

**Town of Otis
Annual Town Meeting
May 19, 2009
Meeting Minutes**

In attendance:

Selectmen: Clayton Chaffee chairperson, Andrew Pyenson, Donald Hawley

Finance Board: Joy Brown, Irene Rowley, Gary Thomas

Moderator: Andrew Pyenson

Town Administrator: Chris Morris

Town Counsel: Jeremia Pollard

Town Clerk: Lyn Minery

Constable: Russell Loring

Board of Registrars: Majorie Middleton, Jill Moretz

Total registered voters in Otis: 1088

Total Voters who attended: 82

The moderator called the meeting to order at 7:00 pm.

The moderator called for a moment of silence for family, friends, and loved ones lost over the past year.

The moderator confirmed with the town clerk there is the required quorum of fifteen registered voters.

A motion was made to dispense with the reading of the warrant and to proceed to act on Article 1.

The motion was seconded.

The motion passed.

The moderator requested voters to hold up their green card when voting, and to speak in the microphone when asking questions.

ARTICLE 1.

To receive the reports of the various Town Officers and act thereon.

A motion was made to accept Article 1.

The motion was seconded.

Article 1 passed unanimously.

ARTICLE 2.

To raise and appropriate \$1,891,527.92 to defray the Town's expenses for this fiscal year. See appropriations list attached at end of Warrant.

A motion was made to accept Article 2.

The motion was seconded.

Discussion: Several voters requested Article 2 be broke down showing the increase/decrease per department from the previous fiscal year. It was requested future warrants would show the previous fiscal year with current fiscal year, and compare what is actually spent in the previous fiscal year. This would give better background to the article and more content. Voters also requested whether or not the selectmen or finance board approve, disapprove, or recommend the articles. The selectmen said they would look into this for next years warrant.

A voter inquired why some charitable organizations did not receive an increase. Selectmen Chaffee stated for organizations like Construct Inc, or Lee Visiting Nurse Association, they are budgets requested by those organizations. Organizations received what they asked for.

A voter would like to know what strategies were involved in the decision-making. Selectmen Chaffee explained budget increases in town departments are reflecting annual raises. Chaffee explained the strategy process. The selectmen meet with the finance board to discuss budgets. If money is taken away from budgets then the select board and finance board will meet with those departments to discuss reasoning. All these joint budget meetings are open to the public.

A voter wanted to know information about decreases in state revenues. Administrator, Chris Morris stated there has been approximately \$25,000 in decreases to the Town in unrestricted local aid, which is lottery aid and other categories lumped in. Morris explained how he did not anticipate the average tax bill in Otis to go up more then 1% this year. Departments were asked when they did their budgets to level fund and ask for their 3% cost of living expense. Some departments are going up moderately, but others do not have much control over increases to their budget. Example is the highway department because they do not have control over the increase in sand and gravel. The school bond was budgeted for \$140,688 and that decreased recently by \$45,000. Chris is anticipating this \$45,000 will be enough to cover the decrease in state aid. The amount of money the Town is being asked to raise from taxation is between \$4,000-\$5,000 less then was raised last year. The total amount voters are being asked to raise from taxation is \$4,088,000. This is down two tenths of a percent from last year.

Tom Ragusa, historical commission chair spoke about the decrease in the historical commission budget by \$700 for voter information.

A voter was curious why some articles are included in Article 2 and how other articles are subject to an individual warrant article. For example group insurance is in Article 2 and Article 6 is asking for county retirement. How do you determine what is in Article 2 and what warrants a separate article? Selectman, Pyenson explained Article 6 is what is billed and in Article 2 is part of the department budgets. Karen Fink, town treasurer explained the difference between Article 6 Berkshire County Retirement, and Article 2 group insurance.

A voter inquired why Article 2 was different from the sums in Article 7. Morris explained how Article 7 is only salaries, whereas Article 2 includes office expenses and their salaries.

Article 2 passed unanimously.

ARTICLE 3

To see if the Town vote to raise and appropriate \$3,780.00 to pay the Lee Visiting Nurse Association, Inc. to make available Home Health Services on an intermittent basis: Skilled Nursing, Home Health Aide Service, Homemaker Service, Physical Therapy, Occupational Therapy, Speech Therapy, Nutrition Counseling and Clinics for the residents of the Town of Otis.

