October 7, 2020

Greetings!

Please find attached the special town meeting warrant which will be held at **2pm on Saturday, October 24th** at the **Firehouse of the Monterey Fire Company Ltd**. in said Town. Social distancing guidelines will be followed and all attendees must wear a mask unless you have a medical condition preventing you from doing so. Seats will be spaced 6 feet apart, members of the same household may sit closer to each other. This letter is included with the warrant to clarify items that we feel may need a little extra explanation.

Article 1: This article is to pay for $3,223 FY20 bills submitted to the Parks Department and a total of $82 in FY20 bills for the transfer station, highway and town hall.

Article 2: This article will pay for the bank issuance costs associated with the renewal of the one year library note.

Article 3: Earlier this year the highway department had requested the town purchase 2 – Freightliner M2's to replace the 2005 OshKosh as outlined in our capital plan. The Select Board had agreed to purchase 2 and the Finance Committee had agreed to purchasing 1, it was agreed to let the voters decide 1 or 2. Soon after COVID hit the highway department was asked to delay the request to purchase until a special town meeting in the fall, which was agreed to by all parties.

The current 2005 Oshkosh while big and fierce looking is not a suitable truck for the highway operations in town. Its size is too wide for most of our roads limiting its versatility. It is sluggish and designed for snow and ice so it primarily is only used during the winter months. Parts are not readily accessible and can take up to 3 or more months to acquire and when repairs are necessary the cost can be exorbitant. To replace this truck as is would be upwards of $400k.

The highway department is proposing to replace the Oshkosh with 2 Freightliner M2's. The M2's would both be outfitted with a full complement of snow/ice and summer gear making it a four season truck rather than one. This truck is a smaller, lighter and quicker option that allows for more efficient plow routes. It comes with a 5 yr full powertrain warranty. It is 4WD and able to plow the dirt roads in addition to paved. Its size allows for efficient work with the excavator. Repairs can be done locally and parts are readily available. These 2 trucks will complement the rest of our fleet in the most efficient manner and could be on a 10 year replacement plan.

Please keep in mind that approval of the purchase of these trucks may occur in October however the ordering and build out of them will take a minimum of 1 year so they would not be added to our fleet until the fall/winter of 2021.

The current pricing for the frame, cab and chassis is good under the state contract until the end of October. The price with then increase by upwards of $70k.

The Director of Operations requests that you strongly consider purchasing the 2 trucks at one time rather than just 1 as it would benefit the town by locking in the current pricing and they would be built consecutively so they would be identical making all the parts the same (eliminating the need for 2 different sets of stock as parts change from year to year). Delaying one truck to the May annual town meeting would mean doubling up on truck purchases next year as the 2007 Kenworth is on the capital plan to be replaced then at an approximate cost of $200k.

Article 4: The fire department is requesting to purchase a rescue boat. The air boat the town currently owns is not the proper means of transportation for emergency services when a water rescue is required. Monterey has 6 bodies of water (588 acres) and assists with mutual aid to other South County towns. Over the last few years, Monterey has had 3 calls in town and 4 calls to assist in a surrounding town.

When the town originally purchased the airboat the administration at the time was sold on the fact that it could be used in all conditions (ice, snow, etc). It turns out this was untrue and is very dangerous to operate on snow and ice and it is actually better suited for shallow water, rivers and swamps. Each year the topic comes up about selling this boat and purchasing what the town needs and every year it never makes it past the Select Board.

The boat proposed is an inflatable rescue boat. It is an economical, rugged, versatile and low to the water style vessel. While the towns of New Marlborough and Otis currently have these boats when the call is for someone in distress it is not practical to wait over 15 minutes for them to respond. It is also not practical to rely on using a resident's private boat because they are not always available, the resident is not always as careful a driver as a fireman would be who has been trained in these types of operations and the general public shouldn't be subjected to the potential negative outcomes that these types of calls could produce. Alternative funding is being sought but as of the printing of this letter we have not received a determination.

Free cash is money that the residents have already been taxed on. Free Cash is the remaining monies from accounts that did not use their full allotment for the year added to the fees the town takes in for such things as dog licenses, building permits, transfer station stickers, etc.

SPECIAL TOWN MEETING 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 to meet in the Firehouse of the Monterey Fire Company Ltd. in said Town on Saturday, October 24, 2020, at 2 o'clock in the afternoon, then and there to act 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.

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.

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 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 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 officer 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.

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 October, 2020.

Donald S. Coburn

Steven Weisz

John Weingold
MONTEREY SELECT BOARD