

Annual Town Meeting
Minutes
May 19, 2009

The Moderator, Edward Batchelder opens the meeting at 7:05p.m with a quorum of 133 voters present. Read the warrant and the return of the warrant. The Pledge of Allegiance was said.

The Richard Allen memorial scholarships award were presented by Edward Cauley, Hwy. Superintendent and David Silvermail, Chief of Police. The awards went to,

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| Michael Boucher | Matthew Furman |
| Evan Baum | Sean Martin |
| Andrew Cauley | Jonathan Pinski |
| Ryan Cummings | Jaime Young |
| Mary Kay Fleming | Kathleen Himmelman |

CONGRATULATIONS

Under Article 1 it was moved and seconded that the Town vote to transfer the sum of \$10,000.00 from the Community Preservation Surcharges-Undesignated account to be used to fund administrative expenses of the Community Preservation Committee.

Article 1 carries unanimously

Under Article 2 it was moved and seconded that the Town vote to transfer the sum of \$5,000.00 from the Community Preservation Surcharges-Undesignated Account to be used by the Parks Commission to fund the design for a small park on Town-owned land on Helen Drive.

Article 2 carries unanimously

Under Article 3 it was moved and seconded that the Town vote in accordance with the recommendations of the Town's Community Preservation Committee, (a) that the Town appropriates the sum of Three Hundred Sixty One Thousand Six Hundred and 00/ 100 (\$361,600.00) Dollars for the purpose of acquiring, for conservation and passive recreation purposes, a conservation restriction in that property known as the Searle Property located at 3 Crooked Ledge Road, consisting of 200 acres, more or less, as shown on Assessor's Map 27, Parcel 28; (b) that to meet this appropriation the sum of One Hundred Sixteen Thousand Eight Hundred and 00/100 (\$116,800.00) Dollars shall be transferred from Community Preservation Act Funds and the Treasurer, with the approval of the Board of Selectmen, is authorized, to borrow the sum of Two Hundred Forty-Four Thousand Eight Hundred and 00/100 (\$244,800.00) Dollars in accordance with Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefore; (c) that the Town is authorized to acquire a conservation restriction, by negotiated purchase, eminent domain or otherwise, for conservation and passive recreation purposes subject to the protections of Article 97 of

the Amendments of the Massachusetts Constitution, upon such terms and conditions as the Conservation Commission, with the approval of the Board of Selectmen, shall determine to be appropriate, and that said interests in said property be conveyed to the Town, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation, to be managed and controlled by the Conservation Commission; (d) that the Conservation Commission is authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any state and/or federal programs in aid of conservation land acquisition, including but not limited to, all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under General Laws, Chapter 132A, Section 11 (the Local Acquisitions for Natural Diversity Grant Program) Self-Help Act and to receive and accept such grants or reimbursement for this purpose, and/or any others in any way connected with the scope of this vote, and that the Board of Selectmen and/or the Conservation Commission be authorized to enter into all agreements and execute any and all instruments, including a grant of a perpetual conservation restriction to such state or federal agency as may be necessary on behalf of the Town to effect said acquisition or obtain such grant; and (e) authorize the Conservation Commission, the Board of Selectmen, and town officers to take all related actions necessary or appropriate to carry out this acquisition. Requires a 2/3rd vote & a paper ballot count pursuant to Article VI, Section 8 of the Town's bylaws.

Article 3 Passes a 2/3rd vote Yes 118 No 3

Under Article 4 it was moved that the Town vote to fix salaries of all elected officials for the fiscal year July 1, 2009-June 30, 2010, and further, to raise and appropriate monies as identified in the Town's omnibus budget, as attached, for such fiscal year, as follows:

| General Government | Budget FY 2010 |
|--------------------------------|----------------|
| Moderator Expenses | \$ 120.00 |
| Selectmen Expenses | 2,190.64 |
| CDL Drug Testing | 380.00 |
| Annual Internet Service | 1,320.00 |
| Webpage Maintenance | 500.00 |
| Town Administrator Salary | 64,170.00 |
| Administrative Secretary Wages | 24,830.00 |
| Administration Expenses | 1,512.85 |
| Photocopier Lease and Supplies | 2,500.00 |
| Postage | 10,000.00 |
| Finance Committee Expenses | 210.00 |
| Reserve Account | 34,200.00 |
| Town Accountant Salary | 28,737.76 |
| Asst. Accountant Wages | 17,080.49 |
| Account Expenses | 1,051.10 |
| Accounting Software Support | 1,994.22 |
| Asst. Assessor Wages | 62,440.00 |

