

Commonwealth of Massachusetts
Town of West Stockbridge
May 9, 2022
Warrant for Annual Town Election

BERKSHIRE: ss:

To any constable(s) of the Town of West Stockbridge, Massachusetts

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet in the Gymnasium of the Town Hall, 21 State Line Road in the Village of West Stockbridge, on Monday May 9, 2022 at ten o'clock in the morning for the purpose of bringing in their votes to the Election Officer(s) for the election of candidates for the following offices:

- One Moderator for a term of one year.
- One Member, Select Board for a term of three years.
- One Town Clerk for a term of three years.
- One Town Collector for a term of three years.
- One Member, Board of Assessors for a term of three years.
- One Member, Finance Committee for terms of three years.
- One Member, Planning Board for a term of five years.
- One Member, Board of Health for a term of three years.
- One Member, Board of Library Trustees for a term of three years.
- One Member, Cemetery Commission for a term of three years.

The polls will be opened at ten o'clock in the morning and will remain open continuously until seven o'clock in the evening of said day when they will then be closed.

All ballots shall be furnished by the Town Clerk and the election will be conducted in conformity with the Election Laws of the Commonwealth of Massachusetts.

***Commonwealth of Massachusetts
Town of West Stockbridge
May 2, 2022
Warrant for Annual Town Meeting***

BERKSHIRE: ss:

To any constable(s) of the Town of West Stockbridge, Massachusetts

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town, *who are qualified to vote in Town affairs to meet at six o'clock in the evening on Monday May 2, 2022 in the gymnasium in the Town Hall of West Stockbridge, located at 21 State Line Road, then and there to act on the following articles:*

Article 01: To hear and act upon the reports of the Town Officers or any Committee of the Town.

Motion made, seconded, approved

Article 02: To see if the Town will vote to authorize the Select Board to act as agents of the Town in accordance with MGL Chapter 40, Section 2 for the purpose of bringing suit or suits in the name of the Town and on its behalf, and to adjust, litigate, defend, compromise, settle, and execute any and all documents pursuant to any settlement on behalf of the Town for such amounts as the Select Board shall determine in their decision to be proper and in the best interest of the Town, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 03: To see if the Town will vote to authorize any Board or Officer in charge of a department, with the approval of the Select Board, to sell any property of the Town which has become obsolete or is not required for further use by the respective department and which does not, in the opinion of the Selectmen, exceed \$500.00 in value, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 04: To see if the Town will vote to accept the Cemetery Perpetual Care funds received for the fiscal year 2022, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 05: To see if the Town will vote to authorize the Moderator to appoint any agents or committees of the Town and give them authority or instructions, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 06: To see if the Town will vote to authorize the Select Board to appoint all non-elected Town Officers necessary or required to be chosen by the Town, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 07: To see if the Town will vote to authorize the Treasurer, with the approval of the Select

Board, to sell at public auction all or any of its property acquired by virtue of sale of non-payment of taxes, which have been confirmed by the Land Court to the Tax Commissioner, and to give deeds therefor, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 08: To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow from time to time in anticipation of revenue, in accordance with the provisions of MGL Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year, in accordance with MGL Chapter 44, Section 17, *or take any other action in relation thereto.*

(Requires a 2/3rds Majority vote to pass)

Motion made, seconded, approved by unanimous vote

Article 09: To see if the Town will vote to authorize the Town, with the approval of the Select Board, to seek and accept any grants and to further authorize the Treasurer, with the approval of the Select Board, to borrow from time to time in anticipation of revenue in accordance with the provisions of MGL Chapter 44, Section(s) 6, 6A, and 8C and to issue a note or notes therefor, payable within two years, and to renew any note or notes as may be given in accordance with MGL Chapter 44, Section 17, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 10: To see if the Town will vote to require the Tax Collector, Deputy Tax Collector, Town Clerk, and Treasurer and Assistant Treasurer to give bonds by some surety company and to raise and appropriate a sum or sums of money to pay for same, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 11: To see if the Town will approve the \$1,500,000 borrowing authorized by the Berkshire Hills Regional School District, for the purpose of paying costs of the Feasibility and Schematic Design Study for the Monument Mountain Regional High School located at 600 Stockbridge Road, Great Barrington, MA, which will materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, including the payment of all costs incidental or related thereto, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of Berkshire Hills Regional School District School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA, and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA, *or take any other action in relation thereto.*

