

Pursuant to the foregoing warrant, the Annual Town Meeting was called on May 9, 2009, 7:15 p.m. at Becket Town Hall, 557 Main Street, Becket. There being a quorum present, the meeting was called to order at 7:15 p.m. by the Moderator. There were 82 voters present and a total of 93 people attended the meeting. Town Officials Present: Bruce Garlow, Moderator; William Cavanaugh, John Murray, and Doug Walter, Selectmen; Jeremy Dunn, Michael Falk, Amy Fyden, Finance Committee Members; Jeanne Pryor, Town Clerk; Richard Furlong, Town Administrator; Sally Bell, Town Counsel; Donna Harlan, Superintendent, CBRSD.

The Moderator opened the meeting stating the rules to be followed. He asked for a showing of hands of non-registered voters and welcomed them, indicating that they could address the meeting but could not vote. Town Clerk, Jeanne Pryor, read the call of the meeting and officer’s return of service and the Moderator noted the warrant as having been duly posted.

Mr. Michael Falk, Chair of the Finance Committee, was introduced for a brief summary of the town finances and some other items. Mr. Falk acknowledged Richard Furlong who is retiring on July 11 after many years as Town Administration in our town noting that he was very helpful to the Finance Committee and will be greatly missed. Mr. Falk then introduced and welcomed Tony Blair who is from Great Barrington and will be replacing Richard. Mr. Falk reviewed town finances. He noted that the town’s 25% share of the clean up cost from the December 11, 2008, ice storm will come from the Stabilization account and that the clean up started two days ago and should be completed in about six weeks. Due to the state of the economy, Mr. Falk noted that the town expects a reduction in its fiscal 2010 revenues from the Commonwealth of Massachusetts as well as reduced revenues from our local revenues, such as excise taxes and from lower new growth home building and renovations in the amount of about \$207,000 in expected reductions. The town’s fiscal 2010 warrant expenses are \$252,000 less than last year, about 5%, primarily due to a reduction of recommended articles. The line items were \$111,000 higher than fiscal 09 with the largest increases in the education area. Of the 89 line items on today’s warrant, 35 are lower than the current year and 25 are level funded with 09. The CBRSD operating budget is a level service budget. Becket’s share is 3.16% increased from the current year and this is partially due the Department of Educations’ minimum net contribution formula. We are presenting tonight a balanced budget which will not reduce town services or town employment and will only result in an average property tax increase of about 3 ½ % and no capital expenses are recommended this year. We are adding to the Stabilization Account to protect us from possible mid year state reductions that would affect our budget. The McNerney Road bridge construction has been awarded and the work is to commence in June and should be completed by October 2009. The entire cost (about \$840,000) is being paid by the Commonwealth of Massachusetts. The Yokum Pond bridge construction has been approved by Mass. Highway, the work is currently being bid out and is projected to begin August 31 and be completed before winter. The cost will be about \$350,000 and will not affect Becket’s tax rate until fiscal 2011. Bonny Rigg Hill RD and Algeria RD is the #1 project in the Commonwealth and is awaiting approval this year for a STRAP grant.

Board of Selectmen Chair, Bill Cavanaugh was introduced and, on behalf of the Select Board, acknowledged Richard Furlong noting the outstanding job he has done as Town Administrator. He also acknowledged Selectman Doug Walter who opted not to run for re-election this year noting his good work.

The following articles were voted on:

Article 1: To see if the Town will vote to raise and appropriate such sums of money as may be needed to defray the expenses of the Town for the ensuing fiscal year and to fix the salaries and compensation of all elective officials as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as set forth below in the attached line items:

Majority Vote Required					
	TOWN of BECKET FY. 2010	BUDGET APPROVED FY. 2009	BUDGET REQUESTED FY. 2010	BUDGET RECOMMENDED FY. 2010	Percent Increase
	<u>GENERAL GOVERNMENT</u>				
1	TOWN COUNSEL	\$4,000.00	\$6,000.00	\$5,000.00	25.00%
2	LEGAL EXPENSE	\$3,500.00	\$3,500.00	\$3,500.00	0.00%
3	AUDIT	\$14,000.00	\$13,500.00	\$13,500.00	-3.57%
4	MODERATOR	\$100.00	\$100.00	\$100.00	0.00%
5	MODERATOR EXP.	\$50.00	\$50.00	\$50.00	0.00%
6	SELECTMEN'S SALARIES \$1500.00 per selectman	\$4,500.00	\$4,500.00	\$4,500.00	0.00%
7	SELECTMEN'S EXPENSES	\$1,000.00	\$1,000.00	\$900.00	-10.00%