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| Assessors Expenses | 5,805.00 |
| Assessors Software Support | 4,500.00 |
| Assessors Town Maps | 0.00 |
| Assessor Consultant | 0.00 |
| Treasurer/Collector Salary | 45,360.00 |
| Treasurer/Collector Wages | 50,536.00 |
| Treasurer/Collector Expenses | 8,565.20 |
| Treasurer Software Support | 8,369.22 |
| Legal | 30,000.00 |
| PPPB Expenses | 400.00 |
| Tax Title | 8,000.00 |
| Town Clerk Salary | 32,258.00 |
| Town Clerk Asst Wages | 15,148.00 |
| Town Clerk Expense | 931.00 |
| Election, Registrars Salaries (3 Members | 600.00 |
| Election, Registrars Wages (9 | 918.52 |
| Election, Registrars Expenses | 4,700.00 |
| Con Com/Planning Clerical Wages | 0.00 |
| Conservation Commission Expenses | 1,939.27 |
| Planning Board Expenses | 745.73 |
| PVP Commission (assessment) | 808.05 |
| Barnes Aquifer Protection | 1,862.00 |
| ZBA Clerical Wages | 500.00 |
| ZBA Expenses | 0.00 |
| Municipal Building Custodian Wages | 16,194.69 |
| Municipal Building Supplies/Expenses | 608.95 |
| Telephone | 8,000.00 |
| Town Hall Gas & Electric | 23,000.00 |
| Larrabee Bldg Expenses | 0.00 |
| Town Report | 2,000.00 |
| Technology-Equipment | 2,850.00 |
| Technology-Services | 1,710.00 |
| Emergency Management Expenses | 3,000.00 |
| Building Maintenance (General) | 1,000.00 |
| Total General Government | \$546,329.97 |

PROTECTION OF PERSONS AND PROPERTY

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|---------------------------------------|------------|
| Police Chief's Salary | 75,649.00 |
| Police Salaries and Wages | 522,519.00 |
| Police Expenses | 41,783.85 |
| Police Equipment Maintenance Contract | 19,000.00 |
| Dare Program | 3,000.00 |
| Regional Lockup Assessment | 5,374.00 |
| Communication Wages | 143,577.00 |
| Communication Expenses | 4,567.60 |

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| Fire Chief's Wages | 74,399.50 |
| Fire Dept. | 72,335.00 |
| Fire Department Expenses | 18,318.00 |
| EMT Standby | 1,565.00 |
| EMS Training Wages | 31,734.00 |
| Ambulance Billing Clerk | 7,000.00 |
| EMT Licensing & Certifications | 2,120.00 |
| Ambulance/EMS Expenses | 9,700.00 |
| Bldg Inspector Salary | 46,350.00 |
| Bldg Inspector Clerical Wages | 7,500.00 |
| Building Inspector Expenses | 2,793.00 |
| | |
| Total Protection of Persons and Property | 1,089,284.95 |
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| Southampton Education | |
| Elementary School | 3,896,363.00 |
| Local School Transportation | 170,476.00 |
| Textbooks | 18,000.00 |
| Vocational School Tuition | 596,398.40 |
| Vocational Transportation | 50,000.00 |
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| Total Southampton Education | 4,731,237.40 |
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| Hampshire Regional Education | |
| Regional schools | 3,357,809.00 |
| Debt Service | 293,132.00 |
| | |
| Total Regional School Education | 3,650,941.00 |
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| Public Works and Facilities | |
| Highway Superintendent Salary | 83,000.00 |
| Highway Wages | 163,580.47 |
| Highway Expenses | 135,240.00 |
| Road Machinery Maintenance | 62,720.00 |
| Winter Roads Wages | 123,279.37 |
| Winter Roads Expenses | 98,980.00 |
| Snow Insurance | 5,000.00 |
| Street Lighting | 20,500.00 |
| Cemetery Commission | 2,000.00 |
| Tree Warden Wages | 0.00 |
| Tree Warden Expenses | 3,603.00 |
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| Total Public Works and Facilities | 697,912.84 |
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| Human Services | |
| Board of Health Agent | 23,400.00 |

