

Commonwealth of Massachusetts
Town of New Ashford
May 17, 2022, at 6:00PM
Annual town meeting warrant
Covering the fiscal year 2023
Berkshire county:



To: Any of the constables of the town of New Ashford.

In the name of the Commonwealth of Massachusetts, you are required to warn and notify the inhabitants of the town of New Ashford who are qualified to vote in the town affairs, to meet at the New Ashford Fire Department, 4 Ingraham Road, in said New Ashford, on Tuesday the Seventeenth day of May 2022, at 6:00PM, and transact the following business:

Article I: To elect a moderator for the following year. (Majority)

Article II: To see if the town will vote that there be levied on real estate and personal property of the town, or transferred from available funds, a sum sufficient to meet the appropriation of said meeting. (Majority)

Article III: To see if the town will vote to authorize the select board to retain counsel if necessary. (Majority)

Article IV: To see if the town will vote to close portions of Bauer Rd, Ingraham Rd, Roys Rd, Greylock Rd, Old Rte. Seven, and any other roads, that at certain times of the year the road commissioner and the select board deem necessary. (Majority)

Article V: To see if the town will vote to authorize the town treasurer, with the approval of the select board, to borrow money, from time to time, in anticipation of the revenue of the fiscal year, beginning July 1, 2022, and to issue notes as may be given for a period of less than one year in accordance with chapter 44, section 17 of the Massachusetts general laws. (Majority)

Article VI: To see if the town will vote to **raise and appropriate** the sum of seven hundred and ninety-four thousand, nine hundred and fifty-one dollars and zero cents (\$794,951.00) or any other sum, to defray the charges and expenses of the town of New Ashford, including any debts and interest and to compensate certain officers of the town of New Ashford. (See attached sheet for individual line items) (Majority)

Article VII: Enterprise fund budget - to see if the town will vote to **raise and appropriate** the sum of eighty-seven thousand, forty-four dollars (\$87,044.00) through user's fees and fund four thousand, five hundred dollars (\$4,500) to the general fund to reimburse shared officer and appointees' stipends, electricity, and propane cost. (See attached sheet for individual line items) (Majority)

Article VIII: To see if the town will vote to **appropriate and transfer** from the cash stabilization account, the sum in the amount two thousand, five hundred dollars (\$2,500), to supplement the town's share of grant money from the FY 2023 budget for emergency management grant. If the article is passed but the grant is not approved, the money will revert to the cash stabilization account. (2/3 vote required)

Article IX: To see if the town will vote to **appropriate and transfer** from MLP Enterprise fund Free Cash the sum of one thousand dollars (\$1,000.00) to the broadband stabilization fund or take any other action relative thereto. (Majority)

Article X: To see if the town will vote to **appropriate and transfer** from Free Cash the sum of two hundred and fifty dollars (\$250.00) to the old schoolhouse repair stabilization fund or take any other action relative thereto. (Majority)

Article XI: To see if the town will vote to **appropriate and transfer** from Free Cash the sum of thirty-five thousand dollars (\$35,000.00) to the stabilization fund or take any other action relative thereto. (Majority)

Article XII: To see if the town will vote to set fiscal year 2023 spending limits for such revolving funds as follows.

| Revolving fund | Spending limit | Revolving fund | Spending limit |
|----------------------------------|----------------|---------------------------------------|----------------|
| Conservation commission | \$1,200.00 | Electrical/wiring inspection services | \$1,200.00 |
| Planning board expenses | \$1,200.00 | Plumbing & gas inspection services | \$3,459.86 |
| Trench safety inspector services | \$1,200.00 | Zoning board of appeals expenses | \$3,459.86 |
| Board of health - licensing fees | \$1,200.00 | Fire department | \$2,000.00 |
| Select board expenses | \$1,200.00 | All other board expenses | \$1,200.00 |
| Building inspector | \$3,459.86 | Total of all revolving funds | \$20,779.58 |

Article XIII: To see if the town will vote **appropriate and transfer** from Free Cash, the sum of six thousand eight hundred fifty dollars and ninety-six cents (\$6,850.96) to supplement the town’s share of grant money for new fire department fire fighters’ safety grant for the new tanker radio for FY 2022. (Majority)

*The grant is 100% reimbursable and funds go directly back to the town.

Article XIV: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum of ten thousand five hundred dollars (\$10,500) to supplement the town’s share of grant money for the fire fighters’ safety grant for new turnout gear for FY 2022. If the article is passed but the grant is not approved or all funds not spent, the money will revert to the Free Cash. (Majority)

*The grant is 100% reimbursable and funds go directly back to the town.