8	ADVERTISING	\$3,000.00	\$2,500.00	\$2,500.00	-16.67%
9	TOWN SECRETARY	\$39,750.00	\$40,426.00	\$40,426.00	1.70%
10	TOWN ADMIN. SALARY	\$47,074.00	\$55,000.00	\$55,000.00	16.84%
11	TOWN ADMIN. EXPENSE	\$1,200.00	\$1,200.00	\$1,080.00	-10.00%
12	FINANCE COMMITTEE	\$1,000.00	\$1,000.00	\$900.00	-10.00%
13	ASSESSORS SALARIES	\$107,000.00	\$108,829.00	\$108,829.00	1.71%
14	ASSESSORS EXPENSE	\$12,700.00	\$11,200.00	\$11,200.00	-11.81%
15	TOWN TREASURER SALARY	\$33,459.00	\$34,028.00	\$34,028.00	1.70%
16	TOWN TREASURER EXP.	\$5,500.00	\$5,500.00	\$5,000.00	-9.09%
17	TAX TITLE	\$15,000.00	\$15,000.00	\$15,000.00	0.00%
18	TAX COLLECTOR SALARY	\$46,300.00	\$47,087.00	\$47,087.00	1.70%
19	TAX COLLECTOR EXPENSE	\$6,185.00	\$6,185.00	\$6,185.00	0.00%
20	ASSIST. TAX COLLECTOR	\$16,000.00	\$16,272.00	\$16,272.00	1.70%
21	TOWN CLERK SALARY	\$24,753.00	\$25,174.00	\$25,174.00	1.70%
22	TOWN CLERK EXPENSE	\$4,010.00	\$2,910.00	\$2,910.00	-27.43%
23	ELECTION-REGISTRATION	\$10,265.00	\$9,171.00	\$9,171.00	-10.66%
24	CONSERVATION COMM.	\$7,427.00	\$7,550.00	\$7,000.00	-5.75%
25	PLANNING BOARD EXPENSE	\$7,000.00	\$7,000.00	\$6,300.00	-10.00%
26	Pay Chairman at \$13.45 hour REGIONAL PLAN COM.	\$1,116.00	\$1,116.00	\$1,116.00	0.00%
27	BOARD of APPEALS	\$2,200.00	\$2,200.00	\$2,000.00	-9.09%
28	RESERVE FUND	\$12,000.00	\$14,000.00	\$14,000.00	16.67%
	<u>SUBTOTAL GEN. GOVT.</u>	<u>\$430,089.00</u>	<u>\$441,998.00</u>	<u>\$438,728.00</u>	2.01%
	<u>HIGHWAY</u>				
29	GENERAL MAINTENANCE	\$252,240.00	\$239,426.00	\$239,426.00	-5.08%
30	VACATION & HOLIDAYS	\$31,283.00	\$32,758.00	\$32,758.00	4.72%
31	MACHINERY ACCOUNT	\$40,000.00	\$39,000.00	\$39,000.00	-2.50%
32	RECONST. of GRAVEL ROADS	\$62,000.00	\$50,000.00	\$50,000.00	-19.35%
33	FUEL ACCOUNT	\$73,216.00	\$73,216.00	\$60,000.00	-18.05%
34	WINTER ROADS	\$170,000.00	\$170,000.00	\$170,000.00	0.00%
35	CEMETERIES	\$10,700.00	\$10,700.00	\$10,700.00	0.00%
	Pay Commissioners \$13.45 Hr.				
36	FORESTRY	\$300.00	\$300.00	\$300.00	0.00%
37	MOTH ACCOUNT	\$100.00	\$100.00	\$100.00	0.00%
38	TREE ACCOUNT	\$8,000.00	\$5,000.00	\$5,000.00	-37.50%
	<u>SUBTOTAL HIGHWAYS</u>	<u>\$647,839.00</u>	<u>\$620,500.00</u>	<u>\$607,284.00</u>	-6.26%
	<u>EDUCATION</u>				
39	SCHOOL OPERATING	\$2,053,631.00	\$2,118,608.00	\$2,118,608.00	3.16%
40	SCHOOL CAPITAL	\$27,112.00	\$26,805.00	\$26,805.00	-1.13%
41	VOCATIONAL TUITION	\$94,100.00	\$113,700.00	\$113,700.00	20.83%
42	VOCATIONAL TRANSPORT.	\$30,000.00	\$55,000.00	\$55,000.00	83.33%
	<u>SUBTOTAL EDUCATION</u>	<u>\$2,204,843.00</u>	<u>\$2,314,113.00</u>	<u>\$2,314,113.00</u>	4.96%
	<u>PROTECT. PERSON & PROP</u>				
43	POLICE DEPT. SALARIES	\$164,100.00	\$169,000.00	\$169,000.00	2.99%
44	POLICE DEPT. EXPENSE	\$15,750.00	\$16,770.00	\$16,270.00	3.30%
45	HARBOR MASTER	\$990.00	\$990.00	\$990.00	0.00%

