

2018

TOWN OF DALTON
SPECIAL TOWN MEETING
NESSACUS MIDDLE SCHOOL – JUNE 25, 2018 – 7:00 P.M.

The Moderator, Anthony P. Doyle, called the Meeting to order at 7:00 p.m. Judy Condron, Michele T. Blake, Jean M. Gingras, Judy Wagner, and Maureen M. Mitchell were appointed tellers and sworn by Town Clerk, Deborah J. Merry. There was a total of 49 Registered Voters checked at the door and 3 Non-Voting Residents signed in. The following Precinct count does not include Non-Registered persons:

PRECINCT 1 - 23
PRECINCT 2 - 26

It was moved, seconded and voted to waive the reading of the Warrant.

CARRIED

UNANIMOUSLY

ARTICLE 1. It was moved, seconded and voted that the Town transfer \$139,200 from Capital Stabilization Fund for the Fiscal Year 2019 Capital Improvement Program as follows: \$54,000 for a new Police Cruiser and related equipment; \$5,500 to retrofit a Police Cruiser for K9 use; \$8,000 for speed control signage on Washington Mt. Road; \$15,600 for Consulting Services to prepare a Bridge Capital Improvement Program; \$8,000 to obtain and install acoustical panels in the Senior Center; \$17,000 to obtain and install an air conditioner/heat pump in the Town Hall Crane Room; \$10,800 to obtain new electronic vote tabulators, \$2,500 to install a server and \$17,800 to replace computer work stations.

Department	Item	Explanation	Cost
Police	New Cruiser & Related Equipment	Replaces worn out 7 yr. old cruiser: Vehicle - \$48,500; Equipment - \$5,500.	\$54,000
Police	Retro-fit Cruiser as K9 vehicle	New K9 vehicle needed, 2 year old vehicle will be retro-fitted.	\$5,500
Traffic Commission & Highway Dept.	Engineering, acquisition and installation of Solar Powered speed control signs	Improved speed control signage needed on Washington Mt. Rd.	\$8,000
Highway Dept.	Consulting – Bridges Capital Improvements	State Bridge Inspections will be reviewed and prioritized for capital improvements. Under bridge utilities will be inspected as part of program.	\$15,600
Counsel on Aging - Senior Ctr.	Design, supervision & installation of sound control panels in "Great Room"	Hard surfaces reverberate and interfere with hearing and conversation	\$8,000
Town Hall – Crane Rm	Design, Acquisition and Installation of room air conditioner/heat pump	Basement meeting room is too hot in summer and cool in winter which interferes with meetings. Machine will heat in winter and cool in summer	\$17,000
Town Clerk	Acquisition of Electronic Vote Tabulators	Machines are 19 years old. Original expected life was 10 yrs.	\$10,800
Town Accountant	Installation of new server	Remote professional services and on-site installation, including data migration, server set-up both hardware & software.	\$2,500

Town Hall Depts.	Acquire/Install up to 10 Computers in Various Departments	Machines with Windows 7 Home edition should be replaced according to a recent state sponsored report.	\$17,800
TOTAL			\$139,200

TWO-THIRDS VOTE REQUIRED

CARRIED

UNANIMOUSLY

ARTICLE 2. It was moved, seconded and voted that no action be taken under this Article.

CARRIED

UNANIMOUSLY

ARTICLE 3. It was moved, seconded and voted that the Town appropriate \$800,000 for the Engineering, Design and Right of Way Acquisition for the reconstruction of Dalton Division Road; including borrowing costs associated with said program and all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said sum under G.L. c.44, §7 or any other enabling authority and that the Select Board is authorized to take any other action necessary to carry out this project; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

TWO-THIRDS VOTE REQUIRED

CARRIED

DECLARED TWO-THIRDS

ARTICLE 4. It was moved, seconded and voted that the Town appropriate \$75,000 for extraordinary sewer system expenses for emergency repairs to the Housatonic Street Sewer Line at the Housatonic River "High Bridge", including borrowing costs associated with said program and all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said sum under G.L. c.44, §7 or any other enabling authority and that the Select Board is authorized to take any other action necessary to carry out this project; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Item	Explanation	Borrowing
Emergency Repairs to the West Housatonic St. sewer line under the "High Bridge"	Line under bridge sagged and opened up due to failure of straps holding it to the bridge.	\$75,000

CARRIED

UNANIMOUSLY

ARTICLE 5. It was moved, seconded and voted that the Town amend the Code of the Town of Dalton, Chapter 350 ZONING, as described in the handout titled "TOWN OF DALTON- MARIJUANA ESTABLISHMENTS BYLAW", by adding §350-63.3

Marijuana Not Medically Prescribed, at ARTICLE XII, Uses Subject to Special Requirements, and further to amend as necessary 350-5 Definitions and 350 Attachment 1 Table of Use Regulations, in order to address, mitigate and protect the Town from the secondary effects of marijuana establishments

TWO-THIRDS VOTE REQUIRED

CARRIED

DECLARED TWO-THIRDS

ARTICLE 6. It was moved, seconded and voted that the Town take no action under this article.

CARRIED

UNANIMOUSLY

ARTICLE 7. It was moved, seconded and voted that the Town accept Chapter 64N, Section 3 of the Massachusetts General Laws, to impose an excise on the retail sales of marijuana for adult use at the rate of 3%.

