

Pursuant to the foregoing warrant, a Special Town Meeting was called on August 29, 2009, 7:00 p.m. at Becket Town Hall, 557 Main Street, Becket. There being a quorum present, the meeting was called to order at 7:00 p.m. by the Moderator. There were 39 voters present and a total of 41 people attended the meeting. Town Officials Present: Bruce Garlow, Moderator; William Cavanaugh, George Fuller, and John Murray, Selectmen; Jeremy Dunn, and Ann Spadafora, Finance Committee Members; Jeanne Pryor, Town Clerk; Tony Blair, Town Administrator. The Moderator opened the meeting stating the rules to be followed. He asked for a show of hands of non-voters noting that they were welcome to address the meeting but that they may 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. The following articles were voted on:

Article 1: To see if the Town will vote to raise and appropriate or transfer from other available funds the amount of one thousand eight hundred seventy-three dollars and forty cents (\$1,873.40) to pay the Hilltown Association of Councils on Aging, Inc. for the 2nd and 3rd quarter FY 2009 billing for their Outreach program, provided to seniors in Becket, which bill was received too late to pay in FY 2009.

Selectmen: Recommend

9/10th Vote Required

Finance Committee: Recommends

The Moderator explained that, for the first three articles, the wording for each should be changed to only read "to raise and appropriate" as a clarification for the source of funds by the Selectmen.

For **Article 1** there was an affirmative motion by Mr. Cavanaugh to re-word the article as follows:

"To see if the Town will vote to raise and appropriate the amount of one thousand eight hundred seventy-three dollars and forty cents (\$1,873.40) to pay the Hilltown Association of Councils on Aging, Inc. for the 2nd and 3rd quarter FY 2009 billing for their Outreach program, provided to seniors in Becket, which bill was received too late to pay in FY 2009." There was a second. The Moderator noted that it was moved and seconded that the article be approved as the motion was read. There was no discussion.

Article 1 as read passed unanimously.

The Moderator said that, without objection, for Article 2 we delete the words "or transfer from other available funds" when the article is read so that we have an affirmative motion. There was unanimous consent to do so.

Article 2: To see if the Town will vote to raise and appropriate the amount of one thousand three hundred and six dollars and eighty-nine cents (\$1,306.89) to pay Cesco Plumbing & Heating Invoice # 1109-116458, which is for the replacement of the Town Hall well pump, a cost incurred in FY 2009, which bill was received too late to pay in FY 2009.

Selectmen: Recommend

9/10th Vote Required

Finance Committee: Recommends

Article 2 was moved and seconded on the floor. Ms. Swindlehurst asked that it be entered into the record that that she will recuse herself from a vote on this article because it affects her son's business. There was no further discussion. **Article 2 passed unanimously.**

The Moderator asked for unanimous consent that the words "or transfer from other available funds" be deleted from the motion. In response to a question, the Moderator explained that when the articles were written it was not clear whether or not the Town would be in a position to raise and appropriate these funds or if funds would be available from free cash, stabilization or another source for transfer. Since that time the Selectmen decided that they will be a raise and appropriate and as such the article must clearly state the source of funding. There was no objection to deleting "or transfer from other available funds".

Article 3: To see if the Town will vote to raise and appropriate the amount of six hundred forty-three dollars and twelve cents (\$643.12) to pay the Massachusetts Emergency Management Agency request for a refund of an overpayment of funds to the Town of Becket for work performed relative to the October, 2005 rainstorm, which request is for payment of a prior fiscal year's bill.

Selectmen: Recommend

9/10th Vote Required

Finance Committee: Recommends

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

Article 4: To see if the Town will vote to raise and appropriate the sum of \$5,400.00 to increase the Dog Officer's salary from the \$5,000.00 that was approved at the 2009 Annual Town Meeting on May 9, 2009, and to bring it to a total of \$10,400.00 for FY 2010, which was the amount originally recommended at the 2009 Annual Town Meeting. [This article was petitioned by a group of registered voters; 200 signatures were certified by the Board of Registrars.]