46	OUT REACH PROGRAM	\$1,500.00	\$2,500.00	\$2,500.00	66.67%
47	CONSTABLE EXPENSE	\$300.00	\$300.00	\$300.00	0.00%
48	FIRE CHIEF SALARY	\$3,600.00	\$3,662.00	\$3,662.00	1.72%
49	FIRE DEPT. EXPENSES	\$24,000.00	\$24,000.00	\$24,000.00	0.00%
50	FIRE CALL STIPEND	\$8,100.00	\$8,000.00	\$8,000.00	-1.23%
51	BUILDING INSP. SALARY	\$45,117.00	\$45,884.00	\$45,884.00	1.70%
52	BUILDING & CODE INSP. EXP	\$3,775.00	\$2,375.00	\$2,375.00	-37.09%
53	DEMOLITION FUND	\$0.00	\$12,000.00	\$11,400.00	100.00%
54	PUBLIC SAFETY INSPECTIONS	\$12,000.00	\$11,000.00	\$11,000.00	-8.33%
55	EMERGENCY MANAGEMENT	\$1,000.00	\$1,000.00	\$1,000.00	0.00%
56	DOG OFFICER SALARIES	\$10,400.00	\$10,400.00	\$10,400.00	0.00%
57	DOG OFFICER EXPENSES	\$1,900.00	\$1,900.00	\$1,700.00	-10.53%
	<u>TOTAL PERSON & PROP.</u>	<u>\$292,532.00</u>	<u>\$309,781.00</u>	<u>\$308,481.00</u>	5.45%
	<u>HEALTH & SANITATION</u>				
58	BECKET AMB. SALARIES	\$155,000.00	\$170,000.00	\$170,000.00	9.68%
59	BECKET AMB. DEPT. EXP.	\$17,000.00	\$18,000.00	\$18,000.00	5.88%
60	E911 COMMUNICATION	\$8,837.00	\$9,102.00	\$9,102.00	3.00%
61	INSPECTOR of ANIMALS	\$250.00	\$250.00	\$250.00	0.00%
62	TRANSFER STATION	\$95,852.00	\$90,637.00	\$90,637.00	-5.44%
63	SOUTH BERK. SOLID WASTE	\$6,000.00	\$6,000.00	\$6,000.00	0.00%
64	BOARD of HEALTH SALARIES	\$11,000.00	\$10,000.00	\$10,000.00	-9.09%
	Pay Members at 13.45 Hr.				
65	BOARD of HEALTH EXPENSES	\$7,000.00	\$6,000.00	\$6,000.00	-14.29%
66	LEE VISITING NURSE	\$4,725.00	\$4,725.00	\$4,725.00	0.00%
67	MENTAL HEALTH CENTER	\$541.00	\$541.00	\$541.00	0.00%
68	VETERANS AGENT SALARY	\$1,768.00	\$1,781.00	\$1,781.00	0.74%
69	VETERANS AGENT EXPENSE	\$150.00	\$100.00	\$100.00	-33.33%
70	VETERANS BENEFITS	\$1,000.00	\$1,000.00	\$1,000.00	0.00%
	<u>TOTAL HEALTH & SANIT.</u>	<u>\$309,123.00</u>	<u>\$318,136.00</u>	<u>\$318,136.00</u>	2.92%
	<u>UNCLASSIFIED EXPENSES</u>				
71	ACCOUNTING SERVICES	\$17,500.00	\$17,500.00	\$16,500.00	-5.71%
72	GENERAL INSURANCE	\$65,000.00	\$65,000.00	\$65,000.00	0.00%
73	MUNICIPAL BUILDINGS	\$47,000.00	\$50,000.00	\$50,000.00	6.38%
74	MUNICIPAL UTILITIES	\$57,000.00	\$57,000.00	\$57,000.00	0.00%
75	STREET LIGHTS	\$7,320.00	\$7,320.00	\$7,320.00	0.00%
76	TOWN REPORTS	\$4,500.00	\$3,000.00	\$3,000.00	-33.33%
77	POSTAGE	\$14,000.00	\$14,750.00	\$14,750.00	5.36%
78	COUNCIL on AGING	\$5,000.00	\$5,000.00	\$4,900.00	-2.00%
79	RECREATION COMM.	\$13,633.00	\$13,633.00	\$13,000.00	-4.64%
80	PARKS COMM.	\$7,000.00	\$7,000.00	\$6,500.00	-7.14%
81	HISTORIC COMMISSION	\$1,000.00	\$1,000.00	\$900.00	-10.00%
82	INT. SHORT-TERM DEBT	\$1,500.00	\$1,500.00	\$1,500.00	0.00%
83	COUNTY RETIREMENT	\$140,835.00	\$148,391.00	\$148,391.00	5.37%
84	HEALTH INSURANCE	\$230,000.00	\$220,000.00	\$220,000.00	-4.35%

85	PAYROLL TAX ACCOUNT	\$16,030.00	\$17,000.00	\$17,000.00	6.05%
86	LIBRARY	\$24,000.00	\$49,000.00	\$36,500.00	52.08%
87	MEMORIAL DAY	\$550.00	\$550.00	\$550.00	0.00%
88	ARTS CENTER	\$3,000.00	\$1,540.00	\$1,540.00	-48.67%
89	COMMUNITY RECREATION	\$1,000.00	\$1,000.00	\$750.00	-25.00%
	<u>TOTAL UNCLASS. EXP.</u>	<u>\$655,868.00</u>	<u>\$680,184.00</u>	<u>\$665,101.00</u>	1.41%
	<u>GRAND TOTAL</u>	<u>\$4,540,294.00</u>	<u>\$4,684,712.00</u>	<u>\$4,651,843.00</u>	2.46%

Article 1 was moved and seconded on the floor. The Moderator stated that he would not read each line item but rather, if there were to be any questions or discussion of any item, a “Hold” would be asked to be placed on that item. At the end of the process for any line items to be held, all items not having a “Hold” put on them would be voted on. Following this, all line items having a “Hold” would then be voted on separately. “Holds” were placed on the following line items:

- 9-28 General Government
- 29 Highway, General Maint.
- 32 Highway, Reconstruction of Gravel Roads
- 42 Education, Vocational Transport.
- 56 Dog Officer Salaries
- 58 Becket Amb. Salaries
- 60 Inspector of Animals
- 78 Council on Aging
- 83 County Retirement

After placing holds on the above line items, a vote was taken to approve all non-held line items. **All line items that were not held passed unanimously.**

