**Annual Town Meeting**

**Minutes**

**April 30, 2022**

Town meeting was called to order at 9:19 by Moderator, Larry Farber, a quorum being deemed present. A tribute to Julie Shively was given for her 12 years as a Select Board member. Several announcements were given and a moment of silence was held.

**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 read the list of offices up for election and took nominations from the floor.

Assessors: Cat Ford and Sam Black nominated for two positions and elected by voice vote.

Board of Health: Barbara Kline Seamon nominated for one position and elected by voice vote.

Constable: Tom Masterton nominated for one position and elected by voice vote.

Finance Committee: Steve Nagy, Bethany Seeger and Phil Carter nominated for two postions. Paper ballot used for contested race. Bethany Seeger: 91; Phil Carter: 76 and Steve Nagy 34.

Library Trustees: Seth Seeger and Judith Davidov were nominated for two positions and elected by a voice vote.

Planning Board: Eswan Keyes was nominated for one position and elected by a voice vote.

School Committee: Jya Plavin and Tilman Wolf were nominated for two positions and elected by a voice vote.

Select Board: Pat Duffy was elected for one position by a voice vote.

**Article Two:**  To see if the Town will vote to amend Section VI of the Amherst Pelham Regional School District Agreement by replacing subsection j) as follows: “For Fiscal Year 2023 only, the alternative operating budget assessment shall be calculated as a five-year average of minimum contributions 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. Additionally, if any member town's assessment based on this method increases or decreases more than 4% from their Fiscal Year 2022 assessment, the Fiscal Year 2023 assessment shall be limited to a 4% change provided that the requirements of Minimum Local Contribution are still met. The five-year average of minimum contributions will include the five most recent years.", or take any other action relative thereto.

**Article Two:**  (\_\_\_Julie\_\_) I move that the Town vote to amend Section VI of the Amherst Pelham Regional School District Agreement by replacing subsection j) as follows: “For Fiscal Year 2023 only, the alternative operating budget assessment shall be calculated as a five-year average of minimum contributions 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. Additionally, if any member town's assessment based on this method increases or decreases more than 4% from their Fiscal Year 2022 assessment, the Fiscal Year 2023 assessment shall be limited to a 4% change provided that the requirements of Minimum Local Contribution are still met. The five-year average of minimum contributions will include the five most recent years.".

**Seconded. Carries unanimously.**

**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.

**Article Three**: (\_\_\_Tom\_\_) 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 for the ensuing fiscal year from the following sources: raise and appropriate the sum of $6,825,580; transfer the sum of $10,00 from account #712 for the Fiber Optic construction; and transfer the sumof $1,744 from Bond Premiums Reserved.

Moderator reads from the abbreviated budget allowing time for voters to “hold” line items for which they have questions. Select Board Expenses is held by Tom Wolff to ask for the budget and warrant for ATM to be mailed to every house next year. Lisa addresses Town Meeting to state that the Newsletter budget was reduced, not cut, allowing for that.

**Seconded. Unheld budget carries unanimously.**

**Vote on held Select Board Expenses ($6,288.00) carries unanimously.**

**Total FY 23 budget of $6,837,324 carries unanimously.**

**Article Four:** 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, 2022 as presented in the budget, or take any action relative thereto.

**Article Four:** (\_\_Melissa\_\_) 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, 2022 as presented in the budget.

**Seconded. Carries unanimously.**

**Article Five:** To see if the Town will vote to transfer the sum of $55,000 from the Stabilization Account to purchase and equip a new hybrid electric/gasoline police cruiser, or take any action relative thereto.

**Article Five:** (\_Julie\_\_\_) I move that the Town vote to transfer the sum of $55,000 from the Stabilization Account to purchase and equip a new hybrid electric/gasoline police cruiser.

Chief Minckler and Wes Goscenski of Capital Planning answer questions.

**Seconded. Carries unanimously.**

**Article Six:** To see if the Town will vote to transfer the sum of $77,000 from the Stabilization Account to purchase and equip a new medium sized dump truck for the Highway Department, or take any action relative thereto.

