

Town Administrator

From: Town Administrator
Sent: Friday, March 10, 2023 10:51 AM
To: 'susan@montereyma.gov'; Scott Jensen; 'justin@montereyma.gov'
Subject: FW: Monterey Financing Options
Attachments: Financing Options - Library and Trucks - March 2023.pdf

There are four –

Option 1: Minimum required paydowns, BANs in November 2023, permanent financing in November 2024

Option 2: Larger paydowns, BANs in November 2023, permanent financing in November 2024

Option 3: Minimum required paydowns, permanent financing in November 2023

Option 4: Larger paydowns, permanent financing in November 2023

TOWN OF MONTEREY, MASSACHUSETTS
 Debt Service Impact - Library and Trucks
 Minimum paydowns in fiscal 2024; permanent financing in fiscal 2025 (Option 1)
 Umbank Fiscal Advisory Services, Inc.

3/3/2023

Financings - Library

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 1,986,595	\$ 1,986,595	BAN	2/5/2019	11/5/2019	2.50%	0.75	\$ 37,249	\$ 550
\$ 1,535,460	\$ 1,535,460	BAN	11/5/2019	11/5/2020	1.87%	1	\$ 28,674	\$ 550
\$ 1,092,750	\$ 1,092,750	BAN	11/5/2020	11/9/2021	0.61%	0.9944444444	\$ 6,629	\$ 550
\$ 1,000,000	\$ 1,000,000	BAN	11/3/2021	11/2/2022	0.42%	0.9972222222	\$ 4,188	\$ 550
\$ 875,000	\$ 875,000	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 35,000	\$ 460
\$ 804,050	\$ 804,050	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 29,984	\$ 532
\$ 733,100	\$ 733,100	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 868

Financings - Truck 1

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 200,000	\$ 200,000	BAN	3/2/2022	11/2/2022	0.55%	0.666666667	\$ 733	\$ 550
\$ 170,374	\$ 170,374	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 6,815	\$ 90
\$ 170,374	\$ 170,374	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 6,354	\$ 113
\$ 120,374	\$ 120,374	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 143

Financings - Truck 2

Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 160,000	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 5,967	\$ 106
\$ 160,000	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 189

Debt Service Impacts

Fiscal Year	Library Principal	Interest	Total	Truck 1 Principal	Interest	Total	Truck 2 Principal	Interest	Total	Grand Total
2020	\$ 80,000.00	\$ 37,248.66	\$ 117,248.66							\$ 117,248.66
2021	\$ 71,600.00	\$ 28,673.74	\$ 100,273.74							\$ 100,273.74
2022	\$ 92,725.00	\$ 6,628.74	\$ 99,353.74							\$ 99,353.74
2023	\$ 125,000.00	\$ 4,188.33	\$ 129,188.33							\$ 129,188.33
2024	\$ 70,950.00	\$ 35,000.00	\$ 105,950.00	\$ 29,626.21	\$ 733.33	\$ 30,359.54				\$ 136,309.54
2025	\$ 70,950.00	\$ 46,784.57	\$ 117,734.57	\$ 50,000.00	\$ 6,814.95	\$ 56,814.95				\$ 174,549.52
2026	\$ 145,000.00	\$ 33,030.00	\$ 178,030.00	\$ 30,000.00	\$ 5,268.69	\$ 35,268.69	\$ 32,000.00	\$ 12,940.24	\$ 44,940.24	\$ 258,238.93
2027	\$ 145,000.00	\$ 25,780.00	\$ 170,780.00	\$ 30,000.00	\$ 3,768.69	\$ 33,768.69	\$ 32,000.00	\$ 9,614.31	\$ 41,614.31	\$ 246,153.00
2028	\$ 145,000.00	\$ 18,530.00	\$ 163,530.00	\$ 30,000.00	\$ 2,268.69	\$ 32,268.69	\$ 32,000.00	\$ 6,363.37	\$ 38,633.37	\$ 234,162.06
2029	\$ 145,000.00	\$ 11,280.00	\$ 156,280.00	\$ 30,373.79	\$ 753.34	\$ 31,133.13	\$ 32,000.00	\$ 5,178.33	\$ 37,178.33	\$ 222,591.46
2030	\$ 151,000.00	\$ 3,827.50	\$ 156,927.50				\$ 32,000.00	\$ 800.00	\$ 32,800.00	\$ 189,727.50
	\$ 1,244,325.00	\$ 250,971.55	\$ 1,495,296.55	\$ 200,000.00	\$ 31,235.91	\$ 231,235.91	\$ 160,000.00	\$ 42,529.59	\$ 202,529.59	\$ 1,929,062.04

