

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

To: Raymond W. Tryon, 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 Firehouse of the Monterey Fire Company Ltd. in said Town on Saturday, May, 7 2011, at 9:30 o’clock in the morning, then and there to act on the following articles:

ARTICLE 1. To bring in their votes to the election of officers of the Town on the official ballot provided by the Town Clerk for the following officers of the Town:

- 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 Assessors for one year
- 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
- One member of the Park Commission for three years
- One member of the Planning Board for five years
- One member of the Planning Board for three years
- One member of the Select Board for three years
- One Tree Warden for one year

ARTICLE 2. To hear and act on the reports of all Officers, Agents and Committees of the Town.

ARTICLE 3. 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, 2011, to June 30, 2012, pursuant to the provisions of Chapter 41, Section 108, of the General Laws, or take any other action relative thereto.

Select Board Chair	\$4,300
Select Board 2 nd	\$4,300
Select Board 3 rd	\$4,300
Assessors Chair	\$4,000
Assessors 2 nd	\$4,000
Assessors 3 rd	\$4,000
Board of Health Chair	\$ 400
Board of Health 2 nd	\$ 400
Board of Health 3 rd	\$ 400

ARTICLE 4. 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.

Account	Description	FY 11	FY12	Increase
		APPROVED	REQUEST	Decrease
100	GENERAL GOVERNMENT			
114	Moderator	100.00	100.00	0.00
122	Select Board Elected	12,900.00	12,900.00	0.00
122	Select Board Expenses	4,500.00	5,000.00	500.00
124	Temporary Employee	1.00	1.00	0.00
131	Finance Committee Expenses	100.00	100.00	0.00
132	Town Reserve Fund	5,000.00	15,000.00	10,000.00
135	Town Accountant Salary	14,000.00	14,000.00	0.00
135	Town Accountant Expenses	200.00	200.00	0.00
141	Assessors Elected	12,000.00	12,000.00	0.00
141	Asst. Assessor	33,418.00	33,418.00	0.00

141	Assessors Clerk	7,210.00	7,956.00	746.00
141	Assessors Expenses	12,875.00	15,775.00	2,900.00
141	Assessors Software	5,800.00	6,000.00	200.00
145	Treasurer Elected	14,007.00	14,007.00	0.00
145	Treasurer Expenses	2,440.00	2,400.00	(40.00)
145	Treasurers Tax Titles	2,500.00	2,500.00	0.00
146	Tax Collector Elected	15,952.00	15,952.00	0.00
146	Tax Collector Expenses	4,300.00	4,300.00	0.00
147	Tax Coll. Computer	4,800.00	4,800.00	0.00
148	Bank Charges	200.00	200.00	0.00
151	Town Counsel	10,609.00	10,609.00	0.00
151	Town Counsel Expenses	1,500.00	1,500.00	0.00
158	Printing & Stationery	3,500.00	3,500.00	0.00
159	Inter-Departmental Secretary	41,199.00	41,199.00	0.00
160	Procurement Expenses	1.00	1.00	0.00
161	Town Clerk Elected	18,715.00	18,715.00	0.00
161	Town Clerk Expenses	4,650.00	4,650.00	0.00
162	Election	4,236.00	4,236.00	0.00
163	Registration	294.00	294.00	0.00
164	Street List/Census	2,000.00	2,000.00	0.00
164	Street List/Census Expenses	750.00	750.00	0.00
171	Conservation Comm.	750.00	750.00	0.00
175	Planning Board Clerk	1,500.00	1,500.00	0.00
175	Planning Board expenses	250.00	300.00	50.00
176	Board of Appeals expenses	2,100.00	4,000.00	1,900.00
176	Board of Appeals Clerk	1.00	1.00	0.00
192	Meeting Hall	935.00	975.00	40.00
195	Town Report	1,000.00	1,000.00	0.00
196	Town Offices	30,000.00	30,000.00	0.00
197	Computer Software & Supplies	4,000.00	4,000.00	0.00
198	Accounting Software	5,211.00	5,400.00	189.00
	Subtotal	285,504.00	301,989.00	16,485.00
200	<i>PROTECTION, PERSONS & PROPERTY</i>			
209	Constable	300.00	300.00	0.00
210	Police Chief Wages	54,616.00	57,866.00	3,250.00
210	Police Officer	38,796.00	38,796.00	0.00
210	Police Expenses	62,843.00	66,279.00	3,436.00
212	Police Rental Facilities	3,600.00	3,600.00	0.00
220	Fire Dept. Expenses	32,000.00	34,800.00	2,800.00
221	Berk. Cty. Sheriff Comm.	7,788.00	8,022.00	234.00
222	Fire Dept Compensation	60,000.00	76,500.00	16,500.00
240	Building Inspector	25,720.00	25,720.00	0.00
240	Building Inspector Expenses	2,268.00	2,768.00	500.00
243	Plumbing and Gas Inspector	3,751.00	3,000.00	(751.00)
243	Plumbing /Gas Inspector Exp	1,120.00	0.00	(1,120.00)
244	Fire Inspector	2,600.00	2,600.00	0.00
245	Wiring Inspector	3,245.00	2,500.00	(745.00)
245	Wiring Inspector Expenses	700.00	0.00	(700.00)
246	Alternate Inspectors	500.00	500.00	0.00
247	Animal Inspector	900.00	900.00	0.00
292	Animal Control/Dog Officer	3,250.00	1.00	(3,249.00)
293	Animal Control Expenses	500.00	500.00	0.00
296	Tree Warden Salary	3,150.00	3,150.00	0.00
296	Tree Warden Expenses	15,230.00	15,230.00	0.00
	Subtotal	322,877.00	343,032.00	20,155.00
300	<i>EDUCATION</i>			
301	School Committee	1,200.00	1,200.00	0.00
310	Schools: Capital	82,000.00	12,189.00	(69,811.00)
310	Schools: Operating	979,481.00	1,083,252.00	103,771.00
	Subtotal	1,062,681.00	1,096,641.00	33,960.00
400	<i>PUBLIC WORKS & FACILITIES</i>			
422	Highway Maintenance	143,363.00	143,363.00	0.00
422	Director Of Operations	66,200.00	66,200.00	0.00