(Recommended by the Berkshire Hills Regional School Committee)

Motion made, seconded Discussion followed, Peter Dillon explained Approved

Article 12: To see if the Town will vote to fix the salaries of various elected Town Officers, as follows, *or take any other action in relation thereto:*

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Select Board Member (Chair)	\$ 2,200	\$ 0	\$ 2,200
Select Board Member (each, 2 members)	\$ 2,000	\$ 0	\$ 2,000
Town Moderator	\$ 200	\$ 0	\$ 200
Town Clerk	\$ 15,000	\$ 0	\$ 15,000
Town Collector	\$ 18,500	\$ 500	\$ 19,000
Assessors (each, 3 members)	\$ 1,500	\$ 0	\$ 1,500

Motion made, seconded Discussion followed, Marie Ryan explained. Approved

General Government

Article 13: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for the general government operations of the Town for fiscal year 2023, as follows, *or take any other action in relation thereto:*

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Town Counsel	\$ 25,000	\$15,000	\$ 40,000
Town Moderator	\$ 200	\$ 0	\$ 200
Town Administrator Salary	\$ 77,250	\$ 2318	\$ 79568
Town Administrator Expenses	\$ 9,000	\$ 0	\$ 9,000
Sick/Personal Day Payout	\$ 6,000	\$ 0	\$ 6,000
Select Board's Salaries	\$ 6,200	\$ 0	\$ 6,200
Select Board's Expenses	\$ 14,000	\$ 500	\$ 14,500
Finance Committee	\$ 200	\$ 0	\$ 200
Accountant's Salary	\$ 20,000	\$ 1,000	\$ 21,000
Accountant's State Certification	\$ 1,000	\$ 0	\$ 1,000
Accountant's Expenses	\$ 2,400	\$ 0	\$ 2,400
Treasurer/Accountant Software	\$ 5,100	\$ 800	\$ 5,900
Assessor's Salary	\$ 4,500	\$ 0	\$ 4,500
Assessor's Cont Services/Expense	\$ 53,298	\$ 1,250	\$ 54,548
Treasurer's Expenses	\$ 6,000	\$ 0	\$ 6,000
Treasurer State Certification	\$ 1,000	\$ 0	\$ 1,000
Treasurer's Salary	\$ 20,000	\$ 2,500	\$ 22,500
Town Collector's Expenses	\$ 12,050	\$ 700	\$ 12,750
Town Collector's Salary	\$ 18,500	\$ 500	\$ 19,000
Town Collector State Certification	\$ 1,000	\$ 0	\$ 1,000
Tax Title Expenses	\$ 4,000	\$ (2000)	\$ 2,000
Town Clerk's Expenses	\$ 1,700	\$ 210	\$ 1,910
Town Clerk's Salary	\$ 15,000	\$ 0	\$ 15,000
Elections and Registrations	\$ 4,000	\$ 6,000	\$ 10,000
Preservation of Records	\$ 3,000	\$ 0	\$ 3,000
Street List	\$ 500	\$ 0	\$ 500
Conservation Commission	\$ 3,000	\$ 0	\$ 3,000
Planning Board	\$ 3,100	\$13,650	\$ 16,750
Zoning Board of Appeals	\$ 1,000	\$ 3,500	\$ 4,500
Town Insurance	\$ 90,000	\$ 0	\$ 90,000
Officers' Bonds	\$ 1,500	\$ 0	\$ 1,500
Town Reports	\$ 3,800	\$ 0	\$ 3,800