A motion was made to accept Article 3.

The motion was seconded.

Discussion: A resident asked if this service is only available to residents based on their income? The selectmen responded that anyone is eligible.

Article 3 passed unanimously.

ARTICLE 4.

To see if the Town will vote to raise and appropriate \$13,000.00 for the Reserve Fund.

A motion was made to accept Article 4.

The motion was seconded.

Discussion: What is the reserve fund? Selectmen Chaffee explained when there are unpaid bills within a department that does not have enough funds to cover the bill at the end of the year, then the reserve fund will pay the bill. Payment from the reserve fund is at the approval of the finance board.

Article 4 passed unanimously.

ARTICLE 5.

To see if the Town will vote to raise and appropriate \$649.00 for the support of Mental Health and Substance Abuse Services of Berkshires.

A motion was made to accept Article 5.

The motion was seconded.

Article 5 passed unanimously.

ARTICLE 6.

To see if the Town will vote to raise and appropriate \$110,198.00 for the apportioned costs of the Berkshire County Retirement System.

A motion was made to accept Article 6.

The motion was seconded.

Discussion: How many are in the retirement program? Karen Fink, town treasurer said approximately 18 employees are actively contributing.

Article 6 passed unanimously.

ARTICLE 7.

To see if the Town will vote to pay its officers the following salaries for twelve months:

Selectmen	Chairman	\$3,500.00
	Others	\$3,000.00

Town Accountant		\$15,187.30
Town Clerk		\$25,526.30
Town Treasurer		\$15,187.30
Town Collector		\$39,525.00
Assessors	Chairman	\$3,500.00
	Others	\$3,000.00
Regional School District Committee	Chairman	\$500.00
	Others	\$400.00
Moderator (Annual Town Meeting)		\$100.00
Moderator (Special Town Meeting)		\$50.00
Police Chief		\$4,800.00
Fire Chief		\$3,500.00
First Assistant Fire Chief		\$2,000.00
Finance Board	Chairman	\$400.00
	Others	\$300.00

A motion was made to accept Article 7.

The motion was seconded.

Discussion: Why does the town clerk get less then the town collector when they work the same hours? Lyn Minery, town clerk explained that she works 10 hours less then the town collector.

Selectmen, Pyenson explained that the select board and the finance board agreed to give employees a 2 percent raise.

Article 7 passed unanimously.

ARTICLE 8.

To see if the Town raise and appropriate \$123,600.00 to enter into a contract with the Otis Rescue Squad, Inc.,; said appropriation does not obligate the Town for any liability or responsibility for the operation of the Rescue Squad or actions of its members.

A motion was made to accept Article 8.

The motion was seconded.

Discussion: What is the money for? What happened to the \$46,000 for on call service from last year? How many new members have been added? Richard Phair, president to the ambulance squad explained how the \$46,000 is included in this article. This budget has been increased overall by \$3,000 due to insurance going up, new employees, and workman's comp increases.

Do we have the manpower now to cover emergencies? Phair explained how they are trying to get a waiver from the state to move the ambulance with 1 EMT. At this time the state will not let the ambulance move without 2 EMTs. Currently the ambulance has 4 new members and they are waiting to take a test from the state for certification. Selectmen, Hawley explained how the ambulance and selectmen have just met with Highland Ambulance to discuss a regional central located ambulance.

Article 8 passed unanimously

ARTICLE 9.

To see if the Town will vote to raise and appropriate \$1,844,093.00 for the Farmington River Regional School District .

A motion was made to accept Article 9.

The motion was seconded.

Discussion: A voter explained this is another Article that could use more explanation if the Article increased or decreased from last year. JoAnn Austin, school superintendent explained how the budget is level funded from last year. It is \$7,000 dollars less from last year. There is no new material, and they are not replacing a teacher who is retiring. This is also with built in 3% increases for employees. A taxpayer asked if the roof still leaked? Larry Gould, building inspector explained how the roof does leak. He said there was no leaking until the end of February and the month of March. This is believed to be from structural issues. The kitchen leak is believed to come from the range hood. The engineer and roofer have been there numerous times. All the locations have been documented and photographs have been taken. The leaks show up at the same places as before.

