**ANNUAL TOWN MEETING**

TOWN OF CHESHIRE

Commonwealth of Massachusetts

*Berkshire SS.*

Monday, June 10, 2024, at 7:00 PM

191 Church Street

**Moderator:** Carol Francesconi

**Town Clerk:** Whitney Flynn

**Board of Selectmen:** Chair Shawn McGrath, Vice-Chair Jason Levesque, Michelle Francesconi, Raymond Killeen, Ronald DeAngelis

**Finance Committee:** John Tremblay, Denise Gregoire, Kathleen Levesque, Patrick Pettit, Michael Biagini

**Town Administrator:** Jennifer Morse

**Town Counsel:** Donna MacNicol – MacNicol and Tombs

The Town of Cheshire’s Annual Town Meeting was held on Monday, June 10, 2024, at the Cheshire Community House, located at 191 Church Street.

Boards of Registrar’s, Elizabeth King, began voter check-in at 6:30 PM.

In attendance were one hundred and twenty-six (126) voters and five (5) guests.

The meeting was called to order at 7:00 PM by Moderator Francesconi and opened with the Pledge of Allegiance.

Moderator Francesconi welcomed the voters and explained the rules of the meeting. She asked the non-voters in the room to identify themselves. Each member of the table was introduced.

On behalf of the Town of Cheshire, Selectman Chair McGrath presented a clock to the former Town Clerk, Christine Emerson, thanking her for her 30 years of dedication and service.

Moderator Francesconi read the warrant heading and asked to waive the reading of the balance of the warrant. Motion was made and seconded. No further discussion. Motion carried.

**ARTICLE 1: Reports of Officers**

To act on the reports of the Town Officers.

*Majority Vote Required*

The Annual Town Reports are presented for this article.

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 2: Elected Officials Compensation**

To see if the Town will vote to set the stipends and compensation for all elected officials of the Town as contained in the budget articles and pursuant to the M.G.L., c.41, §108, to be made effective as of July 1, 2024, as contained in the budget, or take any action in relation thereto.

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None*  **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 3: Disposal of Surplus Property**

To see if the town will vote to authorize the Board of Selectmen to dispose of any unused town-owned equipment and/or property in accordance with the law or take any action in relation thereto.

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 4: Authorization for Compensating Balance Agreements**

To see if the Town will vote to authorize the Town Treasurer to enter into compensating balance agreements for the Fiscal Year beginning July 1, 2024, in accordance with M.G.L. c.44, §53F, or take any action in relation thereto.

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 5: State Aid Highway Programs**

To see if the Town will vote to borrow and appropriate any additional sum or sums of money which will be reimbursed by the Commonwealth under any applicable State Aid Highway Programs for construction or improvements to Town roads and bridges as requested by the Board of Selectmen, or take any action in relation thereto.

*2/3 Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Card Vote – 104 in favor, 1 opposed; Article Passed**

**ARTICLE 6: Authorization to Accept/Expend Grants/Gifts to Town**

To see if the Town will vote to authorize the Board of Selectmen to apply for, execute contracts and expend grants or monies, or any Federal or State grants or monies, received as set forth in the appropriate application, or take any action in relation thereto.

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 7: RESERVE FUND**

To see if the Town will vote to **RAISE AND APPROPRIATE** the sums of **$20,000** to be used as a **RESERVE FUND**, pursuant to M.G.L. c 40, section 6 for the extraordinary or unforeseen expenditures for Fiscal Year 2025, or take any action in relation thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 8: GENERAL GOVERNMENT**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$1,509,096** for the conduct of **GENERAL GOVERNMENT**, including all charges and expenses of the various town offices, for Fiscal Year 2025, or take any action in relation thereto:

|  |  |  |
| --- | --- | --- |
|  | **FY24 Voted** | **FY25 Proposed** |
| **Legal Services** | **12,500.00** | **20,000.00** |
| Moderator Salary | 50.00 | 50.00 |
| Moderator Expenses | 25.00 | 0 |
| Board of Selectmen Stipends (5@$3,787) | 18,935.00 | 18,935.00 |
| Board of Selectmen Expenses | 10,400.00 | 10,400.00 |
| Clean Lake Program | 26,206.00 | 26,206.00 |
| MS4 – Stormwater Compliance | 7,500.00 | 7,500.00 |
| Group Purchasing (Procurement) | 800.00 | 800.00 |
| Town Audit  | 10,000.00 | 10,000.00 |
| **Information Technology** | **45,000.00** | **52,364.00** |
| Town Website | 5,250.00 | 5,250.00 |
| **Town Administrator Salary** | **85,000.00** | **90,000.00** |
| Executive Assistant (former Muni Clerk) | 0 | 25,931.00 |
| Municipal Clerk / Asst. Treasurer Collector | 45,936.00 | 0 |
| Town Administrator Expenses | 3,000.00 | 3,000.00 |
| **Accounting Services** | **31,500.00** | **34,800.00** |
| Accounting Software (VADAR) | 4,348.00 | 4,348.00 |
| Assessors Stipend (Chairperson) | 3,883.00 | 3,883.00 |
| Assessors Stipends (Members 2 @$3,328) | 6,656.00 | 6,656.00 |
| Assessors Administrator Salary | 31,905.00 | 32,862.00 |
| Assessors Expenses | 3,910.00 | 3,910.00 |
| **Assessors Contracted Services** | **34,140.00** | **48,985.00** |
| Treasurer/Collector Salary | 63,488.00 | 65,393.00 |
| Asst. Treasurer/Collector Salary | 0 | 20,468.00 |
| Treasurer/Collector Expenses | 12,500.00 | 12,500.00 |
| Treasurer Payroll Processing | 2,000.00 | 4,000.00 |
| Treasurer/Collector Tax Title Expenses | 4,000.00 | 4,000.00 |
| Treasurer/Collector Certification Stipend | 1,000.00 | 1,000.00 |
| QDS Software – RE/PP Collections | 3,245.00 | 3,342.00 |
| Finance Committee Expenses | 1,500.00 | 1,500.00 |
| Town Clerk Salary | 27,722.00 | 28,554.00 |
| Town Clerk Expenses | 3,150.00 | 3,150.00 |
| Town Clerk Dog License Expense | 400.00 | 400.00 |
| Town Clerk Book Repair | 2,500.00 | 2,500.00 |
| Town Clerk Copy Machine Contract | 1,500.00 | 0 |
| Town Clerk Census/Lists | 3,200.00 | 3,200.00 |
| **Board of Registrars/Elections** | **10,000.00** | **15,000.00** |
| Town Report Printing | 2,700.00 | 2,700.00 |
| Conservation Commission Stipends (3@$510) | 1,530.00 | 1,530.00 |
| Conservation Commission Consult | 500.00 | 500.00 |
| Conservation Commission Expenses | 1,500.00 | 1,500.00 |
| Planning Board Expenses | 2,515.00 | 2,515.00 |
| Planning Board BRPC Assessment | 2,774.00 | 2,843.00 |
| Planning Board Stipends (5@$320) | 1,600.00 | 1,600.00 |
| Planning Board Scribe | 750.00 | 0 |
| Agricultural Commission Expenses | 500.00 | 500.00 |
| Historical Commission Expenses | 500.00 | 500.00 |
| Zoning Board of Appeals Expenses | 800.00 | 800.00 |
| **Berkshire County Retirement** | **152,452.00** | **173,753.00** |
| OPEB Funding  | 20,000.00 | 20,000.00 |
| OPEB Actuarial Services Study | 2,200.00 | 2,200.00 |
| Health Insurance – Active | 230,063.00 | 265,726.00 |
| Health Insurance – Retiree | 42,295.00 | 40,000.00 |
| Heath Insurance – Dental | 8,500.00 | 8,500.00 |
| Unemployment | 10,000.00 | 5,000.00 |
| MEDC Employer Share | 16,000.00 | 16,500.00 |
| Town Hall/Police Utilities  | 32,100.00 | 25,000.00 |
| Fire Station Utilities | 18,500.00 | 15,000.00 |
| Town Garage Utilities | 15,000.00 | 13,000.00 |
| Senior Center Utilities | 7,000.00 | 7,500.00 |
| Town Phone Systems | 15,000.00 | 15,000.00 |
| Community House Utilities | 60,000.00 | 70,000.00 |
| Town Building Repairs | 125,000.00 | 120,000.00 |
| ADA Compliance | 0 | 5,000.00 |
| Town Insurance & Bonds | 99,563.00 | 104,542.00 |
| Police/Fire Accident/Disability Insurance | 15,620.00 | 16,500.00 |
| **TOTAL GENERAL GOVERNMENT**  | **1,408,111.00** | **1,509,096.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article, excluding items set aside in **bold**, was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

 Motion to accept the remaining items set aside in **bold**, was made and seconded.