Town Audit	\$ 15,500	\$ 1,000	\$ 16,500
Town Website Annual Maint.	\$ 4,500	\$ 0	\$ 4,500
Computer/IT Services	\$ 8,000	\$ 2,000	\$ 10,000
Town Buildings Electricity	\$ 45,000	\$ 5,000	\$ 50,000
Town Buildings Fuel	\$ 29,000	\$ 0	\$ 29,000
Town Buildings Telephone	\$ 13,000	\$ 0	\$ 13,000
Town Buildings Repairs/Maint.	\$ 20,000	\$ 5,000	\$ 25,000
Town Buildings Plants & Gardening	\$ 3,500	\$ 8,000	\$ 11,500
Town Buildings Supplies	\$ 10,800	\$ 1,200	\$ 12,000
	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Town Buildings Custodian Salary	\$ 49,300	\$ 4,260	\$ 53,560
Town Seasonal Salary	\$ 3,750	\$ 250	\$ 4,000
Town Signage	\$ 0	\$ 7,000	\$ 7,000
OPEB Fees	\$ 2,625	\$ 325	\$ 2,950

Total General Government	\$618,273	\$79,963	\$698,236
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Motion made, seconded Discussion followed. Approved

Protection of Persons and Property

Article 14: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for the public safety departments of the Town for fiscal year 2023, as follows, *or take any other action in relation thereto*: [Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Police Chief Salary	\$ 76,404	\$ 4,584	\$ 80,988
Chief Sick/Personal Payout	\$ 5,857	\$ 175	\$ 6,032
Part Time Patrol Officers Salary	\$ 59,599	\$ 3,333	\$ 62,932
Full Time Officers Salary	\$135,308	\$ 4,059	\$139,367
Administrative Asst. Salary	\$ 18,915	\$ 567	\$ 19,482
Full Time Officers Holiday Pay	\$ 11,530	\$ 350	\$ 11,880
Training Time Pay	\$ 8,500	\$ 255	\$ 8,755
Police Overtime Pay	\$ 4,000	\$ 3,500	\$ 7,500
Fitness Stipend	\$ 1,800	\$ 900	\$ 2,700
Uniforms	\$ 5,000	\$ 1,000	\$ 6,000
Police Training	\$ 10,000	\$ 0	\$ 10,000
Police Fuel	\$ 12,000	\$ 0	\$ 12,000
Police Dues & Subscriptions	\$ 6,500	\$ 0	\$ 6,500
Police Vehicles Repairs & Maint.	\$ 10,000	\$ 1,000	\$ 11,000
Police Other Charges & Expenses	\$ 5,000	\$ 0	\$ 5,000
Police Maint. Contracts	\$ 6,700	\$ 1,000	\$ 7,700
Police Supplies	\$ 4,000	\$ 0	\$ 4,000
Police Equipment	\$ 6,000	\$ 2,000	\$ 8,000
Police Bridge Academy	\$ 0	\$ 28,000	\$ 28,000
Police Traffic Calming	\$ 0	\$ 12,800	\$ 12,800
Fire Chief Salary	\$ 10,000	\$ 2,000	\$ 12,000
Fire Department Training	\$ 2,400	\$ 0	\$ 2,400
Fire Department Fuel	\$ 3,000	\$ 0	\$ 3,000

Fire Dept. Dues & Subscriptions	\$ 3,000	\$ 0	\$ 3,000
Fire Dept. Repairs & Maint.	\$ 15,000	\$ 0	\$ 15,000
Fire Dept. Turnout Gear	\$ 10,000	\$ 0	\$ 10,000
Fire Dept. Supplies	\$ 6,250	\$ 0	\$ 6,250
Fire Dept. Office Supplies	\$ 1,000	\$ 0	\$ 1,000
Fire Dept. Medical Supplies	\$ 5,800	\$ 0	\$ 5,800
Richmond Ambulance	\$ 3,500	\$ 41,500	\$ 45,000
EMT Incentive	\$ 2,400	\$ 0	\$ 2,400
Fireperson's Incentive	\$ 7,500	\$ 5,000	\$ 12,500
Communication Services	\$ 12,710	\$ 0	\$ 12,710
	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Building Inspector	\$ 10,050	\$ 1,950	\$ 12,000
Building Inspector Expenses	\$ 2,500	\$ 0	\$ 2,500
Emergency Management	\$ 600	\$ 0	\$ 600
Animal Control Officer	\$ 5,000	\$ 0	\$ 5,000
Animal Control Officer Exp.	\$ 400	\$ 0	\$ 400
Tree Warden	\$ 16,000	\$ 0	\$ 16,000

