dr. H. Jake Eberwein the Superintendent of Lee Public Schools responded to the question of the number of Students attending school and the number is 22 from Tyringham.

James Consolati explained that before the "rent increase" funds are released a new lease must be Re-negotiated between the Board and Fire Company. He further stated public meetings and discussions will be held prior to any release of funds. Statements about how the fire co. used to operate, funds that were raised and regionalization were made.

James Consolati made a motion to Raise & Appropriate \$18,000.00 for line 7, Employee Salary Increases And Incentives, Michael Curtin seconded, no opposition.

James Consolati made a motion to Raise & Appropriate \$168,412.00 for line 6.3 a-1, Support of Public Schools, Matthew Puntin seconded, no opposition.

James Consolati made a motion to Raise & Appropriate \$14,000.00 for line 6.4 a-10, Lease Renegotiation/Rent Increase, Michael Curtin seconded. By voice vote the "I's" have it.

ARTICLE 7. To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2018 in accordance with the provisions of Section 4 & 7 of Chapter 44 of the General Laws.

Voted 47 yes / 0 no

ARTICLE 8. To see if the Town will vote to accept any monies that the Commonwealth of Massachusetts - Mass Highway/Executive Office of Transportation appropriates to the town under the provisions of Chapter 90 or any other lawful provision of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or take any other action in relation thereto.

So Moved, seconded and unanimously voted.

ARTICLE 9. To see if the Town will vote to allow: Police Detail rate of \$40.00 per hour; members of the Board of Health to witness Title V inspections or perc tests at \$45.00 per hour; a member of the Library Trustees to be employed as Librarian at \$2,500.00 per year; and a member of the Cemetery Committee to be employed as Cemetery Sexton at \$200.00 per year, pursuant to MGL c. 268A s 21 A and C. 41, s. 4A.

So Moved, seconded and unanimously voted.

ARTICLE 10. To see if the Town will vote to maintain separate Revolving Funds pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2 for the following fees. Fees received by Town Officials shall be credited to the respective revolving fund and expended for payment only by the authorization of the Town Treasurer. Respective expenditures from said Revolving Funds shall not exceed the amounts shown below for fiscal year 2019 without prior approval from the Board of Selectmen:

Board of Appeals	\$ 1,000.00
Board of Health	\$ 3,000.00
Building Inspector	\$ 10,000.00
Conservation Commission	\$ 5,000.00
Gas Inspector	\$ 1,000.00
Park Commission	\$ 1,000.00
Planning Board	\$ 1,000.00
Plumbing Inspector	\$ 1,500.00
Wiring Inspector	\$ 2,000.00
Cemetery Committee	\$ 1,000.00
Fire Dept. False Alarm	\$ 500.00
Fire Company Fees	\$ 500.00
Police Detail	\$ 5,000.00

So Moved, seconded and unanimously voted.

ARTICLE 11. To see if the Town will vote to close portions of Webster, Fenn, Brace, and Breakneck Roads and or any other roads at certain times of the year as the Highway Superintendent and Selectmen deem necessary.

- 1.) Webster Road – From Mrs. Stanton’s driveway to Becket town line.
- 2.) Fenn Road – Road to be closed after Yo Yo Ma’s garage driveway.
- 3.) Brace Road – From Ruth Swart’s driveway to Monterey town line.
- 4.) Breakneck Road – To be closed at bottom of the “big hill” to Jerusalem Road

The Board was asked about an agreement discussed last Fall, that the Highway Dept. not plow a pile of snow in roads until after December 31st so hunters have access. The Board will follow up on this.

So Moved, seconded and unanimously voted.

ARTICLE 12. To see if the town will vote, pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws, to authorize the Selectmen to enter into an inter-municipal agreement with other cities, town and political subdivisions for the group purchasing of supplies, commodities and services that the Town is authorized by law to purchase and to appropriate funds voted under Article 6.1(b)18 as the Town's share of the expenses for the administration of the program for Fiscal Year 2019.

So Moved, seconded and unanimously voted.

ARTICLE 13. To see if the Town will vote to accept the sum of \$400.00 for the interest thereon to be used for the perpetual care of the Merrill & Karen Morehouse plots in the Tyringham Cemetery (plot numbers – 34 & 35).

So Moved, seconded and unanimously voted. to transfer \$400.00 into the perpetual care

Citizens Petition Article:

ARTICLE 14. To see if the Town will vote for the Highway Department to plow/sand Lakeside Drive, Ridge Street and Cooper Creek Road.

A motion was made and seconded to plow/sand Lakeside Drive, Ridge Street and Cooper Creek Road.

A discussion ensued about plowing private roads. James Consolati stated that "public use" criteria was clearly defined under Opinions of the Mass. Supreme Court Justices, which allow for various circumstances under which private roads can be plowed provided that the expenditures are primarily for the benefit of the public. This vote, regardless of the outcome, would not change the fact that, under State law, plowing private roads is at the discretion of the Selectmen and that the Board can elect to do so only when the expenditure is primarily for the benefit of the public. Yes – 36, No -6, Abstention – 22. There were several statements by people as to why they felt the roads met public use criteria. Town Counsel spoke and reaffirmed Selectman Consolati's and Selectman Curtin's interpretation of the law.

ARTICLE 15. To conduct any other business that comes before this meeting.

Motion to close meeting at 8:23 unanimous.

