

TOWN OF TYRINGHAM
WARRANT FOR ANNUAL TOWN MEETING

MAY 14, 2019

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 14, 2019, 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.

James Consolati gave the attached 3-page report for the Board of Selectmen.

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.

Voted Unanimously

ARTICLE 3. To see if the Town will vote to raise and appropriate or otherwise provide up to \$55,000.00 or any other amount for the replacement of the police cruiser or take any other action in respect there to.

Raise and Appropriate up to \$55,000.00 Voted Unanimously

ARTICLE 4. To see if the Town will vote to raise and appropriate or otherwise provide 10,020.00 or any other amount for the Stabilization Fund or take any other action in respect there to.

Raise and Appropriate \$10,020.00 Voted Unanimously

ARTICLE 5. To see if the Town will vote to raise and appropriate or otherwise provide up to \$73,000.00 or any other amount to purchase a 19,000 pound GVW Dump Truck with a plow and sander for the Highway Dept. (to replace the 2012 Dodge 5500) or take any other action in respect there to.

Raise and Appropriate up to \$73,000.00 Voted Unanimously

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	58,360
2	Town Secretary	20,592
3	Janitor (4 hrs/week)	5,000
4	Town Clerk salary	10,000
5	Town Clerk expenses	1,700
6	Accounting software support	5,200
7	Town Report printing	1,600
8	Website management and e-mail	4,300
9	Blackboard Connect (Robocall system)	1,100
10	Moderator	250
11	Moderator expenses	200
12	Board of Registrars	400
13	Election of Officers	2,785
14	Town counsel	5,500
15	Professional Services (consulting, legal, other)	6,500
16	Office supplies	1,500
17	Town Administration expenses	2,000
18	Supply Purchase Agreement	800

Sub-total Town Offices: 127,787

(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	20,400
5	Assessor expenses	4,000
6	Assessor on-line data/maintenance	3,200
7	Revaluation expenses	-
8	Tax Collector salary	10,000
9	Tax Collector certification	1,000
10	Tax Collector expenses	4,500
11	Treasurer (Elected)	10,000
12	Treasurer expenses	2,650
13	Interest Account (short-term loans)	2,000
14	Accounting Officer expenses	1,200

Sub-total Financial Management: 64,550

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

1	Berkshire County Retirement	74,738
2	Employee Family Health (3)	52,839
3	Employee Single Health (0)	-
4	Retiree Health (5)	15,660
5	Dental Employees & Retirees	3,228
6	Compensation for Health Waivers (2)	6,570
7	Employee Salary Increases & Incentives	18,000
8	Medicare	8,500
9	Animal Inspector	250
10	Animal Control Officer (formerly Dog Officer)	600
11	Share of Animal Control Officer Health Ins	-
12	Berkshire Regional Planning	261
13	Veterans Services	1,942
14	Mental Health Services	250
15	Women's Service Center (Freeman Ctr)	250
16	Gift and Flowers	325
Sub-Total Other Expenses:		<u>183,413</u>
Total Town Administration:		<u>389,750</u>

6.2 Roads, Buildings and Grounds

(a) Highway Team

1	Road Superintendent	62,276
2	Laborer	44,783
3	Laborer	41,517
4	Uniforms	900
5	Division of Employment Security	600
Sub-total Highway Team:		<u>150,076</u>

(b) Roads and Bridges

1	Snow and sand (and overtime)	53,000
2	Summertime overtime	2,000
3	Bridges & Culverts	30,000
4	Road construction	78,000
5	Highway Superintendent expenses	2,000
6	Road mower	1,000
7	Removal of dead trees	16,000
8	Tree planting	1,500
9	Street lights	1,500
10	Highway environmental	5,000
11	Highway debris disposal	5,000
12	Highway police detail	4,000
13	Highway Building Committee	500
Sub-total Roads and Bridges:		<u>199,500</u>

(c) Equipment

1	Machinery maintenance and fuel	55,000
2	Freightliner Truck loan payments	20,000
3	Equipment Committee	500
Sub-Total Equipment:		<u>75,500</u>

(d) Town Grounds and Buildings

1	Post Office Staff	23,268
2	Grounds & Buildings (utilities, maintenance, improvements)	49,000
3	Insurance (property, auto, workman's comp.)	31,000
4	Alarm monitoring	1,500
5	Elevator maintenance	5,000
6	Librarian	3,000
7	Library Trustees (2)	200
8	Library expenses	4,500
9	Park and swimming	2,000
10	Cemetery mowing and maintenance	17,500
11	Transfer Station salary	11,500
12	Transfer & disposal of refuse	40,000
13	Hazardous waste collection	787

Sub-Total Town Grounds and Buildings: 189,255

Total Roads, Buildings and Grounds Maintenance: 614,331

6.3 Education**(a) Support and Transportation**

1	Support of Public Schools	173,264
2	Transportation	94,896

Sub-Total Support and Transportation: 268,160

(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: 268,960

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	10,000
8	Workers comp for Fire Dept.	6,000
9	Fire Protection expenses	9,330
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: 52,400

