

2017

TOWN OF DALTON  
SPECIAL TOWN MEETING  
NESSACUS MIDDLE SCHOOL – JUNE 26, 2017 – 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, and Maureen M. Mitchell were appointed tellers and sworn by Town Clerk, Deborah J. Merry. There was a total of 64 Registered Voters checked at the door and 7 Non-Voting Residents signed in. The following Precinct count does not include Non-Registered persons:

PRECINCT 1 - 28  
PRECINCT 2 - 36

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

CARRIED

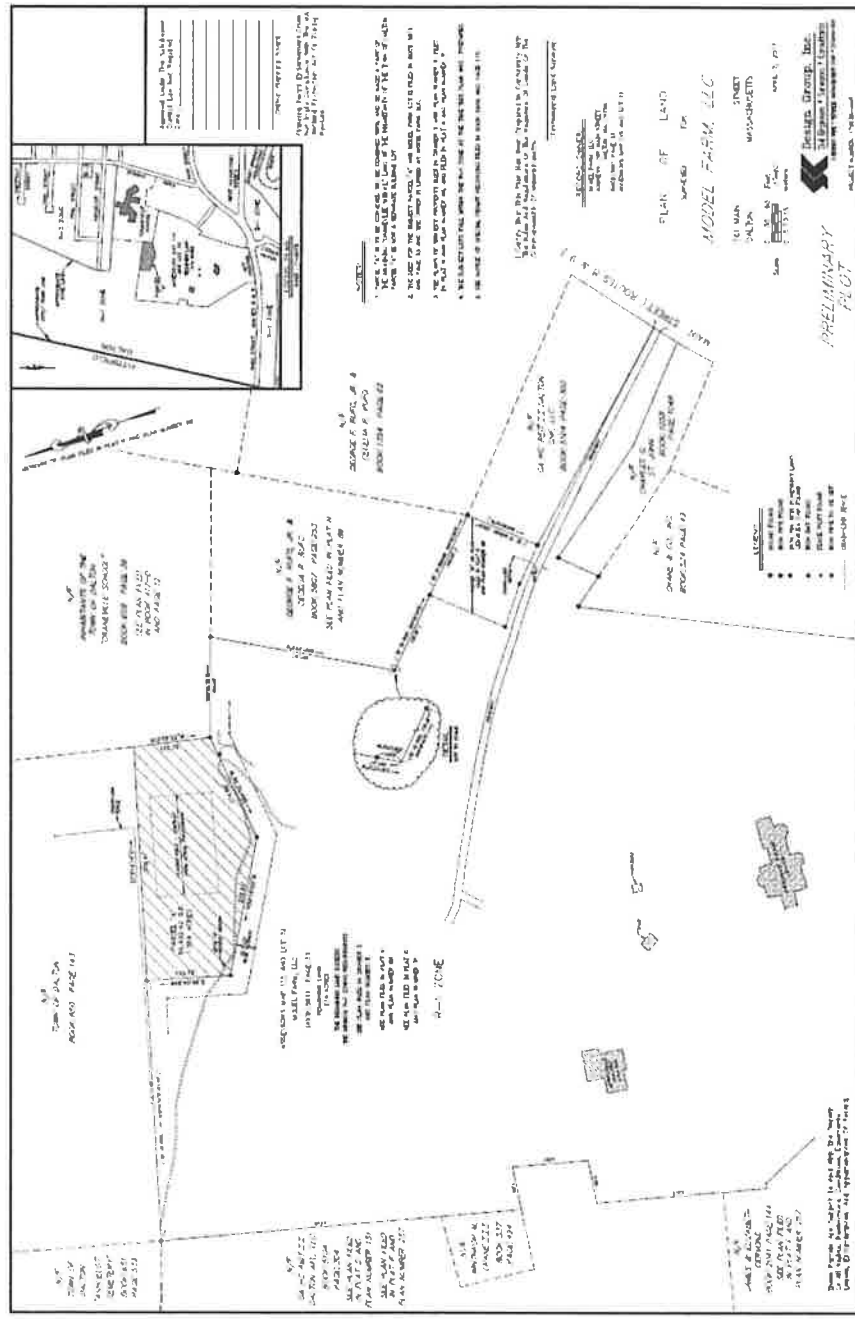
UNANIMOUSLY

It was moved, seconded and voted to move Article 8 out of order and address same prior to Article 1.