*Discussion: Questions by voters regarding the increases in the line items; answered by Chair. Legal Services - Ongoing litigation due to the Town being sued, case Warner VS. Cheshire. Information Technology - Increases in MIIA Insurance, a grant was applied for to help offset the costs. Town Administrator Salary - $2.5 million in grant funding was obtained, amount of $85,000 was approved by voters when initially seeking to fill position, current Administrator was hired at less; so, the 6% increase will align with what would have been allowed; has more than proven worth it. Accounting Services – Outside Accountants increase in Hilltown Municipal contract. Assessors Contracted Services – Re-evaluation every 5 years per state required mandate. Board of Registrars/Elections – Extra election this year, costs associated with machines, payroll, mailings, etc. Berkshire County Retirement – More people on retirement, OPEB up 7% per assessment from Berkshire County Retirement; state statutes being monitored to stay solvent.*

 **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 9: HOOSAC VALLEY REGIONAL SCHOOL DISTRICT**

To see if the Town will approve the Hoosac Valley Regional School District Budget for Fiscal Year 2025 and **RAISE AND APPROPRIATE or TRANSFER FROM AVAILABLE FUNDS $3,098,996** to pay its assessed share of the budget or take any action in relation thereto.

|  |  |  |
| --- | --- | --- |
|  | **FY24 Vote** | **FY25 Proposed** |
| HVRSD Minimum Local Contribution | 2,219,724.00 | 2,350,010.00 |
| HVRSD Over Minimum Foundation | 405,970.00 | 406,505.00 |
| HVRSD Transportation | 133,032.00 | 135,355.00 |
| HVRSD Capital Expenditure | 189,736.00 | 207,126.00 |
| **HVRSD SUBTOTAL** | **2,948,462.00** | **3,098,996.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to transfer from available funds the amount of $2,948,462.00 and to raise and appropriate $150,534.00 with the approval of a Proposition 2 ½ Override ballot question to fully fund Hoosac Valley Regional School District was made and seconded.

*Discussion: Many voters presented questions regarding Article 9. Superintendent Aaron Dean spoke on behalf of the school district in defense of the budget as presented, outlining the necessary costs associated with funding the school. The Finance Committee recommended utilizing available funds in Stabilization and Free Cash to support the school budget as presented. The Selectboard defended the decision to keep money in Stabilization and Free Cash as an emergency fund for the Town and to allow the decision to fully fund the school budget, or not, be voted on in a Special Election for a 2 ½ override question; if voted down the school would have to run on a 1/12 level funded budget until a resolution was made.*

 **Card Vote – 71 in favor, 42 opposed; Article Passed**

**ARTICLE 10: NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT**

To see if the Town will approve the Northern Berkshire Vocational Regional School District Budget for Fiscal Year 2025 and **RAISE AND APPROPRIATE $547,430.00** to pay its assessed share of the budget or take any action in relation thereto.

|  |  |  |
| --- | --- | --- |
|  | **FY24 Vote** | **FY25 Proposed** |
| NBVRSD Budget | 564,446.00 | 547,430.00 |
| **OTHER EDUCATION SUBTOTAL** | **564,446.00** | **547,430.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 11: BUILDING DEPARTMENT**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$41,008** for the **BUILDING DEPARTMENT** for Fiscal Year 2025, or take any action in relation thereto:

