

# TOWN OF NEW MARLBOROUGH

*FISCAL YEAR  
2019*

ANNUAL REPORT  
OF THE  
TOWN OF  
NEW MARLBOROUGH  
MASSACHUSETTS



For the Fiscal Year July 1, 2018 - June 30, 2019

<b>First Settled</b>	<b>1739</b>
<b>Area</b>	<b>28,046 acres</b>
<b>Incorporated</b>	<b>June 15, 1759</b>
<b>Elevation</b>	<b>1,200 feet</b>
<b>Road mileage</b>	<b>89</b>
<b>Residents (2020)</b>	<b>1,276</b>
<b>Registered Voters (2020)</b>	<b>1,040</b>

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<b>Fire Department</b>	<b>70</b>
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## Federal and State Representatives

<b>Senators in Congress:</b>	<b>Edward J. Markey</b> <b>Elizabeth A. Warren</b>
<b>Representative in Congress:</b>	<b>Richard E. Neal</b>
<b>Governor:</b>	<b>Charles Baker</b>
<b>Lieutenant Governor:</b>	<b>Karyn Polito</b>
<b>State Senator:</b>	<b>Adam Hinds</b>
<b>Representative in General Court:</b>	<b>William Smitty Pignatelli</b>

## Town Services

### Emergency Calls Police, Fire and Medical Dial 911

<b>Services</b>	<b>Telephone</b>	<b>Meeting Dates</b>
Accounting Officer:	229-7784	Fridays 9:00 am – Noon
Board of Appeals:	229-8116	On Chairman's Call
Board of Assessors:	229-8926	At Library: 4th Wednesday of month - 9 a.m.
Board of Health:	229-8469	2 <sup>nd</sup> Tuesdays, 6:00 p.m.
Board of Selectmen:	229-8116	Mondays, 6:00 p.m.
Cemetery Commission:	229-2890	On Chairman's Call
Emergency Management:	229-8278	On Call
Conservation Commission:	229-8116	Third Saturday of Month, 10:00 a.m.
Dog Officer:	232-7038	On Call
Finance Committee:	229-8278	On Chairman's Call
Highway Department:	229-8165	Monday – Friday 7:00 a.m. 3:30 p.m.
Inspector of Buildings:	229-0277	Monday, 5 p.m. – 7 p.m./Thursday 8 a.m. – 10:00 a.m.
Planning Board:	528-0616	2nd & 4th Wed. Month, 7:00 p.m.
Public Library:	229-6668	<b><u>November 1st – March 31st</u></b> Tues. & Thurs. 1:30-5:30 p.m. Mon., Wed. & Sat. 10:00 a.m.-5:30 p.m. Fridays, 1:30-7:30 p.m. <b><u>April 1st – October 1st</u></b> Tuesdays & Fridays, 1:30 - 7:30 p.m. Wed & Sat., 10:00 a.m. - 5:30 p.m. Mon. & Thurs. 1:30 - 5:30 p.m.
Town Clerk:	229-8278	Monday - Friday 7:30 a.m. - 3:30 p.m.
Tax Collector:	229-8963	Monday – Friday 8:30 a.m. – 2:00 p.m.

Town Treasurer:	229-7784	Monday – Tuesday 8:30 a.m. – 3:30 p.m.
Transfer Station:	229-2116	Sun. & Wed. – 9 a.m. – 1 p.m.
		Saturday 9 a.m. – 3 p.m.
Sanitary Inspector:	229-8469	On call
Plumbing Inspector:	229-8019	On call
Wiring Inspector:	528-2823	On call
Gas Inspector:	229-8019	On call
Oil Burner Inspector:	229-8100	On call

## Elected Officers

Office	Officer(s)	Term Expires
Board of Selectmen	Nathaniel H. Yohalem, Chair	2020
	Tara B. White	2021
	Richard E. Long	2022
Town Clerk	Katherine M. Chretien	2020
Moderator	Barry Shapiro	2020
Board of Assessors	Marsha Pshenishny, Chair	2022
	Frederick Friedman	2020
	Wendy Miller	2020
Planning Board	Dan Doern, Chair	2022
	Mark Carson	2020
	Eric Schaefer	2021
	Robert W. Hartt	2020
Board of Health	Lawrence H. Davis, III, Chair	2020
	John Bellinger	2022
	Jordan Chretien	2021
Cemetery Commission	Tammi Palmer, Chair	2022
	James Palmer	2020
	Robert Palmer	2021
Finance Committee	Steven Klein, Chair	2020
	Michele Shalaby, Vice Chair	2022
	John Pshenishny	2022
	Sandra Fusco-Walker	2021
	Robert Miller	2020
	Barbara Marchione	2022
	I. Douglas Newman	2021