CARRIED

UNANIMOUSLY

ARTICLE 8. It was moved, seconded and voted to authorize the Select Board to accept, as a gift of land for general municipal purposes, a parcel of land consisting of 1.364, more or less, owned by Model Farm LLC, shown on Assessors Map 115, Lot 32 and as shown on a Plan of Land prepared by SK Design Group, Inc. dated April 7, 2017, and designated as Parcel A on said plan, a copy of which is on file in the office of the Town Clerk, and to authorize the Select Board to enter into all agreements and take all actions necessary or appropriate to carry out this acquisition.



CARRIED

UNANIMOUSLY

ARTICLE 1. It was moved, seconded and voted that the Town transfer \$57,100 from Capital Stabilization Fund to Capital Improvement Program as follows: \$8,000 for a playground Fall Zone at Pine Grove Park; \$20,000 to obtain and install a

Building Inspector Salaries - \$45,770, Department 401 Engineering Services - \$12,000 and Department 449 Wastewater Treatment Expenses - \$13,800.

<b>Department</b>	<b>Increase</b>	<b>Explanation</b>
123 Town Manager	\$2,372	Renewal of Town Manager's contract
240 Building Inspector	\$45,770	Salary was eliminated in budget approved at ATM, regional program with Adams not renewed
401 Engineering Services	\$12,000	Initiate design for future Capital Improvement projects, particularly Ch90 road repaving
449 Waste Water Treatment	\$13,800	Comply with Federal EPA requirements for NPDES Stormwater management program
<b>TOTAL</b>	<b>\$73,942</b>	

CARRIED

DECLARED MAJORITY

ARTICLE 5. It was moved, seconded and voted that the Town transfer \$149,755 from the Sewer Stabilization Fund to pay the City of Pittsfield for the additional costs of 2016 sewage treatment payable in the 2017 Fiscal Year.

CARRIED

UNANIMOUSLY

ARTICLE 6. It was moved, seconded and voted that the Town appropriate \$218,660 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 7. It was moved, seconded and voted that the Town transfer \$150 from Free Cash in the Treasury to pay an unpaid bill from Fiscal Year 2016 to Miller's Petroleum Systems, Inc., pursuant to the requirements of Massachusetts General Laws Chapter 44, Section 64.

CARRIED

UNANIMOUSLY

ARTICLE 8. It was moved, seconded and voted to authorize the Select Board to accept, as a gift of land for general municipal purposes, a parcel of land consisting of 1.364 acres, more or less, owned by Model Farm LLC, shown on Assessors Map 115, Lot 32 and as shown on a plan of Land prepared by SK Design Group, Inc. dated April 7, 2017, and designated as Parcel A on said plan, a copy of which is on file in the office of the Town Clerk, and to authorize the Select Board to enter into all Agreements and take all action necessary or appropriate to carry out this acquisition.

CARRIED

UNANIMOUSLY

ARTICLE 9. It was moved, seconded and voted to rescind the unutilized balances of several prior years borrowing authorizations for capital improvement projects as follows:

<b>Meeting Date</b>	<b>Amount</b>	<b>Purpose/Status</b>
June 28, 2004	\$4,000	Skate Board Park Engineering, not undertaken
June 27, 2005	\$50,000	Skate Board Park Construction, not undertaken
October 29, 2013	\$1,351	Highway Dump Truck, completed
June 30, 2014	\$431	Police Cruiser, completed
June 30, 2014	\$10,605	Highway Truck and Equipment, completed
June 30, 2014	\$4,975	Culvert Replacement, completed
<b>TOTAL</b>	<b>\$71,362</b>	

- B. Definition. "Recreational Marijuana Establishment" shall mean a "marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."
- C. Temporary Moratorium. For the reasons set forth above and notwithstanding any other provisions of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

TWO THIRDS VOTE REQUIRED

CARRIED

DECLARED TWO-THIRDS

ARTICLE 15. Thin Film Plastic Bag Reduction Bylaw

It was moved, seconded and voted to amend this article as follows: In Section 2 Definitions, 2<sup>nd</sup> paragraph, insert: "or any other plastic resin used to make bags," before "if said film is less than 4.0 mils in thickness."