CARRIED

UNANIMOUSLY

ARTICLE 8. It was moved, seconded and voted that the Town transfer from Free Cash in the Treasury the sum of \$36,056 to Account Number 423 Snow & Ice, for the purpose of funding additional costs in said account as follows: \$6,192 to Salaries and \$29,864 to Expenses.

CARRIED

UNANIMOUSLY

ARTICLE 9. It was moved, seconded and voted that the Town amend the vote taken under Article 9 at the Annual Town Meeting on May 7, 2018, to increase the sums of money raised and appropriated for several departments for the fiscal year beginning July 1, 2018 as follows: Department 141 Assessors \$5,000, Expenses; Department 175, Planning Board, \$2,534 Salaries; Department 244, Sealer of Weights & Measures, \$576 Salaries; Department 433 Landfill Monitoring, \$16,000 Expenses and Department 434 Transfer Station \$1,200 Expenses and further that \$16,000 be transferred from the Landfill Monitoring Account #991 to the Landfill Closure Account #433 and that \$9,310 be raised and appropriated to meet other said salaries and expenses.

Department	Increase	Explanation
141 Assessors	\$5,000	Consulting for specialty evaluation of utility property
175 Planning Board	\$2,534	Increases Town Planner's weekly hours from 28 to 30, to be the same as the Building Inspector & Health Agent.
244 Sealer of Weights & Measures	\$576	Adjust stipend to \$2,000 to be more consistent with other stipends.
433 Landfill Monitoring	\$16,000	Removal of old rusted barrels from Landfill by recent order of MA Dept. of Environmental Protection
434 Transfer Station	\$1,200	Porta-toilet required by recent order of MA Dept. of Environmental Protection
TOTAL	\$25,310	

CARRIED

UNANIMOUSLY

ARTICLE 10. It was moved, seconded and voted that the Town transfer \$90,739 from the Sewer Stabilization Fund to pay the City of Pittsfield \$70,239 for the additional costs of sewage treatment in the 2017 Fiscal Year and to reimburse the Reserve Fund \$20,500 for emergency sewer expenses on Daly Avenue.

TWO-THIRDS VOTE REQUIRED

CARRIED

UNANIMOUSLY

ARTICLE 11. It was moved, seconded and voted that the Town appropriate \$222,934 from available funds to be reimbursed by a Grant from the Commonwealth of Massachusetts in accordance with Chapter 90 Section 34 of the Massachusetts General Laws.

CARRIED

UNANIMOUSLY

ARTICLE 12. It was moved, seconded and voted that the Town transfer \$317.50 from Free Cash in the Treasury to pay unpaid bills from Fiscal Year 2017 to Renatus Solutions for IT services and Millers Service Station for vehicle inspections in the amounts of \$247.50 and \$70.00 respectively.

CARRIED

UNANIMOUSLY

ARTICLE 13. It was moved, seconded and voted that the Town amend the Code of the Town of Dalton by rescinding and removing in its entirety Chapter 290 Swimming Pools.

CARRIED

UNANIMOUSLY

ARTICLE 14. It was moved, seconded and voted that the Town amend the Town of Dalton's Zoning Bylaw by amending Article IX, Section § 350-37.1, "Large scale solar photovoltaic installations", in B. "Applicability." add the words "**Ground Mounted as defined in §350-5**" prior to the word "large" and further that in B. "Applicability." add the words "**whether used as an accessory use or as a principal use**" at the end of the first sentence.

TWO-THIRDS VOTE REQUIRED

CARRIED

UNANIMOUSLY

ARTICLE 15. It was moved, seconded and vote that the Town amend the Code of the Town of Dalton Chapter 280 Stormwater Management and Erosion Control Section 280-5 by reducing the number of members on the Stormwater Management Commission from nine to seven as follows: in A. replace the word "**nine**" in the second sentence with the word "**seven**" and in the fourth sentence replace the word "**Seven**" with the word "**Five**" and replace the word "**four**" with the word "**two**".

CARRIED

UNANIMOUSLY

ARTICLE 16. It was moved, seconded and voted that the Town re-accept Chapter 32B, Section 20 of the Massachusetts General Laws, originally accepted by the Annual Town Meeting vote under ARTICLE 20 on May 7, 2012, as follows:

That, The Town of Dalton, Massachusetts hereby re-accepts the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 218, Section 15 of the Acts of 2016 (the "Act"), and establish an Other Post-Employment Benefits Liability Trust Fund (the "OPEB Fund");

That, in accordance with the Act, The Town of Dalton, Massachusetts hereby designates the Treasurer of The Town of Dalton, Massachusetts to serve as Custodian of the OPEB Fund (the "Custodian");

That the entire sum presently held in the existing Reserve Account fund of approximately \$1,700,000.00 be appropriated as the initial investment into the OPEB Fund;

That the Treasurer of the Town of Dalton, Massachusetts be designated as Trustee of the OPEB Fund, (the "Trustee");

That the Treasurer of The Town of Dalton, Massachusetts as Custodian of the OPEB Fund, be, and hereby is, authorized to execute and deliver the Investment Agreement with the State Retiree Benefits Trust Fund board of trustees on behalf of The Town of Dalton, Massachusetts for the purpose of making the representations and warranties, acknowledgements and agreements on the part of The Town of Dalton, Massachusetts to be made and performed thereunder.

CARRIED

UNANIMOUSLY

Motion was made, seconded and voted to dissolve the meeting at 7:59 p.m.

CARRIED

UNANIMOUSLY

Meeting adjourned at 7:59 p.m.


Deborah J. Merry, Town Clerk