TOWN OF MONTEREY, MASSACHUSETTS
 Debt Service Impact - Library and Trucks
 Larger paydowns in fiscal 2024; permanent financing in fiscal 2025 (Option 2)
 Unibank Fiscal Advisory Services, Inc.

3/3/2023

Financings - Library

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 1,986,595	\$ 1,986,595	BAN	2/5/2019	11/5/2019	2.50%	0.75	\$ 37,249	\$ 550
\$ 1,535,460	\$ 1,535,460	BAN	11/5/2019	11/5/2020	1.87%	1	\$ 28,674	\$ 550
\$ 1,092,750	\$ 1,092,750	BAN	11/5/2020	11/3/2021	0.61%	0.9944444444	\$ 6,629	\$ 550
\$ 1,000,000	\$ 1,000,000	BAN	11/3/2021	11/2/2022	0.42%	0.9972222222	\$ 4,188	\$ 550
\$ 875,000	\$ 875,000	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 35,000	\$ 460
\$ 625,000	\$ 625,000	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 23,307	\$ 548
\$ 554,050	\$ 554,050	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 777

Financings - Truck 1

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 200,000	\$ 200,000	BAN	3/2/2022	11/2/2022	0.55%	0.666666667	\$ 733	\$ 550
\$ 170,374	\$ 170,374	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 6,815	\$ 90
\$ 70,374	\$ 70,374	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 2,624	\$ 62
\$ 20,374	\$ 20,374	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 29

Financings - Truck 2

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 160,000	\$ 160,000	BAN	11/2/2023	10/30/2024	3.75%	0.9944444444	\$ 5,967	\$ 140
\$ 160,000	\$ 160,000	PSHLN	10/30/2024	10/15/2029	5.00%			\$ 224

Debt Service Impacts

Fiscal Year	Library			Truck 1			Truck 2			Grand Total
	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	
2020	\$ 80,000.00	\$ 37,248.66	\$ 117,248.66	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 117,248.66
2021	\$ 71,600.00	\$ 28,673.74	\$ 100,273.74	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,273.74
2022	\$ 92,725.00	\$ 6,628.74	\$ 99,353.74	\$ 29,626.21	\$ 733.33	\$ 30,359.54	\$ -	\$ -	\$ -	\$ 129,713.28
2023	\$ 125,000.00	\$ 4,188.33	\$ 129,188.33	\$ 100,000.00	\$ 6,814.95	\$ 106,814.95	\$ 32,000.00	\$ 6,286.18	\$ 38,286.18	\$ 159,547.88
2024	\$ 250,000.00	\$ 35,000.00	\$ 285,000.00	\$ 50,000.00	\$ 3,518.05	\$ 53,518.05	\$ 32,000.00	\$ 4,410.25	\$ 36,410.25	\$ 391,814.95
2025	\$ 70,950.00	\$ 36,004.27	\$ 106,954.27	\$ 5,000.00	\$ 899.69	\$ 5,899.69	\$ 32,000.00	\$ 6,286.18	\$ 38,286.18	\$ 170,105.65
2026	\$ 110,000.00	\$ 24,952.50	\$ 134,952.50	\$ 5,000.00	\$ 393.69	\$ 5,393.69	\$ 32,000.00	\$ 2,537.70	\$ 34,537.70	\$ 181,020.81
2027	\$ 110,000.00	\$ 13,952.50	\$ 123,952.50	\$ 5,000.00	\$ 134.34	\$ 5,134.34	\$ 32,000.00	\$ 800.00	\$ 32,800.00	\$ 173,382.37
2028	\$ 110,000.00	\$ 8,452.50	\$ 118,452.50	\$ 5,373.79	\$ -	\$ 5,373.79	\$ 32,000.00	\$ -	\$ 32,000.00	\$ 158,498.34
2029	\$ 110,000.00	\$ 2,851.25	\$ 112,851.25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,851.25
2030	\$ 1,244,325.00	\$ 217,404.99	\$ 1,461,729.99	\$ 200,000.00	\$ 13,131.74	\$ 213,131.74	\$ 160,000.00	\$ 31,842.09	\$ 191,842.09	\$ 1,866,703.87

TOWN OF MONTEREY, MASSACHUSETTS
 Debt Service Impact - Library and Trucks
 Minimum paydowns and permanent financing in fiscal 2024 (Option 3)
 Unibank Fiscal Advisory Services, Inc.