**Article Six:** (\_\_Tom\_\_\_) I move that the Town vote to transfer the sum of $77,000 from the Stabilization Account to purchase and equip a new medium sized dump truck for the Highway Department.

**Seconded. Carries unanimously.**

**Article Seven:** To see if the Town will vote to transfer from Free Cash the sum of $41,000into the Stabilization Account to fund the Capital Plan, or take any action relative thereto.

**Article Seven:** (\_\_Melissa\_\_) I move that the Town will vote to transfer from Free Cash the sum of $41,000into the Stabilization Account to fund the Capital Plan.

**Seconded. Carries unanimously.**

**Article Eight:**  To see if the Town will vote to transfer the sum of $8,190 from the Free Cash Account for the purpose of repairing the fire station vehicle bays concrete floor drains, or take any action relative thereto.

**Article Eight:**  (\_\_Julie\_\_\_) I move that the Town vote to transfer the sum of $8,190 from the Free Cash Account for the purpose of repairing the fire station vehicle bays concrete floor drains.

**Seconded. Carries unanimously.**

**Article Nine:**  To see if the Town will vote to transfer the sum of $3,475 from the Free Cash Account for the purpose of having the Assessors records and maps in GIS format and available on the town’s website, or take any action relative thereto.

**Article Nine:**  (\_\_\_Tom\_\_\_) I move that the Town vote to transfer the sum of $3,475 from the Free Cash Account for the purpose of having the Assessors records and maps in GIS format and available on the town’s website.

**Seconded. Carries unanimously.**

**Article Ten:**  To see if the Town will vote to transfer the sum of $5,000 from the Free Cash Account for the purpose of completing mosquito control activities in Leverett, or take any action relative thereto.

**Article Ten:**  (\_\_Melissa\_\_) I move that the Town vote to transfer the sum of $5,000 from the Free Cash Account for the purpose of completing mosquito control activities in Leverett.

**Seconded. Carries unanimously.**

**Article Eleven:**  To see if the Town will vote to transfer the sum of $20,000 from the Free Cash Account for the purpose of completing preventative tree work along town roads, or take any action relative thereto.

**Article Eleven:**  (\_\_Julie\_\_\_\_) I move that the Town vote to transfer the sum of $20,000 from the Free Cash Account for the purpose of completing preventative tree work along town roads.

**Seconded. Carries unanimously.**

**Article Twelve:**  To see if the Town vote to transfer the sum of $22,150 from the Free Cash Account for the purpose of purchasing tax collection software, or take any action relative thereto.

**Article Twelve:**  (\_\_\_Tom\_\_) I move that the Town will vote to transfer the sum of $22,150 from the Free Cash Account for the purpose of purchasing tax collection software.

**Seconded. Carries unanimously.**

**Article Thirteen:**  To see if the Town vote to transfer the sum of $9,900 from the Free Cash Account for the purpose of repairing the 2013 dump truck, or take any action relative thereto.

**Article Thirteen:**  (\_\_Melissa\_\_) I move that the Town will vote to transfer the sum of $9,900 from the Free Cash Account for the purpose of repairing the 2013 dump truck.

**Seconded. Carries unanimously.**

**Article Fourteen:**  To see if the Town vote to transfer the sum of $66,000 from the Free Cash Account for the town’s match to a Municipal Vulnerability Preparedness Grant to complete the Shutesbury Road Culvert Enhancement Project for the culvert located at Number Six and Old Mountain Roads, or take any action relative thereto.

**Article Fourteen:**  (\_\_\_Julie\_\_\_) I move that the Town will vote to transfer the sum of $66,000 from the Free Cash Account for the town’s match to a Municipal Vulnerability Preparedness Grant to complete the Shutesbury Road Culvert Enhancement Project for the culvert located at Number Six and Old Mountain Roads.

**Seconded. Carries unanimously.**

**Article Fifteen:**  To see if the Town vote to transfer the sum of $1,000 from the Free Cash Account to support activities of the ad hoc committee planning the Town 250th Anniversary celebration to take place in 2024, or take any action relative thereto.