|  |  |  |
| --- | --- | --- |
|  | **FY24 Proposed** | **FY25 Proposed** |
| Building Commissioner Salary | 18,000.00 | 18,540.00 |
| Alternate Building Commissioner Salary | 500.00 | 500.00 |
| Building Commissioner Expenses | 1,100.00 | 1,100.00 |
| Online Permitting System | 5,075.00 | 5,400.00 |
| Gas/Plumbing Inspector Salary | 5,900.00 | 6,077.00 |
| Gas/Plumbing Inspector Assistant Salary | 549.00 | 549.00 |
| Gas/Plumbing Expenses | 500.00 | 500.00 |
| Wiring Inspector Salary | 6,857.00 | 7,063.00 |
| Wiring Inspector Assistant Salary | 579.00 | 579.00 |
| Wiring Inspector Expenses | 700.00 | 700.00 |
| **TOTAL BUILDING DEPARTMENT** | **39,760.00** | **41,008.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 12: PUBLIC SAFETY**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$468,052** for **PUBLIC SAFETY** for Fiscal Year 2025, or take any action in relation thereto:

|  |  |  |
| --- | --- | --- |
|  | **FY24 Voted** | **FY25 Proposed** |
| Police Chief Salary | 82,392.00 | 84,864.00 |
| **Police Full Time Officer Wages**  | **108,551.00** | **172,658.00** |
| Police Department Part Time Officers | 26,664.00 | 17,885.00 |
| Police Department Expenses | 5,000.00 | 13,500.00 |
| **Police Department Equipment** | **10,500.00** | **20,400.00** |
| Police Department Auto Expenses | 15,000.00 | 8,000.00 |
| Police Department Officer OT/Holiday Pay | 8,000.00 | 12,500.00 |
| Animal Control Contracted Services | 3,000.00 | 3,000.00 |
| Animal Control Expenses | 1,000.00 | 1,000.00 |
| Fire Chief Salary | 12,000.00 | 12,360.00 |
| Asst. Fire Chief Stipends (2@1,615) | 3,230.00 | 3,326.00 |
| Fire Department Expenses | 62,000.00 | 62,000.00 |
| Fire Department Volunteer Stipends (25) | 25,000.00 | 25,000.00 |
| Fire Department EMS Supplies | 4,500.00 | 4,500.00 |
| Communications Center (Dispatch) | 24,000.00 | 24,559.00 |
| Emergency Management Director Stipend | 1,500.00 | 1,500.00 |
| Emergency Management Expenses | 1,000.00 | 1,000.00 |
| **PUBLIC SAFETY TOTAL** | **393,337.00** | **468,052.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article, excluding items set aside in **bold**, was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

 Motion to accept the remaining items set aside in **bold**, was made and seconded.

*Discussion: Questions by voters regarding the increases in the line items. Police Full Time Officer Wages – Coverage for an additional full-time officer to replace the School Resource Officer’s hours; of which 85% will be covered using Rural Aid reimbursement. Police Department Equipment – To equip the School Resource Officer, which will also be covered by Rural Aid reimbursement.* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 13: HIGHWAY OPERATIONS AND TREE WARDEN**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$1,047,592** for **HIGHWAY OPERATIONS AND TREE WARDEN** for Fiscal Year 2025, or take any action in relation thereto:

|  |  |  |
| --- | --- | --- |
|  | **FY23 Voted** | **FY25 Proposed** |
| Highway Workers Wages (3 Laborers, 1 Foreman) | 209,911.00 | 229,208.00 |
| Seasonal DPW Laborers (Cemetery) Wages | 37,822.00 | 27,822.00 |
| Highway Department Longevity (contract) | 1,500.00 | 1,500.00 |
| Department of Public Works Director | 90,000.00 | 79,100.00 |
| Custodian Wages  | 19,648.00 | 20,237.00 |
| Highway Department Non-Winter Overtime | 5,000.00 | 5,000.00 |
| Highway Department Dues/Training/Licenses | 1,000.00 | 1,000.00 |
| Facilities/Grounds Wages | 49,466.00 | 50,950.00 |
| Road Machinery, Tools, Gas | 126,000.00 | 126,000.00 |
| Streetlights | 53,000.00 | 60,000.00 |
| Highway Department Repair/Maint. Roads | 207,000.00 | 207,000.00 |
| Highway Equipment Rental | 5,000.00 | 5,000.00 |
| Snow and Ice  | 170,000.00 | 170,000.00 |
| Highway Department Engineering | 35,000.00 | 35,000.00 |
| Tree Warden Tree Removal | 20,000.00 | 20,000.00 |
| Tree Warden Tree Replacement | 1,000.00 | 1,000.00 |
| Cemetery Commission Stipends | 2,661.00 | 2,661.00 |
| Cemetery Commission Expenses | 8,114.00 | 6,114.00 |
| **DEPARTMENT OF PUBLIC WORKS**  | **1,042,122.00** | **1,047,592.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 14: RECREATION AND CULTURE**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$85,328** for **RECREATION AND CULTURE** for Fiscal Year 2025, or take any action in relation thereto.

