

April 2021

Greetings!

Attached is the annual town meeting warrant. The meeting will be held at 9:30 a.m. on Saturday, May 1, 2021, at the pavilion behind the firehouse. Social distancing measures will be taken. Masks should be worn regardless of vaccination status unless prevented by a medical condition. People from the same household may sit next to each other. Police officers will be present to guide parking. Please do not park on the lawn.

Communication Access Real Time Translation (CART) will be used to help those with hearing issues.

In preparing this proposed budget, the Select Board and Finance Committee's goal is to maintain a high level of services while offering improvement and keeping taxes as low as possible. During the past year, some expenses were paid by grants totaling over \$308,000. This was as a result of hard work by our employees and grant writers. Grants will continue to be aggressively pursued in the coming year.

The Select Board and Finance Committee have come to a consensus on all budgetary items. One member of the Select Board, John Weingold, has decided throughout the process to take no position on any budget item because he believes the budget is exclusively the concern of the Finance Committee.

Both boards are recommending that we borrow the Tandem Axle Truck money because this vehicle will last 15 to 20 years and we believe the cost should not be borne solely by FY2022 homeowners but should be spread out for between four and six years, thereby lessening the yearly tax burden. Monterey has often paid for trucks in this way.

The \$8,000 for school consolidation studies is the same sum being requested from each of the eight towns comprising the two school districts by the Regional School District Planning Board. Both the Select Board and the Finance Committee support this funding request.

The budget as presented will increase the tax levy by approximately 1.62 percent and will result in a tax rate increase of approximately .12 cents per thousand dollars of valuation. The proposed budget uses \$236,615 of free cash and \$0 from stabilization.

The Select Board is presenting two non-monetary special articles for consideration by the town meeting: first, a bylaw amendment re-affirming the longstanding practice that the Select Board, while working cooperatively with the Finance Committee, shall be primarily responsible for creating and submitting the annual budget to the town; and second, a bylaw permitting recall elections.

The warrant also contains eighteen bylaw amendments drafted by John Weingold and signed by him and about 13 or so registered voters. Since each petition has at least ten signatures, Commonwealth law requires their inclusion in the warrant. Mr. Weingold never presented any of these proposed bylaws to the Select Board during the year. Had he done so, they could have been carefully considered. For a variety of reasons, including their quantity, lack of quality and in two cases length, the majority of the Select Board recommends that these proposed bylaws be tabled for consideration later, if at all, in the context of a complete review of all town bylaws or, perhaps, in the context of considering the very complex process of creating a town charter.



Don Coburn, Chair, Select Board



Steven Weisz, Member, Select Board

[Not Signing]

John Weingold, Member, Select Board

WARRANT
COMMONWEALTH OF MASSACHUSETTS
COUNTY OF BERKSHIRE, SS.
TOWN OF MONTEREY

To: Julio Rodriguez, Constable of the Town of Monterey in the County of Berkshire,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn inhabitants of said Town qualified to vote in the elections and Town affairs to meet in the pavilion behind the Firehouse of the Monterey Fire Company Ltd. in said Town on Saturday, May 1, 2021, at 9:30 o'clock in the morning, then and there to act on the following articles:

ARTICLE 1. To hear and act on the reports of all Officers, Agents and Committees of the Town.

AS REQUIRED BY LAW, ARTICLES 2 THROUGH 19 ARE REPRINTED EXACTLY AS SUBMITTED BY THE REGISTERED VOTERS WHO SIGNED THEM. THE INCLUSION OF THESE ARTICLES DOES NOT MEAN THEY ARE SUPPORTED BY THE SELECT BOARD OR BY THE FINANCE COMMITTEE.

ARTICLE 2. To see if the Town will vote to adopt the following: Monterey Town Charter: Please see attachment marked "Article 2" for full text.

ARTICLE 3. To see if the Town will vote to adopt the following as a new Town Bylaw or to act or take any other action in relation thereto: Selectboard Chair Powers Defined: Please see attachment marked "Article 3" for full text.

ARTICLE 4. To see if the Town will vote to adopt the following Bylaw: Special Town Meetings: Please see attachment marked "Article 4" for full text.

ARTICLE 5. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Bylaw Enforcement: Please see attachment marked "Article 5" for full text.

ARTICLE 6. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Town Employment & Employment Contracts: Please see attachment marked "Article 6" for full text.

ARTICLE 7. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Procurement Contracts Competitive Bids Required over \$20,000: Please see attachment marked "Article 7" for full text.

ARTICLE 8. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Procurement Contracts: Please see attachment marked "Article 8" for full text.

ARTICLE 9. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Public Records/Procurement Contracts/Warrants: Please see attachment marked "Article 9" for full text.

ARTICLE 10. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Residents' Bylaw Review Committee Please see attachment marked "Article 10" for full text.

ARTICLE 11. To see if the Town will vote to adopt the following Bylaw: Section 1: Please see attachment marked "Article 11" for full text.

ARTICLE 12. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Conservation Commission Pay: Please see attachment marked "Article 12" for full text.

ARTICLE 13. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Finance Committee Pay: Please see attachment marked "Article 13" for full text.

ARTICLE 14. To see if the Town will vote to adopt the following Bylaw: Select Board Membership: Please see attachment marked "Article 14" for full text.

ARTICLE 15. To see if the Town will vote to adopt the following as additions to the Town Bylaw Article II, Section 3 or to act or take any other action in relation thereto: Please see attachment marked "Article 15" for full text.

ARTICLE 16. To see if the Town will vote to adopt the following Bylaw: Selectboard Meeting Times/Recording: Please see attachment marked "Article 16" for full text.

ARTICLE 17. To see if the Town will vote to adopt the following changes to Town Bylaw or to act or take any other action in relation thereto: Section 18 Quarterly Meeting: Please see attachment marked "Article 17" for full text.

ARTICLE 18. To see if the Town will vote to adopt the following Bylaw: Public Comment: Please see attachment marked "Article 18" for full text.

ARTICLE 19. To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto: Monterey Code of Ethics: Please see attachment marked "Article 19" for full text.

ARTICLE 20. To see if the Town will vote to fix the salaries as indicated below to be paid to elected officials for the period July 1, 2021, to June 30, 2022, pursuant to the provisions of Chapter 41, Section 108, of the General Laws, or take any other action relative thereto.

Select Board Chair	\$5,012
Select Board 2 nd	\$5,012
Select Board 3 rd	\$5,012
Assessors Chair	\$1,615
Assessors 2 nd	\$1,615
Assessors 3 rd	\$1,615
Board of Health Chair	\$ 408
Board of Health 2 nd	\$ 408
Board of Health 3 rd	\$ 408
Constable	\$ 686
Moderator	\$ 349
Tax Collector	\$25,852
Tree Warden	\$3,673

The Select Board and Finance Committee support this article.

ARTICLE 21. To see if the Town will raise and appropriate certain sums of money, including appropriation and transfers from available funds, to defray charges and expenses of the Town, including salaries of certain Town Officers and employees, debt and interest, and provide for a Reserve Fund for the ensuing year, or raise, appropriate or transfer any other sum of money.

Acct	Description	FY 21	FY21	FY22	Increase/ Decrease
		6/27/20 ATM	10/24/20 STM & INTERNAL TRNFS		
		APPROVED	REVISIONS	REQUESTED	Decrease
100	GENERAL GOVERNMENT				
114	Moderator	343.00	0.00	349.00	6.00
115	Constable	673.00	0.00	686.00	13.00
122	Select Board Elected	14,742.00	0.00	15,037.00	295.00
122	Select Board Expenses	4,500.00	0.00	4,475.00	(25.00)
122	Grant writing wages	10,000.00	0.00	7,500.00	(2,500.00)
122	Grant writing expenses	500.00	0.00	500.00	0.00
122	CART (Communication Access Real Time Translation)	2,000.00	0.00	2,000.00	0.00
123	Town Administrator	40,000.00	0.00	75,000.00	35,000.00
123	Town Administrator Expenses	1,000.00	0.00	3,000.00	2,000.00
120	Administrative Assistant Salary	54,194.00	0.00	1.00	(54,193.00)
120	Administrative Assistant Procurement, Training & Expenses	3,000.00	0.00	0.00	(3,000.00)
122	Administrative Overtime	1,000.00	0.00	0.00	(1,000.00)
124	Temporary Employee	2,000.00	0.00	1,000.00	(1,000.00)
131	Finance Committee Expenses	500.00	0.00	500.00	0.00
131	Finance Committee Clerk	1.00	0.00	1.00	0.00