Tot. Protection Persons & Property **\$504,223** **\$113,973** **\$618,196**

Motion made, seconded Discussion followed, Austin White explained about mutual ambulance service with Richmond. Approved

Education

Article 15: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,184,170 for the purpose of paying the FY 2023 operating assessment for the Berkshire Hills Regional School District, *or take any other action in relation thereto.*

[Approved by the Finance Committee]

Motion made, seconded, approved

Article 16: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$84,315 for the purpose of paying the FY 2023 capital assessment for the Berkshire Hills Regional School District, *or take any other action in relation thereto.*

[Approved by the Finance Committee]

Motion made, seconded, approved

Public Works and Facilities

Article 17: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for the public works and facilities departments of the Town for fiscal year 2023, *or take any other action in relation thereto:*

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Director Salary	\$ 78,613	\$ 2,359	\$ 80,972
Highway Salaries	\$170,868	\$ 5,132	\$176,000
Sick/Personal Day Payout	\$ 14,268	\$ 3,452	\$ 17,720
Contracted Longevity Pay	\$ 4,500	\$ 500	\$ 5,000
Highway Overtime	\$ 14,600	\$ 0	\$ 14,600

Fitness Stipend	\$ 1,800	\$ 2,700	\$ 4,500
Uniform Allowance	\$ 4,000	\$ 0	\$ 4,000
Highway Professional Training	\$ 900	\$ 0	\$ 900
Dues & Subscriptions	\$ 800	\$ 0	\$ 800
Gas and Diesel Fuel	\$ 25,000	\$ (3,000)	\$ 22,000
Highways and Bridges	\$ 14,000	\$ 0	\$ 14,000
Culverts and Guardrails	\$ 7,000	\$ 0	\$ 7,000
Machinery Maintenance	\$ 26,000	\$ 2,000	\$ 28,000
Highway Construction	\$ 55,000	\$ (3,000)	\$ 52,000
Highway Line Painting	\$ 15,600	\$ 1,400	\$ 17,000
Snow and Ice Removal	\$ 80,000	\$ 0	\$ 80,000
Street Lights	\$ 17,000	\$ 3,000	\$ 20,000
Solid Waste Transfer Station	\$117,516	\$ 2,700	\$120,216
	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Hazardous Waste Disposal	\$ 3,000	\$ 0	\$ 3,000
Cemetery Department	\$ 33,000	\$ 0	\$ 33,000
Cemetery Tree Removal	\$ 14,000	\$ 1,000	\$ 15,000
Mill & Card Pond Weed Removal	\$ 13,000	\$ (13,000)	\$ 0
Group Purchasing	\$ 900	\$ 0	\$ 900

Total Public Works & Facilities \$711,365 \$ 5,243 \$716,608

Motion made, seconded, approved

Human Services

Article 18: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for the human services departments of the Town for fiscal year 2023, *or take any other action in relation thereto:*

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Board of Health	\$ 3,000	\$ (525)	\$ 2,475
Board of Health Salary	\$ 15,000	\$ 525	\$ 15,525
Community Health	\$ 27,100	\$ (23,100)	\$ 4,000
Council on Aging	\$ 15,000	\$ 0	\$ 15,000
Veteran's Benefits	\$ 15,000	\$ 0	\$ 15,000
American Legion/Memorial Day	\$ 2,000	\$ 0	\$ 2,000

Total Human Services \$ 77,100 \$ (23,100) \$ 54,000

Culture and Recreation

Article 19: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for culture and recreation departments of the Town for fiscal year 2023, *or take any other action in relation thereto:*

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Library	\$ 50,135	\$ 1,244	\$ 51,379
Parks and Recreation	\$ 14,000	\$ 9,850	\$ 23,850
Historical Commission	\$ 200	\$ 0	\$ 200
Vision Committee	\$ 1,435	\$ 0	\$ 1,435