3/3/2023

Financings - Library

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 1,986,595	\$ 1,986,595	BAN	2/5/2019	11/5/2019	2.50%	0.75	\$ 37,249	\$ 550
\$ 1,535,460	\$ 1,535,460	BAN	11/5/2019	11/5/2020	1.87%	1	\$ 28,674	\$ 550
\$ 1,092,750	\$ 1,092,750	BAN	11/5/2020	11/9/2021	0.61%	0.994444444	\$ 6,629	\$ 550
\$ 1,000,000	\$ 1,000,000	BAN	11/3/2022	11/2/2022	0.42%	0.997222222	\$ 4,188	\$ 550
\$ 875,000	\$ 875,000	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 35,000	\$ 460
\$ 804,050	\$ 804,050	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 851

Financings - Truck 1

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 200,000	\$ 200,000	BAN	3/2/2022	11/2/2022	0.59%	0.666666667	\$ 733	\$ 550
\$ 170,374	\$ 170,374	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 6,815	\$ 90
\$ 170,374	\$ 170,374	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 180

Financings - Truck 2

Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 160,000	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 169

Debt Service Impacts

Fiscal Year	Library Principal	Interest	Total	Truck 1 Principal	Interest	Total	Truck 2 Principal	Interest	Total	Grand Total
2020	\$ 80,000.00	\$ 37,248.66	\$ 117,248.66							\$ 117,248.66
2021	\$ 71,600.00	\$ 28,673.74	\$ 100,273.74							\$ 100,273.74
2022	\$ 92,725.00	\$ 6,628.74	\$ 99,353.74							\$ 99,353.74
2023	\$ 125,000.00	\$ 4,188.33	\$ 129,188.33	\$ 29,626.21	\$ 733.33	\$ 30,359.54		\$ 4,000.00	\$ 34,626.21	\$ 159,547.88
2024	\$ 70,950.00	\$ 55,101.25	\$ 126,051.25		\$ 11,064.95	\$ 11,064.95	\$ 32,000.00	\$ 15,721.25	\$ 47,721.25	\$ 141,116.20
2025	\$ 160,000.00	\$ 36,202.50	\$ 196,202.50	\$ 34,000.00	\$ 7,650.00	\$ 41,650.00	\$ 32,000.00	\$ 12,081.25	\$ 53,731.25	\$ 272,233.75
2026	\$ 160,000.00	\$ 28,202.50	\$ 188,202.50	\$ 34,000.00	\$ 5,950.00	\$ 39,950.00	\$ 32,000.00	\$ 8,526.25	\$ 48,476.25	\$ 256,978.75
2027	\$ 160,000.00	\$ 20,202.50	\$ 180,202.50	\$ 34,000.00	\$ 4,250.00	\$ 38,250.00	\$ 32,000.00	\$ 5,056.25	\$ 43,306.25	\$ 245,808.75
2028	\$ 160,000.00	\$ 12,202.50	\$ 172,202.50	\$ 34,000.00	\$ 2,550.00	\$ 36,550.00	\$ 32,000.00	\$ 1,671.25	\$ 38,121.25	\$ 236,672.50
2029	\$ 164,050.00	\$ 4,101.25	\$ 168,151.25		\$ 850.00	\$ 850.00				\$ 169,001.25
2030	\$ 1,244,325.00	\$ 232,751.97	\$ 1,477,076.97	\$ 199,626.21	\$ 33,048.28	\$ 232,674.49	\$ 160,000.00	\$ 47,056.25	\$ 207,056.25	\$ 1,916,807.72

TOWN OF MONTEREY, MASSACHUSETTS
 Debt Service Impact - Library and Trucks
 Larger paydowns and permanent financing in fiscal 2024 (Option 4)
 Unibank Fiscal Advisory Services, Inc.

