



Annual Town Meeting Minutes

Saturday, April 28, 2018

9:00 A.M. Leverett Elementary School

Town Meeting called to order at 9:16 AM by Moderator Larry Farber, a quorum being deemed present (quorum, 73; present, @ 200). A moment of silence was called. The “rules” of a civil Town Meeting were reviewed by the Moderator. The Annual Report was dedicated to the Leverett Crafts and Arts building and to those rehabilitating it. Reports were given by the Leverett Alliance and the Historical Commission.

Article One: To choose all necessary town officers to serve for periods prescribed by law or Town bylaw, or take any action relative thereto.

The Moderator explains how elections are done, nominations taken from the floor and the Town Clerk casting one ballot for nominee, unless race is contested, in which case a paper ballot is used.

The following were elected in uncontested races: Assessors: vacant; Board of Health: Sarah Todd, John Hillman, David Stultz, and Rich Brazeau; Constable: Brian Emond; Finance Committee: Tom Powers and Gregg Woodard; Library Trustees: Rachel Flint and Lisa Sullivan Werner; Planning Board, Ken Kahn; School Committee: Levin Schwartz and Bethany Seeger; Select Board: Julie Shively.

Article Two: To see if the Town will vote to amend Section VI of the Amherst Pelham Regional School District Agreement by adding subsection i) as follows: For Fiscal Year 2019 only, the alternative operating budget assessment shall be calculated as 20% of the minimum contribution with the remainder of the assessment allocated to the member towns in accordance with the per-pupil method found in Section VI e) of the Amherst Pelham Regional School District Agreement, or take any action relative thereto.

Motion: (___Julie___) I move that the Town vote to amend Section VI of the Amherst Pelham Regional School District Agreement by adding subsection i) as follows: For Fiscal Year 2019 only, the alternative operating budget assessment shall be calculated as 20% of the minimum contribution with the remainder of the assessment allocated to the member towns in accordance with the per-pupil method found in Section VI e) of the Amherst Pelham Regional School District Agreement.

Seconded. Finance Committee approves. Sean Mangano, Finance Director explains changes.

Motion to call the question. Carries.

Main motion carries.

Article Three: To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as shall be necessary to meet Town expenses, or take any action relative thereto.

Motion: (___Peter___) I move that the Town vote to raise and appropriate or transfer from available funds such sums of money as shall be necessary to meet Town expenses.

Power Point presentation.

Finance Committee explanation of current and projected fiscal environment as it pertains to tax rate, tax rate cap, and prop 2 ½ and this year’s budget process. After over 1 hour of discussion, question called.

Moderator read budget line-by-line. **The following line items were held for further explanation: Assessors expenses, Veteran’s Services and Benefits, Stabilization, Town Hall Building, North Leverett Fire Station. Motion to approve unheld items totaling \$5,975,880 seconded and carries unanimously. Motion to approve held items for a total budget of \$6,052,921 seconded, carries unanimously**

Article Four: To see if the Town will vote to raise and appropriate the sum of \$20,000 for FY 2019 operating expenses of the Leverett Elementary School to offset revenue losses; such sum shall not be incorporated into the school's FY 2020 budget base, or take any action relative thereto.

Motion: (___Bethany Seeger___) I move that the Town vote to raise and appropriate the sum of \$20,000 for FY 2019 operating expenses of the Leverett Elementary School to offset revenue losses; such sum shall not be incorporated into the school's FY 2020 budget base.

School Committee explains and answers questions. Finance Committee has no exception as long as it is a one-time expense. Paper ballot called for. Balloting took place until 1:00 pm. **Carries: 170 in favor, 15 opposed.**

Article Five: To see if the Town will vote to set the salaries of elected officials as provided by MGL Chapter 41, Section 108, to be made effective from July 1, 2018 as presented in the budget, or take any action relative thereto.

Motion: (___Tom___) I move that the Town vote to set the salaries of elected officials as provided by MGL Chapter 41, Section 108, to be made effective from July 1, 2018 as presented in the budget.

Seconded. Carries unanimously.

