

TOWN OF SANDISFIELD  
OFFICE OF THE TOWN CLERK  
P. O. BOX 163  
SANDISFIELD, MA 01255

RESULTS OF THE ANNUAL TOWN MEETING  
May 16, 2009

The meeting was called to order at 10:01 a.m. by Moderator Barbara Cormier with the Pledge of Allegiance. There were 81 registered voters present along with Town Council Jeremia Pollard. Following are the results:

- Article 1. The Town voted unanimously to accept the reports of the Town Officers.
- Article 2. The Town voted unanimously to raise and appropriate for the Moderator \$300: \$150 for Salaries and \$150 for Expenses.
- Article 3. The Town voted unanimously to raise and appropriate \$1,000 for Administrative Costs for a Grant Writer.
- Article 4. The Town voted unanimously to raise and appropriate for the General Government \$29,592: \$23,389 for Salaries and \$6,203 for Expenses.
- Article 5. The Town voted unanimously to raise and appropriate \$18,176 for the Administrative Assistant to the Board of Selectmen.
- Article 6. The Town voted unanimously to raise and appropriate \$400 for Finance Committee Expenses.
- Article 7. The Town voted unanimously to raise and appropriate for the Board of Assessors \$46,793: \$37,193 for Salaries and \$9,600 for Expenses.
- Article 8. The Town voted unanimously to raise and appropriate \$6,900 for the Massachusetts Department of Revenue Mandated Triennial Recertification Expense.
- Article 9. The Town voted unanimously to raise and appropriate for the Treasurer's Office \$17,850: \$12,100 for Salaries and \$5,750 for Expenses.
- Article 10. The Town voted by majority to raise and appropriate \$4,000 for the Treasurer Tax Lien Expense.
- Article 11. The Town voted unanimously to raise and appropriate \$3,000 for a Town Audit.
- Article 12. The Town voted unanimously to raise and appropriate for the Tax Collector \$12,569: \$5,464 for Salaries and \$7,105 for Expenses.
- Article 13. The Town voted unanimously to raise and appropriate \$1,000 for Computer Technical Support for Town Office Computers.
- Article 14. The Town voted unanimously to raise and appropriate for the Town Clerk \$17,056: \$10,137 for Salaries and \$6,919 for Expenses.
- Article 15. The Town voted unanimously to raise and appropriate for the Conservation Commission \$2,700: \$1,500 for Salaries and \$1,200 for Expenses.

- Article 16. The Town voted unanimously to raise and appropriate \$1.00 for Conservation Consultation Fees.
- Article 17. The Town voted unanimously to raise and appropriate for the Planning Board \$1,100: \$500 for Salaries and \$600 for Expenses.
- Article 18. The Town voted unanimously to raise and appropriate for the Zoning Board \$300: \$50 for Salaries, and \$250 for Expenses.
- Article 19. The Town voted unanimously to raise and appropriate for Highways & Bridges Maintenance \$179,842: \$107,342 for Salaries and \$72,500 for Expenses and Equipment.
- Article 20. The Town voted unanimously to raise and appropriate for Snow and Ice Removal \$263,973: \$101,079 for Salaries and \$162,894 for Expenses and Equipment.
- Article 21. The Town voted unanimously to raise and appropriate for Machinery Maintenance \$60,426: \$6,426 for Salaries and \$54,000 for Expenses and Equipment.
- Article 22. The Town voted unanimously to raise and appropriate for the Tree Account \$4,000 for Expenses.
- Article 23. The Town voted unanimously to accept any monies for Chapter 90 that have been approved by the Mass Highway Department for projects approved by the Mass Highway Department.
- Article 24. The Town voted unanimously to raise and appropriate \$1,037,128 for School Operations.
- Article 25. The Town voted unanimously to raise and appropriate for the School Committee \$1,300 for Salaries.
- Article 26. The Town voted unanimously to amend Article 26 to read:  
To see if the Town will vote to raise and appropriate \$45,088 or any other sum for Debt Service on the School Building Bonds.
- Amended
- Article 26. The Town voted unanimously to raise and appropriate \$45,088 for Debt Service on the School Building Bonds.
- Article 27. The Town voted unanimously to appropriate for the Library Account \$11,725: \$9,125 for Salaries and \$2,600 for Expenses; and to meet that appropriation raise \$8,583.06, transfer \$1,000 from the Revolving Dog Licensing Fees, transfer \$1,875 from State Aid to Libraries, transfer \$231 from Municipal Equalization Grant to Libraries, and transfer \$35.94 from the Non-Resident Grant to Libraries.
- Article 28. The Town voted unanimously to raise and appropriate \$3,586 for the Veteran's Service District.
- Article 29. The Town voted unanimously to raise and appropriate \$20,000 for Veteran's Benefits.
- Article 30. The Town voted unanimously to raise and appropriate \$1 for Veteran's Death Benefits.
- Article 31. The Town voted unanimously to raise and appropriate \$10,752 for the Custodian of Town Buildings Salary.