Article 9 passed.

Andrew Pyenson explained how all meetings are open and encouraged the audience to come to the meetings.

ARTICLE 10.

To see if the Town will vote to raise and appropriate \$95,284.00 for Fiscal Year 2009 payment of School Bond Issue.

A motion was made to accept Article 10 as read.

The motion was seconded.

Discussion: Selectmen explained how the bond was refinanced at a lower rate. Jane Gleason, Asst. to the Superintendent thanked everyone for getting the required information to get this done in such a short window of time.

Article 10 passed unanimously.

ARTICLE 11.

To see if the Town will vote to raise and appropriate \$1,200.00 for the Community Health Program, f/k/a Children's Health Program, Inc. for the provision on on-going comprehensive health care and medical supervision of children from birth to five years in the Town of Otis.

A motion was made to accept Article 11.

The motion was seconded.

Article 11 passed unanimously.

ARTICLE 12. To see if the Town will vote to raise and appropriate \$175.00 for the support of Construct, Inc.

A motion was made to accept Article 12.

The motion was seconded.

Discussion: What is Construct Inc. and what do they do? The selectmen explained it is a company out of Great Barrington and they provide people in need used furniture. Article 12 passed unanimously.

ARTICLE 13.

To see if the Town will vote to raise and appropriate \$400.00 for Southern Berkshire Literacy Network.

A motion was made to accept Article 13.

The motion was seconded.

Article 13 passed unanimously.

ARTICLE 14.

To see if the Town will vote to raise and appropriate \$1,000.00 for Berkshire South (formerly known as Southern Berkshire YMCA).

A motion was made to accept Article 14.

The motion was seconded.

Article 14 passed unanimously.

ARTICLE 15.

To see if the Town will vote to raise and appropriate \$4,000.00 for the Scholarship Fund.

A motion was made to amend Article 15: **To see if the Town will vote to raise and appropriate \$5,000.00 for the Scholarship Fund.**

The motion was seconded.

The amendment to Article 15 passed, 2 opposed.

A motion was made to accept Article 15.

The motion was seconded.

Discussion: Last year gave out \$5,000 in scholarships. Each student got \$1,000 each. What is the criterion for those who apply? Diane Dyer, scholarship member said they try to give every student who applies something. The students get the money in the second semester of college.

Article 15 passed.

ARTICLE 16.

To see if the Town will vote to establish a Revolving Fund under the provisions of Massachusetts General Laws Chapter 44, Section 53E1/2 for Demolition Debris Removal from Town of Otis Compactor Station site. Fees received from residents disposing of demolition debris at Otis Compactor Site would be credited to said Revolving Fund and expended for removal of demolition debris from the Compactor Site only by authorization of the Town of Otis Board of Selectmen. Expenditures from said Revolving Fund not to exceed \$25,000 for fiscal year 2010. The Otis Board of Selectmen recommends approval of the Revolving Fund.

A motion was made to accept Article 16.

The motion was seconded.

Article 16 passed unanimously.

ARTICLE 17.

To see if the Town will vote \$135,557.00 as an Available Fund under Executive Office of Transportation Chapter 90 State Aid to Highways Program.

A motion was made to accept Article 17.

The motion was seconded.

Discussion: Could this amount be lowered? Administrator, Morris explained how the money would not be lowered this year since this is not coming from the state budget.

This money was bonded from last year's budget. Chris Bouchard, highway superintendent explained the local aid money breakdown from the state.

Article 17 passed unanimously.

ARTICLE 18.

To see if the Town will vote to appropriate \$57,530.00 for operation and maintenance of municipal sewer system and to meet the appropriation, transfer funds from sewer user fees.

A motion was made to accept Article 18.

The motion was seconded.

Discussion: Does the sewer make, loose, or break even monetarily? The administrator replied the sewer plant is breaking even at this time.

Article 18 passed unanimously.

ARTICLE 19.