Article Six: To see if the Town will vote to transfer the sum of \$38,184 from the Stabilization Account to purchase and equip a new or used Fire Chief's vehicle, or take any action relative thereto. **Needs 2/3 vote to pass**

Motion: (___Julie___) I move that the Town vote to transfer the sum of \$38,184 from the Stabilization Account to purchase and equip a new or used Fire Chief's vehicle.

Seconded, carries unanimously.

Article Seven: To see if the Town will vote to transfer the sum of \$15,500 from the Stabilization Account to purchase and equip a new or used trash compactor for the Transfer Station, or take any action relative thereto. **Needs 2/3 vote to pass**

Motion: (___Peter___) I move that the Town vote to transfer the sum of \$15,500 from the Stabilization Account to purchase and equip a new or used trash compactor for the Transfer Station.

Finance Committee approves.

Seconded, unanimously.

Article Eight: To see if the Town will vote to transfer the sum of \$2,600 from Free Cash to complete repairs to and repaint the Town Hall chimney, or take any action relative thereto.

Motion: (___Tom___) I move that the Town vote to transfer the sum of \$2,600 from Free Cash to complete repairs to and repaint the Town Hall chimney.

Seconded, carries unanimously.

Article Nine: To see if the Town will vote to transfer the sum of \$11,500 from Free Cash to paint the exterior of the Library building, or take any action relative thereto.

Motion: (___Julie___) I move that the Town vote to transfer the sum of \$11,500 from Free Cash to paint the exterior of the Library building.

Seconded, carries unanimously.

Article Ten: To see if the Town will vote to transfer the sum of \$88,521 from Free Cash to complete repairs on the sprinkler system at the Elementary School, or take any action relative thereto.

Motion: (___Peter___) I move that the Town vote to transfer the sum of \$88,521 from Free Cash to complete repairs on the sprinkler system at the Elementary School.

Finance Committee recommends.

Seconded, carries unanimously.

Article Eleven: To see if the Town will vote to transfer the sum of \$31,555 from Free Cash to pay the invoices associated with a Chapter 90 road project deficit from FY 2016 for various road paving work completed in the fall of 2015, or take any action relative thereto.

Motion: (___Tom___) I move that the Town vote to transfer the sum of \$31,555 from Free Cash to pay the invoices associated with a Chapter 90 road project deficit from FY 2016 for various road paving work completed in the fall of 2015.

Seconded, carries unanimously.

Article Twelve: To see if the Town will vote to transfer the sum of \$1,000 from Free Cash to pay two FY 2017 bills of prior years for employment physicals, or take any action relative thereto.

Motion: (___Julie___) I move that the Town vote to transfer the sum of \$1,000 from Free Cash to pay two FY 2017 bills of prior years for employment physicals.

Seconded, carries unanimously.

Article Thirteen: To see if the Town will vote to transfer the sum of \$300 from Free Cash to pay the newsletter proofreader the FY 2015 salary as a bill of prior year, or take any action relative thereto.

Motion: (___Peter___) I move that the Town vote to transfer the sum of \$300 from Free Cash to pay the newsletter proofreader the FY 2015 salary as a bill of prior year.

Seconded, carries unanimously.

Article Fourteen: To see if the Town will vote to transfer from Free Cash the sum of \$25,000 into the Stabilization Account to fund the Capital Plan, or take any action relative thereto.

Motion: (___Tom___) I move that the Town vote to transfer from Free Cash the sum of \$25,000 into the Stabilization Account to fund the Capital Plan.

Finance Committee recommends.

Seconded, carries unanimously.

Article Fifteen: To see if the Town will vote to transfer from Free Cash the sum of \$29,656.53, which is the sum received from Medicaid for Special Education Cost at Leverett Elementary School, to the OPEB trust account, or take any action relative thereto.

Motion: (___Julie___) I move that the Town vote to transfer from Free Cash the sum of \$29,656.53, which is the sum received from Medicaid for Special Education Cost at Leverett Elementary School, to the OPEB trust account.

Seconded. Much discussion about why funds are being transferred to OPEB costs. **Motion to call the question, carries. Main Motion Carries.**

Article Sixteen: To see if the Town will vote to reserve the following from FY 2019 Community Preservation Annual Fund revenues: \$11,398.41 for open space purposes (excluding recreational purposes); \$11,398.41 for historic resources; \$11,398.41 for community housing; and \$71,788.87 to the FY 2019 Community Preservation Fund Budgeted Reserve, or take any action relative thereto.