132	Town Reserve Fund	30,000.00	0.00	30,000.00	0.00
135	Town Accountant Services	36,000.00	0.00	37,800.00	1,800.00
135	Town Accountant Expenses	300.00	0.00	300.00	0.00
135	Accounting/Treasurer Software	5,170.00	0.00	5,960.00	790.00
135	Annual Audit	17,500.00	0.00	17,500.00	0.00
135	GASB75	2,750.00	0.00	2,750.00	0.00
141	Assessors Elected	4,751.00	0.00	4,846.00	95.00
141	Principal Assessor Salary	43,170.00	0.00	44,033.00	863.00
141	Assistant to the Principal Assessor	1.00	0.00	1.00	0.00
141	Assessors Clerk Wages	9,914.00	0.00	10,112.00	198.00
141	Assessors Expenses	3,600.00	0.00	5,300.00	1,700.00
141	Assessors Software	13,753.00	0.00	13,648.00	(105.00)
145	Treasurer Services	33,000.00	0.00	36,000.00	3,000.00
145	Treasurer Expenses	5,500.00	0.00	6,700.00	1,200.00
146	Tax Collector Elected Salary	25,345.00	0.00	25,852.00	507.00
146	Tax Collector Expenses	4,350.00	0.00	4,350.00	0.00
146	Tax Collector Software	5,727.00	0.00	5,757.00	30.00
151	Town Counsel	15,500.00	0.00	17,000.00	1,500.00
151	Litigation Fees & Expenses	5,000.00	0.00	7,500.00	2,500.00
154	Meeting Warrants Printing & Postage	2,731.00	0.00	2,731.00	0.00
155	Computer Software & Supplies rename IT expenses	4,000.00	0.00	2,000.00	(2,000.00)
155	Broadband Services (town hall)	2,000.00	0.00	2,000.00	0.00
158	Tax Title Legal Services	1,500.00	0.00	5,000.00	3,500.00
160	Town Clerk Wages	23,664.00	0.00	26,382.00	2,718.00
160	Town Clerk Staff	3,475.00	0.00	4,933.00	1,458.00
160	Town Clerk Expenses	7,050.00	0.00	6,050.00	(1,000.00)
162	Election	11,951.00	0.00	6,190.00	(5,761.00)
163	Annual Street List/Census Wages	1,500.00	0.00	1,500.00	0.00
163	Annual Street List/Census Expenses	750.00	0.00	750.00	0.00
171	Conservation Comm.	1,500.00	0.00	1,500.00	0.00
175	Planning Board expenses	2,500.00	0.00	2,500.00	0.00
175	Planning Board Clerk	2,520.00	0.00	2,520.00	0.00
176	Board of Appeals expenses	250.00	0.00	250.00	0.00
176	Board of Appeals Clerk	1.00	0.00	1.00	0.00
192	Town Offices	42,275.00	0.00	46,000.00	3,725.00
195	Town Report	1,000.00	0.00	1,100.00	100.00
	Subtotal	504,451.00	0.00	496,865.00	-7,586.00
200	PROTECTION, PERSONS & PROPERTY				
210	Police Chief Salary	83,421.00	0.00	85,089.00	1,668.00
210	Sergeant Salary	62,591.00	0.00	63,843.00	1,252.00
210	Part Time Officer Wages	63,540.00	0.00	68,200.00	4,660.00
210	Police Expenses	38,563.00	0.00	38,474.00	(89.00)
210	Police Rental Facilities	1,600.00	0.00	1,200.00	(400.00)
220	Fire Dept Equipment & Maintenance	32,975.00	0.00	25,000.00	(7,975.00)
220	Fire Dept Other Expenses	0.00	0.00	9,975.00	9,975.00
220	Fire Dept Compensation	94,500.00	0.00	117,200.00	22,700.00
220	Fire Department Lease	17,000.00	0.00	17,000.00	0.00
221	Fire Inspector Stipend	3,168.00	0.00	3,231.00	63.00
222	Berk. Cty. Sheriff Comm.	10,852.00	0.00	11,178.00	326.00
240	Building Inspector Wages	32,032.00	0.00	32,548.00	516.00
240	Alternate Building Inspector Wages	7,745.00	0.00	7,745.00	0.00
240	Building Inspector Expenses	7,487.00	0.00	7,487.00	0.00
243	Plumbing /Gas Inspector Exp	100.00	0.00	100.00	0.00
245	Wiring Inspector Expenses	100.00	0.00	100.00	0.00

291	Southern Berkshire Regional Emergency Planning Committee Assessment	500.00	0.00	500.00	0.00
292	Animal Control/Dog Officer	1.00	0.00	1.00	0.00
292	Animal Control Expenses	500.00	0.00	500.00	0.00
293	Animal Inspector	900.00	0.00	900.00	0.00
294	Tree Warden Salary	3,601.00	0.00	3,673.00	72.00
294	Tree Warden Expenses	40,000.00	0.00	43,000.00	3,000.00
	Subtotal	501,176.00	0.00	536,944.00	35,768.00
300	EDUCATION				
301	School Committee Stipend	1,553.00	0.00	1,553.00	0.00
380	Schools: Capital	33,753.00	0.00	33,211.00	(542.00)
380	Schools: Operating & Transportation	1,582,562.00	0.00	1,612,175.00	29,613.00
380	Loan & Interest SBRSD bond	34,416.00	0.00	33,508.00	(908.00)
	Subtotal	1,652,284.00	0.00	1,680,447.00	28,163.00
400	PUBLIC WORKS & FACILITIES				
422	Highway Operations	176,870.00	0.00	189,370.00	12,500.00
422	Director Of Operations Salary	75,744.00	0.00	77,259.00	1,515.00
422	Foreman Wages	54,108.00	0.00	54,978.00	870.00
422	Hwy 2 Wages	49,801.00	0.00	50,604.00	803.00
422	Hwy 3 Wages	48,083.00	0.00	48,083.00	0.00
422	Hwy 4 Wages	39,591.00	0.00	40,229.00	638.00
422	Temporary Highway Employee	2,000.00	0.00	1.00	(1,999.00)
422	Hwy Overtime (not winter)	2,500.00	0.00	2,500.00	0.00
422	OSHA updates & compliance	5,850.00	0.00	5,850.00	0.00
422	Highway Capital	115,000.00	0.00	137,500.00	22,500.00
423	Snow & Ice, Salt & Sand	150,000.00	0.00	150,000.00	0.00
423	Winter Overtime	22,500.00	0.00	22,500.00	0.00
424	Public Lighting	3,800.00	0.00	4,050.00	250.00
425	Fuel	20,000.00	0.00	20,000.00	0.00
430	Dam Inspection & Maint.	5,800.00	0.00	5,000.00	(800.00)
433	Transfer Station Operations	73,300.00	0.00	89,760.00	16,460.00
433	Transfer Station Part Time Employee Wages	41,353.00	0.00	42,523.00	1,170.00
435	Group Purchasing Regional	1,000.00	0.00	1,700.00	700.00
491	Cemetery Maintenance & Lawn Care	25,500.00	0.00	22,500.00	(3,000.00)
491	Soldiers Graves	1,200.00	0.00	1,200.00	0.00
	Subtotal	914,000.00	0.00	965,607.00	51,607.00
500	HUMAN SERVICES				
510	Board of Health Elected Salary	1,200.00	0.00	1,224.00	24.00
510	Board of Health Expenses	1,450.00	0.00	2,400.00	950.00
510	Board of Health Clerk Stipend	5,287.00	0.00	1.00	(5,286.00)
510	Sanitary Inspector Wages	21,031.00	0.00	21,452.00	421.00
510	Visiting Nurse	2,250.00	0.00	2,400.00	150.00
541	Council on Aging	3,862.00	0.00	4,029.00	167.00
543	Veterans Benefits	5,000.00	0.00	5,000.00	0.00
543	Veterans Assessment	0.00	0.00	4,698.00	4,698.00
	BPRC Assessment	0.00	0.00	766.00	766.00
545	Berkshire South Regional Community Center	1,500.00	0.00	0.00	(1,500.00)
545	Community Health Program	1,000.00	0.00	1,000.00	0.00
545	Berkshire Mental Health (The Brien Center)	752.00	0.00	0.00	(752.00)
	Subtotal	43,332.00	0.00	42,970.00	-362.00
600	CULTURE & RECREATION				
610	Library General	32,227.00	0.00	32,507.00	280.00
610	Library Wages	49,318.00	0.00	55,567.00	6,249.00
610	Library Maintenance	8,822.00	0.00	8,876.00	54.00