- Article 32. The Town voted unanimously to raise and appropriate for Mowing and Maintenance of town properties and cemeteries \$11,000: \$1,000 for Salaries and \$10,000 for Expenses and Equipment.
- Article 33. The Town voted by majority to raise and appropriate for the Protection of Persons and Property \$45,182: \$29,053 for Salaries and \$16,129 for Expenses.
- Article 34. The Town voted unanimously to raise and appropriate for the Berkshire County Sheriffs Communication Center \$7,265 for Expenses.
- Article 35. The Town failed to pass by majority to authorize the Board of Selectmen or it's authorized designee to apply for and accept the COPS Hiring Recovery Program Grant which provides funding for a full time Police Officer for the first three years, and commits the Town to fund the fourth year.
- Article 36. The Town voted unanimously to raise and appropriate for the Fire Department and Ambulance Maintenance \$34,751: \$7,107 for Salaries and \$27,644 for Expenses.
- Article 37. The Town voted unanimously to raise and appropriate \$5,000 for Fire Department Computer Training.
- Article 38. The Town voted by majority to amend Article 38 to read:  
To see if the Town will vote to raise and appropriate \$1 or any other sum for Forest Fire Salaries.
- Amended
- Article 38. The Town voted unanimously to raise and appropriate \$1 for Forest Fire Salaries.
- Article 39. The Town voted unanimously to raise and appropriate \$15,014 for New Equipment for Fire Department and Ambulance Expenses.
- Article 40. The Town voted unanimously to raise and appropriate for Training of Fire Department and Ambulance Members \$3,419 for Expenses.
- Article 41. The Town voted unanimously to raise and appropriate \$2,000 for Route 8 Fire House Rental Expenses.
- Article 42. The Town voted unanimously to raise and appropriate \$3,000 for Route 57 Fire House Rental Expenses.
- Article 43. The Town voted unanimously to raise and appropriate \$3,000 for Ambulance Billing Fee Expenses.
- Article 44. The Town voted unanimously to raise and appropriate \$5,000 for ALSS Paramedic Intercept Expenses.
- Article 45. The Town voted unanimously to raise and appropriate \$3,500 for Street Light Expenses.
- Article 46. The Town voted by majority to raise and appropriate for the Building Inspector \$2,149.
- Article 47. The Town voted unanimously to raise and appropriate for Emergency Management \$2,250 for Expenses.
- Article 48. The Town voted unanimously to raise and appropriate for the Inspector of Animals \$500 for Salaries.
- Article 49. The Town voted unanimously to raise and appropriate for the Dog Officer \$2,700: \$1,500 for Salaries and \$1,200 for Expenses.

- Article 50. The Town voted unanimously to raise and appropriate for Solid Waste Disposal \$65,000 for Expenses.
- Article 51. The Town voted unanimously to raise and appropriate for the Board of Health \$2,800: \$1,607 for Salaries and \$1,193 for Expenses.
- Article 52. The Town voted unanimously to raise and appropriate the sums of money as may be necessary to pay the Expenses of the various departments as follows:
- |  |          |
|--|----------|
| Lee Regional Visiting Nurse Association        | \$ 2,940 |
| Community Health Program                       | 1,000    |
| Brien Mental Health Services of the Berkshires | 108      |
- Article 53. The Town voted unanimously to raise and appropriate \$500 for Interest for Loans.
- Article 54. The Town voted unanimously to raise and appropriate \$91,521 for the Stabilization.
- Article 55. The Town voted unanimously to raise and appropriate for the Operation and Maintenance of Town Property \$53,108: \$52,108 for Expenses and \$1,000 for Salaries.
- Article 56. The Town voted unanimously to raise and appropriate \$300 for Good Will Gifts.
- Article 57. The Town voted unanimously to raise and appropriate the following sums of money for the expense accounts of:
- |                              |          |
|------------------------------|----------|
| Memorial Day Parade          | \$ 1,500 |
| Council on Aging             | 3,000    |
| Elderly Transportation       | 2,417    |
| Sandisfield Cultural Council | 250      |
| Recreation Commission        | 5,000    |
| Technology Committee         | 1,950    |
- Article 58. The Town voted unanimously to raise and appropriate the sums of money as may be necessary to pay the expenses of the following accounts:
- |  |           |
|--|-----------|
| Berkshire County Retirement Fund               | \$ 46,333 |
| Town Employee Benefits                         | 26,971    |
| Unemployment Insurance                         | 500       |
| Town's Share Group Insurance                   | 29,000    |
| Town's Share Medicare                          | 6,450     |
| Insurance & Premiums & Bonds for Town Officers | \$ 47,500 |
- Article 59. The Town voted unanimously to raise and appropriate \$524 for the Berkshire Regional Planning Commission.
- Article 60. The Town voted unanimously to raise and appropriate \$500 for Southern Berkshire Regional Emergency Planning Commission.
- Article 61. The Town voted unanimously to raise and appropriate \$10,000 for the Reserve Fund.
- Article 62. The Town voted unanimously to fix the salary of all elective officers of the Town as provided by Section 108 of Chapter 41, and Section 108A of Chapter 41, General Laws as amended:
- |            |                    |
|------------|--------------------|
| Moderator  | \$ 150.00 per year |
| Town Clerk | 6,522.00 per year  |

