

## Special Town Meeting Minutes 8/2/05

Pursuant to the foregoing warrant, a Special Town Meeting was called on August 2, 2005, 7:00 p.m. at Becket Town Hall, 557 Main Street, Becket. There being a quorum present, the meeting was called to order at 7:05 p.m. by the Moderator. There were 84 voters present and a total of 90 people attended the meeting.

Present: Bruce Garlow, Moderator; William Cavanaugh, John Murray, and Doug Walter, Selectmen; Michael Falk, Jeremy Dunn, Richard Pryor and Ann Spadafora, Finance Committee Members; Jeanne Pryor, Town Clerk; and Richard Furlong, Town Administrator.

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 participate but not vote. Mr. Garlow noted that at this meeting we will not be doing voice votes but instead voters will be asked to raise their "voter card" when voting. 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. The following articles were voted on:

**Article 1:** To see if the Town will vote to adopt the following by-law as Article 1, Section 8:

On matters requiring a two-thirds vote by statute, a count need not be taken unless the vote so declared is immediately questioned by seven or more voters as provided in General Laws Chapter 39, Section 15 or as otherwise provided in the Town of Becket By-laws.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 1** was moved and seconded on the floor. Mr. Garlow addressed the meeting and the Town Clerk presided. He noted that this by-law is meant as a time saver if a 2/3 vote of a town meeting is required by statute as it would allow that a count does not have to be taken if a vote is close. Currently, if such a vote is close, the Moderator has no choice but to count all of the Yes and No votes. There would still be the same safety valve as there is on any article per Mass. General Law where, if a vote is immediately questioned by seven or more voters, the Moderator must verify the vote by a hand count or ballot. The by-law is intended to move the meeting along. Mr. Ronzio suggested that the by-law was not worded appropriately and made a motion to amend the article as follows:

"The moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes. If a vote so declared is immediately questioned by seven or more voters, he shall verify it by polling the voters.

If a two thirds, four fifths or nine tenths vote is required by statute, the count shall be taken, and the vote shall be recorded in the records by the clerk, unless on matters requiring a two-thirds vote by statute; a count need not be taken, if the vote is unanimous, the clerk shall record the vote as unanimous, however if the vote so declared is not unanimous and is immediately questioned by seven or more voters the moderator shall verify it by polling the voters."

There was a second. Following discussion, a motion was made to cut off the debate on the motion to amend the article and it was seconded. A vote was taken and the motion passed unanimously. The Town Clerk then read the amended article and a vote was taken. The amendment failed.

Discussion followed on Article 1. Mr. Gorden made a motion to put off voting on this article until a regular town meeting and it was seconded. A vote was taken and the motion failed. Discussion continued on the article. Ms. Swindlehurst spoke in opposition to the by-law change proposed in this article. Mr. Garlow noted that, since MGL 39:15 was amended to allow this, literally dozens of towns across the state with open town meetings have adopted this type of by-law. In response to a previous question concerning MGL 39:15, "if a vote so declared is immediately questioned", he noted that immediately means as long as the article is on the floor, before the moderator goes on to the next article. Following further discussion a vote was taken on Article 1. **Article 1 passed.** Mr. Garlow then continued the meeting as Moderator.

**Article 2:** To see if the Town will vote to raise and appropriate an additional sum of \$110,707.00 to fund the school district operating budget. The amount voted at the Annual Town Meeting on May 14, 2005 was \$1,551,764.00, which was last year's budgeted amount.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 2** was moved and seconded on the floor. There was no discussion. **Article 2 passed.**

**Article 3:** To see if the Town will vote to rescind Article 6 of the Annual Town Meeting of May 14, 2005 and substitute the following article:

To see if the Town will vote to raise and appropriate the sum of \$216,642.00 to fund the bond payment for the following previously debt excluded items:

Becket Washington School	\$161,633.00
Nessacus Regional Middle School	\$ 55,009.00

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

**Article 3** was moved and seconded on the floor. There was no discussion. **Article 3 passed.**

**Article 4:** To see if the Town will vote to amend the following list of line items from Article 2 of the Annual Town Meeting of May 14, 2005:

<b>Line Item:</b>	<b>From</b>	<b>To</b>
Selectmen's Expense	\$ 1,000.00	\$ 800.00
Town Admin. Expense	900.00	700.00
Finance Committee	800.00	450.00
Assessors Salaries	90,555.00	87,186.00
Assessors Expense	12,800.00	11,000.00
Town Treasurer Exp.	4,400.00	3,900.00
Tax Title	5,000.00	4,000.00
Tax Collectors Exp.	7,000.00	6,000.00
Assistant Tax Collector	21,632.00	16,632.00
Town Clerk Exp.	1,160.00	960.00
Conservation Commission	5,000.00	4,000.00
General Maintenance	224,000.00	218,300.00
School Capital	53,405.00	46,736.00
Vocational Transportation	63,000.00	52,000.00
Police Department Salaries	136,039.00	135,289.00
Police Department Exp.	15,500.00	14,750.00
Fire Department Exp.	16,500.00	15,000.00
Building Inspector Salary	49,375.00	39,520.00
Building & Code Inspection Exp.	6,000.00	5,000.00
Demolition Fund	6,000.00	2,000.00
Dog Officer Expenses	1,230.00	1,030.00
Tree Account	8,000.00	7,000.00
Becket Ambulance Dept. Exp.	15,700.00	14,200.00
Board of Health Expenses	7,000.00	6,000.00
Municipal Expenses	30,500.00	29,000.00
Municipal Utilities	49,000.00	48,000.00
Postage	10,200.00	9,700.00
Health Insurance	202,000.00	200,000.00

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

The Moderator noted that he will not read each line item but will ask anyone who wants to discuss any item to raise their hand and he will then make a notation of items to be held. All line items not held will be voted on first and those items that are held will then be discussed and voted on. Article 4 was moved and seconded. Mr. Garlow asked for those items to be held and Ms. Swindlehurst asked that Building Inspector Salary and Demolition Fund be held. **All line items except Building Inspector Salary and Demolition Fund were then voted on and passed.**

Ms. Swindlehurst made a motion to amend the Building Inspector Salary amount from \$49,375 to \$29,625 and it was seconded.

She noted that this was based on a 3-day work week instead of a 5-day work week and that there are currently no large building projects in town. Mr. Falk explained how finding a replacement for Mr. Fox affects the motion just made and noted that the amount not to exceed \$39,529 recommended by the Finance Committee was suggested by Mr. Furlong. It was based on the expectation that it would be a full time person and someone experienced but not over the top of the salary range. There is a possibility that the building inspector may be a part time person but that decision has not yet been made and it would be an error to reduce the salary to \$29,625, putting the town in the position of not being able to hire an appropriately qualified person because not enough funds were allocated. Flexibility is needed for the hiring of this position. Mr. Furlong noted the certification process needed for building inspectors and the lack of qualified applicants. Ms. Spadafora spoke to the need to hire a good, qualified person and that the position brings in more money in fees than the person receives in salary. Discussion continued. Mr. Cavanaugh spoke in support of hiring a qualified person as building inspector at the recommended salary. Mr. Pryor said that the recommendation of \$39,529 does not mean that the town has to pay that amount but that they have the flexibility to hire someone at this rate and noted that you don't want to lose a valuable prospect because of the salary offered. Ms. Swindlehurst said that she was pleased to see that the town brought this item up for discussion and, in that spirit, she withdrew her motion and also the hold on the Demolition Fund line item. Without objection the Moderator noted that the motion to amend the Building Inspector Salary line item was withdrawn as was the hold on the Demolition Fund line item. **A vote was taken on the Building Inspector Salary and Demolition Fund line items as listed in Article 4 and the line items passed.**

**Article 5:** To see if the Town will vote to rescind the following Article from the Annual Town Meeting on May 14, 2005:

Article 10: To see if the Town will vote to raise and appropriate the sum of \$28,000.00 to purchase a new wood chipper for the Highway Department.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 5** was moved and seconded on the floor. There was no discussion. **Article 5 passed.**

**Article 6:** To see if the Town will vote to rescind Article 11 of the Annual Town Meeting on May 14, 2005 and substitute the following:

To see if the Town will vote to raise and appropriate the sum of \$2,500.00 for ongoing Arts Center building repairs.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 6** was moved and seconded on the floor. Mr. Gorden said it was appropriate to reduce the original amount especially due to the fact that the override passed by only 1 vote and that this reduced amount was a good compromise. **Article 6 passed.**

**Article 7:** To see if the Town will vote to rescind Article 13 of the Annual Town Meeting on May 14, 2005 and substitute the following:

To see if the Town will vote to raise and appropriate the sum of \$500.00 for the weed treatment of Center Pond.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 7** was moved and seconded on the floor. Mr. Furlong explained that funds are needed for surveys before chemical treatment can be done. **Article 7 passed.**

**Article 8:** To see if the Town will vote to allow the expenditure of no more than \$70,000.00 from the Ambulance Revolving Account for the purpose of paying ambulance salaries and contracted expenses.

**Selectmen: Recommend**  
**Finance Committee: Recommends**

**Majority Vote Required**

**Article 8** was moved seconded on the floor. Mr. Furlong explained why this vote was needed. **Article 8 passed.**

A motion to adjourn was moved and seconded on the floor. The motion passed unanimously and the meeting was adjourned at 7:55 p.m. The Poll Workers were Dorothy Bellavance and Maryellen Lake.

Respectfully submitted,

Jeanne W. Pryor

Town Clerk