Line Item 9 – Town Secretary. Beth VanNess wanted to comment on line items 9-28 and asked why are we giving raises? Mr. Falk responded that at first the committee thought that they would have to cut jobs but agreed on a 1.7% increase for each employee up to the maximum of their salary range. The cost of living in Massachusetts last year was 0.7% so that was part of the 1.7%. He noted that the employees’ share of health benefits was considered; last year the employee share was increased from 20-25%. This year they partially defrayed the higher health care premium that the employees will incur. They felt that this was fair and competitive. A vote was taken and **Line Item 9 passed.**

Line Item 10 – Town Administrator Salary. Ms. O’Connor said she understood that the cap on the salary was \$53,000 and asked why the line item was for more. Mr. Walter noted that, when negotiating with the new Town Administrator, he agreed not to take health benefits costing the town \$7,000 and as part of the negotiation the salary was increased by \$3,000 in lieu of health insurance. A vote was taken and **Line Item 10 passed.**

Line Item 11 – Town Administrator Expense. There was no discussion. A vote was taken and **Line Item 11 passed unanimously.**

Line Item 12 – Finance Committee. There was no discussion. A vote was taken and **Line Item 12 passed unanimously.**

The Moderator asked if Line Items 13-28 should continue to be held and the individual who asked to hold them agreed that they no longer needed to be held. A vote was taken on Line Items 13-28 and **Line Items 13-28 passed.**

Line Item 29 – Highway, General Maintenance, and 32 – Reconst. Of Gravel Roads. Ms. Beasely asked why there is a 20% decrease in Reconstruction of Gravel Roads. Mr. Furlong noted that the decrease was at the request of the Highway Superintendent who was not at the meeting. Meredith Babcock noted that she heard they were seeing savings by re-using some of the sand and by doing a better job of reducing some things that they already had. A vote was taken on **Line Items 29 & 32 passed unanimously.**

Line Item 42 – Vocational Transportation. Rob Gorden asked if there was a limitation on where the town had to pay their travel. Mr. Furlong noted that there is no limitation except that the student must go to the closest school that has the course they need to take. The Town must pay for the tuition of the vocational school and the transportation. For example, the current cost to transport students to Westfield is \$200 per day. A vote was taken on Line Item 42 and **Line Item 42 passed unanimously.**

Line Item 56 – Dog Officer Salaries. Mrs. Elovirta asked if someone could explain why we pay a dog officer (with no report in the Town Report, no # animal calls) \$200 per week and we only pay the fire chief (who is in charge of 2 buildings, 7-8 vehicles, 15 people) \$72.00 per week. Mr. Cavanaugh noted that the fire chief puts in a request for a budget and should include a raise if requested; he wouldn't be opposed to him getting more but he has to ask for more. Mr. Cavanaugh stated that he wasn't aware that no report was received from the Animal Control Officer this year and the Selectmen will act on that. Mrs. Elovirta stated previous year salaries for the Animal Control Officer and asked who is watching the money for this part-time position. Mr. Falk noted that they approved the recommendation received and that this was not a job that was sought after. Discussion followed. Mrs. Elovirta made a motion to lower the amount of this line item to \$5,000 and it was seconded. Dave Krawet stated that he feels we don't have enough information to decide to lower this item. Caroline Whitbeck asked if this item could be referred to the Finance Committee. In response to a question, it was noted that this is an appointed position. Mr. Dunn noted that the Town Administrator makes the appointment but can set the salary lower than the appropriation. Mr. Furlong noted that he doesn't have a problem with Mrs. Elovirta's request and wouldn't be opposed to lowering it to \$5,000. The Town Administrator, if needed, could request an additional appropriation at a special town meeting. A vote was taken on the motion and the motion to reduce the salary to \$5,000 passed. A vote was taken on Line Item 56 and **Line Item 56, as amended (\$5,000), passed unanimously.** Following the vote, Mr. Furlong clarified that any salary for an appointed and/or hired position can be lowered when voted on at town meeting. If it is an elected official, that is not the case.

Line Item 58 – Becket Ambulance Salaries. Jeff Wilkinson noted that this was a 10% increase and larger than other salaries and asked for the reason for that. Mr. Furlong noted that it actually costs \$250,000 for ambulance salaries but the town makes it up with billing receipts. The actual ambulance salaries are not being increased any more than other employees; they will get 1.7%. The town is working with the Finance Committee to try to make the line item more realistic. A vote was taken on Line Item 58 and **Line Item 58 passed unanimously.**

Line Item 60 – E911 Communication. Ms. Krawet asked who gets this money. The Moderator noted that the Berkshire County Sheriff's Department does the dispatching and the entire amount goes to them. A vote was taken on Line Item 60 and **Line Item 60 passed unanimously.**

Line Item 78 – Council on Aging. COA President Sonny Nelson noted that they haven't asked for an increase in five or six years and asked why their request was reduced. The town doesn't have a van and the COA has to pay to drive people to the doctors, shopping, etc. They also haven't received funds from the town for new storm windows, stairs, railings, etc. Mr. Falk noted that the Finance Committee would be happy to restore the amount to \$5,000. It was moved and seconded to raise the amount of the article from \$4,900 to \$5,000. Mr. Cavanaugh asked Mr. Nelson if \$5,000 was enough and he responded that he was happy with it. A vote was taken to amend the article and it passed unanimously. A vote was taken on Line Item 78 and **Line Item 78, as amended (\$5,000), passed unanimously.**

Line Item 83 – County Retirement. Ms. O'Conner asked for an explanation of County Retirement. Mr. Furlong responded that each year the town is told how much they need to appropriate for County Retirement. Since we don't pay social security, the amount of this article is the town's share as required by the formula used by County Retirement system that the town belongs to. A vote was taken on Line Item 83 and **Line Item 83 passed unanimously.**

Article 2: To see if the Town will vote to raise and appropriate the sum of \$85,000.00 for the Stabilization Fund.