|  |  |  |
| --- | --- | --- |
|  | **FY24 Voted** | **FY25 Proposed** |
| Recreation General Expenses/Memorial Day  | 12,000.00 | 10,300.00 |
| Library Assessment | 39,442.00 | 40,428.00 |
| Father Tom Campsite | 0 | 1,700.00 |
| Veteran Agent Services (Shared) | 2,000.00 | 2,000.00 |
| Veteran Benefits | 30,000.00 | 30,000.00 |
| Cemetery Flags | 800.00 | 900.00 |
| **TOTAL RECREATION & CULTURE**  | **84,242.00** | **85,328.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 15: HEALTH AND HUMAN SERVICES**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **$100,364.00** for **HEALTH AND HUMAN SERVICES** for Fiscal Year 2025, or take any action in relation thereto.

|  |  |  |
| --- | --- | --- |
|  | **FY24 Voted** | **FY25 Proposed** |
| Board of Health Stipends (3 @ $3,883) | 11,649.00 | 11,649.00 |
| Board of Health Expenses | 5,500.00 | 5,500.00 |
| Board of Health/ Health Inspector Services | 0 | 5,000.00 |
| Board of Health MAVEN Reporting | 4,525.00 | 4,639.00 |
| Senior Center/COA Expenses | 8,470.00 | 8,470.00 |
| Senior Center/COA Van Operating Expenses | 5,900.00 | 3,400.00 |
| Senior Center/COA Van Operator Salary | 19,138.00 | 19,712.00 |
| Council on Aging Medical Car Ride Share | 1,500.00 | 0 |
| Senior Center Director Salary | 26,771.00 | 27,574.00 |
| Senior Center Meals Coordinator Salary | 13,311.00 | 13,710.00 |
| Animal Inspector Stipend | 544.00 | 560.00 |
| Animal Inspector Expenses | 150.00 | 150.00 |
| **TOTAL HEALTH AND HUMAN SERVICES** | **97,458.00** | **100,364.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 16: TRANSFER STATION ENTERPRISE FUND - Adoption**

To see if the Town will accept the Provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws establishing a **Transfer Station Enterprise Fund** effective fiscal year 2025, or take any action in relation thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Question to clarify an Enterprise Fund. Chair Shawn McGrath stated the Enterprise Fund is an accounting function to have the Transfer Station become self-sufficient; the goal is to not use Town funds to operate.* **Voice Vote Called - Motion Carried, 1 Opposed**

**ARTICLE 17: TRANSFER STATION ENTERPRISE FUND**

To see if the Town will vote to **APPROPRIATE from user fees or otherwise provide the following sums of money $106,090** to operate the **TRANSFER STATION ENTERPRISE FUND AND TO RAISE AND APPROPRIATE FROM THE GENERAL FUND THE SUM OF $61,079** for the Fiscal Year 2025, or take an action in relation thereto.

|  |  |
| --- | --- |
| **Revenues** |   |
| Department Receipts | 106,090.00 |
| General Fund Subsidy | 61,079.00 |
| **TOTAL** | **167,289.00** |
| **Expenses** |  |
| Hauling and Disposal  | 100,000.00 |
| Site Maintenance  | 2,600.00 |
| Training and Education | 500.00 |
| Permits and Tags | 4,500.00 |
| Attendants Wages | 24,689.00 |
| Recycling Account | 35,000.00 |
|  |  |
| **TOTAL** | **167,289.00** |
|  |  |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 18: DEBT SERVICE EXPENSES**

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of $**168,817** to fund **DEBT SERVICE** **EXPENSES** for the Fiscal Year 2025, or take any action in relation thereto.