630	Park Commission	17,800.00	0.00	17,800.00	0.00
630	Lifeguard Payroll/Administrative fees	22,116.00	0.00	23,222.00	1,106.00
630	Parks Lawn maint., spring/fall clean up	6,500.00	0.00	6,500.00	0.00
650	Community Center Administrative Staff	7,468.00	0.00	8,431.00	963.00
692	Memorial Day	2,000.00	0.00	2,000.00	0.00
699	Cultural Council	3,000.00	0.00	0.00	(3,000.00)
700	Subtotal	149,251.00	0.00	154,903.00	5,652.00
	DEBT SERVICE				
700	Community Septic Loan Program	0.00	0.00	0.00	0.00
700	Highway Grader	38,352.00	0.00	0.00	(38,352.00)
700	Highway F550 Truck	25,357.00	0.00	0.00	(25,357.00)
700	Fire Truck	107,800.00	0.00	105,200.00	(2,600.00)
700	Transfer Station	54,350.00	0.00	52,900.00	(1,450.00)
700	Library Loan	100,274.00	0.00	99,354.00	(920.00)
	Subtotal	356,133.00	0.00	257,454.00	(68,679.00)
900	MISCELLANEOUS EXPENSES				
911	Berk. County Retirement	121,129.00	0.00	128,539.00	7,410.00
913	Unemployment Insurance	15,000.00	0.00	15,000.00	0.00
914	Health Insurance	156,493.00	0.00	139,880.00	(16,613.00)
915	Life Insurance	350.00	0.00	300.00	(50.00)
916	Medicare	15,000.00	0.00	15,450.00	450.00
945	Bonds & Insurance	83,000.00	0.00	85,000.00	2,000.00
	Subtotal	390,972.00	0.00	384,169.00	(6,803.00)
	Total Operating Expenses	4,481,599.00	0.00	4,519,359.00	37,760.00
	Proposed change to operating budget				0.84%

ARTICLE 22. To see if the town will vote to fix the maximum amount that may be spent during fiscal year 2022 beginning on July 1, 2021 for the revolving funds established in town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2 as follows, or take any other action relative thereto.

Revolving Fund	Department, Board, Agency or Officer Authorized to Spend from Fund	FY22 Spending Limit
Inspectional Services	Building Inspector	\$20,000
Board of Appeals	Zoning Board of Appeals	\$5,000
Composting Bins	Transfer Station	\$1,000
Building & Fire Inspection Education	Building Inspector	\$2,500
Community Center & Bally Gally	Select Board and Community Center Administration	The Community Center may expend up to \$11,349 per year for approved expenses. Bally Gally may spend up to \$1,500 per year on necessary maintenance and repairs.

ARTICLE 23. To see if the Town will vote to approve amending by-law Article II, Section 3. Finance Committee by the addition of the following language: The Select Board shall work cooperatively with the Finance Committee in the budgetary process, but the Select Board shall be responsible for the preparation and submission of the budget to the town meeting in the warrant. Any differences between the Select Board's and the Finance Committee's recommendations to the town meeting shall be noted on the warrant. *The Select Board supports this article.*

ARTICLE 24. To see if the Town will vote to approve the addition of an Article X to the by-laws, thereby authorizing recall elections in accordance with the following procedures:

SECTION 1. Any holder of an elective town office may be recalled and removed from office by the registered voters of the town as provided herein.

SECTION 2. Thirty registered voters of the town may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The town clerk shall thereupon deliver to the voters making such affidavit sufficient number of copies of petition sheets in blank demanding such recall and removal, each bearing the town clerk's signature and official seal. The petition blanks shall be addressed to the Select Board, dated, and shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds of recall as stated in the initial affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk.

The recall petition(s) shall be returned and filed with the town clerk within twenty-one (21) days after filing the affidavit and shall be signed by at least fifteen (15) percent of the registered voters of the Town as of the date the affidavit was filed with the town clerk. The number and street of each person's residence shall appear after their signature. The town clerk will forthwith submit the petition sheets to the board of registrars of voters, which within five (5) working days of receipt of the recall petition sheets shall forth verify the number of signatures which are the names of registered voters of the town.

SECTION 3. If the total recall petition sheets shall be found and certified by the board of registrars of voters to be sufficient, the certified petition shall be submitted forthwith with the certificate of the town clerk to the Select Board. The Select Board shall give written notice of the receipt of the petition to the officer sought to be recalled. If the officer does not resign within five (5) days of the date notice is given by the Select Board, then the Select Board shall promptly order an election to be held on a date fixed by the Select Board which is not less than 60 nor more than 90 days after receipt of the certified petition. However, if any other town election is scheduled to occur within 100 days after the date of receipt of the certified petition, the Select Board may postpone the holding of the recall election to the date of the other election and may include the question of recall on the ballot for that other election.

SECTION 4. An officer sought to be recalled may be a candidate to succeed the officer in an election to be held to fill the vacancy. Unless the officer requests otherwise in writing, the town shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall be in accordance with the law relating to elections, unless otherwise provided in this act. A majority of those voting at the recall election shall be sufficient to recall and remove such elected officer.

SECTION 5. The incumbent shall continue to perform the duties of the office until the recall election. If the incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this act. If not re-elected in the recall election, the incumbent shall be considered removed from office immediately and the office vacant. No recall petition may be filed against an officer within the first three (3) of their term of office or within three (3) months of a recall election wherein the officer was not recalled and removed.

SECTION 6. Ballots used in a recall election shall contain the following propositions:

FOR the recall of (name of officer) _____

AGAINST the recall of (name of officer) _____

Next to each proposition there shall be a place to mark a vote. Under the propositions shall appear the word "Candidates" and the direction "Vote for One", and beneath this the names of candidates nominated as herein before provided. Next to the name of each candidate shall be a place to mark a vote.

If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes on the question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted, nor any action taken relative thereto.
The Select Board supports this article.

ARTICLE 25. To see if the Town will vote to appropriate the sum of \$15,000 or any other sum from Free Cash for the Bridges, Roads and Culverts Stabilization Fund, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 26. To see if the Town will vote to appropriate the sum of \$30,000 or any other sum from Free Cash to be deposited in a Stabilization Fund for the Retiree Health and Life Insurance, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 27. To see if the Town will vote to appropriate the sum of \$15,400 or any other sum from Free Cash for the Retiree Group Health/Life Insurance Benefit, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 28. To see if the Town will vote to appropriate the sum of \$5,000 or any other sum from free cash to make a contribution to the Southern Berkshire Volunteer Ambulance Squad, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 29. To see if the Town will vote to appropriate the sum of \$3,000 or any other sum from free cash to make a contribution to the Local Cultural Council, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 30. To see if the Town will vote to appropriate the sum of \$54,874 or any other sum from Free Cash for the purpose of purchasing and outfitting a Police Cruiser for the Police Department, or take any other action relative thereto.
The Select Board and Finance Committee support this article.

ARTICLE 31. To see if the Town will vote to appropriate the sum of \$19,000 or any other sum from free cash to pay for the estimated amount the transfer station operations will be over in FY21, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 32. To see if the Town will vote to appropriate the sum of \$6,193 or any other sum from Free Cash to purchase two permanent speed signs to be located at the town beach, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 33. To see if the Town will vote to appropriate the sum of \$6,048 or any other sum from free cash to hire an Outreach Worker for the Council on Aging, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 34. To see if the Town will vote to authorize the Board of Selectmen to apply for, accept and expend an Assistance to Firefighter's federal grant and transfer \$10,000 from free cash contingent on the grant being awarded for the purpose to pay the costs of replacing the SCBA (self-contained breathing apparatus) for the Monterey Fire Department, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 35. To see if the Town will vote to appropriate the sum of \$6,500 or any other sum from free cash to hire shared Human Resource Manager, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 36. To see if the Town will vote to appropriate the amount of Eight Thousand Dollars (\$8,000) from Free Cash for the purpose of supporting the work of the Regional School District Planning Board in its study of the financial and educational advisability of options for consolidating the Southern Berkshire Regional School District and the Berkshire Hills Regional School District, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 37. To see if the Town will vote to appropriate the sum of \$30,000 or any other sum from Free Cash to pay for the capital improvements on the fire company property, or take any other action relative thereto.

The Select Board and Finance Committee support this article.

ARTICLE 38. To see if the Town will vote to appropriate the sum of \$200,000 or any other sum to purchase and outfit a tandem axle dump truck, and to authorize the Select Board to trade in or sell at auction the Town's 2007 Kenworth, and to authorize the Town Treasurer with the approval of the Select Board to borrow said amount or take any other action relative thereto. **2/3 vote required/secret ballot**

The Select Board and Finance Committee support this article.

ARTICLE 39. CITIZEN PETITION To see if the Town will vote to raise and appropriate the sum of \$30,000 for the non-chemical control of the invasive, aquatic weed Eurasian Watermilfoil and the hiring of a lake scientist to help determine the abundance and distribution of Eurasian Watermilfoil in Lake Garfield, or take any other action relative thereto.

The Select Board and Finance Committee do not support this article.

ARTICLE 40. To see if the Town will vote to appropriate the sum of \$29,000 from Free Cash for the design, building, and installation of outdoor lighting at the Monterey Community Center, or take any other action relative thereto.