Selectmen: Recommend

Majority Vote Required

Finance Committee: Recommends

Article 4 was moved and seconded on the floor. Mr. Goodermote spoke in support of the article noting that when he took the dog officer job the salary was \$10,400. He was unable to attend the Annual Town Meeting when this was voted on and has petitioned the Selectmen to change the salary back to its original amount. Discussion followed. Comments in opposition to the article were stated such as comparisons with other towns indicating that Becket's dog officer has a higher salary; that no annual report has been made by the dog officer; that the current dog officer is allowed to respond to calls while at work as a member of the Highway Department without taking time off; questions about paid mileage and cell phone expenses. Comments in support of the article were stated such as some other towns also use police to respond to dog calls; that the officer is on call day and night; that the officer is certified and skilled in working with animals; that it is unfair to lower someone's salary after they were hired to a position with a higher salary; that the dog officer is also responsible for the town kennel. It was noted that dog officers, in

the past, were paid by fees instead of a fixed salary. In response to questions Mr. Goodermote gave a verbal report of the number of animal calls made and provided a description of some of those calls noting that he must respond to all calls because a non response would reflect badly on the town. It was asked why the dog officer is paid more than the fire chief. It was asked how many hours the dog officer works and why there is no record about the duties of the dog officer and/or the fees/expenses of that office. It was suggested that a salary survey should be done to determine the appropriate salary and expenses for this position. Mr. Cavanaugh noted that after the Annual Town Meeting, the dog officer was asked to provide the Selectmen with a monthly report and he has done so. Mr. Fuller asked if there was a motion at last year's Annual Town Meeting to review the dog officer's salary and the town clerk agreed that there was no such motion. Mr. Fuller suggested that this salary be restored and that the Finance Committee review this before the next Annual Town Meeting. Mr. Murray thanked the dog officer for his work and agreed that his salary should be restored. **Article 4 passed.**

Article 5: To see if the Town will vote as to the desirability of increasing the composition of the Board of Selectmen from three to five members. An affirmative vote would cause the Selectmen to place an appropriately worded article on the 2010 Annual Town Meeting warrant to vote to amend Article 2, Section 1 of the Town of Becket By-laws to increase the Board of Selectmen to five members.

Selectmen: Do Not Recommend

Majority Vote Required

Finance Committee: Does Not Recommend

Article 5 was moved and seconded on the floor. Ms. Van Ness stated that she felt this would be a good thing for the citizens of the town, that it would provide more diversity of ideas and that there would be a three person quorum instead of two. Mr. Dunn explained the reasoning for the Finance Committee not supporting this article noting that there are 32 towns in Berkshire County; 25 small towns including Becket all have 3-member select boards; there are 5 towns with 5-member select boards, the smallest of those towns is Lenox with 5,700 people. The additional financial cost was also a reason. In response to a question, Mr. Cavanaugh noted that his opposition was that this question has been voted down by the town in the past and that there have not been many individuals seeking the position. Proponents felt that there could be a richer discussion of issues with a more diverse and larger board of selectmen. Others felt that the three member board has worked well. Mr. Fuller was opposed due to the increase in funding that would be needed. Discussion followed on the configuration of the current board. **Article 5 passed.**

Article 6: To see if the Town will vote to accept Chapter 41, Section 110A, of the Massachusetts General Laws as follows:

Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

Selectmen: Recommend

Majority Vote Required

Finance Committee: Recommends

Article 6 was moved and seconded on the floor. Jeanne Pryor gave an explanation of the article noting that it was recommended to towns by the Elections Division so that when a voter registration session has to be held that, if it falls on a Saturday, we would not have to hold the registration session on Saturday as it would fall back to a Friday. Ms. Swindlehurst expressed concern that this would affect other things that might fall on a Saturday, such as hearings, and that they might be constrained by accepting this law. Mr. Blair provided a clarification of why the town clerk felt acceptance of this statute was needed. Discussion followed. Ms. Pryor explained that Elections has advised that accepting this statute should not have much of an impact since most statutes either provide for "days" which generally includes Saturdays and Sundays or "weekdays" or "weekday hours" which will always exclude Saturdays, regardless of whether or not 41:110A is accepted. **Article 6 passed.**

Article 7: To see if the town will vote to accept Chapter 184, Section 51 of the Acts of 2002, amending G.L. Ch. 59 Section 5 (41C) allowing the Town to increase the property tax exemption amount available to income, asset and age eligible elderly in the Town of Becket by 50% for FY2010 and going forward. Eligible seniors would then receive an exemption of \$750 instead of the current \$500.

Selectmen: Recommend

Majority Vote Required

Finance Committee: Recommends

Article 7 was moved and seconded on the floor. In response to a question, Mr. Blair explained that in the last few years the number of seniors who have been eligible for this property tax exemption in the town has been less than 20 and that the total amount in dollars that are involved are \$5,000 or less. The Assessors have been providing the \$750 amount to seniors for the last couple of years. They recognize that the town needs to accept this section in order to make that legal going forward and if the town chooses not to adopt it they will have to drop that amount back to \$500 for the seniors who are currently receiving the exemption. **Article 7 passed unanimously.**

A motion to adjourn was moved and seconded on the floor. The motion passed and the meeting was adjourned at 8:10 p.m. The checkers were Election Officers Eva Bonney and Joyce Brownhill.

Respectfully submitted,

Jeanne W. Pryor
Town Clerk