To see if the Town will vote to maintain separate Revolving Funds pursuant to MGL, Chapter 44, Section 53E 1/2 for the following fees. Fees received by Town Officials shall be credited to the respective revolving fund and expended for payment only by the authorization of the Town Treasurer. Respective expenditures from said Revolving Funds shall not exceed the amounts shown below for fiscal year 2010 without prior approval from the Board of Selectmen:

Plumbing & Gas Inspector	\$15,000.00
Wire Inspector	\$15,000.00
Fire Department Inspections	\$6,000.00
Sanitation Inspector	\$9,000.00

A motion was made to accept Article 19.

The motion was seconded.

Article 19 passed unanimously.

ARTICLE 20.

To see if the Town will vote to raise and appropriate \$8,885.45 for the Southern Berkshire Regional Emergency Planning Committee.

A motion was made to accept Article 20.

The motion was seconded.

Discussion: Charles Harner, chair of emergency management committee, noted a typo. A motion was made to amend Article 20: **To see if the Town will vote to raise and appropriate \$500.00 for the Southern Berkshire Regional Emergency Planning Committee.**

A motion was made to accept the amendment.

The motion was seconded.

The amendment passed unanimously.

A motion was made to accept Article 20.

The motion was seconded.

Article 20 passed unanimously.

ARTICLE 21.

To see if the Town will vote to expend the sum of \$10,000.00 for the purpose of Tax Title collections and to take said sum from free cash.

A motion was made to accept Article 21.

The motion was seconded.

Article 21 passed unanimously.

ARTICLE 22.

To see if the Town will vote to expend an amount not to exceed \$50,000.00 to purchase a pick-up truck for the Highway Department and to take said sum from free cash.

A motion was made to accept Article 22.

The motion was seconded.

Discussion: What does this truck have for \$50,000? Chris Bouchard, highway superintendent said this is a one-ton diesel truck with a plow and sander.

Article 22 passed unanimously.

ARTICLE 23.

To see if the Town will vote to expend the sum of \$10,000.00 for the Bicentennial Celebration and to take said sum from free cash.

A motion was made to accept Article 23.

The motion was seconded.

Discussion: Donna Thomas, bicentennial chairperson spoke on the activities for the June 2010 bicentennial. A voter asked if this would be enough money. Thomas said she did not know. The bicentennial committee may have to come back to the voters at a special town meeting to request additional funding. Lyn Minery, bicentennial secretary explained the flag unveiling ceremonies at the Otis Town Hall and at the Boston State House for the new town flag.

Article 23 passed unanimously.

ARTICLE 24.

To see if the Town will vote to expend an amount not to exceed \$15,000.00 for the purpose of purchasing a pick-up truck for the Maintenance Department and to take said sum from free cash.

A motion was made to accept Article 24.

The motion was seconded.

Discussion: Why are we not purchasing a new truck? Discussion occurred about the pros and cons of purchasing a new or used truck.

A voter asked if the maintenance department could use the old highway truck? Hawley said they are getting rid of that truck due to cost of repairs being too high.

A motion was made to amend Article 24: **“To see if the Town will vote to expend an amount not to exceed \$30,000.00 for the purpose of purchasing a pick-up truck for the Maintenance Department and to take said sum from free cash.”**

The motion was seconded.

The amended motion passed, 2 opposed.

A motion was made to accept Article 24.

The motion was seconded.

Article 24 passed, 2 opposed.

Gail Palmer thanked the Highway and Maintenance crews for their help with the December ice storm.

ARTICLE 25.

To see if the Town will vote to expend the sum of \$3,200.00 for the purpose of paying consulting fees for the preparation of GASB reports and to take said sum from free cash.

A motion was made to accept Article 25.

The motion was seconded.

Discussion: What is GASB? This is General Accounting Standards Board.

Article 25 passed unanimously.

ARTICLE 26.

To see if the Town will vote to pay a FY07 invoice from the Lee Visiting Nurse Association, Inc. in the amount of \$900.00 and to take said sum from free cash.

A motion was made to accept Article 26.

The motion was seconded.

Discussion: Why is this paid 2 years later? Pyenson said how it slipped somewhere.

Article 26 passed unanimously.