Selectmen: Recommend2/3 Vote Required

Finance Committee: Recommends

Article 2 was moved and seconded on the floor. There was no discussion. A vote was taken and **Article 2 passed unanimously.**

Article 3: To see if the Town will vote to raise and appropriate the sum of \$134,208.00 to fund the bond payment for the following previously debt excluded items:

Becket Washington School	\$107,131.00
Nessacus Regional Middle School	\$ 27,077.00

Selectmen: RecommendMajority Vote Required

Finance Committee: Recommends

Article 3 was moved and seconded on the floor. Rita Furlong, the town's representative on the Wahconah Building Committee, gave an update on their work. Last year the seven towns voted \$1 million to begin the updating of the high school. The science laboratory is now fully updated and AP Chemistry is offered; the furniture and lab materials have been replaced partially with donations from local businesses. Wiring in the auditorium has also been addressed. Starting this summer, safety issues such as the uneven stage floor, leaking skylights, broken lockers, outdoor track, stage and kitchen fire

suppression systems, high speed data links, security cameras, door opening alarm systems, roof flashing will be addressed. This will not address the greening of Wahconah but will bring the high school to a much safer condition. The Moderator explained that this article addresses annual payments that the town needs to make on the town’s debt. A vote was taken and **Article 3 passed unanimously.**

Article 4: To see if the Town will vote to accept any monies appropriated by the Massachusetts Highway Department for Chapter 90 use. These funds to be used for maintenance and reconstruction of Town roads and to fund the appropriations by transferring said amounts from available funds with any unspent funds to carry over from year to year until spent by the Town. These sums will be reimbursed to the Town by the Commonwealth of Massachusetts in accordance with Chapter 90 of the Massachusetts General Laws.

Selectmen: RecommendMajority Vote Required

Finance Committee: Recommends

Article 4 was moved and seconded on the floor. There was no discussion. A vote was taken and **Article 4 passed unanimously.**

Article 5: To see if the Town will vote to appropriate the sum of \$20,000.00 for the Ambulance Department Salary Account and to fund the appropriation by transferring \$20,000.00 from the Ambulance Department Receipt Reserved Account.

Selectmen: RecommendMajority Vote Required

Finance Committee: Recommends

Article 5 was moved and seconded on the floor. In response to a question, Mr. Furlong noted that this is a transfer from the receipt account where the billing for ambulance services goes. It is not the same as the appropriation for the salary line item and doesn’t affect the tax rate. A vote was taken and **Article 5 passed unanimously.**

Article 6: To see if the Town will vote to appropriate the sum of \$25,000.00 for the ongoing repair of Municipal Buildings.

Selectmen: RecommendMajority Vote Required

Finance Committee: Recommends

The Moderator noted that there was a typographical error in Article 6 and that it should read “to see if the town will vote to raise and appropriate the sum of \$25,000 for the ongoing repair of Municipal Buildings”. **Article 6** was moved and seconded on the floor. There was no discussion. A vote was taken and **Article 6 passed unanimously.**

Article 7: To see if the Town will vote to raise and appropriate the sum of \$18,200.00 for the purpose of providing the following:

	Requested	Finance Committee & Selectmen Recommendations
Center Pond Weed Pulling:	\$1,200.00	\$1,200.00
Center Pond Weed Treatment:	1,300.00	1,300.00
Berk. South Reg. Comm. Center:	1,200.00	0.00
Community Development Block Grant	14,500.00	14,500.00
Total	18,200.00	17,000.00

Majority Vote Required

The Moderator noted that there was a typographical error in Article 7 and that it should read “Center Pond Weed Survey” rather than Center Pond Weed Treatment. Article 7 was moved and seconded on the floor. It was moved and seconded to amend the article by lowering the total amount from \$18,200 to \$17,000 which would represent 0 funding for Berkshire South Regional Community Center. A vote was taken to amend the article to \$17,000 and the amendment passed unanimously. June Babcock asked for an explanation of a Community Development Block Grant. Mr. Furlong noted that it is a very competitive grant that the town would apply for from the state and the Berkshire Regional Planning Board recommended that we try to get such a grant for the North Becket Village because that area is eligible for the grant. We would have to pay Berkshire Regional Planning for most of the grant work. The grant could be about \$750,000. Discussion followed on the amount needed to write the grant which would include travel expenses and whether the grant funds could be used to make the buildings energy efficient. Mr. Blair noted that there is a very public process that the town will go through to determine just what the town wants the funds for. A vote was taken and **Article 7, as amended (\$17,000) passed unanimously.**

Article 8: To see if the Town will vote to amend the Town of Becket Bylaws Article 2 Elected Town Officials by deleting Section 4 which reads: A COLLECTOR OF TAXES shall be elected for a term of three (3) years. (Adopted 6/13/81) and Section 6 which reads: A TREASURER shall be elected for a term of three (3) years. and renumbering the Sections 1 through 13.