The Select Board supports this article.

The Finance Committee does not support this article.

ARTICLE 41. CITIZEN PETITION To see if the Town will vote to keep chemicals out of Lake Garfield and Brewers Pond, or take any other action relative thereto.

Neither board voted on this citizen petition.

ARTICLE 42. To see if the Town will vote pursuant to G.L. c. 268A, section 21A, to authorize commissions or boards to appoint members to any office or position under the supervision of such commission or board, or take any other action relative thereto.

The Select Board supports this article.

ARTICLE 43. To see if the Town will vote to accept funds being provided by the Commonwealth of Massachusetts under the provisions of Chapter 90 of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair and construction of Town ways and bridges, or take any other action relative thereto.

The Select Board supports this article.

ARTICLE 44. To see if the Town will vote to authorize the Board of Selectmen to apply for, accept and expend a MassWorks Grant from the MassWorks Infrastructure Program up to the amount of \$1,000,000, and sum will be used for Safety Improvements on an approved town road in Monterey, or take any other action relative thereto.

The Select Board supports this article.

ARTICLE 45. To see if the Town will vote to allow the Treasurer to use available funds in the Treasury or, with the approval of the Select Board, to borrow money in anticipation of reimbursement by the Commonwealth of Massachusetts on account of Highway Capital Funds, in accordance with Massachusetts General Laws Chapter 44, Section 6A, and to issue notes therefore for a period not to exceed two years from this date, and the proceeds from such reimbursement shall be applied to discharge the loan, or take any other action relative thereto.

The Select Board supports this article.

ARTICLE 46. To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2021, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year, in accordance with General Laws Chapter 44, Section 17, or take any other action relative thereto.

The Select Board supports this article.

ARTICLE 47. To see if the Town will vote to authorize any Town board to appoint any member thereof to another office or position for the term provided by law (if any), otherwise for the term not to exceed one year, and to fix the salary and compensation in accordance with Massachusetts General Laws Chapter 41, Section 4A, or take any other action relative thereto.

ARTICLE 48. In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn inhabitants of said Town qualified to vote in the elections and Town affairs to meet in the Monterey Grange 291, Town Hall, 435 Main Road in said Town on **Tuesday, May 4, 2021, at 12:00 o'clock p.m.** and then and there to vote their ballots for the election of the following Town officers:

One member of the Board of Appeals for five years

One member of the Board of Assessors for three years

One member of the Board of Health for three years

One member of the Cemetery Committee for three years

One member of the Finance Committee for three years

Two Library Trustees for three years

One Moderator for one year

Two members of the Park Commission for three years

One member of the Park Commission for one year

One member of the Planning Board for five years

One member of the Planning Board for four years

One member of the Select Board for three years

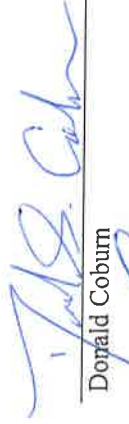
One Tree Warden for one year

All of the above will be voted upon an official ballot provided at the election place by the Town Clerk and Election officers.

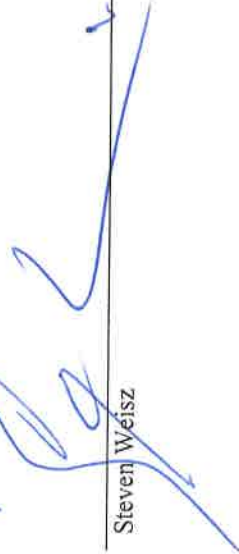
The polls will be open at 12:00 noon and remain open until 7:00 o'clock p.m. in the evening.

Hereof fail not and make return of this Warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands this 7th day of April, 2021.



Donald Coburn



Steven Weisz

John Weingold

MONTEREY SELECT BOARD

A true copy attest.

Pursuant to the within Warrant, I have this 8 day of April, 2021, notified and warned inhabitants of the Town of Monterey in accordance with the Town Bylaws and the General Laws of the Commonwealth of Massachusetts.



Julio Rodriguez, Constable

Monterey Town Hall
Monterey Transfer Station
U.S. Post Office
Monterey General Store
Main Rd. at/near intersection of Swann Rd.
Select Board file

Article 2

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following:

Monterey Town Charter:

To see if the Town will vote to adopt a Town Charter for the Town of Monterey; and to see if the Town will vote to require the Selectboard to establish a (5) member Town Charter committee made up of citizens to advise and draft the Town Charter.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John F. Weingold	68 Fairview Rd Monterey	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Starnard	245 Hupi Rd	William Starnard
✓ 4. Lynn Starnard	245 Hupi Rd	Lynn Starnard
✓ 5. Eken Whitbeck	37 River Rd	Eken Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark JJ Mah	[REDACTED]	
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Jonathan Sylbert	263 Hopi Rd	Jonathan Sylbert
✓ 10. Lisa Smyle	263 Hupi Rd	Lisa Smyle
✓ 11. Mayra Loz Riquiz	64 HUPI RD	Mayra Loz Riquiz
✓ 12. Donald Claassen	16 Trujillo Rd	Donald Claassen

Article 3

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following as a new Town Bylaw or to act or take any other action in relation thereto:

Selectboard Chair Powers Defined:

The Chairperson of the Selectboard shall not have unilateral power or authority to act on his own in any matters involving public town business. The Chairperson is a member of a committee and the Chair will conduct all town business as a Committee. The Chair shall not be given authority by the Selectboard to negotiate any public contracts in private, by himself, outside of open meetings. The Chair shall have no power to block any Agenda items requested by another Selectboard member, beyond one Selectboard meeting. The Chair nor any member of the Selectboard shall conduct public business in private nor in social media platforms of any kind. The Chair of the Selectboard shall not communicate privately with the Town Administrative Assistant, Town Administrator, or any town committee, commission, employee, or official without prior approval and consent of the entire Selectboard. The Chair has no powers to conduct Selectboard business by myself in private, without prior Selectboard discussion in an open public meeting.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. Weingold	68 Fairview Rd	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. Lyuan Starnal	245 Hupi Rd	
✓ 4. William Starnal	245 Hupi Rd	William Starnal
✓ 5. Elen Whitbeck	37 River Rd	Elen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark JJ Makos	[REDACTED]	
✓ 8. [REDACTED]	[REDACTED]	[REDACTED]
✓ 9. [REDACTED]	[REDACTED]	[REDACTED]
✓ 10. Aaron Johnson	[REDACTED]	
✓ 11. Jonathan Sylbur	263 Hupi Rd	
✓ 12. Lisa Smyke	263 Hupi Rd	
✓ 13. Mayra Rodriguez	04 HUPT RD	Mayra Rodriguez
✓ 14. Samuel Chance	16 Tipton Rd	
15. _____	_____	_____

Article 4

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual Special Town Meeting to be held on May 1, 2021

To see if the Town will vote to adopt the following Bylaw:

Special Town Meetings:

- a. Hereinafter Special Town Meetings shall not be called by the Selectboard, after an Annual Town meeting, for the purpose to adopt, amend, alter, or redact any Town Bylaw(s), excluding Zoning Bylaws. All town Bylaw issues shall only be addressed at Annual Town Meetings;
- b. Special Town meetings shall only be called by the Selectboard for true emergencies, unforeseen financial emergencies, unanticipated financial expenditures, not caused by the failure to include any such financial expenditures at the Annual Town Meeting and on the Annual Town Warrant;
- c. All Special Meeting financial matters shall be reviewed and approved by the Finance Committee before being placed on any Special Meeting Warrant;
- d. A quorum of 20% of the Town's registered voters is required to hold and conduct any business at any Special Town Meeting; and
- e. This Bylaw does not effect the citizens right to petition for calling a Special Town Meeting pursuant to MGL c. 39, § 10.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John F Wengold	68 Fairview Rd, Monterey	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Howard	245 Hope Rd	William Howard
✓ 4. Lynn Steward	245 Hope Rd	Lynn Steward
✓ 5. Ellen Whitbeck	37 River Road	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark JJ Makar	[REDACTED]	Mark JJ Makar
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Jonathan Stryker	263 Gopi Way	
✓ 10. Markin Lein	96 Fillmore St	
✓ 11. Mayra Rodriguez	64 Hepird	Mayra Rodriguez
✓ 12. Donald Casasa	165 Wright St	

Article 5

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the X Annual Special Town Meeting to be held on May 1, 2021

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Bylaw Enforcement:

The Town maintains the importance of Town government following the Town's Bylaws as a check and balance on the government. The bylaws were enacted to provide resident oversight of decision making, and provides citizen participation in town government. Therefore, the Selectboard shall uphold all town Bylaws. The Selectboard shall have no authority to selectively chose which Town Bylaws it will follow and not follow or appoint members to fill vacate seats. The Selectboard shall forthwith seek and appoint members to the various commissions and committees that have sat idle, including by not limited to the Salary & Compensation Commission, Highway Commission, and Town Report Committee and any other Bylaws.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. W. P. Wald	68 Fairview Rd, Monterey	[Signature]
✓ 2. Emily Johnson	[Redacted]	[Signature]
✓ 3. William Starnard	245 Hugi Rd	William Starnard
✓ 4. Lynn P Starnard	245 Hugi Rd	Lynn P Starnard
✓ 5. Ellen Whittet	37 River Rd	Ellen Whittet
✓ 6. Michael Johnson	[Redacted]	[Signature]
✓ 7. Mark JT Makuc	[Redacted]	[Signature]
✓ 8. Lina D. Y. A. Sotomayor	[Redacted]	[Signature]
✓ 9. [Redacted]	[Redacted]	[Signature]
✓ 10. Aaron Johnson	[Redacted]	[Signature]
✓ 11. Jonathan Sylvest	263 Hugi Rd	[Signature]
✓ 12. Lisa Smyle	263 Hugi Rd.	[Signature]
✓ 13. Susan Lee	96 Townsend Rd	[Signature]
✓ 14. Mayra Rodriguez	64 Hugi Rd. Mugu Kebabery	[Signature]
✓ 15. Donald Clans	16 Tyrone Rd Lowell	[Signature]

16. _____
17. _____
18. _____

Article 6

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2031.

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Town Employment & Employment Contracts:

The Selectboard has no authority to enter into any town employment contracts without first obtaining qualified legal opinions concerning said employment contract's impact on the Town and the Town's best interests. The Selectboard has no authority to enter any contracts of any nature that require a "unanimous" vote by the Selectboard. Such "unanimous" vote contracts are null and void and are against public policy. All town employment contracts must be negotiated by the entire Selectboard, in an open public meeting, only after consultation with a qualified lawyer or Town Counsel. The Town shall draft all employment contracts with the benefits of the public and Town's interest in mind. No town employment contracts may be drafted that do not contain: a probationary period provision, a job performance review provision, any indemnity language for the employee, nor any rights to retain a prior job with the town after firing or non-reappointment. The Selectboard has no authority to hire nor appoint any full time town employee in any position, especially the Town Administrator position, without requiring a resume, establishing a resume review committee, a letter of interest, conducting a public interview, and conducting a background check including a CORI check. All town employment opportunities must be posted at least 30 days, with a complete job description.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
1. John F. Wengold	68 Fairview Rd	[Signature]
2. Emily Johnson	[REDACTED]	[Signature]
3. William Starnard	245 Hupi Rd	William Starnard
4. LeAnn Starnard	245 Hupi Rd	LeAnn Starnard
5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
6. Michael Johnson	[REDACTED]	[Signature]
7. Mark JJ Malin	[REDACTED]	[Signature]
8. Aaraga Johnson	[REDACTED]	[Signature]
9. Jonathan Sylvan	263 Hupi Rd	Jonathan Sylvan
10. Lisa Smyle	263 Hupi Rd.	Lisa Smyle
11. Susan Leon	76 Fairview Rd	[Signature]
12. Maryra Rodriguez	64 HUPI RD.	Maryra Rodriguez
13. Doreen Clauson	16 Tupperhorn Rd	Doreen Clauson
14.		

Article 7

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.






To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Procurement Contracts Competitive Bids Required over \$20,000:

The town hereby adopts a stricter version of M.G.L. c. 30B, section 6(a):

A chief procurement officer may enter into procurement contracts in the amount of more than \$20,000, but then shall be required to utilize competitive sealed proposals, in accordance with the provisions of this section. The chief procurement officer shall not solicit competitive sealed proposals unless he has determined in writing that selection of the most advantageous offer requires comparative judgments of factors in addition to price, specifying the reasons for his determination.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. Newbold	68 Fairview Rd	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Steward	245 Hupi Rd	William Steward
✓ 4. Lynn Steward	245 Hupi Rd	Lynn Steward
✓ 5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark J. Malve	[REDACTED]	
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Jonathan Sylbert	263 Hupi Rd	Jonathan Sylbert
✓ 10. Lisa Smyle	263 Hupi Rd.	Lisa Smyle
11. Myra Rectinger	64 HUPI RD	Myra Rectinger
12. Daniel Adams	16 Tyringham	Daniel Adams
13.		
14.		
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17.		
18.		

Article 8

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Procurement Contracts:

The town hereby adopts a more strict version of M.G.L. c. 30B, section 3:

A procurement officer who awards a contract in the amount of \$5,000 or more shall maintain a file on each such contract and shall include in such file a copy of all written documents required by M.G.L. c. 30B. Written documents required by this chapter shall be retained by the governmental body for at least six years from the date of final payment under the contract. Except as provided by paragraph (d) of section six, the records shall be open to public inspection via the town's website for no charge.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. Jenn F. Weygold	68 Fairview Rd Monterey	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Darnard	640 Hupi Rd	William Darnard
✓ 4. Lynn P Starnard	245 Hupi Rd	Lynn P Starnard
✓ 5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark JJ Makov	[REDACTED]	Mark JJ Makov
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Jonathan Sylbart	263 Hupi Rd	Jonathan Sylbart
✓ 10. Lisa Smyle	263 Hupi Rd.	Lisa Smyle
✓ 11. Steven Leam	167 Hupi Rd	
✓ 12. Magyra Rodriguez	64 HUPI AD.	Magyra Rodriguez
✓ 13. Daniel R.	16 Hupi Rd	Daniel R.
14.		
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16.		
17.		

Article 9

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May / 2021.

To see if the Town will vote to adopt the following as a new Town Bylaw or to act or take any other action in relation thereto:

Public Records/Procurement Contracts/Warrants:

All public documents shall be posted via a link onto the town's website and shall be searchable and available to the public for viewing. All public procurement contracts shall be posted via a link onto the town's website and shall be searchable and available to the public for viewing. After signature by the Selectboard all warrants shall be posted onto the town's website and available to the public for viewing. All documents used in any board, committee, or commission meetings shall be posted via a link on the town website for public review along with the minutes. There shall be no charge for any public documents, town documents, requested by one town governmental body seeking documents from another town public body, department, committee, commission etc.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. Waingold	68 Fairview Rd, Monterey	[Signature]
✓ 2. Emily Johnson	[REDACTED]	[Signature]
✓ 3. William Starnard	245 Hupi Rd	William Starnard
✓ 4. Lynn P Starnard	245 Hupi Rd	Lynn P Starnard
✓ 5. Ellen Whitbeck	37 River Rd	Ellen J. Whitbeck
✓ 6. Michael Johnson	[REDACTED]	[Signature]
✓ 7. Mark J. Makuc	[REDACTED]	[Signature]
✓ 8. Aaron Johnson	[REDACTED]	[Signature]
✓ 9. Jonathan Sylbur	263 Hupi Rd	[Signature]
✓ 10. Lisa Smyle	263 Hupi Rd.	Lisa Smyle
✓ 11. Mayra Rodriguez	64 HUPI RD.	Mayra Rodriguez
✓ 12. Harold Claason	16 Feynher Rd	Harold Claason
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19.		

Article 10

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the _____ Annual _____ Special Town Meeting to be held on _____, 20____.

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Residents' Bylaw Review Committee:

The voters of Monterey hereby desire the formation of a town elected Bylaw Review Committee of five (5) private residents, residents that shall not be currently employees of the town, or currently serving on the Selectboard, Finance committee, nor the Town Administrator. The term of the Bylaw Committee members shall be two (2) years. The Selectboard may only once appoint the resident members, at the original formation of the Bylaw committee. Thereafter, the other members shall be elected to their position in staggering terms. The Bylaw Review committee shall be tasked with reviewing the town's Bylaws, proposing revisions and additions thereto, which revisions and additions shall be included on all warrants to be voted on at yearly annual Town Meetings.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. Weingold	68 Fairview Rd Monterey	
✓ 2. Mary Theresa Makuc	571 Main Rd.	Mary Theresa Makuc
✓ 3. Madeleine Makuc	129 Tyringham Rd	Madeleine Makuc
✓ 4. John Makuc	129 Tyringham Rd	
✓ 5. Donald Clanson	16 Tyringham Rd	
✓ 6. Robert Ansell	56 Coeshire Rd	Bob Ansell
✓ 7. Shirley Anelli	56 Coeshire Rd	Shirley Anelli
✓ 8. Anne Marie Enck	80 Coeshire Rd	Anne Marie Enck
✓ 9. Emily Johnson	[REDACTED]	Emily Johnson
✓ 10. Michael Johnson	[REDACTED]	
✓ 11. Mayra Rodriguez	64 HUPT RD.	Mayra Rodriguez

Article 11

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following Bylaw:

SECTION 1.