<b>Office</b>	<b>Officer(s)</b>	<b>Term Expires</b>
Library Trustees	Sally Turner, Chair	2020
	Claudette Callahan	2020
	Carrie Ann Liba	2022
Tree Warden	Nate Redman	2020
Constable	David Herrick	2022
School Committee	Jane Burke	2022
	David Travis	2020

## **Appointed Officers**

Administrative Secretary	Sharon Fleck	2020
Board of Registrars	Michelle Dawson-Harvey	2020
	Alicia Brazie	2020
	Sharon Fleck	2020
Conservation Commission	Freddie Friedman	2020
	John Schreiber	2020
	Nanci Worthington	2020
	David Herrick	2020
Board of Appeals	Courtney Turner, Chair	2020
	B. Daniel Litchfield	2020
	Sharon Fleck	2020
	Jack Bellinger, Alternate	2020
	Helen Liveten, Alternate	2020
Town Administrator (Contract)	Anne Marie Enoch	2020
Chief Procurement Officer	Anne Marie Enoch	2020
Animal Control Officer	Graham Frank	2020
Inspector of Animals	Prudence Spaulding	2020
Board of Health Agent	Scott McFarland	2020
Accounting Officer	Tara B. White	2020
Tax Collector	Gina Campbell	2020
Assistant Tax Collector	Kathy Chretien	2020
Assistant Treasurer - Tax Title	Marilyn Fracasso	2020
Town Treasurer	Marilyn Fracasso	2020
Assistant Town Treasurer	Katherine M. Chretien	2020
Field Driver/Fence Viewer	Prudence Spaulding	2020
Moth Superintendent	Lawrence H. Davis, Jr.	2020
Burial/Soldier Grave Agent	Courtney K. Turner	2020
Town Counsel	Jeremia Pollard, Esq.	2020

Gas Inspector	Robert Krupski	2020
Assistant Gas Inspector	Donald Hopkins	2020
Pound Keeper	Vacant	2020
Plumbing Inspector	Robert Krupski	2020
Assistant Plumbing Inspector	Donald Hopkins	2020
Veterans Agent	Laurie Hills	2020
Police Chief (Contract)	Graham Frank	2022
Fire Chief (Contract)	Charles Loring, III	2020
Highway Super. (Contract)	Charles Loring, III	2020
Building Commissioner	Owen Wright	2020
Alternate Building Inspector	Matt Kollmer	2020
Local Inspector	Don Torrrico	2020
Wiring Inspector	Michael Leining	2020
Alternate Wiring Inspector	Lawrence "Butch" Ray	2020
	Jim Kern	2020
Cultural Council	Nancy Barbe, Chair	2020
	Eugene Cleary	2020
	Sue Cohen	2020
	Kathy Potoski	2020
	Louise Yohalem	2020
	Richard Long	2020
	Wendy Miller	2020
	Holly Valente	2020
	Linda Fass	2021
	Marjoree Shapiro	2021
	Alice Fahs	2021
	Joyce Hackett	2022
	Marjorie Robins Boscarino	2022
Historical Commission	John Schreiber, Chair	2020
	Claudette Callahan	2020
	Deanna Mummert	2020
	Fiona Kerr	2020
Right-to-Know Officer	Board of Selectmen	
	Larry Burke, Asst.	2020
Commission Delegate		
Alternate Regional Planning	Mark Carson	2020

Commission Delegate		
Lake Buel Restoration	Christopher Hassett	2020
Preservation District		
Representative		
Council on Aging	Prudence Spaulding, Chair	2020
	Marsha Harvey	2020
	Joan Hotaling	2020
	Jane Beers	2020
	Merrie Abolafia	2020
Director of Senior Services	Prudence Spaulding	2020
Umpachene Park Commission	Robert Twing	2020
	Warren Weldon	2020
	Courtney A. Davis	2020
	Vacant	
Emergency Management Dir.	Ed Harvey	2020
Deputy Emergency Mgr. Dir.	Robert Litchfield	2020
Solid Waste Coordinator	Freddie Friedman	2020
Part-Time Police Officers	Daniel Hamill	2020
	Ed Deming	2020
	Hunter Lucey	2020
	Dominick Crupi	2020
	Gary Lemon	2020
Full Time Police Officer	John Mullen	2020
Agricultural Commission	Eli Cook	2020
Cable Advisory Committee	Steven Klein, Chair	2020
	Doug Newman	2020
	Michael Shocket	2020
	Broc Kerr	2020
	John Valente	2020
Commission on Disabilities	Tom Stalker, Chair	2021
	John Hotaling	2022
	John Pshenishny	2022
	Marsha Pshenishny	2020
	Tara B. White	2020