3/3/2023

Financings - Library

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 1,986,595	\$ 1,986,595	BAN	2/5/2019	11/5/2019	2.50%	0.75	\$ 37,249	\$ 550
\$ 1,535,460	\$ 1,535,460	BAN	11/5/2019	11/5/2020	1.87%	1	\$ 28,674	\$ 550
\$ 1,092,750	\$ 1,092,750	BAN	11/5/2020	11/3/2021	0.61%	0.9944444444	\$ 6,629	\$ 550
\$ 1,000,000	\$ 1,000,000	BAN	11/3/2021	11/2/2022	0.42%	0.9972222222	\$ 4,188	\$ 550
\$ 875,000	\$ 875,000	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 35,000	\$ 460
\$ 625,000	\$ 625,000	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 877

Financings - Truck 1

Financed	Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 200,000	\$ 200,000	BAN	3/2/2022	11/2/2022	0.55%	0.666666667	\$ 733	\$ 550
\$ 170,374	\$ 170,374	BAN	11/2/2022	11/2/2023	4.00%	1	\$ 6,815	\$ 90
\$ 70,374	\$ 70,374	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 99

Financings - Truck 2

Par	Type	Dated	Due	Rate*	Years	Interest	Cost of Issue
\$ 160,000	PSHLN	11/2/2023	11/1/2028	5.00%			\$ 224

Debt Service Impacts

Fiscal Year	Library			Truck 1			Truck 2			Grand Total
	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	
2020	\$ 80,000.00	\$ 37,248.66	\$ 117,248.66							\$ 117,248.66
2021	\$ 71,600.00	\$ 28,673.74	\$ 100,273.74							\$ 100,273.74
2022	\$ 92,725.00	\$ 6,628.74	\$ 99,353.74							\$ 99,353.74
2023	\$ 125,000.00	\$ 4,188.33	\$ 129,188.33	\$ 29,626.21	\$ 733.33	\$ 30,359.54				\$ 159,547.88
2024	\$ 70,950.00	\$ 50,625.00	\$ 121,575.00		\$ 8,574.30	\$ 8,574.30				\$ 134,149.30
2025	\$ 125,000.00	\$ 28,125.00	\$ 153,125.00		\$ 3,159.35	\$ 17,939.35	\$ 32,000.00	\$ 4,000.00	\$ 4,000.00	\$ 203,593.75
2026	\$ 125,000.00	\$ 21,875.00	\$ 146,875.00	\$ 14,000.00	\$ 2,450.00	\$ 16,450.00	\$ 32,000.00	\$ 10,718.33	\$ 42,718.33	\$ 213,376.68
2027	\$ 125,000.00	\$ 15,625.00	\$ 140,625.00	\$ 14,000.00	\$ 1,750.00	\$ 15,750.00	\$ 32,000.00	\$ 8,268.75	\$ 40,268.75	\$ 203,593.75
2028	\$ 125,000.00	\$ 9,375.00	\$ 134,375.00	\$ 14,000.00	\$ 1,050.00	\$ 15,050.00	\$ 32,000.00	\$ 5,863.75	\$ 37,863.75	\$ 194,238.75
2029	\$ 125,000.00	\$ 3,125.00	\$ 128,125.00	\$ 14,000.00	\$ 350.00	\$ 14,350.00	\$ 32,000.00	\$ 3,493.75	\$ 35,493.75	\$ 184,918.75
2030	\$ 1,065,275.00	\$ 205,489.47	\$ 1,270,764.47	\$ 100,000.21	\$ 18,068.98	\$ 118,067.19	\$ 160,000.00	\$ 33,503.33	\$ 193,503.33	\$ 1,582,335.00

Considerations for 3/15/23 meeting

Measurement of level of unreasonable noise:

1. "Reasonable quiet" standard. More discretion left to law enforcement officers.
 - a. As currently drafted
 - b. Used in Paxton, Hanover, and Shutesbury examples.
2. "150 feet" standard. Noise that is plainly audible at a distance of 150 feet from its source.
 - a. Used in Hamilton and Plymouth examples.
3. Decibel level measurements.
 - a. Not used in any of the example Bylaws provided.