Notwithstanding any general or special law or by-law of the town of Monterey to the contrary, the Selectboard of the town of Monterey shall appoint a full-time town administrator for at least a one (1) year term, or three (3) year term, or a longer term that may be authorized by law and may, at its discretion, appoint the town administrator for successive terms thereafter; provided, however that the Selectboard may remove the town administrator at its discretion solely for just cause and after a full open public hearing. The town administrator shall act by and for the select board in a matter that the board may assign relating to the administration of the affairs of the town or of a town office or departments under the supervision and control of the board and, with the approval of the board, may perform other duties that may be requested by another town officer, board, committee or commission. A town administrator appointed pursuant to this section shall be sworn to the faithful performance of the town administrator's duties. While in office, the town administrator shall devote full-time to the position of town administrator and shall not engage in another business or occupation and shall not hold elective town office; provided, however, that the town administrator may be appointed to another town office or position consistent with this office by the Selectboard or, with the board's approval, by any other town officer, board, committee or commission.

The town administrator shall be appointed on the basis of executive and administrative qualifications and shall be a person of proven professional ability fitted by education, training and previous full-time employment in a responsible public or business administrative position. A town administrator appointee shall not have held elective or appointed town office/position within the town for a period of 12 months prior to appointment as town administrator.

The position of town administrator shall not be subject to the personnel by-law of the town of Monterey. The Selectboard shall enter into an employment contract with the town administrator.

The Selectboard shall provide the town administrator with an annual job performance review with input from department heads, employees and members of elected and appointed boards. As part of its annual review, the board shall evaluate the town administrator's performance including the town administrator's ability to: (i) supervise municipal employees properly; (ii) administer town government effectively; (iii) effectuate policy; and (iv) accomplish established goals.

SECTION 2.

- (a) The town administrator shall be the chief administrative officer of the town of Monterey and shall be responsible for: (i) the administration and supervision of the town departments and appointed personnel under the jurisdiction of the Selectboard and as otherwise provided by law or the by-laws of the town of Monterey; (ii) directing the overall activity of the municipality when exercising authority for finances, operations and oversight; and (iii) implementing town policies.
- (b) Notwithstanding any general or special law or by-law of the town of Monterey to the contrary, the powers and duties of the town administrator shall include, but not be limited to, the authority and duty to:

- (i) exercise overall responsibility for human resources for the town including, but not limited to: authority for hiring, supervision, evaluation, discipline and removal of town employees under the jurisdiction of the Selectboard; and the responsibility to assist the personnel board in the implementation and administration of the personnel by-law of the town of Monterey

(ii) coordinate the recruitment and screening of suitable candidates for consideration and appointment of the chief of police, the fire chief and the superintendent of public works by vote of the Selectboard; provided, however, that the town administrator shall provide the board with relevant material for the evaluation of not more than 5 candidates; provided further, that if the board does not appoint any of the candidates, the town administrator shall continue to present candidates until 1 is appointed; and provided further, that the chief of police, the fire chief and the superintendent of the department of public works may be removed by vote of the Selectboard after consultation with the town administrator;

(iii) appoint and remove the department heads under the jurisdiction of the Selectboard except for the chief of police, and except as may otherwise be provided by law; provided, however, that the town administrator shall consult with the appropriate elected or appointed board, commission, committee or official, as well as the Selectboard, prior to appointing a department head or undertaking a department head's removal; provided further, that prior to finalizing a department head appointment, the town administrator shall provide notice to the Selectboard of the anticipated appointment and the terms and conditions of employment for the appointment which the Selectboard shall approve or disapprove within 14 days of the notice; provided, however, further, that a failure of the Selectboard to act within this 14-day period shall be deemed approval of the appointment and the terms and conditions thereof; and provided further, that the termination or removal of a department head so appointed shall be subject to the same appointment notice and approval requirements;

(iv) directly or by designee, appoint and remove the other town employees under the jurisdiction of the Selectboard except for employees in the police department;

(v) be responsible for: the supervision, management, evaluation and discipline of the other town employees under the jurisdiction of the Selectboard; the annual performance evaluations of the department heads; and overseeing the performance evaluation program

conducted by the department heads for employees within their respective departments;

(vi) act as hearing officer for appeals of police department disciplinary suspensions of not more than 5 days and act on behalf of the Selectboard in the grievance process;

(vii) prepare, develop and assemble, in a timely manner, the town budget for the non-school departments and accounts; provided, however, that following the development of the budget, the town administrator shall submit the entire budget document to the Selectboard for review; and provided further, that the town administrator shall forward the budget document, including alterations approved and incorporated therein by the Selectboard, to the finance committee;

(viii) act as the chief procurement officer for the town; provided, however, that the town administrator shall: exercise full authority for procurement pursuant to chapter 30B of the Massachusetts General Laws; be responsible for the purchase of supplies, materials, services and equipment; and have the authority to award and sign contracts that do not exceed \$50,000, commonwealth highway contracts and state and federal grants; provided further, that a contract that exceeds \$50,000 shall require the approval of the Selectboard; provided further, that the town administrator shall have the authority to sign a contract approved by the Selectboard on behalf of the town; and provided further, that contracts and grants signed by the town administrator shall be promptly reported, in writing, to the Selectboard;

(ix) attend the regular and special meetings of the Selectboard, unless unavailable for reasonable cause, have a voice, but not a vote, in its proceedings and keep full and complete records of the same;

(x) fully inform the Selectboard as to the needs of the town and make recommendations to the board with regard to such needs;

(xi) fully inform the Selectboard as to departmental operations, fiscal matters and administrative actions, provide regular reports to the board on such matters and provide special reports to the board at the board's request;

(xii) coordinate collective bargaining negotiations under the jurisdiction of the Selectboard, on behalf of and at the direction of the Selectboard;

(xiii) administer and enforce collective bargaining agreements and other employment agreements under the jurisdiction of the Selectboard, at the direction of and on behalf of the Selectboard;

- (xiv) manage the real and personal property of the town under the jurisdiction of the Selectboard;
- (xv) oversee the purchase of supplies, materials, services and equipment and approve the award of contracts for the town departments exclusive of the schools, subject to clause (viii);
- (xvi) determine the compensation of non-school employees within the limits of the town's salary and classification plan, collective bargaining agreements and other employment agreements and subject to the personnel by-law of the town of Monterey;
- (xvii) coordinate the activities of appointed and elected boards, committees and commissions and may require such bodies and individuals to meet with and provide information to the town administrator, at reasonable times, to coordinate and for financial planning; provided, however, that the town administrator shall be a resource to elected and appointed boards and departments;
- (xviii) reorganize, abolish, consolidate or establish a department or position under the town administrator's authority as the town administrator deems appropriate, subject to the approval of the Selectboard before implementation and funding by town meeting, if necessary;
- (xix) supervise, direct and be responsible for the efficient administration of the town departments under the jurisdiction of the Selectboard and for the functions for which the town administrator is given responsibility, authority or control by the Selectboard;
- (xx) delegate, authorize or direct any employee appointed under the jurisdiction of the Selectboard to exercise any power, duty or responsibility which the office of the town administrator is authorized to exercise;
- (xxi) administer and enforce, directly or through a person supervised by the town administrator, the laws of the commonwealth applicable to the town, the by-laws of the town of Monterey and the regulations and policies established by the Selectboard;
- (xxii) investigate or inquire into the affairs of a town department under the jurisdiction of the Selectboard and have access to the books and records of the same;
- (xxiii) attend the sessions of town meeting, whether regular or special, unless unavailable for reasonable cause, and answer questions addressed to the town administrator, particularly the questions related to town finances, warrant articles and matters under the general supervision of the town administrator; and
- (xxiv) coordinate the prosecution, defense and compromise of litigation to which the town is a party at the direction of and on behalf of the Selectboard.
- (xxv) shall hire a professional internet company to maintain the Town's website, website security, website data, transparency, public documents, insure a user friendly website, emails addresses of all departments, RFP's, Town Reports, Town Audits, and department data for the benefit of the town's citizens.
- (xxv) Ensure that all state and Federal privacy laws are being followed

- (c) The town administrator shall exercise such additional authority and perform such other duties as are lawfully assigned by the Selectboard.

SECTION 3.

If there is a vacancy in the position of town administrator, the Selectboard of the town of Monterey shall appoint an interim town administrator to serve until a town administrator is appointed; provided, however, that the appointment shall not be longer than 8 months. The Select Board shall not appoint an interim town administrator that has held any elected or appointed position in town nor any town administrative assistant to this position.