|  |  |  |
| --- | --- | --- |
|  | **FY24 Voted** | **FY25 Proposed** |
| Well Land Bond Payment (2024) | 104,750.00 | 0 |
| Fire Truck (2030) | 45,463.00 | 44,665.00 |
| Highway Grader (2026) | 37,567.00 | 36,200.00 |
| Highway Truck (Voted 2022) | 54,708.00 | 53,345.00 |
| Highway Truck (Voted 2021) | 30,460.00 | 29,607.00 |
| Short-term Debt Interest | 5,000.00 | 5,000.00 |
| **Total** | **277,948.00** | **168,817.00** |

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 19: Revolving Fund Bylaw**

To see if the town will vote to amend the general by-laws of the Town of Cheshire by adding a new section to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, Section 53 E ½, or take any other action relative thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

*Moderator Francesconi stated she would not be reading this article in its entirety.*

ARTICLE       (of the general by-laws)

DEPARTMENTAL REVOLVING FUNDS

1.   Purpose.    This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities.   These revolving funds are established under and governed by General Laws Chapter 44 § 53E1/2.

2.   Expenditure Limitations.     An authorized  department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

   A.   Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund  (except for those employed as school bus drivers.)

   B.   No liability shall be incurred in excess of the available balance of the fund.

   C.   The total amount spent during a fiscal year shall not exceed the amount authorized by this by-law, or  town meeting on or before July 1 of that fiscal year, or any increased amount of that         authorization  that is later approved during that fiscal year by the selectboard and finance committee.

3.   Interest.   Interest earned on monies credited to a revolving fund established by this by-law shall be credited  to the general fund.

4.   Procedures and reports.     Except as provided in General Laws Chapter 44 §53E1/2  and this by-law,  the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law.     The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures  charged to the fund and the balance available for expenditure  in the regular report the town accountant provides  the department, board, committee, agency or officer on appropriations made for its use.

5.   Authorized Revolving Funds.    The Table establishes:

     A.   Each revolving fund authorized for use by a town department, board, committee, agency or officer.

     B.   The department or agency head, board, committee or officer authorized to spend from each fund.

     C.   The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that  shall be credited to each fund by the Town Accountant.

     D.   The expenses of the program or activity for which each fund may be used.

     E.    Any restrictions or conditions on expenditures from each fund.

     F.    Any reporting or other requirements that apply to each fund, and

     G.   The fiscal years each fund shall operate under this by-law.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Revolving Fund** | **Entity Authorized to Spend from Fund** | **Fee, Charges, or Receipts Credited to Fund** | **Program or Activity Expenses Payable from Fund** | **Restrictions or Conditions on Expenses Payable from Fund** | **Fiscal Years** |
| Senior Center/COA | Senior Center Director | Receipts related to program fees | Senior Center Programs | Limit of $10,000 | Fiscal Year 2025 and Subsequent Years  |
| Recreation | Recreation Committee/Board of Selectmen | Receipts related to program fees | Recreation Committee Programs | Limit of $10,000 | Fiscal Year 2025 and Subsequent Years |
| Police Department | Police Chief | Receipts from Detail Fees | Police Cruiser Expenses | Limit of $10,000 | Fiscal Year 2025 and Subsequent Years |

*(The Municipal Modernization Act required that Revolving Funds become a town general bylaw rather than have general articles for Revolving Funds each year. Once established in a general bylaw, then each year the only vote necessary would be to authorize the spending limits for each fund. In addition for the authorization there must be five separate categories authorized, name of the fund; person or body authorized to expend the funds, source of the funds, use of the funds and the spending limit.)*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 20: CAPTIAL STABLIZATION FUND**

To see if the Town will vote to **RAISE AND APPROPRIATE** the sum of **$10,000** to fund the **CAPITAL STABLIZATION FUND** for Fiscal Year 2025, or take any action in relation thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 21: Police Cruiser – Debt Exclusion**

To see if the Town will vote to **APPROPRIATE** a sum not to exceed **$66,151.00** and to authorize the Treasurer , per MGL Chapter 44, Section 2, to borrow **$66,151.00** for the purpose of purchasing a new Police Cruiser on a one year note to be paid by June 30, 2025, contingent upon subsequent passage of a Proposition 2 ½ debt exclusion vote, or take any other action in relation thereto.

