

## Results of the Special Town Meeting

Wednesday, June 28, 2017

The meeting was called to order at 7:00 p.m. by Moderator Simon Winchester with the Pledge of Allegiance and a dedication to the Mahican Indian Tribe, the pathfinders of our community. There were 48 registered voters present along with town council Jonathan Silverstein. There was a motion which passed by majority to discuss and vote on Article 3 before Article 2.

Results are as follows:

### **Article 1. Establishing the Town Administrator's Duties and Functions**

The Town voted by majority to amend Article 1 to read: To see if the Town will vote to amend the General By-Laws Chapter 3, Section 7, to insert a new bylaw entitled, "Town Administrator – Responsibilities and Duties", as printed in the warrant, or take any other action relative thereto.

There shall be a Town Administrator in the Town of Sandisfield whose responsibilities and duties shall include acting by and for the Selectmen, in accordance with G.L. c.41, §23A, in any matter which they may assign to him/her relating to the administration of the affairs of the Town or of any Town office or department under their supervision and control, or, with the approval of the Selectmen, to perform such other duties as set forth herein, including the following:

1. To be responsible for the daily supervision of all Town employees hired by the Board of Selectmen and to coordinate with all other departments and employees of the Town.
2. To annually confer with the Town Accountant, Treasurer, and Collector of Taxes (collectively, "Financial Staff"), Board of Assessors and others as necessary, to produce an estimate of revenues available for the ensuing fiscal year, and shall make the estimate available to the Selectmen.
3. To establish an annual budget timeline, including deadlines for development and submission of departmental budget requests, and to prepare a draft budget, balanced with available revenue, for submission to the Board of Selectmen for their review and approval or recommendation.
4. To review all departmental budgets during the course of the fiscal year, in consultation with Financial Staff, to ensure actual spending is consistent with budgeted sums and to keep the Board of Selectmen advised of any concerns.
5. To serve as the Chief Procurement Officer of the Town, responsible for undertaking procurement activities in a manner consistent with applicable law, including Massachusetts General Law Chapter 30B and local by-law.
6. To serve, with the approval of the Board of Selectmen, as the personnel officer of the Town and to establish an annual employee evaluation system and assist appointing authorities, as may be requested from time to time, with training, recruitment, discipline and termination issues.
7. Administer the Town's insurance program including workmen's compensation, employee group health/life insurance and property/liability insurance.
8. Serve as the liaison, at the direction of the Board of Selectmen, between the Town and other local, State and Federal officials, as well as Town Counsel and other advisors to the Town.

9. Attend all meetings of the Board of Selectmen and Town Meetings, unless excused by the Board of Selectmen.

10. Perform all other duties as he/she may be assigned from time to time by the Board of Selectmen.

**Amended Article 1.** The Town voted by majority to table Article 1 until the next Annual Town Meeting.

**Article 2. Amending Section 1. Of Chapter III (Town Officers) By-Laws**

The Town voted by majority to amend Article 2 to read: To see if the Town will vote to amend section 1. Of Chapter III (Town Officers) of the Sandisfield By-Laws by making certain additions (underline) as shown below:

There shall be three Selectmen, 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.

- A. The Selectmen shall seven (7) days before the Annual Town Election of each year, cause to be printed and distributed annual reports of the Town Officers, appointees and committees. This report shall contain a statement of the financial condition of the Town, together with a detailed report of all receipts and expenditures incurred during the preceding year.
- B. The Selectmen shall have the general direction and management of the property and affairs of the Town in all matters not otherwise provided for by law and/or these bylaws.
- C. The Selectmen may from time to time establish traffic rules and regulations as they may deem advisable.
- D. The Selectmen shall be responsible for presenting an annual operating budget to Town Meeting.

**Amended Article 2.**

**Article 2. Amending Section 1. Of Chapter III (Town Officers) By-Laws**

The Town voted by majority to amend section 1. Of Chapter III (Town Officers) of the Sandisfield By-Laws by making certain additions (underline) as shown below:

There shall be three Selectmen, 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.

- E. The Selectmen shall seven (7) days before the Annual Town Election of each year, cause to be printed and distributed annual reports of the Town Officers, appointees and committees. This report shall contain a statement of the financial condition of the Town,

together with a detailed report of all receipts and expenditures incurred during the preceding year.

- F. The Selectmen shall have the general direction and management of the property and affairs of the Town in all matters not otherwise provided for by law and/or these bylaws.
- G. The Selectmen may from time to time establish traffic rules and regulations as they may deem advisable.
- H. The Selectmen shall be responsible for presenting an annual operating budget to Town Meeting.