Treasurer	6,180.00 per year
Tax Collector	5,464.00 per year
Selectmen	5,538.00 per year
Assessors	2,205.00 per year
Auditor	5.00 per hour
School Committee Chairmen	500.00 per year
School Committee Member	400.00 per year
Library Trustee	25.00 per year
Constables	12.88 per hour

Article 63. The Town voted unanimously to authorize the use of revolving funds for the following programs and purposes:

a.	Town Sanitary Inspector	\$ 7,500
b.	Town Plumbing Inspector	2,500
c.	Town Building Inspector	4,500
d.	Town Wiring Inspector	2,500
e.	Town Gas Inspector	2,500
f.	Dog Licensing Fees	2,500
g.	Dump Sticker Fees	15,000
h.	Legal Ad Fees	2,000

which revolving funds together shall not exceed the sum of thirty-nine thousand dollars (\$39,000), which shall be under the control of the Town Treasurer, which shall be accounted for separately and to which shall be credited only the departmental receipts received in connection with the programs supported by each revolving fund; further to authorize the Town Treasurer to expend from such funds in accordance with chapter 44 Section 53 E1/2 of the General Laws, provided however, that said expenditures for all revolving funds shall not exceed the receipts for such funds.

Article 64. The Town voted by majority to amend Article 64 to read:  
To see if the Town will vote to appropriate \$100,000 or any other sum from Free Cash to reduce the FY2010 Tax Rate.

Amended

Article 64. The Town voted by majority to appropriate \$100,000 from Free Cash to reduce the FY2010 Tax Rate.

Article 65. The Town voted unanimously to amend the Town of Sandisfield Bylaws under Chapter III, Town Officers, by removing Section 3.G, which reads as follows:

School Committee: There shall be five (5) members of the School Committee elected as follows: Beginning at the 1965 Annual Town Meeting and continuing every third year thereafter, there shall be elected one (1) member to the School Committee for a term of three (3) years. At

all other Annual Town Meetings there shall be elected two (2) members to the School Committee for a term of three (3) years.

And replacing it with Section 3.G:

School Committee: There shall be three (3) members of the School Committee, their terms of office so arranged that one expires each year on the date of the Annual Town Meeting at which time a successor shall be elected for a three year term.

Article 66. The Town voted by majority, 80 in favor, 1 opposed, to amend the Town of Sandisfield Bylaws under Chapter VIII, Miscellaneous Provisions, by removing Section 6, which reads as follows:

Owners or keepers of unlicensed dogs as of June 1 of each license year, shall be subject to a fine of \$20.00. By order of the Board of Selectmen, dogs shall be restrained from running at large as shall be prescribed by order of the Selectmen. The penalty for each violation shall be a fine of \$20.00

And replacing it with Section 6:

Owners or keepers of unlicensed dogs as of June 1<sup>st</sup> of each license year, shall be subject to a fine of \$25 per dog. Owners or keepers of dogs whom have failed to vaccinate against rabies shall be subject to a fine of \$50 per dog. By order of the Board of Selectmen, dogs shall be restrained from running at large. The penalty for each violation of not restraining the dog/s shall be a fine of \$25 per dog. The penalty shall be separate from and in addition to any penalties or remedies at law provided under the Massachusetts General Laws.

Article 67. The Town voted unanimously to accept General Laws Chapter 40, Section 57, allowing the Town to adopt a bylaw to deny, revoke, or suspend local licenses for failure to pay municipal taxes or charges.

Article 68. The Town voted unanimously to amend the Town of Sandisfield Bylaws by adding Section 13, entitled "Local Licenses and Permits; Denial, Revocation or Suspension for Failure to Pay Municipal Taxes or Charges" under Chapter VIII, Miscellaneous Provisions, pursuant to General Laws Chapter 40, Section 57, to read as follows:

(a) The tax collector or other municipal official responsible for the Records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that

issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

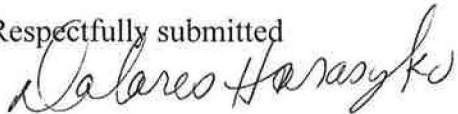
- (b) The licensing authority may deny, revoke or suspend any licensing or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this bylaw shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.
- (c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

- (d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A of the Massachusetts General Laws in the business or activity conducted in or on said property.
  
- (e) This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes; section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one, marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

Article 69. The Town voted by majority to continue indefinitely to amend the Town of Sandisfield By-laws by adding Section 14, entitled Right to Farm By-law under Chapter VIII, Miscellaneous Provisions.

Meeting adjourned at 1:05 p.m.

Respectfully submitted



Dolores Harasyko  
Town Clerk