Selectmen: RecommendMajority Vote Required

Finance Committee: Recommends

Article 8 was moved and seconded on the floor. The moderator noted that the process of converting these positions from elected to appointed in the town charter has already been done and this is housekeeping to

amend the general bylaws. Ms. Swindlehurst asked whether or not the town had designated who would appoint these positions when it was voted on at last year’s town meeting. The Moderator noted that it was in the charter, section 4, that the positions are appointed by the Board of Selectmen. A vote was taken and **Article 8 passed unanimously.**

Article 9: To see if the Town will vote to increase the charge for each written demand issued by the collector from the current charge of \$5.00 to \$15.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective as of July 1, 2009.

Selectmen: Recommend
Finance Committee: Recommends

Majority Vote Required

Article 9 was moved and seconded on the floor. Mr. Dunn explained that the demand charge is a fee that is only assessed if your taxes are late. In response to a question, Mr. Furlong noted that several years ago the collector gave up keeping demand fees and the money now goes to the general fund. Kathy Hayn explained that within the last year the legislature decided that they were going to open up the amount that cities and towns could charge for demand fees. Previously the fee was \$5.00 but now the fee can be between \$5.00-\$30.00 In response to the Finance Committee’s request that departments suggest ways for increasing town revenues, I suggested that the Finance Committee might want to look into increasing the demand fee. The Finance Committee made the recommendation to increase the fee to \$15.00. A vote was taken and **Article 9 passed.**

The Moderator indicated that he would step down as Moderator for this portion of the meeting as he has been involved with advising a friend with ongoing litigation in this matter and felt that it would not be appropriate for him to moderate this portion of the meeting. Due to this temporary vacancy of the Moderator, the Town Clerk proceeded with the election of a temporary moderator for Article 10 only. The Town Clerk asked for nominations for a Temporary Moderator. It was moved and seconded to nominate Mike Falk. It was moved and seconded to nominate Steven Rosenthal. An election by voter card was held and the Town Clerk declared that Mike Falk is elected Temporary Moderator. The oath of office was administered and Mr. Falk presided over Article 10 of the meeting.

Article 10: To see if the Town will vote to accept the layout of the way known as Jacob’s Hollow Road as described in the plan of land recorded in the Middle Berkshire Registry of Deeds in Map Plat B-51 and accept Jacob’s Hollow Road as a town way.

Article petitioned by voters.

Selectmen: 2 Selectmen Recommend 1 Did Not
Planning Board: Voted Not to Make Recommendation
Finance Committee: Voted Not to Make Recommendation

Majority Vote Required

Article 10 was moved and seconded on the floor. William Johnson, a homeowner on Jacob’s Hollow Road, spoke in support of the article. He said his interest in having the road taken over by the town is that Jacob’s Hollow Road is in effect a town road since it connects Rte. 20 with George Carter Road and is used by the public. Residents of Jacob’s Hollow Road pay town taxes but also pay for the maintenance of that road. He also noted that, although it is marked as a private road, those using it drive faster than they might if it were a town road. Connie Chin, General Manager of Jacob’s Pillow, stated that the Pillow is not a part of the petition but has some comments about it. The interest that they have is that the road actually goes through Jacob’s Pillow property and because it is a private road they are denied the possibility of walking from one side of their property to another across the road and this is problematic at times. She feels that it would be more appropriate for this to be a public road instead of a private road. Warren Harrison, a property owner on Jacob’s Hollow Road, noted that there is no way to limit the traffic on that road and feels it is unfair for owners to maintain it privately if it is open to the public. Deborah Beasley, a homeowner on Jacob’s Hollow Road, addressed the meeting in opposition to the article and read a letter from her attorney to inform those at town meeting of certain matters with regard to Jacob’s Hollow Road that should be considered in making a decision on this matter. The letter cited pending litigation with members of the board of the Jacob’s Hollow Road Association concerning a gate placed on this road and a preliminary injunction issued by the court against the board prohibiting them from interfering with Ms. Beasley’s right of access and ordering that the gate be kept open and unlocked. She explained the covenants and restrictions of lot owners in that subdivision that is recorded in the Berkshire County Registry of Deeds, noting that it transfers the responsibility of maintaining and upkeep of said road to the Jacob’s Hollow Association. She said that the poor condition of the road should be considered by the town and noted the possibility of the town’s involvement in the current lawsuit if it accepts Jacob’s Hollow road as a town road. Her deed states that it is a private road owned by the association. The petition for this article was signed by only one household on Jacob’s Hollow Road and she doesn’t understand how others in town not living on that road can decide the fate of someone’s private property. Discussion followed. Ms. Swindlehurst said that, since this is a private road in a private subdivision, it might be a candidate to establish a road district to maintain its road or she suggested the Selectmen might post a sign to close it to public traffic. Mr. Elovirta noted that the Police Department has been involved in this controversy over the years and it is a private road. He noted that there or over 100 miles of road in Becket and the department has only 1 cruiser so they do not have the resources to continually monitor this

road. Mr. Garlow stated reasons for not accepting the road noting that we do not know what the expense to the town would be, it is currently in litigation and that no study of the road has been done. The town has many private roads and it would be only fair to do a study to determine which roads it might consider being changed from private to public. John Hall suggested that if we vote to accept this road all the developments in Becket will be coming to the town to ask to have their roads taken over. Mr. Gorden made a motion, and it was seconded, to amend the motion that, in the matter of Jacob's Hollow Road, there be appointed a group to study this. Mr. Furlong was opposed to a study group noting that there are many miles of private roads in town and this would set a precedent. Mary White stated that Sherwood Greens had formed a road district because the town had told them that there would be absolutely no way that the town would entertain taking over their roads. Sherwood Forest and Becket Woods have also formed road districts to maintain their roads. In response to a question, Mr. Cavanaugh said that he had voted to recommend this article because the Fire and Police Departments reported many complaints from residents on this road due to it being gated or not passable and he had thought it would be in the best interest of the town to accept the road. However, he doesn't want to end up with a litigation problem so is now neutral on the issue. He also reaffirmed that a petition to put an item on the warrant is available to all voters. Doug Walter noted that the mechanics and financing are not here at this time for the town to take over the road. Discussion followed. The motion and second to send this item to a study committee was withdrawn. A vote was taken by a show of voter cards and **Article 10 failed**.