422	Foreman	46,007.00	46,007.00	0.00
422	Hwy 2 Compensation	43,382.00	43,382.00	0.00
422	Hwy 3 Compensation	43,382.00	43,382.00	0.00
423	Salt and Sand	150,000.00	150,000.00	0.00
423	Supplies & Fuel	43,944.00	43,944.00	0.00
423	Winter Overtime	18,000.00	18,000.00	0.00
424	Public Lighting	3,100.00	3,000.00	(100.00)
427	Machinery & Tools	32,000.00	32,000.00	0.00
428	Town Garage	15,865.00	15,865.00	0.00
429	Highway Capital	65,000.00	65,000.00	0.00
430	Dam Inspection & Maint.	4,000.00	4,000.00	0.00
431	So. Berk. Waste District	3,129.00	3,129.00	0.00
433	Transfer Station	95,000.00	98,000.00	3,000.00
435	Household Hazardous Waste	1,600.00	1,600.00	0.00
436	Group Purchasing Regional	600.00	600.00	0.00
491	Cemetery Maintenance	1,000.00	1,000.00	0.00
491	Cemetery Lawn Care	24,350.00	24,350.00	0.00
495	Soldiers Graves	700.00	1,000.00	300.00
	Subtotal	800,622.00	803,822.00	3,200.00
500	<i>HUMAN SERVICES</i>			
510	Board of Health Salary	1,500.00	1,200.00	(300.00)
510	Board of Health Expenses	400.00	400.00	0.00
510	Board of Health Clerk	4,500.00	4,500.00	0.00
511	Sanitary Inspector	22,653.00	22,653.00	0.00
522	Visiting Nurse	2,079.00	2,107.00	28.00
523	Berkshire Mental Health	1,082.00	1,082.00	0.00
529	Community Health Program	1,500.00	1,500.00	0.00
531	Berkshire South Regional Community Center	2,000.00	2,000.00	0.00
541	Council on Aging	200.00	200.00	0.00
543	Veterans Benefits	1.00	14,000.00	13,999.00
	Subtotal	35,915.00	49,642.00	13,727.00
600	<i>CULTURE & RECREATION</i>			
610	Library General	46,568.00	50,500.00	3,932.00
611	Library Maintenance	3,862.00	4,500.00	638.00
630	Park Commission	33,600.00	35,280.00	1,680.00
630	Parks Lawn maint., spring/fall clean up	6,500.00	6,500.00	0.00
640	I love Monterey	1.00	1.00	0.00
641	Cultural Council	2,800.00	2,800.00	0.00
692	Memorial Day	1,500.00	1,500.00	0.00
	Subtotal	94,831.00	101,081.00	6,250.00
700	<i>DEBT SERVICE</i>			
700	Debt Service	1.00	1.00	0.00
	Subtotal	1.00	1.00	0.00
900	<i>MISCELLANEOUS EXPENSES</i>			
911	Berk. County Retirement	67,690.00	79,950.00	12,260.00
913	Employment Security	1,200.00	800.00	(400.00)
914	Health Insurance (previously Health & Life Insurance)	100,995.00	121,200.00	20,205.00
914	Life Insurance (FY11 amount included in line above)	0.00	636.00	636.00
915	Medicare	10,150.00	10,450.00	300.00
945	Bonds & Insurance	68,839.00	56,000.00	(12,839.00)
	Subtotal	248,874.00	269,036.00	20,162.00
	Total Operating Expenses	2,851,305.00	2,965,244.00	113,939.00
	Special Articles	355,903.00	356,641.00	738.00
	Total	3,207,208.00	3,321,885.00	114,677.00