75 people in attendance

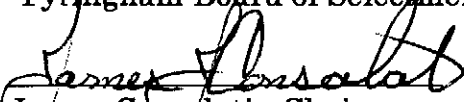
64 were registered voters in Tyringham

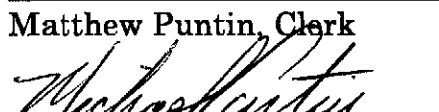
AND YOU ARE HEREBY DIRECTED TO serve this Warrant by posting copies thereof at the Post Office, Union Church, Town Hall and Bulletin Board at Goose Pond, in said Town, not less than seven (7) days before the time of holding said meeting.

HEREOF FAIL NOT and make due return of this Warrant with your doings there on unto our Town Clerk on or before said day and hour.

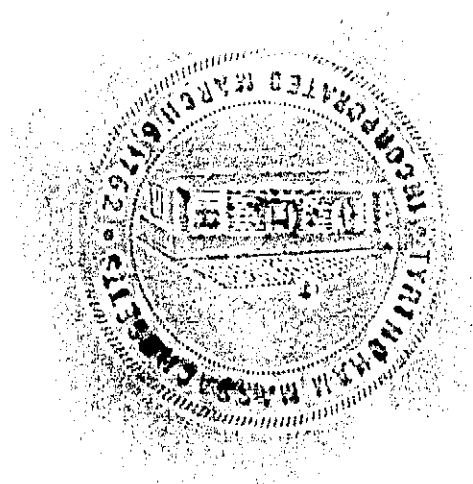
Given under our hands at Tyringham, Massachusetts this 9th day of May in the year of Our Lord, Two Thousand and Eighteen.

Respectfully,
Tyningham Board of Selectmen,


James Consolati, Chairman



Matthew Puntin, Clerk


Michael Curtin, Member



TRUE COPY ATTEST:

Town Seal

 April Curtin, Town Clerk 5/9/2018
(date)

I have served this Warrant by posting attested copies at the Post Office, Union Church, Town Hall and Bulletin Board at Goose Pond, seven (7) days at least before holding said meeting.

, Richard O. Loring, Constable 5/9/18 date

Richard Biasin

April 8, 1945 – July 6, 2017

Caleb Cabral

April 9, 1975 – January 24, 2018

Look Back FYE 2018

- Accessory Dwelling Bylaws
- Swimming Area Windmill
- Webster Road Paving
- Fire-Proof Filing Cabinets
- Library added to National Registry
- Charter Cable License
- New Freightliner Truck
- Financial Audit
- Schoolhouse Advisory Committee

Tyringham Annual Town Meeting May 8, 2018

Plowing of Private Roads

- Under Mass Constitution, Town can't use public funds for private interests.
- Exception for plowing private roads if Town votes to adopt MA Chapter 40, section 6c.
- Tyringham voted to adopt in 1968:
 - At the discretion of the Board of Selectman, a private road can be plowed if "Public Use" criteria is met;
 - No vote needed at Annual Town Meeting.

Tyringham Annual Town Meeting May 8, 2018

Look Ahead FYE 2019

- Fire Truck & Lease Agreement
- Schoolhouse Recommendation
- Main Road Culvert & Bridge
- Charter Construction Phase
- Web Site & IT Upgrades
- Swimming Area

Tyringham Annual Town Meeting May 8, 2018

Free Cash FYE 2018

<u>Certified as of 1/1/18</u>	\$207,652
Special Meeting May 2018	-41,832
Proposed 2018 ATM	<u>-66,369</u>
Remaining Balance FYE 2018	\$99,451

Tyringham Annual Town Meeting May 8, 2018

Stabilization Funds

Balance for FYE 2018	\$264,850
Proposed 2018 ATM	<u>50,019</u>
Balance for FYE 2019	\$ 314,869

With estimated Free Cash of \$150,000, total cash available for FYE 2019 is approximately \$465,000.

Tyringham Annual Town Meeting May 8, 2018

FYE 2019 Debt Obligations

Freightliner Truck	\$ 80,000
2018 ATM Proposals	0
FYE 2019 Payments	<u>-20,000</u>
Balance at End of Year	\$ 60,000

Tyringham Annual Town Meeting May 8, 2018

Funding Needed for FYE 2019

Annual Town Meeting	\$1,537,660
Snow & Ice Deficits (18,290 FC)	0
Estimated State Charges	64,717
Overlay Reserve (Estimated)	<u>2,502</u>
Estimated Total Needed	\$1,604,879

Tyringham Annual Town Meeting May 8, 2018

Estimated Funding Sources

State Aid (Cherry Sheet)	\$ 70,000
Free Cash Allocation	66,369
Borrowing	0
Local Receipts	94,350
Real Estate Taxes	<u>1,374,160</u>
Total Est. Funding	\$ 1,604,879

Tyringham Annual Town Meeting May 8, 2018

Estimated FYE 2019 Tax Rate

Estimated Valuation	\$196,224,671
Estimated Taxes Needed	\$1,374,160
➤ <u>FYE 2019 Estimated Rate</u>	
per \$1,000 of Valuation:	\$7.00
➤ <u>FYE 2018 Actual Rate</u>	
per \$1,000 of Valuation:	\$6.96
➤ FYE 2019 : .62% Increase over FYE 2018	

Tyringham Annual Town Meeting May 8, 2018

Estimated Real Estate Tax Limit

Limit for FYE 2018	\$1,441,623
Allowable Increase	<u>43,744</u>
Limit for FYE 2018	\$1,485,367
Projected Collections	\$1,374,160
93% of Limit, \$111,207 Excess Capacity	

Tyringham Annual Town Meeting May 8, 2018

Grants & Other State Aid

- Highway (Chapter 90)
- Projector, Security Cameras
- IT Security & Backup Upgrade
- Broadband
- Monterey Road Bridge
- Jerusalem Road Bridge
- Goose Pond Boat Ramp

Tyringham Annual Town Meeting May 8, 2018