SECTION 4.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John F. Wengold	68 Fairview Rd, Monterey	JFW
✓ 2. Emily Johnson	[REDACTED]	Emily
✓ 3. William Steward	245 Hupi Rd	William Steward
✓ 4. Lynn P Steward	245 Hupi Rd	Lynn P Steward
✓ 5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	[REDACTED]
✓ 7. Mark JJ Makua	[REDACTED]	Mark JJ Makua
✓ 8. Aaron Johnson	[REDACTED]	[REDACTED]
✓ 9. Jonathan Silbert	263 Hupi Rd	Jonathan Silbert
✓ 10. Lisa Smyle	263 Hupi Rd.	Lisa Smyle
✓ 11. Mylra Rodriguez	64 HUPI RD.	Mylra Rodriguez
✓ 12. David Cress	16 Franklin Rd	David Cress
13.		

Article 12

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the X Annual Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Conservation Commission Pay:

The town recognizes the importance of the Conservation Commission's work in protecting the town's lakes, streams, rivers and wetlands. Over the years the commission has had trouble maintaining membership on a volunteer basis. This maybe caused by the lack of compensation of the time and travel to visit sites for inspections. Therefore the town wishes to appropriate a reoccurring yearly stipend for each commission member of \$2,000.00 or higher amount as the town sees fit.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
1. John F. Weingold	68 Fairview Rd Monterey	[Signature]
2. Emily Johnson	[REDACTED]	[Signature]
3. William Starnard	245 Hupri Rd	William Starnard
4. Lynn Starnard	245 Hupri Rd	Lynn Starnard
5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
6. Michael Johnson	[REDACTED]	[Signature]
7. Mark JJ Makve	[REDACTED]	Mark JJ Makve
8. Aaron Johnson	[REDACTED]	[Signature]
9. Jonathan Sylbirt	263 Hupri Rd	[Signature]
10. HISA Smyle	263 Hupri Rd.	[Signature]
11. Myraa Reckinger	64 Hupri Rd	[Signature]
12. Donald Arose	16 Tyringham Rd	[Signature]
13.		
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19.		

Article 13

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following new Town Bylaw or to act or take any other action in relation thereto:

Finance Committee Pay:

The town realizes the important function of the Finance Committee in the oversight and preparation of the town's budget and the watchdog of all town financial matters. Given the work and expertise in this committee's work for the town, the town hereby votes to compensate the current nonpaid Finance Committee members with a reoccurring yearly stipend of \$3,000.00 per member for their time and commitment to the town's financial success.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F. Weivaold	68 Fairview Ad Monterey	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Steward	245 Hupi Rd	William Steward
✓ 4. Lynn P Steward	245 Hupi Rd	Lynn P Steward
✓ 5. Ellen Whitbeck	37 Park Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mary Ann Mack	JM [REDACTED]	Mary Ann Mack
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Susan Leon	94 Fairview Rd	
✓ 10. Maria Rodriguez	64 HUPI RD	Maria Rodriguez
✓ 11. Carol Gausser	16 Fringham Rd	Carol Gausser

Article 14

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:








We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following Bylaw:

To see if the Town will vote to change the current Selectboard from three (3) members to five (5) members.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John Flanagan	68 Fairview Rd	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William McAnard	245 Hope Rd	William McAnard
✓ 4. Lynn P Steward	245 Hope Rd	Lynn P Steward
✓ 5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark J. Makris	[REDACTED]	
✓ 8. Aaron Johnson	[REDACTED]	
✓ 9. Jonathan Sylbert	263 Hopi Rd	Jonathan Sylbert
✓ 10. Lisa Smyle	263 Hopi Rd.	Lisa Smyle
✓ 11. Susan Leary	96 Fairview Rd	
✓ 12. Magra Rodriguez	64 Hope Rd.	Magra Rodriguez
✓ 13. Sarah Clatus	16 Frynham Rd	

Article 15

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following as additions to the Town Bylaw Article II, Section 3 or to act or take any other action in relation thereto:

Section 3. Finance Committee

A Finance Committee consisting of three members shall be established under provisions of Section 16 of Chapter 39, Section 6 of Chapter 40 and Section 13 of Chapter 44 of the General Laws and section 6 of Chapter 798 of the Acts of 1951, with all the powers and duties thereof for a term of three years duly elected at Annual Town Meeting.

[In furtherance of defining the powers vested in the Town's Finance Committee as referenced above: the Monterey Finance Committee is in complete control of the Town's annual budgets and shall advise on all town financial matters and shall be the watchdog over the Town's financial affairs. Control and the duties of the Monterey Finance Committee are defined as, but are not limited to the following: financial data gathering, freely receiving financial information from the town accountant, treasurer, tax collector and other town staff, requests for department budget goals and yearly budget requests from all departments, commissions, boards, or other entities, they shall create an annual Budget Document, per the Department of Local Services Budget Document best practices, to convey the town's financial condition and to explain the budget to the Town's voters, the Budget Document shall be presented to voters a minimum of 30 days before any Annual meeting; shall hold quarterly meetings to assess the town's financial condition, shall have the power to call for a financial audit of all entities receiving taxpayer money or have a line item in the budget, they may conduct public hearings into said audits, shall conduct all financial analysis, strategic goal planning, forecasting of revenues and expenditures, capital planning, conduct all public hearings, all public meetings with department heads, shall maintain a continuous Town Master Budget and Master Capital budget spreadsheet, shall create a town Budget Calendar, and shall draft the annual town budget to be inserted into the Town's Annual Meeting Warrant, and shall supervise, draft, and advise on any financial matters in any Special Town Meeting Warrants, shall make all presentations of the Town's budget warrants to the voters, with explanations to the Town voters at all Annual and Special Town Meetings of the budget items. The Budget Document shall be posted to the Town website at least 21 days before any Town Meeting.]

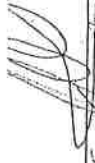















This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name

Street Address

Signature

1. John F. Weingold 68 Fairview Rd Monterey 
2. Emily Johnson  
3. William Steward 245 Hupi Rd 
4. Lynn P Steward 245 Hupi Rd 
5. Steven Fuller 409 Main Rd 
6. Glen Whetbeck 37 River Rd 
7. Michael Johnson  
8. Mark J. Maki  
9. Aaron Johnson  
10. Jonathan Silburt 263 Hupi Road 
11. Lisa Smyke 263 Hupi Rd 
12. Kaitlin Redington 64 HUPI RD 
13. Daniel Chase 16 Turick Rd 

Article 16

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following Bylaw:

Selectboard Meeting Times/Recording:

All Selectboard meetings shall be held starting at 6:30 pm on the first and third Wednesday of the month for the convenience of working citizens and to encourage greater citizen involvement. Bi-monthly Selectboard meetings shall be held on a Saturday, starting at a convenient time after 1:00 pm. All Selectboard meetings outside of the first and third Wednesdays, and Saturdays shall only be held by a majority vote of the Selectboard. All Selectboard meetings shall be accessible remotely. All Selectboard meetings shall be video and audio recorded for access by the public and the meeting recording links shall be posted to the Town's website within a week of the meeting. The video and audio recordings shall be retained by the town and accessible by the public for 3 years.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John F. Weingold	68 Fairview Rd	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Steward	245 Hope Rd	William Steward
✓ 4. Lynn P Steward	245 Hope Rd	Lynn P Steward
✓ 5. Ellen Whitbeck	37 River Rd	Ellen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	
✓ 7. Mark T J Maker	[REDACTED]	
✓ 8. Daler Survea	505 Main Rd	
9. [REDACTED]	505 Main Rd	
✓ 10. Aaron Johnson	[REDACTED]	
✓ 11. Jonathan Sylbert	263 Hopi Rd	
✓ 12. Lisa Smyle	263 Hopi Rd.	Lisa Smyle
✓ 13. Susan Leon	96 Fairview Rd	
✓ 14. Mayra Rodriguez	64 Hopi Rd	Mayra Rodriguez
✓ 15. Janice Clausen	16 Tyrone Ln	Janice Clausen

Article 17

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following changes to Town Bylaw or to act or take any other action in relation thereto:

Section 18 Quarterly Meeting

The Town voted to direct the Select Board to establish an All Boards Meeting [starting at 6:30 pm] held at least once a year [at least (4) four times a year], which will be announced in advance and open to the public [remotely], consisting of at least one representative from each Town Committee, Board and Department to coordinate current and future department needs [concerns] [budget concerns] [long range planning] and activities.

This act shall take effect upon its passage.