It was moved, seconded and voted to amend this article by deleting section 4.c) 4) d) in its entirety.

It was moved, seconded and voted to adopt the Thin Film Plastic Bag Reduction Bylaw as amended.

Thin Film Plastic Bag Reduction Bylaw

1. Findings and Intent

WHEREAS, the Town of Dalton has a duty to protect the natural environment, the economy, and the health of its citizens; and

WHEREAS, thin film plastic bags are made from fossil fuels; and

WHEREAS, when littered in our streets and roadways, parks, public spaces, forests, and local waterways, thin film plastic bags are an aesthetic nuisance and can end up clogging storm drainage systems and accumulating in wastewater systems and incurring a cleanup expense; and

WHEREAS, littered thin film plastic bags can contribute to the Injury and death of terrestrial and marine wildlife; and

WHEREAS, littered thin film plastic bags degrade into micro-particles and can enter the food chain, with potentially negative ecological and health impacts; and

WHEREAS, studies have shown that even "compostable" or "biodegradable" thin film plastic bags require very specific and controlled conditions in order to biodegrade, and have potentially negative environmental effects similar to conventional thin film plastic bags; and

WHEREAS, reusable shopping bags are readily available from a wide variety of sources and vendors; and

WHEREAS, six Berkshire communities, and hundreds of others across the country have acted, or are in the process of acting, to reduce the use of thin film plastic bags; and

- 2) the issuance of violation notices and administrative orders; and/or
  - 3) civil court actions.
- b) Whoever, himself or by his servant or agent or as the servant or agent of any other person or firm or corporation, violates any of the provisions of these regulations may be penalized by a non-criminal disposition process as provided in MGL c. 40, §21D. Each day of violation, after written notice, is a separate violation.
- c) The following penalties shall apply:
- 1) First offense: warning
  - 2) Second offense: \$50
  - 3) Third offense: \$100
  - 4) Fourth and subsequent offense: \$200

5. Severability

Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause, or phrase thereof shall be held invalid for any reason, the remainder of this bylaw and all other bylaws shall continue in full force.

6. Effective Date

The bylaw shall take effect twelve (12) months after its adoption.

CARRIED

DECLARED MAJORITY

Motion was made, seconded and voted to dissolve the meeting.

CARRIED

UNANIMOUSLY

Meeting adjourned at 8:19 p.m.

A true copy, ATTEST

  
Deborah J. Merry, Town Clerk

2017 RESIGNATIONS

Lamke, Mary, Senior Center Building/Maintenance Committee, eff. 2/1/17  
 Duquette, Mary Jane, Dalton Council on Aging, eff. 3/15/17  
 Cormier, Arlene, Dalton Beautification Commission, eff. 5/4/17  
 Maxon, Maureen, Dalton Beautification Commission, Eff. 6/13/17  
 Cahill, Margaret, Dalton Council on Aging, eff. 6/12/17  
 Caliento, Mary Jane, Dalton Historical Commission, eff. 6/12/17  
 Cimini, Michael, Traffic Commission, eff. 6/12/17  
 Ware, Jennifer, Dalton Cultural Council, eff. 6/10/17  
 Finn III, George A., Senior Center Building/Maintenance Committee, eff. 6/27/17  
 Harris, Donald, Dalton Cultural Council, eff. 6/22/17

Old Dalton High School Advisory Committee, Dissolution, eff. 6/12/17  
 Cimini, Kathryn, Dalton Housing Authority, eff. 6/1/17  
 DiNicola, David, Council on Aging, eff. 6/1/17  
 Waste Management Committee, Dissolution, eff. 8/15/17  
 DiNicola, David, Senior Center Building Committee, eff. 9/12/17  
 Flippin, John K., Green Dalton Committee, eff. 9/25/17  
 Carchedi, John, Building Inspector, eff. 9-25-17  
 Allesio, Robert, Dalton Development & Industrial Commission, eff. 9/05/17