Total Culture and Recreation \$ 65,770 \$ 11,094 \$ 76,864

Motion made, seconded, approved

Debt and Interest

Article 20: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for debt and interest obligations for fiscal year 2023, *or take any other action in relation thereto*:

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Interest & Fees Short/Long Term	\$ 5,000	\$ 0	\$ 5,000
Sewer Capital Costs	\$ 37,379	\$ (438)	\$ 36,941
Town Hall Bldg Loan	\$142,800	\$(142,800)	\$ 0
Multi-Purpose Loan	\$137,796	\$ 35,125	\$172,921
Multi-Purpose Loan FY23	\$ 0	\$ 44,142	\$ 44,142

Total Debt & Interest \$322,975 \$ (63,971) \$259,004

Motion made, seconded, approved

Intergovernmental Expenses

Article 21: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for intergovernmental expenses for fiscal year 2023, *or take any other action in relation thereto*:

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Veterans District	\$ 6,000	\$ 100	\$ 6,100
<i>Total Intergovernmental Expenses</i>	<u>\$ 6,000</u>	<u>\$ 100</u>	<u>\$ 6,100</u>

Motion made, seconded, approved

Unclassified Expenses

Article 22: To see if the Town will vote to raise and appropriate or transfer from available funds the following sums of money for certain unclassified expenses for fiscal year 2023, *or take any other action in relation thereto*:

[Approved by the Finance Committee]

	<u>FY 22</u>	<u>+/-</u>	<u>FY 23</u>
Berkshire County Retirement	\$154,015	\$14,708	\$168,723
Health Insurance	\$207,674	\$ 0	\$207,674

Medicare & FICA Tax	\$ 18,000	\$ 1,000	\$ 19,000
Reserve Fund	\$ 20,000	\$ 0	\$ 20,000
Conservation Trust	\$ 300	\$ 0	\$ 300
Unemployment Insurance	\$ 1,000	\$ 0	\$ 1,000

Total Unclassified Expenses	\$400,989	\$ 15,708	\$416,697
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Motion made, seconded, approved

Special Financial Article

[The following articles have been approved by the Finance Committee.]

Article 23: To see if the Town will vote to accept the layout of Merritt Way as a public town way in the location ordered by the Select Board and depicted on a plan of land dated March 24, 2022 , prepared by Foresight Land Services, and entitled Easement Plan of 15 Feet Right-of-Way “Merritt Way”, a copy of which is on file with the Town Clerk as required by law, and further to authorize the Select Board to acquire, by gift, purchase, or eminent domain, rights in the land within the layout sufficient to use said way for all purposes for which public ways are used in the Town of West Stockbridge, and to appropriate from certified free cash the sum of \$15,000 for the purpose of acquiring such rights and paying all costs incidental and related thereto, *or to take any other action relative thereto.*

Motion made to change date of Land Plan to April 25 2022. Seconded, amendment approved. Motion made to accept amended article, seconded, approved

Article 24: To see if the Town will vote to appropriate from certified free cash the sum of \$7,100.00, for the purpose of purchasing and equipping new computers for the Police Department, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 25: To see if the Town will vote to appropriate from certified free cash the sum of \$8,000.00 for the purpose of funding a traffic study on Great Barrington Road, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 26: To see if the Town will vote to appropriate from certified free cash the sum of \$12,000.00 for the purpose of funding one new mower for the Department of Public Works, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 27: To see if the Town will vote to appropriate from certified free cash the sum of \$58,000.00 for the purpose of purchasing and equipping a new vehicle for the Police Department, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 28: To see if the Town will vote to appropriate from certified free cash the sum of \$40,000.00 for the purpose of purchasing and equipping a new truck for the Department of Public Works, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 29: To see if the Town will vote to appropriate from certified free cash the sum of \$10,000.00 for the purpose of funding the design and engineering of the Town-owned property on Moscow Road, located near the Public Restrooms, including all incidental and related costs, *or take any other action in relation thereto.*

**Motion made to amend article to read inclusive of the restrooms. Seconded, approved.
Motion to accept amended article, seconded, approved**

Article 30: To see if the Town will vote to appropriate from certified free cash the sum of \$8,000.00 for the purpose of conducting a feasibility study for a possible road extension of Harris Street to Moscow Road, including all incidental and related costs, *or take any other action in relation thereto.*

Motion made, seconded Discussion followed. Show of hands, majority vote no.

