

**REPORT ON SPECIAL TOWN MEETING**  
**TOWN OF MONTEREY, October 24, 2020**  
**COUNTY OF BERKSHIRE, SS.**

On October 24, 2020, 71 people qualified to vote at Special Town Meeting gathered in the pavilion behind the firehouse of the Town of Monterey at 2:00 p.m.  
Proceeding to the articles of this meeting, the following actions were taken on the following articles.

**ARTICLE 1.** To see if the Town will vote to transfer from free cash the sum of \$3,305 or any other sum to pay for FY19 bills submitted after the deadline to pay (\$3,223 for Parks Commission expenses and \$82 for the highway, transfer station and town hall), or take any other action relative thereto.  
YES: UNANIMOUS VOTE

**ARTICLE 2.** To see if the Town will vote to transfer from free cash the sum of \$550 or any other sum to pay for the issuance costs associated with borrowing for the library, or take any other action relative thereto.  
YES: UNANIMOUS VOTE

**ARTICLE 3.** To see if the Town will vote to appropriate the sum of \$230,000 from the general stabilization account or any other sum and to borrow \$230,000 for the purpose of purchasing and outfitting two Freightliner M2 trucks for the Highway Department, and to authorize the Select Board to trade in or sell at auction the 2005 Osh Kosh, 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)

**Article: 3 was modified to read:**  
To see if the town will vote to appropriate the sum of \$230,000 from the general stabilization account or any other sum and to appropriate from Free Cash \$230,000 for the purpose of purchasing and outfitting two Freightliner M2 trucks for the Highway Department, or to take any other action relative thereto. 2/3 vote required, secret ballot)

Borrow was replaced with Free Cash plus the removal of to authorize the select board to trade in or sell at auction the 2005 OshKosh, and to authorize the Town Treasurer with the approval of the Selectboard to borrow said amount.  
Motion to stop discussion 71 in favor of stopping discussion, 4 in favor of continuing discussion. 2/3 vote and discussion was stopped. As you can see 4 people voted twice since we had 71 voters present.  
Motion to approved modified Article #3 Stabilization \$230,000 and Free Cash \$230,000 passes with a 2/3 vote- Yes 64 and No 5.

**ARTICLE 4.** To see if the Town will vote to transfer from free cash the additional sum of \$15,000 or any other sum to purchase a rescue boat for the Fire Department and to authorize the Select Board to trade in or sell at auction the 1999 Riverboat and trailer, or take any other action relative thereto.

**Article 4 was modified Free Cash was not needed to purchase rescue boat.**

**ARTICLE 4 was modified to read: To see if the town will authorize the Board of Selectmen to trade in or sell at auction the 1999 Riverboat and trailer, or take any action thereto.**  
YES: UNANIMOUS VOTE

**ARTICLE 5.** To see if the Town will vote to authorize the Select Board to petition the General Court to enact special legislation, pursuant to G.L. c. 43B, section 11, to establish recall election procedures as follows:

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

SECTION 2. Twenty-five 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 ten (10) 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 forthwith 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) months 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 hereinbefore 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.


SECTION 7. A person recalled from office or who has resigned from office while a recall petition was pending against them, shall not be appointed to any town office within two (2) years after the recall or resignation.

or take any other action relative thereto.

After a lengthy discussion this article was tabled with a vote of:  
YES 45 AND NO 10. Article 5 has been tabled.

There being no further business to be brought before this Special Town Meeting, the Moderator entertained a motion, which was seconded to adjourn at 3:30 p.m.

Respectively submitted,

  
Terry L. Walker

Town Clerk-Town of Monterey