*(This article requires a two-thirds vote for borrowing approval and subsequent majority vote for a Proposition 2 ½ debt exclusion to be held at a future election.)*

*Board of Selectmen Recommends*

*2/3 Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Question by voter, why does Cheshire need a third police car? Police Chief Michael Alibozek explained that the School Resource Officer would need a vehicle stationed at the school; this debt does not stay on tax amount once resolved. Voter questioned use of police cruiser for detail work. Sargeant David Tarjick explained that the Town generates revenue of $50.00/day for this request on a detail; SRO needs a vehicle exclusively for storage and transport.*

 **Card Vote – 98 in favor, 11 opposed; Article Passed**

**ARTICLE 22: Fire Truck – Debt Exclusion**

To see if the Town will vote to authorize the Treasurer, per MGL Chapter 44, Section 2, to borrow a sum not to exceed **$850,000** (eight-hundred fifty thousand dollars) for the purpose of purchasing a new Fire Engine, contingent upon subsequent passage of a Proposition 2 ½ debt exclusion vote, or take any other action in relation thereto.

*(This article requires a two-thirds vote for borrowing approval and subsequent majority vote for a Proposition 2 ½ debt exclusion to be held at a future election.)*

*Board of Selectmen Recommends*

*2/3 Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Fire Chief Thomas Francesconi asked the Town for permission to support a new fire truck, explained the issues with the existing engine, and informed that the quote was for a boiler plate model with NFPA required qualifications; amount quoted would increase 12-14% per year (approximately $100,000).*

 **Card Vote – 104 in favor, 1 opposed, 1 Abstained; Article Passed**

**ARTICLE 23: Water Department Enterprise Fund Retained Earnings**

To see if the Town will vote to **TRANSFER** the sum of **$167,118** from available certified Water Operations Surplus for the purpose of conducting Phase 2- North State Water Main Replacement (Crest Road to East View Drive), or take any action relative thereto.

*Current balance of Cheshire Water Department retained earnings is $258,082*

*Board of Selectmen Recommends*

*Water Commission Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 24: Water Enterprise Fund**

To see if the Town will vote to appropriate, transfer from retained earnings, or otherwise provide the following sums of money $**345,060** to operate the **Water Enterprise Fund** for the Fiscal Year 2025, or take an action in relation thereto.

|  |  |
| --- | --- |
| **Revenues** |   |
| Department Receipts | 345,060.00 |
| Retained Earnings | 0 |
| **TOTAL** | **345,060.00** |
| **Expenses** |  |
| Water Commissioner Stipends | 9,939.00 |
| Water Operator Salary | 61,800.00 |
| Secondary Water Operator Salary | 15,600.00 |
| Water Department Collector Salary | 6,823.00 |
| Water Main Replacements | 90,000.00 |
| Water Operating Expenses | 45,000.00 |
| Water Maintenance Expenses | 45,000.00 |
| Water Debt Service | 63,398.00 |
| Wate Vehicle Expense | 7,500.00 |
| **TOTAL** | **345,060.00** |
|  |  |

*Board of Selectmen Recommends*

*Water Commission Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 25: Free Cash to reduce the tax rate**

To see if the Town will vote to **TRANSFER** from **FREE CASH** a sum **and TRANSFER FROM GENERAL STABILIZATION** a sum to reduce the FY25 Tax Rate, or take any action relative thereto.

\*If federal or state programs, or other alternative funding sources are available to supplant Town funding for the same purpose, the Board of Selectmen may reduce the Town’s portion of said funding in a manner commensurate with the additional federal or state revenue received for said purpose.

Note: The use of Free Cash to balance the operating budget to stay within the limits of Proposition 2 1/2, this is not a reduction to the tax rate.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to transfer $91,912.00 from Free Cash to balance the operating budget and stay within the limits of Proposition 2 ½ to reduce the FY25 Tax Rate was made and seconded.

*Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 26: LOCAL OPTION – Meals Tax**

To see if the Town will vote to adopt G.L. Chapter 64L, Section 2(a) to impose a local sales tax upon the sale of restaurant meals within the town, or take any action in relation thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Voters questioned why the Selectboard is proposing to add an additional expense to a meal out, as it will only hurt the restaurant if people choose not to go because of this. Raymond Killeen explained this would only be 3/4% increase. CJ Garner spoke in opposition to the tax, as a restaurant owner in Town.*

 **Voice Vote Called - Motion Rejected – Article Failed, Majority**

**ARTICLE 27: MGL regarding Collector Office**

To see if the Town will vote to adopt MGL Chapter 41, Section 38A to expand the authority of the collector office to receive and collect all monies or accounts due to a municipality, or take any action in relation thereto.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Questions by voter what is the advantage and does the pay increase with the additional workload for the finance office? Chair McGrath stated the convenience to the tax-payers of paying everything in one location and taking interruptions away from Administrator’s office, where Transfer Station tags are currently being sold; no salary increase for this in FY25, but would be looked into going forward.* **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 28: Short-Term Rental Standards General Bylaw**

To see if the town will vote to amend the general by-laws of the Town of Cheshire by adding a new section to establish Short-Term Rental Standards, or take an action in relation thereto.

*Moderator Francesconi stated she would not be reading this article in its entirety.*

Standards for Short-Term Rentals

The Town of Cheshire supports the safe and legal operation of Short-Term Rental dwellings to support the local economy and offer a variety of overnight lodging options for visitors to the Town. The performance standard section will offer the assurance that all Short-Term Rental properties will be acceptable uses within the Town of Cheshire if the Performance Standards are met for any given property and that the property owner has applied for and received a Registration of the property as a short-term rental and applied for an received a Business Certificate.

1. The property owner must apply to register the property on a form provided by the Town of Cheshire and receive a Business Certificate from the Town of Cheshire.
2. The property shall follow all relevant state and local statutes, rules and regulations pertaining to health and safety.
3. The property owner shall provide, with the Registration Application, a copy of the Registration Certificate with the MA Department of Revenue for each dwelling unit they are registering.
4. A registration fee of $100 shall be paid at the time of registration and $100 at each annual renewal.
5. A lack of compliance with these standard or any complaint arising from the use of the property will be referred to the appropriate town department for investigation. If the property owner is found to be in violation of Performance Standard, the Short-Term Rental Registration may be revoked after a hearing with seven (7) days advance notice and may not be renewed until the property complies.

*Board of Selectmen Recommends*

*Majority Vote Required*

 Motion to accept the article as presented was made and seconded.

*Discussion: Voter questioned how the fee got established, where the wording came from, and if it would apply to existing Short-Term Rentals? Administrator Morse* stated this is standard practice across Berkshire County; a boiler plate document which would apply to all STRs registered with the State as of July 1, 2024. **Voice Vote Called - Motion Carried, Unanimous**

**ARTICLE 29: Uncombine Treasurer/Tax Collector position**

To see if the Town will vote pursuant to MGL Chapter 4, Section 4 B and MGL Chapter 41, Section 1B to uncombine the appointed position of Treasurer/Tax Collector and have separate positions Treasurer and Collector, or take any other action in relation thereto.

*(A majority vote at subsequent Town Election ballot question is required to adopt the provisions of this warrant article as it was combined by town meeting vote on June 14, 2021)*

 Motion to accept the article as presented was made and seconded.

*Discussion: Voter questioned why this was being voted on again, and if it was approved to split, would it then become two full-time positions? Chair McGrath explained it could be beneficial for succession planning to hire outside sources for Treasurer services.*

 **Voice Vote Called - Motion Carried, Majority**

**ARTICLE 30: Town Clerk Appointed**

To see if the Town will vote, as authorized under MGL Chapter 41, Section 1B to change the position of Town Clerk to an appointed position from an elected position, or take any action in relation thereto.

*(A majority vote at subsequent Town Election ballot question is required to adopt the provisions of this warrant article. If approved, the actional will take effect in May 2027, which is the end of the current Town Clerk’s term.)*

 Motion to accept the article as presented was made and seconded.

*Discussion: Input offered on both sides of the debate from voters regarding the benefit of the Town Clerk position being elected, as well as appointed. Requested by a card vote.*

**Card Vote – 21 in favor, 55 opposed; Motion Rejected - Article Failed**

 Moderator Francesconi entertained a motion to dissolve the meeting.

 Motion was made and seconded.

 *Discussion: None* **Voice Vote Called - Motion Carried, Unanimous**

 Moderator Francesconi dissolved the meeting at 9:54 PM.

Respectfully Submitted,

Whitney E. Flynn

Cheshire Town Clerk

June 24, 2024

A true copy, attest:

 Cheshire Town Clerk