Fee structure:

1. Currently:
 - a. first violation - verbal or written warning
 - b. second violation within 12 months after the first violation - \$100.00
 - c. third violation within 12 months after the first violation - \$200.00
 - d. All subsequent violations within 12 months after the first violation - \$300.00

Permit for relief:

1. Currently:
 - a. a permit for relief from this Bylaw on the basis of undue hardship may be made to the Select Board
 - b. no permit fee for said permit application
 - c. Permit applications shall be acted upon within fourteen (14) business days of permit filing with the Select Board; If the Select Board does not act upon the permit application within fourteen (14) business days, the permit shall be deemed approved.
 - d. Abutters to the property which the permit is applied for shall be notified prior to the meeting at which the permit is considered by the Select Board
 - e. Any permit granted by the Select Board shall set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.

Town of Monterey Unreasonable Noise Bylaw

1. Unreasonable Noise Prohibited. It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any unreasonable, excessive, unnecessary, or unusually loud noise which either annoys, disturbs, injures, or endangers the reasonable quiet, comfort, repose, or the health or safety of others within the Town of Monterey. Without limiting the general application of the foregoing sentence, the following acts are declared to be noises that violate this bylaw, but this enumeration shall not be exclusive:

Commented [DB1]: This should be added to the General Bylaws

a) ~~Radio, Musical Instruments, and Television, and Public Address Systems.~~ The playing of any radio, television set, amplified or musical instruments, loudspeakers, or other electronic sound producing devices, in such a manner or with volume at any time or place so as to annoy or disturb the reasonable quiet, comfort or repose of persons in any dwelling, or other type of residence, or in any office, school, church, or of any persons in the vicinity.

b) ~~Shouting, and Whistling, and Chanting.~~ Yelling, shouting, hooting, whistling, singing, ~~chanting,~~ or the making of any other loud noises at any time or place so as to annoy or disturb the reasonable quiet, comfort or repose of persons in any type of dwelling, or of any persons in the vicinity.

c) Animal Noises. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the reasonable comfort or repose of any person. This section shall not apply to farm animals, or animals serving any agricultural or farm-related purpose.

d) Devices to Attract Attention. The use of any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise authorized to engage in such activity.

e) Construction and Home Maintenance Noise. The operation of vehicles, equipment, tools or machines used as a means of construction, maintenance, repair or demolition of a dwelling, building site, building, bridge, tower or road between the hours of 9:00 p.m. and 7:00 a.m., or the making of any such noise at any time or place so as to annoy or disturb the reasonable comfort or repose of persons in any dwelling, or other type of residence, or in any office, school, church or of any persons in the vicinity.

f) Excessive Motor Noise. The operation of any unreasonably noisy motor at any time.

~~g) Generators. The operation of a generator to provide electricity to a dwelling, business, or other building during a grid power outage.~~

Commented [jm2]: Would it be helpful to reference here Chapter 90 § 7 and/or Chapter 90 § 16?

Commented [AB3R2]: Why limit to illegally modified motor vehicles?

2. Exemptions. None of the terms or prohibitions of the previous section shall apply or be enforced against:

a) Noise caused by any emergency vehicle or equipment while engaged in the performance of necessary emergency business.

b) Noise caused by any necessary excavation in or repairs of bridges, streets, or highways, or any public utility installation by or on behalf of the Town, or any public utility or any agency of the Commonwealth of Massachusetts.

c) Noise caused by agriculture, as defined by M.G.L. Chapter 128 Section 1A, including but not limited to the operation of farm equipment, sawmills, harvesting equipment, and noises from farm animals.

Commented [DB4]: Justin, do you want to put time parameters around agricultural noise?

d) Noise caused by lawful hunting or other lawful discharge of firearms.

~~e) Noise from activities which have been granted a special permit pursuant to Section 3 below.~~

f) Noise caused by organized sports.

g) Noise caused by snow removal or road sanding from private drives, roadways or other ways.