Printed Name

Street Address

Signature

1. John F. Wengold 68 Fairview Rd

2. Emily Johnson [REDACTED]

3. William Starnard 245 Hupi Rd

4. Lynn P Starnard 245 Hupi Rd

5. Ellen Whitbeck 37 River Rd

6. Michael Johnson [REDACTED]

7. Mark J. Mabe [REDACTED]

8. Aeron Johnson [REDACTED]

9. Jonathan Sylbert 263 Hupi Rd

10. Lisa Smyle 263 Hupi Rd

11. Myrae Reckinger 64 HUPI RD

12. Daniel Adams 16 Tyringham

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Article 18

VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the Annual Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following Bylaw:

Public Comment:

All Selectboard meetings held after the date of adoption, the Chair shall allow the public to comment on the issue pending before the Selectboard, before the Selectboard votes on the matter. The public's opinions on the issue should be addressed before the Selectboard votes on any issue. This rule shall be followed by all town committees, boards, and commissions.

This act shall take effect upon its passage.

or to act any other action in relation thereto.

Printed Name	Street Address	Signature
✓ 1. John F. Wengold	68 Fairview Rd	[Signature]
✓ 2. Emily Johnson	[REDACTED]	[Signature]
✓ 3. Lynn P Steward	245 Hupi Rd	[Signature]
✓ 4. William StAnard	245 Hupi Rd	William Steward
✓ 5. Glen Whitbeck	37 River Rd	Glen Whitbeck
✓ 6. Michael Johnson	[REDACTED]	[Signature]
✓ 7. Mark J.J. Makic	[REDACTED]	[Signature]
✓ 8. Aaron Johnson	[REDACTED]	[Signature]
✓ 9. Jonathan Sylmar	263 Hupi Rd	[Signature]
✓ 10. Lisa Smyle	263 Hupi Rd.	[Signature]
✓ 11. Susan Leon	96 Fairview Rd	[Signature]

11. Marysa Reckinger 64 HUPI RD Monterey

12. Donald A. Leon 116 Tyringham Rd Monterey

- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____

Article 19 VOTER PETITIONED ARTICLE FOR TOWN MEETING WARRANT

To the Monterey Selectboard:

We, the undersigned registered voters of the Town of Monterey, hereby petition the Board of Selectman pursuant to MGL ch. 39, § 10 to insert the following article onto/into the Warrant for the ~~X~~ Annual ___ Special Town Meeting to be held on May 1, 2021.

To see if the Town will vote to adopt the following as a new Town Bylaw or to act or take any other action in relation thereto:

Monterey Code of Ethics:

Town of Monterey Code of Ethics

Preamble

The citizens and businesses of the Town of Monterey are entitled to have fair, transparent, ethical and accountable local government which has earned the public's full confidence for integrity. The effective functioning of democratic government therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of cooperation.

To this end, the voters in the Town of Monterey hereby adopts a Code of Ethics for our public officials and employees to assure public confidence in the integrity of local government and its effective, civil, transparent, and fair operation.

Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, officials will work for the common good of the people of Monterey and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.

Comply with the Law

Officials shall comply with Federal and State laws, as well as the Town of Monterey's bylaws and policies in the performance of their public duties. Town officials and employees, whether elected or appointed, full or part time, paid or unpaid, must comply with the restrictions of the state's conflict law. The law also regulates the activities of former employees and business partners of current and former employees. The purpose of the law is to ensure that your private interests and relationships do not conflict with your responsibilities as a public official. Government is a government of laws, not men/woman.

1

Conduct of Town Officials

The professional and personal conduct of officials must be above reproach and avoid even the appearance of impropriety. Officials shall refrain from abusive conduct or speech, profanity, personal charges or verbal attacks upon the character or motives of other town officials, the staff, or public whether at meetings, in emails, or on social media. All town employees shall act with respect, honesty, and transparency in all governmental operations.

Respect for Process

Officials shall perform their duties in accordance with the processes and rules of order which have been established by their respective board, commission or committee, and which govern the deliberation of public policy issues, meaningful involvement of the public, and the ability of Town staff to implement policy decisions as authorized by the Board of Selectmen.

Conduct of Public Meetings

Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Open Meeting Law

All boards, commissions, and committees shall comply fully with all requirements of MGL c. 30A, Section 20. All officials and committee members shall be required to complete yearly free online open meeting law training provided by the Open Meeting Division of the Attorney General's office. All minutes created by all boards and committees shall be accurate and detailed to the extent that a person not at the meeting can read the minutes and understand what exactly happened during the meeting. Each official and committee member has the duty to ensure accuracy before approval. A list of documents shall be included in each set of minutes as required by law.

Endorsement of Candidates

Officials have the right to endorse candidates for all Board of Selectmen seats or other elected offices. It is inappropriate to mention endorsements during public meetings or other official Town functions.

Keep political support away from public forums

Just as Board and Committee members may offer political support to a Selectman, but not in a public forum while conducting official duties, Selectmen may also support Board and Committee members who are running for office, but not in an official forum in their capacity as a Selectman.

Communication

Officials shall publicly share substantive information that is relevant to a matter under consideration by a board or committee, which they may have received from sources outside of the public decision-making process.

Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, officials shall not use their public positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. Town employees and officials are prohibited from taking any official action on matters affecting your own financial interests, or the financial interests of: your immediate family members (i.e., your spouse and the parents, siblings and children of either you or your spouse); partners; your employer(s) other than your town; anyone with whom you are negotiating or have an arrangement concerning prospective employment; or organizations for which you serve as an officer, director, partner, employee or trustee.

This Code prohibits officials from taking any type of official action that could create an appearance of impropriety, or otherwise acting in a manner which could cause an impartial observer to believe that your actions are tainted with bias or favoritism. Before taking any type of action which could appear to be biased, the official must first file a full, written disclosure of all the relevant facts with the Town Clerk.

All Town officials, departments, committee members and employees shall comply with all standards of conflicts under MGL c. 268 and all subsections thereof.

Gifts and Favors

Officials and department heads shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the

public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

Confidential Information

Officials shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

Use of Public Resources

Officials shall not use public resources not available to the public in general, such as Town staff time, equipment, supplies or facilities, or vehicles for private gain or personal purposes.

Representation of Private Interests

In keeping with their role as stewards of the public interest, Public Officials shall not appear on behalf of the private interests of third parties before any Board, Commission, Committee or proceeding of the Town. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Monterey, nor will they allow the inference that they do.

Advocacy

Officials shall represent the official policies or positions of the Town to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Monterey nor will they allow the inference that they do.

Policy Role of Officials

4

Officials shall respect and adhere to the Board of Selectmen structure of government. In this structure, the Board of Selectmen determines the policies of the Town with the advice, information and analysis provided by the public, other boards, committees, commissions, and Town staff.

Public Officials therefore should not interfere with the administrative functions of the Town or the professional duties of Town staff.

Independence of Boards, Commissions and Committees

Because of the value of the independent advice of boards and committees to the public decision-making process, public officials shall refrain from using their position to unduly

influence the deliberations or outcomes of proceedings. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Monterey nor will they allow the inference that they do.

Positive Work Place Environment

Officials shall support the maintenance of a positive and constructive work place environment for Town employees, all boards, committees, and for citizens and businesses dealing with the Town. Officials shall recognize their special role in dealings with Town employees to in no way create the perception of inappropriate direction to staff.

Implementation

As an expression of the standards of conduct for public officials expected by the Town of Monterey, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when officials are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the written orientation materials for candidates for all Town positions, applicants to boards, committees, and commissions, and newly elected and appointed officials. All public officials shall annually review the Code of Ethics, and the Board of Selectmen shall consider recommendations to update it as necessary.

Compliance and Enforcement

The Monterey Code of Ethics expresses standards of ethical conduct expected for all Public Officials. Officials themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

All boards, all committee members, committees, committees, department heads have the additional responsibility to intervene when actions that appear to be in violation of the Code of Ethics are brought to their attention.

A violation of this code of ethics shall not be considered a basis for challenging the validity of a board, committee, or commission decision. However a violation will be subject to a public censure.

Each Town employee must certify yearly they have read the Code and sign a certification they have received a copy of the Code and understand their responsibilities under the Code.

This act shall take effect upon its passage.

Printed Name	Street Address	Signature
✓ 1. John F Weingold	68 Fairview Rd	
✓ 2. Emily Johnson	[REDACTED]	
✓ 3. William Steward	245 Heger Rd	William Steward
✓ 4. Lynn P Steward	245 Heger Rd	Lynn P Steward
✓ 5. Steres Pullen	409 Main Rd	
✓ 6. Elka Whitbeck	37 River Rd	Elka Whitbeck
✓ 7. Michael Johnson	[REDACTED]	
✓ 8. Mark J Johnson	[REDACTED]	
✓ 9. Aaron Johnson	[REDACTED]	
✓ 10. Jonathan Sylvest	263 Hoopi Rd.	
✓ 11. Lisa Smyle	263 Hoopi Rd.	Lisa Smyle
✓ 12. Susan Lee	207 Alameda St	
✓ 13. Mayra Rodriguez	64 HUPI RD.	Mayra Rodriguez
✓ 14. Donald Clouston	16 Springfield Rd	
15.		
16.		
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