Mr. Garlow continued with the meeting.

Article 11: To see if the Town will vote to amend Article 19 Significant Buildings or Structures: Permits for Demolition or Relocation Section 3 by replacing:

"The provisions of the section shall apply only to any building or structure: (1) listed in the National Register of Historic Places or the State Register (2) located within one hundred and fifty (150) feet of the boundary line, documented with maps, of any federal, state or local historic district."

with the following:

"The provisions of the section shall apply to any building or structure: (1) listed in the National Register of Historic Places or the State Register (2) or any structure a portion of which is more than fifty (50) years old as of the date of the application."

This article was requested by the Historical Commission.

Original article passed at the Special Town Meeting on January 8, 2000.

Selectmen: Recommend

Majority Vote Required.

Article 11 was moved and seconded on the floor. Mr. Gorden spoke in support of Articles 11 and 12. He noted that since the demolition restriction was passed nine years ago, the Historical Commission has not denied any requests for demolition. Mass. Historical has suggested to the Historical Commission that a 6 month period is not long enough for the applicant to comply and recommends that the time period be extended to 12 months. Massachusetts Historical also suggests that buildings built within the turn of the century since 1945-50, if they are basically untouched, are now considered historical buildings. The Historical Commission recommends changing the bylaw to any structure more than 50 years old anywhere in town. Discussion followed and opponents to the article cited that a 50 year old house should not be considered a historic building, were opposed to the idea that they could be held up for a year in application of a demolition permit if they wished to taken down their home and re-build, felt it gives too much power to the Historical Commission and that there is no provision for appeal. Ms. Gallagher made a motion to amend Article 11 to 75 years; there was no second. Discussion followed. Ms. Gallagher reminded voters that this article applies only to demolition not to remodeling and spoke in support of protection for the town's historic buildings. It was moved and seconded to call the question. A vote was taken and a 2/3 vote was achieved. A vote was taken and **Article 11 failed**.

Article 12: To see if the Town will vote to amend Article 19 Significant Buildings or Structures: Permits for Demolition or Relocation Section 4, Subsection 4 by replacing:

"(4) Positive Determination. If the building or structure is to be preferably preserved, then the Inspector shall not issue a demolition (relocation) permit for a period of six (6) months from the date the Commission's report is filed with the Inspector and with the Town Clerk.

During this 6-month period the applicant shall present evidence that a bona fide and reasonable effort to locate a purchaser or grantor who is either willing to preserve, rehabilitate or restore the building or structure or who agrees to accept a demolition or relocation permit on specified conditions approved by the Commission.

At the end of the 6-month period, the Commission shall certify to the Town Clerk and to the Inspector that the Commission is satisfied with the applicant's bona fide effort as outlined in the paragraph above; and the Inspector may then issue the demolition (or relocation) permit."

with the following:

"(4) Positive Determination. If the building or structure is to be preferably preserved, then the Inspector shall not issue a demolition (relocation) permit for a period of twelve (12) months from the date the Commission's report is filed with the Inspector and with the Town Clerk.

During this 12-month period the applicant shall present evidence that a bona fide and reasonable effort to locate a purchaser or grantor who is either willing to preserve, rehabilitate or restore the building or structure or who agrees to accept a demolition or relocation permit on specified conditions approved by the Commission.

At the end of the 12-month period, the Commission shall certify to the Town Clerk and to the Inspector that the Commission is satisfied with the applicant’s bona fide effort as outlined in the paragraph above; and the Inspector may then issue the demolition (or relocation) permit.”

**This article was requested by the Historical Commission.
Original article passed at the Special Town Meeting on January 8, 2000.**

Selectmen: Recommend **Majority Vote Required**

Article 12 was moved and seconded on the floor. In response to discussion, Mr. Gorden noted that the law passed in 2000 provides that a structure could be demolished if it is a health hazard. A vote was taken and **Article 12 failed**.

Article 13: To see if the Town will vote to amend the Central Berkshire Regional School District Regional Agreement Section V. Transportation by replacing:

“School transportation shall be provided by the regional school district and the cost thereof shall be apportioned to the member towns as an operating expense.”

with the following:

“School transportation shall be provided by the regional school district and the cost thereof shall be apportioned on the basis of the actual cost of transporting students in each town.”

This article was requested by the Town of Dalton.

Selectmen: Do Not Recommend **Majority Vote Required**
Finance Committee: Does Not Recommend

Article 13 was moved and seconded on the floor. Mr. Falk noted that, under the current seven town agreement, the transportation cost of busing children to their school is apportion according to the number of children each town has in the school system. Becket has 8.55% of the school children in the district so we pay 8.55% of the total district transportation cost. Dalton has 55% of the children in the district so they pay 55% of the cost. Under the proposal, each town would pay its actual cost so Dalton’s students, who go to schools in Dalton, would have their costs lowered. He noted that since there is already an agreement, the Finance Committee voted not to recommend because there is nothing in it for our town. Becket would pay for any and all cost for transporting Becket students. Mr. Cavanaugh noted that Becket and other hilltown residents with school children have an additional cost as there is no late bus for students participating in after school activities, and the parents must transport them to Dalton. A vote was taken and **Article 13 failed**.