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| Board of Health Admin Clerical | 8,067.00 |
| BOH Admin Health Asst & Emer. Prepared | 0.00 |
| Board of Health Expenses | 2,750.00 |
| Animal Inspector Salary | 3,000.00 |
| Council on Aging Wages | 18,703.36 |
| Council on Aging Expenses | 4,077.00 |
| Veterans' Agent Wages | 6,822.72 |
| Veterans' Agent Expenses | 372.40 |
| Veterans' Benefits | 36,300.00 |

Total Human Services 103,492.48

Culture and Recreation

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|--------------------------------|-----------|
| Library Wages | 75,046.92 |
| Library Expenses | 22,626.00 |
| Parks Commission Wages | 4,588.39 |
| Parks Commission Expenses | 2,089.16 |
| Historical Commission Expenses | 1,720.00 |
| Old Home Days | 600.00 |
| Memorial Day | 500.00 |

Total Culture and Recreation 107,170.48

Debt Service

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|---|------------|
| Highway Truck Principal | |
| Last Payment FY2010 | 22,000.00 |
| Highway Truck Interest | 1,672.00 |
| Lawn Mower Principal | |
| Last Payment FY2011 | 8,440.00 |
| Lawn Mower Interest | 726.00 |
| Library Construction Principal | |
| Last Payment FY2013 | 45,000.00 |
| Library Construction Interest | 9,765.00 |
| School Construction principal | |
| Last Payment FY2014 | 390,000.00 |
| School Construction Interest | 104,705.00 |
| Communications-Radios & Equip. | |
| Principal Last Payment FY2014 | 12,600.00 |
| Communications-Radios & Equip. Interest | 1,942.00 |
| Pequot Pond Sewer Principal | |
| Last Payment FY2020 | 15,101.00 |
| Pequot Pond Sewer Interest | 9,913.00 |
| WPAT Bonds-Septic Betterments | 20,401.00 |
| Short Term Borrowing | 500.00 |

Total Debt Service

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|----------------------------------|------------|
| Miscellaneous (Fixed) Expenses | |
| Hampshire Council of Governments | 6,037.00 |
| Retirement Contributory | 423,053.00 |
| Retirement Non-Contributory | 4,224.03 |
| Workers Compensation | 25,000.00 |
| Unemployment Compensation | 8,000.00 |
| Group Health Insurance | 827,604.72 |
| Medicare/FICA | 62,000.00 |
| Group Life Insurance | 3,600.00 |
| Insurance General | 77,000.00 |
| Prior Year Expenses | |
| Legal Settlement | |
| Transfer to Capital Fund | |
| Transfer to Stabilization | |

Total Miscellaneous 1,436,518.75

Grand Total-Article 4 13,005,642.87

Article 4 Carried unanimously

Under Article 5 it was moved and seconded that the town vote to appropriate the sum of \$252,037.00 for the following Landfill/Transfer Station Enterprise Fund Expenses:

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|-------------------|--------------|
| Salary & Wages | \$ 54,500.00 |
| Operating Expense | 147,936.00 |
| Debt Service | 24,001.00 |
| Indirect Cost | 25,600.00 |
| Total | \$252,037.00 |

To be funded from the following sources:

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|-------------------|--------------|
| Permits | \$ 75,600.00 |
| Charges (Tipping) | 54,800.00 |
| Bag Fees | 69,800.00 |
| Recycling | 26,500.00 |
| Investment Income | 4,500.00 |
| Retained Earnings | 10,000.00 |
| WPAT Subsidies | 10,837.00 |
| Total | \$252,037.00 |