**Article Fifteen:**  (\_\_\_Tom\_\_\_\_) I move that the Town will vote to transfer the sum of $1,000 from the Free Cash Account to support activities of the ad hoc committee planning the Town 250th Anniversary celebration to take place in 2024.

**Seconded. Carries unanimously.**

**Article Sixteen:**  To see if the town vote to transfer the sum of $14,263 from the Free Cash Account for the purpose of paying for the deep well research completed as a water solution for the Teawaddle Hill Road neighborhood that was approved by Article Sixteen-2 of the April 27, 2019 Annual Town meeting, or take any action relative thereto.

**Article Sixteen:**  (\_\_Melissa\_\_\_) I move that the Town will vote to transfer the sum of $14,263 from the Free Cash Account for the purpose of paying for the deep well research completed as a water solution for the Teawaddle Hill Road neighborhood that was approved by Article Sixteen-2 of the April 27, 2019 Annual Town meeting.

**Seconded. Carries unanimously.** (Bill of Prior Years)

**Article Seventeen:**  To see if the Town vote to transfer the sum of $14,000 from the Free Cash Account for the purpose of paying the expenses incurred for the design and advertising of the Amherst Waterline connection for the Teawaddle Hill Road neighborhood, or take any action relative thereto.

**Article Seventeen:**  (\_\_Julie\_\_\_\_) I move that the Town will vote to transfer the sum of $14,000 from the Free Cash Account for the purpose of paying the expenses incurred for the design and advertising of the Amherst Waterline connection for the Teawaddle Hill Road neighborhood.

**Seconded. Carries unanimously.** (Bill of Prior Years)

**Article Eighteen****:** To see if the Town vote to reserve the following from FY 2023 Community Preservation Annual Fund revenues: $11,000 (estimated) for open space purposes (excluding recreational purposes); $11,000 (estimated) for historic resources; $11,000 (estimated) for community housing; and $77,000 (estimated) to the FY 2023 Community Preservation Fund Budgeted Reserve, or take any action relative thereto.

**Article Eighteen:** (\_\_\_Danielle Barshak \_\_\_\_) I move that the Town will vote to reserve the following from FY 2023 Community Preservation Annual Fund revenues: $11,000 (estimated) for open space purposes (excluding recreational purposes); $11,000 (estimated) for historic resources; $11,000 (estimated) for community housing; and $77,000 (estimated) to the FY 2023 Community Preservation Fund Budgeted Reserve.

**Seconded. Carries unanimously.**

**Article Nineteen:** To see if the Town vote to appropriate $4,500 from FY 2023 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.

**Article Nineteen:** (\_\_\_\_Danielle Barshak\_\_\_) I move that the Town will vote to appropriate $4,500 from FY 2023 Community Preservation Annual Fund revenues for administrative and operating expenses, including legal expenses, of the Leverett Community Preservation Committee.

**Seconded. Carries unanimously.**

**Article Twenty:** To see if the Town vote to appropriate $12,500 from the Community Preservation Fund Balance reserved for Historic Resources to provide funds to the Leverett Historical Commission to continue its ongoing project “A Sense of Where You Are,” or to take any action relative thereto.

**Article Twenty:** (\_\_Danielle Barshak\_\_) I move that the Town will vote to appropriate $12,500 from the Community Preservation Fund Balance reserved for Historic Resources to provide funds to the Leverett Historical Commission to continue its ongoing project “A Sense of Where You Are”.

Susan Mareneck, Chair of the Historical Commission describes the success of the on-going program and answers questions.

**Seconded. Carries unanimously.**

**Article Twenty-One:**  To see if the Town vote to appropriate $30,000 from the Community Preservation Fund Balance reserved for Historic Resources to pay for a Building Conditions Assessment/Historic Structures Report and Plan for the Field Building located at 1 Shutesbury Road, or to take any action relative thereto.