### **Article 3. Amending Section 6. Of Chapter III (Town Officers) By-Laws**

The Town voted by majority to amend Article 3 to read: To see if the Town will vote to amend section 6. Of Chapter III (Town Officers) of the Sandisfield By-Laws by making certain deletions (strikethrough) and additions (underline) as shown below:

There shall be a five (5) member Finance Committee consisting of registered voters or taxpayers of the Town of Sandisfield, no more than one of which may not be a registered voter, appointed by the Moderator of the Town for a term of three (3) years. Beginning in 1990 and continuing every third year thereafter, the Moderator shall appoint one (1) member of the Finance Committee. The Town Administrator, or designee, shall serve as a non-voting ex-officio member provided, however, that this person shall be seated and allowed to vote whenever the committee lacks a quorum. The Moderator shall fill all vacancies by appointing a registered voter or taxpayer to serve the un-expired term. The Moderator shall remove Finance Committee members for cause. The Moderator will submit in writing to the Board of Selectmen, recommendations for the removal of finance committee members from said committee. At a regular meeting of the Board of Selectmen, said body will vote to accept/reject the Moderator's recommendation for removal of a finance committee member. The duties of the Finance Committee shall be those prescribed by Statute. It shall be the duty of the Finance Committee to review the budget presented by the Selectmen and make recommendations to the town meeting relative to all appropriations. These recommendations should be developed, reviewed, approved, and presented in accordance with the Town Administrator's budget timeline as follows:

1. Departmental and committee budget requests shall be submitted simultaneously to the Selectmen, Town Administrator, and Finance Committee.
2. After initial review of the budget requests, department heads and committees shall provide additional information as may be requested by the Selectmen, Town Administrator, or Finance Committee and then meet jointly with the Selectmen and Town Administrator, or designee, and finance Committee to discuss and justify their budget requests.

3. The Selectmen vote on all appropriation requests. These requests are those that are presented to Town Meetings.
4. The Finance Committee votes on all appropriation requests. These votes determine the Finance Committee's recommendations to Town Meetings.
5. Should there be disagreement between Selectmen and Finance Committee on any appropriation requests, meetings may be held to reconcile differences in order to present to Town Meetings, as much as possible, a unified position on appropriation requests.
6. Appropriation-related articles in the Town Meeting warrant shall include a statement describing the votes of the Selectmen and the Finance Committee on each such article (e.g., Selectman Voted Approval 2-1, Finance committee Voted Disapproval 4-1).

The Finance Committee shall otherwise have the duties prescribed by statute (M.G.L 39 § 16).

**Amended Article 3.** The Town voted unanimously to accept Article 3 as amended.

#### **Article 4. Curing Account Deficits**

The Town voted unanimously to amend Article 4 as follows: To see if the Town will vote to appropriate the sum of \$24,213.22 the amount of all town Account Deficits and to meet that appropriation transfer \$24,213.22 from the Operations and Maintenance Account (90195.00), as itemized below for Fiscal Year 2017:

##### **Technological Upgrades**

Appropriate \$2,098.00 for Technological Upgrades and to meet that appropriation transfer \$2,098.00 from the Operations and Maintenance Account (90195.00) to the Technological Upgrades Account (10122.70).

##### **Town Administrator Expenses**

Appropriate \$465.00 for Town Administrator Expenses and to meet that appropriation transfer \$465.00 from the Operations and Maintenance Account (90195.00) to the Town Administrator Expenses Account (10124.07).

##### **Engineering Fees**

Appropriate \$4,625.00 for Engineering Fees and to meet that appropriation transfer \$4,625.00 from the Operations and Maintenance Account (90195.00) to the Engineering Fees Account (10176.03).

##### **AFLAC**

Appropriate \$3,648.22 for AFLAC and to meet that appropriation transfer \$3,648.22 from the Operations and Maintenance Account (90195.00) to the Town AFLAC Account (96090.00).

**Accounting Consultant**

Appropriate \$1,057.50 for Accounting Consultant and to meet that appropriation transfer \$1,057.50 from the Operations and Maintenance Account (90195.00) to the Accounting Consultant Account (10147.55).

**Legal Services**

Appropriate \$12,319.50 for Legal Services and to meet that appropriation transfer \$12,319.50 from the Operations and Maintenance Account (90195.00) to the Legal Services Account (10122.04).

**Amended Article 4.** The Town voted by majority to pass the Amended Article 4.

Meeting adjourned at 8:13 p.m.

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Dolores Harasyko, Town Clerk  
True Copy Attest