Article 14: To see if the Town will vote to amend the Town of Becket Bylaws Article 4 General Procedure by deleting Section 8 which reads: The Assessors shall cause to be published in the Town Report at least once in five (5) years a full valuation of the Town. (Amended 6/13/81) and renumbering the Sections 1 through 8.

Selectmen: Recommend **Majority Vote Required**
Finance Committee: Recommends

Article 14 was moved and seconded on the floor. Mr. Dunn noted that this is a costly expense for the town and it is not necessary as the information is available online. A yes vote on the article would result in the valuation reports no longer being printed. Ms. Swindlehurst spoke in favor of keeping the printed report. Ms. Swindlehurst made a motion, and it was seconded, to print the report every 10 years. The Moderator asked that the wording of the motion be put in writing. Discussion followed. In response to a suggestion that the report just be printed on request, Mr. Furlong noted that the book of valuations is printed once every 5 years and is worthless after the first year because values change and all the current information is available on line. The information is also available at Town Hall. The Moderator then read the final version of the motion that was put in writing as follows: “To see if the Town will vote to amend the Town of Becket Bylaws Article 4 General Procedure by substituting the following: The Assessors shall cause to be published in the Town Report at least once in ten (10) years a full valuation of the Town.” A vote was taken on the motion to amend and the motion failed. The Moderator stated that the article is not amended. Following discussion, a vote was taken and **Article 14 passed**.

Article 15: To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82A, to authorize the Board of Selectmen to designate the board or officer to regulate trenches as that term is defined by said law and the provisions of 520 CMR14:00, or take any action in relation thereto:

Selectmen: Recommend **Majority Vote Required**
Finance Committee: Recommends

Article 15 was moved and seconded on the floor. Mr. Devane asked why the Building Inspector couldn't be designated for this job. Mr. Furlong said that the Building Inspector would probably be appointed but this article, if approved at town meeting, would provide the Selectmen the authority to appoint an entity to regulate trenches as required by state law. Mr. Cavanaugh explained the new law. A vote was taken and **Article 15 passed unanimously.**

Article 16: To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2010, with each item to be considered a separate appropriation:

<u>Appropriations:</u>	
From FY 2010 estimated revenues for Committee Administrative Expenses	\$2,165.00
<u>Reserves:</u>	
From FY 2010 estimated revenues for Historical Resources Reserve	\$4,330.00
From FY 2010 estimated revenues for Community Housing Reserve	4,330.00
From FY 2010 estimated revenues for Open Space Reserve	4,330.00
From FY 2010 estimated revenues for Budgeted Reserve	28,145.00

Or take any other action thereon.

Sponsored by the Community Preservation Committee

Selectmen: Recommend	Majority Vote Required
CPA Committee: Recommends	
Finance Committee: Voted Not to Make Recommendation	

Article 16 was moved and seconded on the floor. Mr. Neil Toomey, Chair of the Community Preservation Committee, thanked the town for the opportunity to implement this program for the first time and their administrative staff and Assessors for all their help in getting this program off the ground. The Committee has a strong group of dedicated people (Rita Furlong, Robert Gorden, Bob Podolski and Kathy Vsetecka). He welcomed anyone else in town that would like to volunteer to serve on this committee, gave an overview of the value to the town of the CPA, and asked that residents bring their ideas and suggestions to the committee. A vote was taken and **Article 16 passed unanimously.**

Article 17: To see if the Town will vote to appropriate the sum of \$500.00 to rehabilitate/restore the three 6 X 4 foot maps on Route 8 in North Becket, Becket Center, and West Becket showing the location of Becket historical sites 1765 – present and to fund this appropriation from FY 2010 CPA Budget Reserve.

Sponsored by the Community Preservation Committee

Selectmen: Recommend	Majority Vote Required
CPA Committee: Recommends	
Finance Committee: Voted Not to Make Recommendation	

Article 17 was moved and seconded on the floor. Mr. Toomey stated that the Community Preservation Committee would be perfectly willing to fund this whole project and save the town money since the Community Preservation funds have already been appropriated. A vote was taken and **Article 17 passed unanimously.**

Article 18: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 152, Section 69 in order to allow certain elected officials to become eligible for workers' compensation benefits and to designate members of the Board of Health, Cemetery Commissioners, Constables and Town Clerk as covered employees.

Selectmen: Recommend	Majority Vote Required
Finance Committee: Recommends	

Article 18 was moved and seconded on the floor. Mr. Furlong stated that the town currently covers these elected positions but we are unable to find where the town accepted Chapter 152, Section 69 so we are doing so now to clarify our records. In the case of Constable, it will only apply if we elect a Constable who is not a police officer. A vote was taken and **Article 18 passed unanimously.**

Joan Kaiser was recognized by the Moderator. She noted that Doug Walter is stepping down as Selectman and felt that we owe him our thanks and applause. It was moved and seconded that the meeting adjourn to the Annual Town Election which will be held one week from today on May 16, 2009, starting at 10:00 a.m. A vote was taken and the motion passed. The checkers were Election Workers Dorothy Bellavance and Blanche Lennington.

Respectfully submitted,

Jeanne W. Pryor
Town Clerk