~~e) Noise from activities which have been granted a special permit pursuant to Section 3 below.~~

3. Application for permit for relief. Application for a permit for relief from this ~~by-law~~ Bylaw on the basis of undue hardship may be made to the Select Board. ~~There shall be no permit fee for said permit application. Permit applications shall be acted upon within fourteen (14) business days of permit filing with the Select Board. If the Select Board does not act upon the permit application within fourteen (14) business days, the permit shall be deemed approved. Abutters to the property which the permit is applied for shall be notified prior to the meeting at which the permit is considered by the Select Board. Any permit granted by the Select Board shall set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.~~

4. Penalties. Whoever violates this ~~Bylaw~~ by-law shall be subject to enforcement action by non-criminal disposition as provided in M.G.L. c. 40, §21D. The first violation of this Bylaw may be punished by a verbal or written warning. The second violation this Bylaw within 12 months after the first violation shall be punished by a fine of one hundred dollars (\$100.00). The third violation of this Bylaw within 12 months after the first violation shall be punished by a fine of two hundred dollars (\$200.00). All subsequent violations within 12 months after the first violation shall be punished by a fine of three hundred dollars (\$300.00). Each such act, which either continues or is repeated more than one-half (½) hour after issuance of a written notice of violation of this Bylaw shall be a separate offense and shall be prosecuted as a separate offense. If a violation occurs and the person or persons responsible are not the record owner of the property, the owner shall be notified in writing that the violation has occurred.

This bylaw shall be enforced by the Monterey Police Department.

a) If a person or persons responsible for violations of this bylaw cannot be determined, the person in lawful custody and/or control of the premises, including but not limited to the owner, lessee or occupant of the property on which the activity is located, shall be deemed responsible for the violation.

5. Severability. If any provision of this Bylaw is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the Bylaw shall not be invalidated.

Commented [jm5]: How can this be phrased to prevent a summer camp from disregarding the bylaw since they are a permitted camp?

Also permitted construction seems like it would become exempt based on this wording, even if unreasonably loud at night.

Are all permitted activities exempt?

Commented [DB6R5]: Camps are permitted under the zoning bylaw. This is a general bylaw and applies to any activity whether or not permitted. For example, it would apply to a loud party at someone's home. No permitted activities are exempt unless they fit one of the exempt provisions in this bylaw.

Commented [jm7]: How can this be phrased to prevent a summer camp from disregarding the bylaw since they are a permitted camp?

Also permitted construction seems like it would become exempt based on this wording, even if unreasonably loud at night.

Are all permitted activities exempt?

Commented [DB8R7]: Camps are permitted under the zoning bylaw. This is a general bylaw and applies to any activity whether or not permitted. For example, it would apply to a loud party at someone's home. No permitted activities are exempt unless they fit one of the exempt provisions in this bylaw.

Commented [jm9]: Could a violation result in the Town rescinding a permit?

For instance, if a summer camp had X number of violations, could the Town rescind their permit to operate the camp? If an event or venue had X number of violations, could the Town prevent future permit applications from being approved?

Could a building permit be revoked if the building was consistently excessively loud at 11pm?

Commented [DB10R9]: If the town has accepted the provisions of G.L. c. 40, § 57 then yes. The statute, once accepted and incorporated into a bylaw, allows the town to revoke, suspend, or deny a building permit or most other local licenses or permits, including renewals and transfers, if taxes, fees, assessment, or other municipal charges, including those imposed by 40:21D, are not paid. The statute sets forth specific provisions that must be included in the bylaw.



TOWN OF MONTEREY

435 Main Rd. P.O. Box 308
Monterey, MA 01245

Dear Resident,

It has come to the attention of the Monterey Select Board that some private ways (roads) in Monterey are suffering from inadequate maintenance. This neglect of private ways is causing occasional damage to public ways, but perhaps more importantly may pose significant hazards to residents of those roads.

The Select Board feels it is important to remind residents of private ways that the poor condition of some private ways may seriously jeopardize life and property in the event of an emergency. Poor maintenance of the road may bar access to or significantly slow response time of emergency vehicles and personnel in the event of an emergency, including fire, EMS, police and ambulance services. This delay, or in some cases complete lack of access, could result in both loss of property and loss of life.