Article 5 Passes unanimously

Under Article 6 it was moved and seconded that the town vote to appropriate the sum of \$599,100.00 for the following Water enterprise Fund expenses:

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|----------------|--------------|
| Salary & Wages | \$126,000.00 |
|----------------|--------------|

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|-------------------|--------------|
| Operating Expense | 130,000.00 |
| Capital Outlay | 63,469.00 |
| Debt Service | 235,631.00 |
| Indirect Cost | 44,000.00 |
| Total | \$599,100.00 |

To be funded from the following sources:

| | |
|-------------------|--------------|
| Water Charges | \$466,000.00 |
| Hook-up Charges | 48,750.00 |
| Investment Income | 5,000.00 |
| Retained Earnings | 10,000.00 |
| WPAT Subsidies | 69,350.00 |
| Total | 599,100.00 |

Article 6 carries unanimously

Under Article 7 it was moved and seconded that the Town vote to transfer the sum of \$20,401.00 from the WPAT Loan Repayment Account to fund the amortization of WPAT bonds.

Article 7 Passes unanimously

Under Article 8 it was moved and seconded that the Town vote to transfer the sum of \$88,869.00 from the Ambulance Fees Account to fund EMS/Ambulance related expenses.

Article 8 carries unanimously

Under Article 9 it was moved and seconded that the Town vote to transfer the sum of \$39,570 from Free Cash to be used to reduce the FY10 tax rate.

Article 9 carries unanimously

Under Article 10 it was moved and seconded that the Town vote to transfer the sum of \$73,271.00 from the Stabilization Fund to fund a portion of the Capital Improvement Plan for Fiscal 2010.

Article 10 Passes unanimously a 2/3 vote was needed

Under Article 11 it was moved and seconded that the Town vote to transfer the sum of \$86,054.00 from the Sale of Real Estate Account to fund a portion of the Capital Improvement Plan for Fiscal 2010.

A motion was made and seconded to move the question. Motion unanimous

Article 11 carries unanimously

Under Article 12 it was moved and seconded that the Town vote to transfer the sum of \$10,000.00 from the Ambulance Fees Account to fund a portion of the Capital Improvement Plan for Fiscal 2010.

A motion was made and seconded to move the question. Motion unanimous

Article 12 carries unanimous

Under Article 13 it was moved and seconded that the sum of Two Hundred Sixty-Four Thousand Five Hundred and 00/100 (\$264,500) Dollars is appropriated for the purchase of a pumper/tanker truck for the fire department; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of Two Hundred Sixty-Four Thousand Five Hundred and 00/100 (\$264,500) Dollars under Chapter 44 of the General Laws or any other enabling authority and to issue bonds or notes therefore; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

Article 13 needed a 2/3rd paper ballot vote Yes 87 No 18 Passes 2/3rd

Under Article 14 it was moved and seconded that the Town vote to authorized its Treasurer/Collector, with the approval of the Board of Selectmen, to enter into a compensating balance agreement or agreements with one or more banking institutions beginning in Fiscal Year 2010 and extending for as much as three years, pursuant to Chapter 44, Section 53F and subsequent revisions of the General Laws of Massachusetts.

Motion was moved and seconded to move the question Motion passes unanimously

Article 14 Passes unanimously

Under Article 15 it was moved and seconded that the Town vote pursuant to the provisions of Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, to authorize the operation of revolving funds for certain town departments for the fiscal year beginning July 1, 2009 with specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum that may be spent from each fund for the fiscal year as follows.

| Revolving Fund Title | Authorized to Spend Fund | Revenue Source | Use of Fund | Fy10 Spending Limit |
|------------------------|--------------------------|--------------------------------|--|---------------------|
| Plumbing Inspections | Plumbing Inspector | Plumbing Inspection Receipts | Payment for Plumbing Inspection Services | \$7,500 |
| Electrical Inspections | Electrical Inspector | Electrical Inspection Receipts | Payment for Electrical Inspection | \$7,500 |