Article 31: To see if the Town will vote to set aside the following amounts, to be held in reserve in the Community Preservation Fund to be set aside for FY2023 or later years, *or take any other action in relation thereto:*

Housing Reserve	\$11,079
Open Space Reserve	\$11,079
Historic Resources Reserve	\$11,079
Administrative Expenses	\$3,500

Motion made, seconded, approved

Article 32: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$295,439 for the purpose of funding a resurfacing of Maple View Drive, Smith Road, Woodruff Road and Wilson Road, and for the payment of all other incidental and related costs, *or take any other action in relation thereto.*

[NOTE: The intent of this appropriation is to add available Town funds to our annual State highway funding to provide for the resurfacing of the Maple View Drive, Smith Road, Woodruff Road and Wilson Road paving project. (Requires 2/3rds vote to pass)

Motion made, seconded, approved by unanimous vote

Article 33: To see if the Town will vote to amend the vote taken under Article 31 at the Annual Town Meeting of May 8, 2017, to appropriate an additional \$35,000 from certified free cash for the purpose of repairing the roof of the Town's Wastewater Treatment Plant including all incidental and related

Motion made, seconded, approved
costs, or take any other action in relation thereto.

Article 34: To see if the Town will vote to appropriate certified free cash the sum of \$105,500 for the purpose of purchasing a rotating biological contactor unit for the Wastewater Treatment Plant, including all incidental and related costs, *or take any other action in relation thereto.*

(NOTE: The intent is to replenish this amount with funds received from the American Rescue Plan Act awarded to the Town)

Motion made, seconded, approved

Article 35: To see if the Town will vote to transfer from certified free cash the sum of \$35,022 and appropriate the same amount to the Stabilization Fund, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 36: To see if the Town will vote to transfer from certified free cash the sum of \$35,022 and appropriate the same amount to the Capital Stabilization Fund, *or take any other action in relation thereto.*

Motion made, seconded, approved

Special Bylaw Articles

Article 37: To see if the Town will vote to amend Chapter 8 of the General Bylaws of the Town of West Stockbridge, entitled Community Preservation Committee, as on file and available for viewing in the Town Clerk's Office, as follows, *or take any other action in relation thereto:*

1. Section 8-1 Establishment, item A, by replacing the words "nine voting members" with "seven voting members".
2. Section 8-1 Establishment, item A-5, by deleting the entire wording and replacing it with the following;

"One individual with interest or expertise in Housing, appointed by the Select Board for an initial term of two years and thereafter for a term of three years."

3. Section 8-1 Establishment, item A-6, by deleting the entire paragraph and replacing it with the following;

"Two members of the general public, who are not Town employees or currently holding elected or appointed positions, as designated by the Select Board. One member will be appointed to an initial term of two years, and thereafter for a term of three years. The other member will be appointed for a three-year term."

Motion made, seconded, approved

Article 38: To see if the Town will vote to amend the General Bylaws of the Town of West Stockbridge, as on file and available for viewing in the Town Clerk's Office, by making several ministerial changes and typographical corrections, as follows, *or take any other action in relation thereto:*

All Chapters All Sections Change: Building Inspector
To: Building Commissioner, in each instance in which it occurs

Chapter
1 Section
1-8

Non-Criminal Disposition

Add to end of paragraph:

Fee Schedule

1st Offense \$50

2nd Offense \$100

3rd Offense \$300

And all subsequent offenses

20 20-1 Finances – Audit

An audit of the accounts of the Town shall be made ~~semi-annually~~ annually beginning with the closure of Fiscal Year 1999 on June 30, 1999, as provided by M.G.L. c. 44, sec 35.