(b) Police Department

1	Full-time Officer/Chief	60,674
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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:	90,181
(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	17,185
	Sub-total Emergency Management:	21,974
	Total Fire and Safety:	164,555
<u>6.5 Committees, Commissions and Reserves</u>		
(a) Board of Health		
1	Chairman/Certified	600
2	Clerk/Uncertified	100
3	Member/Uncertified	100
4	Expenses	2,750
	Sub-Total Board of Health:	3,550
(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	600
2	Alternates (2)	200
3	Members (4)	800
4	Expenses	100
	Sub-Total Board of Appeals:	1,700
(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:	36,250	
Article 6 Grand Total:	1,473,846	

Raise and Appropriate \$1,473,846.00 – Voted Unanimously
A question about the salary vs. the open hours was discussed for item 6.1 (b) 1.

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, 2019 in accordance with the provisions of Section 4 & 7 of Chapter 44 of the General Laws.

Voted Unanimously

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.

Voted Unanimously

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 \$3,000.00 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.

Voted Unanimously

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 2020 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

Voted Unanimously

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 after Peter Curtin’s driveway.

Voted Unanimously

A question about plowing Breakneck Road to the bridge for fire protection was discussed.

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 2020.

Voted Unanimously

ARTICLE 13. To see if the Town will vote to accept the sum of \$800.00 for the interest thereon to be used for the perpetual care of the Henning & Joyce Carlson plots in the Tyringham Cemetery (plot numbers – 36, 37, 38, & 39).

Voted Unanimously

ARTICLE 14. To authorize the Board of Selectmen to acquire the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements for the replacement of the Monterey Road bridge.

	Total # Parcel	Area (Square Feet)
In Fee	_____	_____
Permanent Easements	_____	_____
Temporary Easements	<u>2</u>	<u>15,347</u>

Voted Unanimously

A question about where the easements were located for this project was asked and answered.

ARTICLE 15. To see if the Town will vote to accept portions of Monterey Road as a public way, as heretofore laid out by the Board of Selectmen and shown on the plans entitled “Layout Plan of Monterey Road over Hop Brook”, dated April 23, 2019, prepared by Green International Affiliates, Inc., Civil and Structural Engineers, as said plan may be amended, and on file with the Town Clerk, for all purposes for which public ways are used in the Town of Tyringham, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plans, or take any other action relative thereto.

Voted Unanimously

A question was asked what the “plan” was? It was explained that the “ROW” (right of way) is being laid out at 66’ wide or 4 rods.

ARTICLE 16. To see if the Town will vote to use \$90,000.00 in FREE CASH or any other amount to reduce the tax rate for fiscal year 2020. (July 1, 2019 – June 30, 2020) or take any other action in respect thereto.

Free Cash Voted Unanimously \$90,000.00

ARTICLE 17. To see if the Town will vote to raise and appropriate or otherwise provide \$4,500.00 or any other amount for the Affordable Housing Trust Fund or take any other action in respect there to.

Raise and Appropriate \$4,500.00 Voted Unanimously.

A discussion ensued regarding the Affordable Housing “house” being a public or private entity. Town Counsel stated the entity is public.

ARTICLE 18. To see if the Town will vote for the Highway Department to plow/sand Lakeside Drive, Ridge Street and Cooper Creek Road.

A discussion ensued regarding public and private roads, the issues with a turnaround on these roads, and alternatives as to how the public could use these roads. A Non-binding vote was taken 37 voted to plow private roads, 8 against and 15 abstained.

ARTICLE 19. To conduct any other business that comes before this meeting.

60 Registered Voters attended.

Meeting adjourned at 8:16 pm.

Annual Town Meeting
Town of Tyringham
May 14, 2019

Look Ahead FYE 2020

- Schoolhouse Cost/Benefit
- Monterey Road Paving & Bridge
- Jerusalem Road Bridge
- New Park Fence
- New Fire Co. Lease Agreement
- Charter Construction Phase
- IT Security & Back up Upgrades

Tyringham Annual Town Meeting May 14, 2019

Richard Cernik
September 27, 1951 – May 10, 2019

William Dillof
February 27, 1948 – June 25, 2018

Henry Naventi
June 2, 1933 – April 14, 2019

Broadband, Long History

- Started with WiSpring Wireless
- Wired West plus \$900,000
- 2 MBI Reorganizations
- RFP - Only Mid-Hudson Interested
- With MBI grant, Charter agrees to cover 96% at no cost to Tyringham

Tyringham Annual Town Meeting May 14, 2019

Look Back FYE 2019

- Fire Truck
- Swimming Area Improvements
- Main Road Culvert & Bridge
- Charter Pole Work
- Goose Pond Boat Ramp
- Web Site Upgrades
- Schoolhouse Advisory Report

Tyringham Annual Town Meeting May 14, 2019

Broadband, TV & Phone

- Cable License January 2018
- Pole Applications March 2018
- Pole Work Started Summer 2018
- Not enough done for 2018 Build
- Build expected in Summer 2019
- 96% Map after pole work