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|---------------------------|----------------------------|--|--|----------|
| | | | Serve | |
| Planning Board | Planning Board | Filing Fees | Administrative Expense | \$10,000 |
| Zoning Board of Appeals | Zoning Board of Appeals | Receipts from Fees | ZBA Expenditures | \$3,000 |
| Council on Aging Van | Council on Aging Director | Receipts from Operation of Van | Payment for Operation COA Van | \$20,000 |
| Dog Licensing and Control | Town Clerk and Dog Officer | Dog License Fees and Other Related Charges | Expenses Related to Admin. Of Licenses & Dog Control | \$8,000 |

Motion made and seconded to move the question. Motion passes unanimously

Article 15 Passes unanimously

Under Article 16 it was moved and seconded that the Town vote to transfer the sum of \$86,748.00 from the Norris School Debt Exclusion Reserve Fund to fund a portion of the Norris School Fiscal 2010 debt service.

Article 16 carries unanimously

Under Article 17 it was moved and seconded that the Town votes to amend the 'By-Laws for the Town of Southampton' by amending Article 1, "Town Meeting", and Section 2, which currently reads:

Warrants for all Town meetings shall be served by posting attested copies of the same in five (5) places in the Town; at least seven (7) days before the time of holding an Annual Town Meeting, and at least fourteen (14) days before the time of holding a Special Town meeting."

And amending to read:

Warrants for all Town meetings shall be served by posting attested copies of the same in six (6) places in the Town (to include the Town's website); at least seven (7) days before the time of holding an Annual Town Meeting, and at least fourteen (14) days before the time of holding a Special Town Meeting."

Motion was moved and seconded to move the Question. Motion Carries unanimously

Article 17 carries unanimously

Under Article 18 it was moved and seconded that the Town votes to amend the 'By-Laws for the Town of Southampton' by deleting Article III, "Selectmen", and Section 3 that reads:

The Selectmen shall annually appoint an Administrative Assistant. The Administrative Assistant shall not hold an elective office in Southampton Town Government.

And replacing it with:

The Board of Selectmen shall appoint a Town Administrator for a period of time to be determined within contractual terms, but not more than three years per contract. The Town Administrator shall not hold an elective office in Southampton town government.

Amendment was moved and seconded. After a brief discussion the amendment was withdrawn by the presenter, the seconded was also withdrawn by the person who seconded the motion.

Article 18 Passes unanimously.

Under Article 19 it was moved and seconded that the Town votes to amend the 'By-Laws for the Town of Southampton' by deleting Article VI, "General Government", and Section 4, which currently reads:

No officer or Board of the Town shall make any contract on behalf of the Town, the execution of which shall necessarily extend beyond one (1) year from the date thereof, unless specific authority to do so has been given by a vote of the Town.

Motion was moved and seconded to call the question. Motion Passes unanimously

Article 19 Passes a majority vote 1 no

Under Article 20 it was moved and seconded that the Town vote to amend the By-Laws for the Town of Southampton by deleting Article VII, "Building Permits" in its entirety.

Motion moved and seconded to move the Question. Motion Passes unanimously

Article 20 Passes unanimously

Under Article 21 it was moved and seconded that the voters will vote to adopt the following Non-Exempt Wage and Salary Scale commencing July 5, 2009 to apply to non-school, non-elected, non-union, or other contracted employees, or take any other action relative thereto. "Presented by Petition"

Motion was moved and seconded to call the Question. Motion Passed a 2/3rd Vote
Yes 61 No 11

Article 21 Fails Yes 38 No 59

Under Article 22 it was moved That the Town vote to allow the Hampshire Regional School District to establish a Stabilization Fund according to the provisions of MGL Chapter 71 Section 16G ½, contingent upon the approval of a majority of the District member municipalities at their respective Town Meetings.

Article 22 Passes a majority vote 3 no's

A motion was move and seconded to resolve the meeting at 9:35p.m.

A true copy of the warrant, and the return of warrant, and the minutes of the Annual Town Meeting.

Attest:

Eileen Couture, Clerk
Town of Southampton