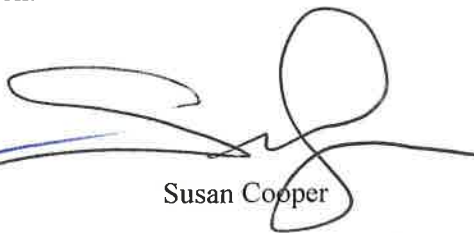
The second issue is that in a number of recent instances, the poor maintenance of a private way has caused damage to and/or obstruction of a public way. The strong storms of recent years with their consequent heavy runoff and tree falls have caused damage to roads all over Monterey, and this trend is likely to continue. The Select Board urges all residents of private ways to prudently consider how their road is being managed. It is not acceptable for a private way to cause damage to a public way, nor is it acceptable for those responsible for the private way's maintenance to refuse to accept responsibility for the damage caused by their negligence

We understand that the joint maintenance and ownership of a private way can result in difficulties with its maintenance. Many of Monterey's private ways are very well maintained because the residents of those roads have successfully worked together to ensure that their homes are accessible for themselves, their guests and emergency personnel. Unfortunately, not all private ways have benefitted from adequate oversight, planning and investment.

We strongly urge those living on private ways to find productive ways to come together to maintain the private road that serves their dwellings. This is undeniably the best, most prudent and most cost-effective approach to this problem. We urge all residents who live on private ways to step up their efforts to repair and maintain the condition of the private road that serves their home, themselves and the emergency personnel they may call upon.

Respectfully,


Justin Makuc, Chair
Monterey Select Board


Susan Cooper

Scott Jensen

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TOWN OF MONTEREY

435 Main Rd. P.O. Box 308
Monterey, MA 01245

March 15, 2023

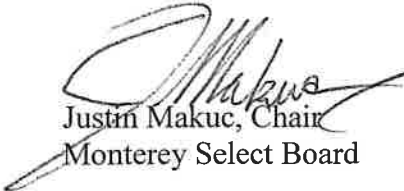
Highway Department
Town of Monterey

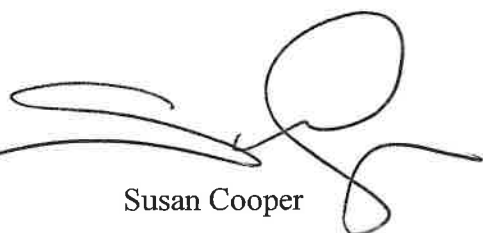
Dear Jim, Pete, Tyler, and Kyle,

The Select Board would like to thank you for your diligent service to the Town of Monterey, especially during this most recent snow event. Your work keeping the Town's roads open and safe is commendable, and we appreciate your working late nights, early mornings, and spending time away from family and personal obligations to make sure that the roads are well maintained.

This most recent storm was challenging for our residents as it brought downed trees, power outages, and many more problems. Because of your work and dedication, it made the storm that much more bearable as roads in our Town were passable and safe in a timely fashion. We are deeply grateful for your excellent work.

Sincerely,


Justin Makuc, Chair
Monterey Select Board


Susan Cooper

Scott Jensen

To see if the Town will vote to amend the following items of Section 5 of the Departmental Revolving Fund bylaw as follows:

A Revolving Fund	B Department, Board, Agency or Officer Authorized to Spend from Fund	C Fees, Charges or Other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund	E Restrictions or Conditions on Expenses Payable from Fund	F Other Requirements/Reports	G Fiscal Years
Conservation – Wetlands Protection Act	Conservation Commission	Fees and receipts related to wetlands protection and permitting other than NOI	Advertisement and related expenses	Annual Expenditures not to exceed: \$15,000	Fund carryover balance not to exceed: \$25,000	Fiscal Year 2024 and subsequent years
Conservation – Scenic Mountains Act	Conservation Commission	Fees and receipts related to regulation and protection of property pursuant to MGL 131, §39A	Advertisement and related expenses	Annual Expenditures not to exceed: \$500	Fund carryover balance not to exceed: \$5,000	Fiscal Year 2024 and subsequent years
Community Center	Select Board and Community Center Administration	Fees charged by the Community Center for the use of the center	Operational Expenses in excess of regular operating budget	Annual Expenditures not to exceed: \$10,000	Fund carryover balance not to exceed: \$25,000	Fiscal Year 2024 and subsequent years
Bally Gally	Select Board and Director of Operations	Rental monies collected from Bally Gally	Expenses, supplies and contractual services to maintain and repair Bally Gally	Annual Expenditures not to exceed: \$10,000	Fund carryover balance not to exceed: \$50,000	Fiscal Year 2024 and subsequent years

Or take any other action relative thereto.