Tyringham Annual Town Meeting May 14, 2019

MBI Build Schedule – Peter Larkin email 3/26/2019

Jim, I have an MBI Make Ready Integrated Schedule for Tyringham that we are putting in front of the Governor tomorrow. It notes Verizon as having already completed their Pole setting. Eversource is expecting to complete their Make Ready (moving electric power) by 4/15. That will be followed by Verizon completing their Make Ready (moving telephone lines) by 6/12. From this date on Charter will begin installing their service this summer. If all goes as planned you are looking at a network being built this summer. Peter

Stabilization Funds

Balance for FYE 2019	\$312,938
Proposed 2019 ATM	<u>10,020</u>
Balance for FYE 2020	\$ 322,958

With estimated Free Cash of \$140,000, expected total cash available for FYE 2020 is \$460,000 to \$500,000.

Tyringham Annual Town Meeting May 14, 2019

Warrant Highlights

- Health Insurance
- Support of Public Schools
- New police Cruiser
- New Highway Dump Truck

Tyringham Annual Town Meeting May 14, 2019

FYE 2020 Debt Obligations

Freightliner Truck	\$ 60,000
2019 ATM Proposals	0
FYE 2020 Payments	<u>-20,000</u>
Balance at End of Year	\$ 40,000

Tyringham Annual Town Meeting May 14, 2019

Free Cash FYE 2019

<u>Certified as of 1/1/19</u>	\$230,701
Special Meeting Dec. 2018	-50,000
Proposed 2018 ATM	<u>-90,000</u>
Remaining Balance FYE 2018	\$90,701

Tyringham Annual Town Meeting May 14, 2019

Funding Needed for FYE 2020

Annual Town Meeting	\$1,616,366
Snow & Ice Deficits	4,006
Estimated State Charges	62,500
Overlay Reserve (Estimated)	<u>1,515</u>
Estimated Total Needed	\$1,684,387

Tyringham Annual Town Meeting May 14, 2019

Estimated Funding Sources

State Aid (Cherry Sheet)	\$ 78,375
Free Cash Allocation	90,000
Borrowing	0
Local Receipts	100,000
Real Estate Taxes	<u>1,416,012</u>
Total Est. Funding	\$ 1,684,387

Tyringham Annual Town Meeting May 14, 2019

Grants & Other State Aid

- Highway (Chapter 90)
- Monterey Road Paving
- Monterey Road Bridge
- Jerusalem Road Bridge
- Broadband 96% Coverage
- New Highway Trailer

Tyringham Annual Town Meeting May 14, 2019

Estimated FYE 2020 Tax Rate

Estimated Valuation	\$202,738,780
Estimated Taxes Needed	\$1,416,012
➤ <u>FYE 2020 Estimated Rate</u>	
per \$1,000 of Valuation:	\$6.98
➤ <u>FYE 2019 Actual Rate</u>	
per \$1,000 of Valuation:	\$6.71
➤ FYE 2019 actual decrease .25, FYE 2020 est. Increase .27	

Tyringham Annual Town Meeting May 14, 2019

Plowing of Private Roads

- Unlawful for a Town to plow a Private Road unless Town adopts MA Chap. 40, section 6c and the Private Road is open to "Public Use".
- Tyringham adopted Chap. 40, section 6c in 1968.
- Under 40, 6c, the Board of Selectmen:
 1. Is responsible for determining if the "Public Use" requirement is met and, if it's met:
 2. Has discretion to plow or not plow.
- "Public Use" defined by Opinion of MA Supreme Court Justices. (313 Mass. 779, Feb. 16, 1943).
- Town Vote cannot override State Law.

Tyringham Annual Town Meeting May 14, 2019

Estimated Real Estate Tax Limit

Limit for FYE 2019	\$1,489,774
Allowable Increase	<u>42,340</u>
Limit for FYE 2020	\$1,532,114
Projected Collections	\$1,416,012
92% of Limit, Excess Capacity	\$116,102

Tyringham Annual Town Meeting May 14, 2019

**Annual Town Meeting
Town of Tyringham
May 14, 2019**

Look Ahead FYE 2020

- Schoolhouse Cost/Benefit
- Monterey Road Paving & Bridge
- Jerusalem Road Bridge
- New Park Fence
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Tyringham Annual Town Meeting May 14, 2019

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Tyngham Annual Town Meeting May 14, 2019

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Tyngham Annual Town Meeting May 14, 2019

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Tyringham Annual Town Meeting May 14, 2019

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 28th day of May in the year of Our Lord, Two Thousand and Nineteen.

Respectfully,
Tyringham Board of Selectmen,


James Consolati, Chairman


Matthew Puntin, Clerk


Michael Curtin, Member



TRUE COPY ATTEST:

 April Curtin, Town Clerk 5/31/2019
(date)

Town Seal

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) before holding said meeting.

, Richard O. Loring, Constable 5/29/19 date