Motion: (___Danielle Barshak___) I move that the Town vote to reserve the following from FY 2019 Community Preservation Annual Fund revenues: \$11,398.41 for open space purposes (excluding recreational purposes); \$11,398.41 for historic resources; \$11,398.41 for community housing; and \$71,788.87 to the FY 2019 Community Preservation Fund Budgeted Reserve.

Seconded, carries unanimously.

Article Seventeen: To see if the Town will vote to appropriate \$8,000 from FY 2019 Community Preservation Annual Fund revenues for administrative and operating expenses, including legal expenses, of the Leverett Community Preservation Committee, or take any action relative thereto.

Motion: (___Danielle Barshak___) I move that the Town vote to appropriate \$8,000 from FY 2019 Community Preservation Annual Fund revenues for administrative and operating expenses, including legal expenses, of the Leverett Community Preservation Committee.

Seconded, carries unanimously.

Article Eighteen: To see if the Town will vote to appropriate \$21,000 from the fund reserved for open space to hire a Land Use Planner from the Franklin Regional Council of Governments to assist in the creation and completion of the Town's Open Space and Recreation Plan, or take any action relative thereto.

Motion: (__Danielle Barshak__) I move that the Town vote to appropriate \$21,000 from the fund reserved for open space to hire a Land Use Planner from the Franklin Regional Council of Governments to assist in the creation and completion of the Town’s Open Space and Recreation Plan.

Much discussion about the necessity. Motion made to call the question, seconded. Main motion carries.

Article Nineteen: To see if the Town will vote to appropriate a total of \$25,000 from the fund reserved for historic preservation to serve as matching funds for replacement of the east side roof of the LCA building and to add rain gutters and heat tape on the west (street) side, or take any action relative thereto.

Motion: (__Danielle Barshak__) I move that the Town vote to appropriate a total of \$25,000 from the fund reserved for historic preservation to serve as matching funds for replacement of the east side roof of the LCA building and to add rain gutters and heat tape on the west (street) side.

Mitch Mulholand gave update and answered question.

Seconded, carries unanimously.

Article Twenty: To see if the Town will vote to appropriate a total of \$28,400 from the fund reserved for historic preservation to begin restoration work at the Chestnut Hill (Mt. Hope) Cemetery by repairing 55 gravestones, or to take any action relative thereto.

(__CPC__) I move that the Town vote to appropriate a total of \$28,400 from the fund reserved for historic preservation to begin restoration work at the Chestnut Hill (Mt. Hope) Cemetery by repairing 55 gravestones.

Seconded. Edie Field gave update. Questions about how much has already been spent on cemetery restoration and how much more is expected to be spent.

Motion to call the question carries. Main motion carries.

Article Twenty-One: To see if the Town will vote to appropriate a total of \$5,000 from the fund reserved for historic preservation to complete a report on a survey of the historical assets of the Town and residents’ views concerning the significance of those assets, or to take any action relative thereto.

Motion: (__Danielle Barshak__) I move that the Town vote to appropriate a total of \$5,000 from the fund reserved for historic preservation to complete a report on a survey of the historical assets of the Town and residents’ views concerning the significance of those assets.

Seconded.

Susan Mareneck, Historical Commission, gave update.

Carries unanimously.

Article Twenty-Two: To see if the Town will vote to amend the second paragraph of Section 3910 of the Leverett Zoning By-Law relating to Site Plan Review Public Hearings as follows:

Deleting the second sentence of the second paragraph of Section 3910 and substituting therefor the sentence “Notice and posting of the public hearing shall comply with regulations adopted by the Planning Board, which the Planning Board may amend from time to time.”

The full text of the revised paragraph is as follows:

Public Hearing. The Planning Board shall hold a public hearing within 65 days after the filing of an application and shall take final action on an application for Site Plan approval within 90 days of the close of the public hearing. Notice and posting of the public hearing shall comply with regulations adopted by the Planning Board, which the Planning Board may amend from time to time. To the extent permitted by law, the public hearing should be coordinated with any other public hearing required for a definitive subdivision plan or take any action relative thereto.