ARTICLE 5. To see if the Town will vote to amend the existing Regional Agreement Establishing the Southern Berkshire Regional School District to read in its entirety as set forth in the document titled "Restatement of Regional Agreement Establishing the Southern Berkshire Regional School District" and submitted by the Egremont Board of Selectmen. (Copies of the Egremont proposed restatement are available at the Town Offices and at the Town Meeting.) (By ballot)

ARTICLE 6. Debt Authorization of the Southern Berkshire Regional School District

To see if the Town will vote to disapprove the debt authorization of the Southern Berkshire Regional School District Committee (as amended), authorizing the district to borrow up to \$3,000,000.00 for the purpose of paying the costs of remodeling and making extraordinary repairs to various school buildings of the District, and to pay the costs of purchasing various items of capital equipment, including without limitation, the purchase of equipment needed for general technology upgrades and building improvements and upgrades, and for the payment of costs incidental and related thereto, or take any other action in relation thereto.

ARTICLE 7. To see if the Town will authorize the Treasurer with the approval of the Select Board to borrow the sum of \$500,000 for the purpose of paving and drainage on Main Road, aka Route 23, to be borrowed only if approved for a STRAP GRANT from the Commonwealth, to be reimbursed by the Commonwealth at 100%, or to take any other action thereto.

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of \$50,000 or any other sum for the Stabilization Fund, or take any other action relative thereto.

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of \$28,855 or any other sum for the Police Department to purchase a 2011 Police Cruiser, or take any other action relative thereto.

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of \$30,000 or any other sum for the purchase and installation of new radios and related equipment for the Fire Department as mandated by the FCC, or take any other action relative thereto.

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of \$5,800 or any other sum for the Fire Department to purchase a Parrot's Beak, or take any other action relative thereto.

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of \$3,500 or any other sum for the Fire Department to purchase Brakes E-1, or take any other action relative thereto.

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of \$7,800 or any other sum for the Fire Department to purchase an Extractor, or take any other action relative thereto.

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of \$38,000 or any other sum for an addition to the Highway Garage to cover the fuel pumps, or take any other action relative thereto.

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of \$4,495 or any other sum for the purchase and installation of new radios and related equipment for the Highway Department as mandated by the FCC, or take any other action relative thereto.

ARTICLE 16. To see if the Town will vote to raise and appropriate the sum of \$10,000 or any other sum for engineering plans to redesign the transfer station, or take any other action relative thereto.

ARTICLE 17. To see if the town will vote to authorize and direct the Assessors to appropriate \$150,000 or any other sum, and to transfer said sum from Free Cash to reduce the tax levy for the fiscal year beginning July 1, 2011, or take any other action relative thereto.

ARTICLE 18. To see if the Town will vote to raise and appropriate the sum of \$11,000 or any other sum to hire a consultant to revise the town's bylaws, or take any other action relative thereto.

ARTICLE 19. To see if the Town will vote to authorize the Board of Selectmen to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services, or to take any other action relative thereto. (By ballot)

ARTICLE 20. To see if the town will vote to appropriate from free cash an amount not to exceed \$1,000 to be used as the joining fee to become a founding member of the WiredWest Cooperative, or take any other action thereto.

ARTICLE 21. To see if the Town will vote to raise and appropriate the sum of \$5,000 or any other sum for the Lake Buel Watershed Committee to maintain the outlet and spillway currently in place. The sole purpose is to control the flow of water and reduce the lake height in anticipation of flood seasons or to pay additional engineering costs for, further advance studies currently underway which will result in stabilizing the flood impact on properties in Monterey and New Marlborough, including the hamlet of (Hartsville), or take any other action relative thereto.

ARTICLE 22. To see if the Town will vote to raise and appropriate the sum of \$5,000 or any other sum for the purchase of Building Software through the Berkshire Regional Planning Commission, or take any other action relative thereto.

ARTICLE 23. To see if the Town will vote to transfer the sum of \$15,000 or any other sum from Overlay Surplus to the Reserve Fund, or take any other action relative thereto.

ARTICLE 24. To see if the Town will vote to appropriate the sum of \$5,000 or any other sum from the Receipts Reserve Septic Loan Fund for the Community Septic Loan Program, or take any other action relative thereto.