Article XV: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum not to exceed ten thousand five hundred dollars (\$10,500) to supplement the town’s share of grant money for the fire fighters’ safety grant for FY 2023. If the article is passed but the grant is not approved or all funds not spent, the money will revert to the Free Cash. (Majority)

*The grant is 100% reimbursable and funds go directly back to the town.

Article XVI: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum of twenty-seven thousand dollars (\$27,000) to purchase a mower for the town roads. (Majority)

Article XVII: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum of forty thousand dollars (\$40,000) to repair schoolhouse roof. (Majority)

Article XVIII: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum of fifteen thousand dollars (\$15,000) to repave in front of the fire house bay doors. (Majority)

Article XIX: To see if the town will vote to **appropriate and transfer** from Free Cash, the sum of ten thousand dollars (\$10,000) to cover legal counsel budget overrun for FY 22. (Majority)

Article XX: To see if the town will vote to **appropriate and transfer** from the cash stabilization account, the sum in the amount five thousand dollars (\$5,000), to cover the cost of the recertification of properties. If all funds are not spent, the money will revert TO the cash stabilization account. (2/3 vote required)

Article XXI: To see if the town will vote to amend the general bylaws of the Town to replace the terms: 1) Board of Selectmen” with “Select Board”; 2) “Selectman” with “Select Board Member”; 3) “Selectmen” with “Select Board Members”; and 4) “Chairman” with “Chair”, in each and every instance in which said terms appear; and to replace all gendered terms with gender-neutral terms, without changing the meaning of said terms; and further, to authorize the Town Clerk to make any non-substantive, ministerial revisions to ensure that grammar, gender, and numerical issues in related text are revised to properly reflect such change in title; or to take any action related thereto.

Summary: This article seeks to amend the town 's general bylaws to formally change the name of the board of selectmen to select board and make any related changes so that the general bylaws are gender neutral. (Simple majority)

Article XXII: To see if the town will vote to amend the general bylaws chapter 3 section 1 by inserting the language in bold and deleting the language in strikethrough, as follows:

The elected officers of the town shall be **three (3) select board members**, ~~a Clerk and Treasurer, one (1) Assessor, a Collector of Taxes, a Tree Warden,~~ three (3) school committee members, three (3) board of health members, ~~three (3) Library Trustees,~~ a moderator, ~~one (1) Auditor,~~ five (5) members of the planning board as provided by chapter 41, section 81A, of the general laws. Members of the planning board shall be elected for a five (5) year term. Members of the ~~Board of Selectmen~~ **select board**, ~~Board of Assessors,~~ board of health, school committee, ~~Auditor, Library Trustees, Tax Collector, Clerk and Treasurer~~ shall be elected for three (3) year terms. All others shall be elected for one (1) year terms.

Article XXIII: To see if the Town will vote to add a new chapter C to the General Bylaws of the Town of New Ashford as follows:

GENERAL LAW ACCEPTANCES AND SPECIAL ACTS

Article XXIV: to see if the town will vote to accept the provisions of Massachusetts general laws, Chapter 48 section 42A and amending the General By-laws for the Town of New Ashford, by inserting into Chapter C Section 1,

Summary: The statute provides as follows: “In towns which accept this section or have accepted corresponding provisions of earlier laws there shall be a fire department established under the direction of the selectmen, who shall appoint a chief of the fire department and such other officers and firemen as they deem necessary and fix their compensation in an amount not in the aggregate

exceeding the annual appropriation therefor. The selectmen may make suitable regulations governing the fire department and the officers and firemen thereof, and in towns which are not subject to chapter thirty-one may remove the chief and other officers and firemen at pleasure. The chief of the fire department shall be in immediate control of all town property used by the department, and of the officers and firemen, who shall obey his orders.”

Article XXV: To entertain a discussion with the townspeople regarding shared emergency services with neighboring towns and provide guidance to the Select Board for future action.

Article XXVI: To act thereon and conduct any business legally brought before said meeting.

You are hereby directed to serve this warrant by posting three (3) attested copies thereof in public places in the town of New Ashford, at least seven days before said meeting. Hereof fail not and make do your returns of doing to the town clerk at the time and place of the meeting afore said.

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|---|-----------------------|
| Constable: | Select board: |
| Stephen Demyer, constable | Jason Jayko, chairman |
| | |
| Date and time posted | Kenneth McInerney |
| | |
| True and attested Susan Supranowicz Clerk, town of New Ashford | Mark Phelps |
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