**Article Twenty-One:**  (\_\_\_Danielle Barshak\_\_) I move that the Town will vote to appropriate $30,000 from the Community Preservation Fund Balance reserved for Historic Resources to pay for a Building Conditions Assessment/Historic Structures Report and Plan for the Field Building located at 1 Shutesbury Road.

**Seconded.**

**Ken Kahn: I move that we pass over Article Twenty-one until after a vote of Article Twenty-two. Seconded. Carries.**

**Article Twenty-Two:**  To see if the town vote to transfer the former Bradford M. Field Memorial Library building and the lot on which it is situated, located at 1 Shutesbury Road (Assessors Map 7, Lot 214), from the general municipal use to be held by the Selectboard for the purpose of sale; and further to authorize the Selectboard to sell the above described property to a non-profit educational and historical organization for the purpose of operating a facility in this building for collecting, storing, maintaining and making available for display to the public historical artifacts and archives of Leverett, such sale not to take place until at least six months after the date of this meeting, or take any action relative thereto.

**Article Twenty-Two:**  (\_\_Tom\_\_\_) I move that the Town will vote to transfer the former Bradford M. Field Memorial Library building and the lot on which it is situated, located at 1 Shutesbury Road (Assessors Map 7, Lot 214), from the general municipal use to be held by the Selectboard for the purpose of sale; and further to authorize the Selectboard to sell the above described property to a non-profit educational and historical organization for the purpose of operating a facility in this building for collecting, storing, maintaining and making available for display to the public historical artifacts and archives of Leverett, such sale not to take place until at least six months after the date of this meeting.

**Seconded**.

Several people spoke unfavorably about this article due to its link to an earmark request written by a non-profit linking 3 historic buildings (Slarrow Mill in N. Leverett, Moores Corner School House, and the Field Museum). Those who spoke against the article felt that there was controversy around it that couldn’t be ignored. Those who spoke against it: Tom Wolff, Brian Emond, Steve Freedman, Danielle Barshak, and Ken Kahn. Tom talked about the process for the letter of Select Board support letter. Julie spoke about the urgent need to preserve all three buildings.

**Motion by Eva Gibavic to table the article carries.**

**Article Twenty-Three:** To see if the Town vote to approve the following article:

Richard Drury was one of the instigators and early supervisors of our modern Transfer Station. He held this role for many years winning awards for its efficiency. In December 2020 he disappeared from his home and has yet to be found. In memory of his creative spirit, commitment to the community, and helpfulness to others we dedicate the entrance way to the Transfer Station as “Drury Lane” beginning as it intersects with Cemetery Road. It is proposed that a standard road sign be set up at the entrance to be financed by the town.

Unattached to this warrant, at a later date, it is the intention of a group of volunteers to set up a memorial marker explaining who Richard was. This will be independently financed.

**Article Twenty-Three:** (\_\_Ruth West\_) I move that the Town will vote to approve the following article:

Richard Drury was one of the instigators and early supervisors of our modern Transfer Station. He held this role for many years winning awards for its efficiency. In December 2020 he disappeared from his home and has yet to be found. In memory of his creative spirit, commitment to the community, and helpfulness to others we dedicate the entrance way to the Transfer Station as “Drury Lane” beginning as it intersects with Cemetery Road. It is proposed that a standard road sign be set up at the entrance to be financed by the town.

Unattached to this warrant, at a later date, it is the intention of a group of volunteers to set up a memorial marker explaining who Richard was. This will be independently financed.

**Seconded. Carries unanimously.**

**Article Twenty-Four:** To see if the Town will vote to transfer from Free Cash the sum of $9,152.34, which is the FY 21 total received from Medicaid for Special Education Cost at Leverett Elementary School as follows: $7,152.34 to the OPEB trust account and $2,000 to the FY 2023 operating budget of the Elementary School to cover expenses incurred for Medicaid reporting, or take any action relative thereto.