ARTICLE 25. To see if the Town will vote to raise and appropriate the sum of \$3,000 or any other sum to be deposited in a Stabilization Fund for the Retiree Health and Life Insurance; or take any other action relative thereto.

ARTICLE 26. To see if the Town will vote to raise and appropriate the sum of \$11,400 or any other sum for repairs and maintenance of the Bally Gally house on the former Wilson McLaughlin property, or take any other action relative thereto.

ARTICLE 27. To see if the Town will vote to raise and appropriate the sum of \$46,356 or any other sum for the loan and interest on the Kenworth and Pickup Truck, or take any other action relative thereto.

ARTICLE 28. To see if the Town will vote to raise and appropriate the sum of \$72,935 or any other sum for the loan and interest on the construction of a salt storage shed, or take any other action relative thereto.

ARTICLE 29. To see if the Town will vote to raise and appropriate the sum of \$2,500 or any other sum for Lakefest, or take any other action relative thereto.

ARTICLE 30. To see if the Town will vote to amend Article 1, Section 1 of the bylaws of the Town of Monterey, which now read “Annual Town Meeting shall be held on the first Saturday of May in each year, beginning in 1974” to replace said language with the following:
“Annual Town Meeting shall be held on the first Saturday of May in each year beginning in 2012, followed by the Annual Town Elections to be held on the first Tuesday in May following the first Saturday in May Annual Town Meeting”, or take any other action relative thereto.

ARTICLE 31. To see if the Town will vote to amend the Town of Monterey Bylaws, Article XII, by replacing Article 23 of the May 5, 2007 Annual Town Meeting with the following after section 5:

Section 6

No dogs are allowed on the Town beach or Green Park, or on any other location where the Town posts signage prohibiting dogs. A first offense will result in a \$50 fine, a second offense will be a \$100 fine, and any offenses thereafter will be a \$200 fine. Or take any other action relative thereto.

ARTICLE 32. To see if the Town of Monterey will vote to amend the Monterey Zoning Bylaws Section IV.F. Wireless Telecommunications, that was originally approved by voters in 1998, to include revisions proposed by the Planning Board entitled: Section IV.F.1 through 19 Personal Wireless Service Facilities, Towers and Repeaters, or take any other action relative thereto. The text of the bylaw (17 pgs.) is available for review at the Town Clerk’s Office and the Board of Selectmen’s Office at the Town Hall.

ARTICLE 33. To see if the Town will vote to amend the Monterey Zoning Bylaws Section III. A and C by replacing the current language with the following:

SECTION III.A. Types of Districts

For the purposes of this protective bylaw, the Town of Monterey is hereby divided into the following districts:

1. Agricultural-Residential District
2. Lake Shore District
3. Business District
4. Wireless Telecommunication Overlay District

and

SECTION III.C. Description of Districts

1. Lake Shore District: This district shall consist of all land located within 260 feet of the mean high water level line of Lake Buel or Lake Garfield

2. Business District: (*Amended May 1986*) This district shall consist of all the land bordering on Main Road known as Route 23 to a distance of 150 feet from the right-of-way lines of the highway between the following boundaries: the easterly boundary of the district shall be the right-of-way on the westerly side of New Marlborough Road and extending across to the easterly boundary of the Old Firehouse Property on said Main Road. The westerly boundary of the district shall be the westerly boundary of land now or formerly of Donald L. Amstead formerly known as the golf course property and extending across at a 90-degree angle to said Main Road.

3. Agricultural-Residential District: This district shall consist of all the area of the town not described under III.C.I. and III.C.2.

4. Wireless Telecommunications Overlay District: This district shall consist of all of the land within the Town of Monterey. The Overlay District is defined, delineated and mapped on the Map entitled "Wireless Telecommunications Overlay District Map, Town of Monterey, MA" and incorporated by this reference herein.

Or take any other action relative thereto.

ARTICLE 34. 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.

ARTICLE 35. 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, 2011, 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.

ARTICLE 36. To see if the Town will vote to amend Section 7, Town Meeting Warrants, of the Monterey Bylaws, by removing the requirement that the following article be place on the annual town meeting warrant every year, "To see if the Town will vote to appoint any committee or officers and them or any other officer of the Town instructions, authority or indemnity thought best, or take any other action relative thereto", or take any other action relative thereto.

ARTICLE 37. To see if the Town will vote to appoint any committee or officers and them or any other officer of the Town instructions, authority or indemnity thought best, or take any other action relative thereto.

ARTICLE 38. 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.

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 and the seal of the Town of Monterey this 11th day of April, 2011.

Jonathan Sylbert, Chairperson

Wayne Burkhart

Scott Jenssen
MONTEREY SELECT BOARD