- 20 20-11 Finances – Collection of Parking Citations
The ~~Board of Selectmen~~ Select Board shall appoint a hearings parking clerk,
who shall hear all grievances and collect said fines.
- 45 45-1 Officers and Employees – Town Moderator
Pursuant to the provisions of M.G.L. c. 41, there shall ~~elected~~ be elected one
Moderator for a term of one year.
- 45 45-13 Officers and Employees – Appointed Officers
Add the following to the chart:
Alternate Building Inspector 1 year
Asst. Wire Inspector 1 year
- 65 65-1 Town Meeting – Date & Location of Annual Town Meeting
The Annual Town Meeting shall be held on the first Monday evening in May of
each year at the ~~Village School Auditorium~~ Town Hall.
- 65 65-11 Town Meeting – Warrant Closing Date
~~Selectmen~~ Select Board shall announce a date to close acceptance of any articles
to appear on the Warrant for a Special Town Meeting and so notify the Town
Clerk.
- 80 Title Alarm Systems
Replace the Title of “Alarm Systems” with
“Emergency Alarm Systems”
- 80 80-1 Alarm Systems – Timing Device Required
Delete this entire section “Timing Device Required”
- 80 80-3 (A) Alarm Systems – Permit Required; fees; revocation
The Select Board ~~is hereby authorized~~ may authorize the Police Department to
be the permit granting authority to grant a revocable permit to any owner, lessee,
or occupant of property located in the Town to operate, maintain, install or
modify an automatic emergency alarm system.
- 95 95-1 Building Construction – Required
Said permits shall be issued by the ~~Select Board~~ Building Commissioner in
multiple copies so that one may be given to the builder, one to the Assessor and
the Finance Director, one to the Board of Health, one to the Planning Board and
one to be filed by the Select Board.
- 95 95-6 Building Construction – Enforcement; violations and penalties
Failure to comply with this bylaw shall subject the offending property owner to a
~~fine not exceeding \$10.~~ fine as described in Chapter 1, section 1-8 per c. MGL
40, Sec. 21D.

180 Newspaper Dispensing Devices
Delete entire Chapter

240 240-2 Vehicles and Traffic – Notice of violation; penalties
Such violation may be punishable by a ~~fine of \$10.~~ fine as described in Chapter 1, section 1-8 per MGL c. 40, Sec. 21D.

Motion made, seconded, approved by unanimous vote

Article 39: To see if the Town will vote to amend the Zoning Bylaws of the Town of West Stockbridge, as on file and available for viewing in the office of the Town Clerk, as follows, *or take any other action in relation thereto:*

1. Correct the number of days for the Zoning Board of Appeals decisions from 120 to 100 in Section 7.6 to read as follows;

7.6 Decisions by the Board

The decision of the Board of Appeals shall be made within ~~120 days~~ 100 days after the date of filing of an appeal, applications or petition with the Town Clerk, except in regard to special permits as provided in Section 6.3 of this bylaw. Failure by the Board to act within said 100 days shall be deemed to be the grant of relief, application or petition sought, except in regard to special permits.

2. Delete the second sentence of the Zoning Bylaws, Chapter 127, section 11.1.1:

11.1.1

~~Any change to the Zoning Map of the Town or to the Table of Uses set forth in Section 4.11 of this bylaw shall be made only at an Annual Town Meeting and not at a Special Town Meeting.~~

[Note: This article requires a 2/3rds vote for approval]

Motion made, seconded, approved by unanimous vote

Sewer and Water [The following articles have been approved by the Finance Committee]

Article 40: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$110,400 for the purpose of funding the FY 2023 Sewer Department Operation and Maintenance Budget to be offset, in full, by user receipts, *or take any other action in relation thereto.*

Motion made, seconded, approved

Article 41: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$74,450 for the purpose of funding the FY 2023 Water Department Operation and Maintenance Budget to be offset, in full, by user receipts, *or take any other action in relation thereto.*

Motion made, seconded, approved

Revolving Funds

Article 42: To see if the Town will vote, in accordance with the provisions of MGL Chapter 44, Section 53E½, to:

- (1) Amend the General Bylaws by establishing the following revolving funds, specifying the departmental receipts to be credited to the funds, the departmental programs or purposes for which the funds may be expended, and the entity authorized to expend the funds, such bylaw to provide as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund
Cemetery	Cemetery Commissioners	Fees and charges received from the sale of burial plots	Perpetual Care
Emergency Alarm	Emergency Alarm Inspector	Fees and charges received from inspections	Inspector salary
Gas	Gas Inspector	Fees and charges received from inspections	Inspector salary
Plumbing	Plumbing Inspector	Fees and charges received from inspections	Inspector salary
Wiring	Wire Inspector	Fees and charges received from inspections	Inspector salary
Oil Burning	Oil Burner Inspector	Fees and charges received from inspections	Inspector salary
Title V	Title V Inspector	Fees and charges received from inspections	Inspector salary
Parks and Recreation Department	Parks and Recreation Department	User fees and charges received from Parks and Recreation Department programs.	Equipment and events

Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting, or any increase therein as may be authorized in accordance with MGL Chapter 44, Section 53E½.

- (2) And, also, pursuant to said MGL 44, Section 53E½ further, to vote to set the spending limits for fiscal year 2023, with such limits to be applicable from fiscal year to fiscal year unless Town Meeting votes, prior to July 1, in any fiscal year, to increase or decrease the same for the upcoming fiscal year:

	<u>FY '22</u>	<u>+/-</u>	<u>FY '23</u>
Cemetery Commissioners	\$ 500	\$ 0	\$ 500
Emergency Alarm Inspector	\$ 500	\$ 0	\$ 500
Gas Inspector	\$ 1,000	\$ 0	\$ 1,000
Plumbing Inspector	\$ 500	\$ 0	\$ 500
Wire Inspector	\$ 2,000	\$ 0	\$ 2,000
Oil Burner Inspector	\$ 200	\$ 0	\$ 200
Title V Inspector	\$ 3,000	\$ 0	\$ 3,000
Parks and Recreation Fees	\$ 500	\$ 0	\$ 500
Total Revolving Fund	\$ 8,200	\$0	\$ 8,200

or take any other action in relation thereto.

[Approved by the Finance Committee]
Motion made, seconded, approved

Citizen Petition

Article 43: To see if the Town will vote to authorize the following changes to the Zoning Bylaws, or take any other action in relation thereto.

Section 9.1.1 (b) would be amended by adding the words in **RED** to read:

“It is the intent of these bylaws to enable small-scale and local marijuana-related business activity. For all districts, **except the MOD**, special permits for cultivation of marijuana may only be granted when the size and amount of cultivation for an individual or corporate entity does not exceed a “Tier One” scale of cultivation activity, presently defined by 935 CMR 500.000, except that a craft cooperative shall be limited to three noncontiguous cultivation sites in the Town of West Stockbridge, each of which is limited to a Tier 1 canopy (5,000 square feet). **In the MOD only, special permits for all Tiers for outdoor cultivation may be granted where the MOD overlays with areas of the preexisting Manufacturing District.**”

To address potential concerns about odor, Section 9.1.4 entitled “Outdoor cultivation of marijuana” would be amended by adding the following new subsection h.

h. Reasonable odor mitigation may be required as directed by the SPGA.

Finally, to effectuate these changes, all references in the Zoning Bylaws to the Marijuana Retail Overlay District or MROD would be changed to the Marijuana Overlay District or MOD (In Sections 3.1, where it is first used, 3.2.3 where it is first defined, 4.11 Table of Uses, Principal, 4.11 Table of Uses, Accessory, and 5.6 Table of Dimensional Requirements.) and in 4.11 Table of Uses number 38 and 39 under MOD would be changed from NO to SPP.

[Note: This article requires a 2/3rds vote for approval]

Motion made, seconded, approved by unanimous vote

Article 44: To do and transact any other business necessary to be done by the Town.

Motion made to adjourn, 8:30 pm, seconded, approved

Given under our hands this 24th day of March 2022.

West Stockbridge Select Board

Eric Shimelonis, *Chair*

Kathleen Keresey

Roger Kavanagh

I hereby certify that I have posted and attested copies of this warrant at the Post Office at West Stockbridge, and at the public notice boards at State Line, West Center, Williamsville, and High Street as directed by vote of the Town of West Stockbridge.

Attested: _____, Constable Date: _____

Certified Copy: _____

TOWN CLERK

Monica Barrett