Motion: (__Ken Kahn__) I move that the Town vote to will vote to amend the second paragraph of Section 3910 of the Leverett Zoning By-Law relating to Site Plan Review Public Hearings as follows:

Deleting the second sentence of the second paragraph of Section 3910 and substituting therefor the sentence “Notice and posting of the public hearing shall comply with regulations adopted by the Planning Board, which the Planning Board may amend from time to time.”

Seconded. Discussion about the wording, “Which the Planning Board may amend from time-to-time.” Motion to amend, striking the above wording, not seconded.

Motion to call the question carries. Main motion carries unanimously.

Article Twenty-Three: To see if the Town will vote to amend the second paragraph of Section 2320 of the Leverett Zoning By-Law by substituting the Zoning Board of Appeals for the Planning Board as the Special Permit Granting Authority.

The full text of the revised paragraph is as follows:

Multiple Principal Structures. Not more than one principal structure shall be erected on a lot, unless otherwise authorized in this By-Law, or unless pursuant to a special permit issued by the Zoning Board of Appeals in accordance with Section 5300 and the following conditions: or take any action relative thereto.

Motion: (Ken Kahn) I move that the Town vote to amend the second paragraph of Section 2320 of the Leverett Zoning By-Law by substituting the Zoning Board of Appeals for the Planning Board as the Special Permit Granting Authority.

Seconded. Presenter offers friendly amendment to strike the words, “the second paragraph.” **Seconded, carries. Main motion carries unanimously.**

Zoning Board recommends.

Article Twenty-Four: To see if the Town will vote to reduce the authorization to borrow granted by Article One of the Special Town Meeting held on March 22, 2011 from \$564,248 to \$374,547, or take any action relative thereto.

Motion: (Tom) I move that the Town vote to reduce the authorization to borrow granted by Article One of the Special Town Meeting held on March 22, 2011 from \$564,248 to \$374,547.

Seconded, carries unanimously.

Finance Committee approves.

Article Twenty-Five: To see if the Town will vote to transfer the sum of \$10,000 from Account #712 for the Fiber Optic Network construction to the town debt principal account, or take any action relative thereto.

Motion: (Peter) I move that the Town vote to transfer the sum of \$10,000 from Account #712 for the Fiber Optic Network construction to the town debt principal account.

Seconded, carries unanimously.

Article Twenty-Six: To see if the Town will vote to transfer the sum of \$3,750 from the funds appropriated as a grant match for a brush truck (which was not funded) by Article Eleven of the April 29, 2017 Annual Town Meeting as the town's 5% match for a new FEMA Assistance to Firefighters Grant to purchase an SCBA cylinder filling station and firefighter personal protective equipment turnout gear washer extractor and dryer; funding contingent upon receipt of the grant, or take any action relative thereto.

Motion: (Julie) I move that the Town vote to transfer the sum of \$3,750 from the funds appropriated as a grant match for a brush truck (which was not funded) by Article Eleven of the April 29, 2017 Annual Town Meeting as the town's 5% match for a new FEMA Assistance to Firefighters Grant to purchase an SCBA cylinder filling station and firefighter personal protective equipment turnout gear washer extractor and dryer; funding contingent upon receipt of the grant.

Seconded, carries unanimously.

Article Twenty-Seven: To see if the Town of Leverett will vote to accept Chapter 64N, Section 3 of the Massachusetts General Laws to impose an excise on all retail sales of marijuana at the rate of 3%, or take any action relative thereto.

Motion: (Tom) I move that the Town vote to accept Chapter 64N, Section 3 of the Massachusetts General Laws to impose an excise on all retail sales of marijuana at the rate of 3%.

Seconded, carries with one opposed.

Article Twenty-Eight: To see if the Town will vote to have its elected position of Town Clerk become an appointed position to be appointed by the Selectboard for three year terms, or take any action relative thereto.

Motion: (Peter) I move that the Town vote to have its elected position of Town Clerk become an appointed position to be appointed by the Selectboard for three year terms.

Lisa Stratford, Town Clerk explains the increasing complexity of the position over the last 10 years and the fact that she is also the Clerk to the Select Board. Combining the positons into one appointed position would make for easier record keeping and make a benefitted position when she leaves. Residents asked many questions to ensure the safety of her position.