ARTICLE 27.

To see if the Town will vote to expend an amount not to exceed \$3,000.00 for the purchase of two shade structures, one to be located in the park area behind the Town Hall and one to be located at the Town Beach and to take said sum from free cash.

A motion was made to accept Article 27.

The motion was seconded.

Discussion: Bill Dyer, recreation chairperson said how they level funded their budget so they wanted this to be on a separate warrant Article. Originally they asked for 4.

Selectmen and recreation agreed on 2. These are 20x20 aluminum structures. One will be at the beach and one at the Town Hall. Debate occurred about too many structures on the beach. Gazebo at the Town Hall was suggested for shade use. Concerns on looks were

said. Dyer explained this is what they can afford. They would prefer a wooden structure, but they are too expensive. Dyer said many parents have to watch their kids at the beach. The recreation center sponsor swimming lessons and there is no escape from the sun. A resident said many people couldn't sit in the sun, example the elderly, and those who are on medications. Arlene Tolopko, cultural council chairperson said how they do many events at the gazebo, but due to the sun they have a number of people who hide in the trees while the performer is singing to the air.

The moderator made a motion to call the question and cease discussion.

The motion was seconded.

Yes 46, 1 No

The motion passed to cease discussion.

Article 27 passed, 6 opposed.

ARTICLE 28.

To see if the Town will vote to expend the sum of \$1,500.00 to contribute to the Southern Berkshire Technology Committee for the purpose of funding a planning study of a Southern Berkshire Broadband System in order to expand broadband service throughout the Town of Otis and to take said sum from free cash.

A motion was made to accept Article 28.

The motion was seconded.

Discussion: Robert Rocke, Otis representative to the Southern Berkshire Technology Committee explained how they are requesting all towns to approve these monies. The committee does not know if they will need to use this money, but they would like to know it is available. The President has passed an incentive bill which is allotting 8.2 billion dollars for broadband activities throughout the United States. There are 2 proposals; one Southern Berkshire Technology Committee may have to go after the money, or two it may come from the state. If this committee has to go after the money as a group, then this money will be used for filing permits. This is to go after files quality service throughout all of Massachusetts. The President and Governor have guaranteed that every resident in Massachusetts will have high speed capabilities by the 2011. Howard Levin, Otis technology member said if all the towns do not put in their 1,500, and it is needed, then Otis will be left out. This is important for future growth for schools, businesses, etc.

Article 28 passed, 1 opposed.

ARTICLE 29.

To see if the Town will vote to expend the sum of \$3,000.00 for the purpose of commissioning a wood sculpture to commemorate the Otis Bicentennial and to take said sum from free cash.

A motion was made to accept Article 29.

The motion was seconded.

Discussion: Where is this going to be located? Selectmen replied this would go in the Firehouse Park or the most accommodating area.

Does this weigh enough so no one can steal it? Selectman Pyenson said this would have substantial weight to it.

A voter wanted to know if a suggestion box has been set up yet regarding the aspects of the sculpture. Selectmen replied not yet.

A voter asked what species of wood is it for longevity? Tolopko replied that is unknown at this time.

Article 20 passed unanimously.

Donald Hawley mentioned the Town received an energy grant. The amount of this grant is \$226,749. An energy audit was performed in 2007. Otis was one of 13 towns in the state to win a grant. \$105,000 is expected to be needed for insulating the building. \$85,000 will upgrade the heating system. They are also looking into new windows and doors. The town will have to come up with additional funds to do any other upgrades that are not included in the grant. Lighting has been done for town hall, firehouses, transfer station, and recreation center. The Town Hall and Recreation Center went to a 4-day workweek over the winter. The Town saved 15-20 percent by doing this. Open forums will occur. There will be a special town meeting to vote on these decisions. Hawley feels this is a great opportunity.

Town Counsel talked to residents about a lawsuit happening with Verizon. Verizon has done a request for comments for a regional wide investigation. Town Counsel encouraged commenting on Verizon Services.

A motion was made to adjourn the meeting.

The motion was seconded.

The meeting adjourned at 9:10 pm.

Respectfully submitted,

Lyn Minery
Town Clerk