**Article Twenty-Four:** (\_\_Melissa\_\_) I move that the Town vote to transfer from Free Cash the sum of $9,152.34, which is the FY 21 total received from Medicaid for Special Education Cost at Leverett Elementary School as follows: $7,152.34 to the OPEB trust account and $2,000 to the FY 2023 operating budget of the Elementary School to cover expenses incurred for Medicaid reporting.

**Seconded. Carries unanimously.**

**Article Twenty-Five:** 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, 2022, or take any action relative thereto:

|  |  |  |  |
| --- | --- | --- | --- |
| **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 |
| Recycling Program | Income from recycling entities and donations | Programs sponsored by the Transfer Station | Spending limit of $3,000 |
| Council on Aging | Fees and Donations | Costs associated with programs sponsored by the Council on Aging | Spending limit of $5,000 |

**Article Twenty-Five:** (\_\_\_Julie\_\_\_) I move that 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, 2022:

**Seconded. Carries unanimously**

**Article Twenty-Six:** To see if 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, or take any action relative thereto.

**Article Twenty-Six:** (\_\_\_Tom\_\_\_\_) I move that 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.

**Seconded. Carries unanimously**

**Article Twenty-Seven:** To see if the Town will vote to authorize the Treasurer to enter into compensating balance agreements during Fiscal 2023 as permitted by M.G.L. c. 44, section 53F, or take any action relative thereto.

**Article Twenty-Seven:** (\_\_Melissa\_\_\_) I move that the Town vote to authorize the Treasurer to enter into compensating balance agreements during Fiscal 2023 as permitted by M.G.L. c. 44, section 53F.

**Seconded. Carries unanimously**

**Article Twenty-Eight:** To see if the Town will vote to allow the Selectboard to apply for, accept and expend state, federal and other grants, which do not require a town appropriation, or take any other action relative thereto.

**Article Twenty-Eight:** (\_\_Julie\_\_\_) I move that the Town vote to allow the Selectboard to apply for, accept and expend state, federal and other grants, which do not require a town appropriation.

**Seconded. Carries unanimously**

**Article Twenty-Nine:** To see if the Town will vote to approve the following resolution:

**Resolution In Support of the Fair Share Amendment**

**WHEREAS,** Massachusetts needed new investments in our transportation and public education systems even before the COVID-19 pandemic, and those investments are needed more than ever to lift our economy into an equitable and long-lasting recovery;

**WHEREAS**, the best way to help working families and rebuild a strong economy for us all is to make sure that we have quality public schools for our children, affordable public higher education, and a reliable transportation system; and

**WHEREAS**, for Massachusetts to compete against other regions around the nation and the globe, we need modern, reliable transportation: safer roads and bridges, public transportation that works, and safe ways to walk and bike around town1; and

**WHEREAS, the Town of Leverett** has structural deficient bridges and overdue road repair and replacement projects; and

**WHEREAS**, students need a well-rounded education, founded on a rich and varied curriculum that includes science, technology, engineering, and math (STEM), music, art, and athletics; and

**WHEREAS**, major investments in public education are needed to help students recover academically, socially, and emotionally from the COVID-19 pandemic; and

**WHEREAS**, tuitions and fees at our public colleges are among the highest in the country, forcing students to take on enormous debt just to receive a degree; and

**WHEREAS**, new state revenue is necessary to rebuild crumbling roads and bridges, improve our public schools from Pre-K through college, expand access to vocational and technical training invest in fast and reliable public transportation, make public higher education affordable again, and expand opportunities for healthy walking and bicycling; and

**WHEREAS**, wealthy Massachusetts residents saw their investments grow during the pandemic while working families struggled, and Massachusetts’ wealthiest residents should pay their fair share to support our communities and grow our economy.

**THEREFORE**, let it be resolved that **the Town of Leverett** supports the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the repair and maintenance of roads, bridges, and public transportation.

**Article Twenty-Nine:** (\_\_Kip Fonsh\_\_\_) I move that the Town will vote to approve the following (above) resolution:

**Seconded. Carries unanimously**

**Motion to adjourn 12:17 pm. Seconded. Carries unanimously.**