Seconded, carries unanimously.

Article Twenty-Nine: To see if the Town will vote to reauthorize the following spending limits for the revolving funds for certain town departments under Massachusetts General Laws Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2018:

Revolving Fund	Revenue Source	Use	Restrictions or Conditions on Expenditures
Library	Fees for copying and printing	Copier and printer expenses	Spending limit of \$1,000
Library	Fines	Purchase books, audios & videos	Spending limit of \$3,000
Town Grounds Maintenance	Sale of plants, donations	Maintain town gardens & landscape town property	Spending limit of \$1,000
Fire Inspections	Inspections	Fire Inspectors and fire inspection expenses	Spending limit of \$2,500
Home Composting Program	Sale of compost bins and donations	Home composting bin distribution program expenses	Spending limit of \$1,000
Council on Aging	Fees and Donations	Costs associated with programs sponsored by the Council on Aging	Spending limit of \$5,000

Or take any action relative thereto.

Motion: (Julie) I move that the Town vote to reauthorize the following spending limits for the revolving funds for certain town departments under Massachusetts General Laws Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2018:

Carries unanimously.

Article Thirty: To see if the Town will vote to authorize the Selectboard to enter into contracts with the Massachusetts Department of Transportation for construction and/or maintenance of highways or other permissible expenditures from the Transportation Bond monies (Chapter 90) and authorize the Selectboard to accept any monies from the Commonwealth of Massachusetts for highway construction and/or maintenance related work, or take any action relative thereto.

Motion: (Tom) I move that the Town vote to authorize the Selectboard to enter into contracts with the Massachusetts Department of Transportation for construction and/or maintenance of highways or other permissible expenditures from the Transportation Bond monies (Chapter 90) and authorize the Selectboard to accept any monies from the Commonwealth of Massachusetts for highway construction and/or maintenance related work.

Seconded, carries unanimously.

Article Thirty-One: To see if the Town will vote to transfer the sum of \$803.66 from Bond Premiums Reserved to the Town Interest Account, or take any action relative thereto.

Motion: (Peter) I move that the Town vote to transfer the sum of \$803.66 from Bond Premiums Reserved to the Town Interest Account.

Seconded, carries unanimously.

Article Thirty-Two: To see if the Town will vote to transfer the sum of \$941.22 from Bond Premiums Reserved for School Debt Payment to the School Interest Account, or take any action relative thereto.

Motion: (___Julie___) I move that the Town vote to transfer the sum of \$941.22 from Bond Premiums Reserved for School Debt Payment to the School Interest Account.

Seconded, carries unanimously.

Article Thirty-Three (by Petition): To see if the Town of Leverett will vote to adopt the following resolution:

We call on the United States to lead a global effort to prevent nuclear war by:

- renouncing the option of using nuclear weapons first
- ending the president's sole, unchecked authority to launch a nuclear attack
- taking US nuclear weapons off hair-trigger alert
- cancelling the plan to replace its entire arsenal with enhanced weapons;
- actively pursuing a verifiable agreement among nuclear armed states to eliminate their nuclear arsenals

The Town clerk is directed to send copies of this resolution to the two Massachusetts U.S. Senators and to the U.S. Representative for this district, and to the President and Secretary of State of the United States or to do or act anything in relation thereto.

Motion: (___Beth Adams_) I move that the Town of Leverett vote to adopt the following resolution:

We call on the United States to lead a global effort to prevent nuclear war by:

- renouncing the option of using nuclear weapons first
- ending the president's sole, unchecked authority to launch a nuclear attack
- taking US nuclear weapons off hair-trigger alert
- cancelling the plan to replace its entire arsenal with enhanced weapons;
- actively pursuing a verifiable agreement among nuclear armed states to eliminate their nuclear arsenals

The Town clerk is directed to send copies of this resolution to the two Massachusetts U.S. Senators and to the U.S. Representative for this district, and to the President and Secretary of State of the United States.

Seconded, carries.

Motion to adjourn Town Meeting made at 2:30 pm. Seconded. Carries unanimously.

Minutes taken and recorded by Lisa Stratford.