Designer Selection Committee	Daniel Doern	2020
	Mari Enoch	2020
	Scott Walker	2020
	Joyce Hackett	2020
	Richard E. Long	2020
Housing Committee	Richard E. Long	2020
	Kenzie Field	2020
	Elizabeth Rosenberg	2020
	Teena Parton	2020
	Will Regan	2020
	Dan Doern	2020
		2020
	Board of Selectmen Liaison	
<b>Non Board of Selectmen Appointees</b>		
Assistant Town Clerk	Sharon Fleck	2020
Assessor's Clerk	Marsha Pshenishny	2020
Berkshire Reg. Planning Delegate	Daniel Doern	2020
Deputy Fire Chief	David Smith	2020
Assistant Chief	Bob Dvorchik	2020
Chief Medical Officer	Maureen Krecji	2020

# **ANNUAL REPORT OF THE BOARD OF SELECTMEN**

**Fiscal Year 2019 July 1, 2018 – June 30, 2019**

For the majority of the Fiscal Year, the Board was comprised of Nat Yohalem as Vice Chairman, Tara White and me, serving as the Chairman. Beyond the Board, the residents of New Marlborough rely heavily on all Boards, Committees, Councils, Commissions and Town Meeting to ensure that we act in a cohesive, responsible manner for the benefit of most and protection of the vulnerable. Board goals, set at the meeting of July 30, 2018, were:

- Close Fiscal Year 18 books by October 1
- Scanlon and Co. to conduct FY18 audit
- Broadband: License and make-ready
- Route 57: secure MASSWORKS grant and reconvene multi-town effort to address repair
- Town Hall building: apply for grants and establish a building committee
- Develop financial policies—jointly with Finance Committee
- Revise School Assessment formula
- Continue to address regionalization of ambulance services
- Relocate Police Department to Southfield
- Reconsider special permit application, process and fees
- Identify and prioritize state programs
- Investigate additional revenue sources

Our goals were ambitious in number and some were lofty in effort. Most were accomplished or started within the year.

The year was one of frequent active duty for the Board and one of very active citizen participation. Some were efforts of Town desire, others were brought forward by outside forces and then there were reactions to the outside efforts. Whatever the origins, many became involved in shaping our town and we are better for it. Some new opportunities to participate came through the establishment of the Cannabis Ad Hoc Committee, Cable Advisory Committee and the Commission on Disabilities. The Ad Hoc Committee delivered to voters and the Board some much-needed guidance on possible town actions following the legalization of Cannabis. The Commission has proposed efforts and policies adopted by the Board in April. Additionally, members of the Commission were influential in the decision to change the venue of Annual Town Meeting to a place of greater accessibility than what the Town Hall offers. The regional school in Sheffield was considered and, ultimately, after strong voices in favor of keeping the Meeting in Town and willingness of the Fire Department, the Firehouse was chosen.

An additional policy was adopted related to road closures. After some complaints about a road being closed for a private event, the Board and the Police Department clarified the circumstances under which a road may be closed.

We reached monumental milestones in the years-long effort to bring high speed Internet to New Marlborough. The Commonwealth agreed to contribute additional funds to our effort and offered a repayment method for the Town's portion. The Broadband Committee,

after thorough due diligence via a bidding process, were unable to come to an agreement with any bidders and then pursued an option offered by Massachusetts Broadband Institute with Charter Communications. For the deal to be finalized, three agreements had to be negotiated and signed: A Flexible Grant Agreement between Charter and the Commonwealth, a Cable Licensing Agreement between New Marlborough and Charter, and a Contribution and Assessment Agreement between New Marlborough and the Commonwealth. All were successfully signed, the Broadband Committee was disbanded and the Cable Advisory Committee was established to oversee the make-ready and build of the network.

As a boost to some individual homeowners in Town, projects of a Community Development Block Grant (CDBG), for which we applied in FY18, were granted and started in FY19. Additionally, we submitted another application for more housing rehabilitation as well as design for architectural barrier removal in town buildings. The building of greatest concern for accessibility is Town Hall. The application was submitted in collaboration with Sheffield and Otis under guidance from the Berkshire Regional Planning Commission.

Additional assistance from Berkshire Regional Planning Commission (BRPC), along with Federal Emergency Management Funds, was secured to update New Marlborough's Hazard Mitigation Plan. Being ten years old, it was time to update the plan as having a current plan in place is a requirement to receive certain grants. The purpose of the plan is to have long term risk reduction from natural hazards and disasters.

Another vital function of the Board of Selectman is to be the Special Permit Granting Authority. Only one hearing of a special permit application was held. The permit applicant was from CPV Mill River Solar, LLC for a commercial solar field on property at 100 Hartsville New Marlborough Road, owned by members of the Massini family. From past years, the Board extended the duration of two special permits for commercial solar fields on Knight Road (CVE North America, Sunrise on Knight Road) and Mill River Southfield Road (Park Avenue). Additionally, a Payment in Lieu of Taxes agreement was reached and signed with CVE.

Leading to and upon the retirement of the Building Inspector, Tom Carmody, the duties were transitioned to Owen Wright while he, successfully, completed necessary exams for his licensure.

One of the greatest responsibilities is fiscal management of the Town. The fiscal year 18 was "closed" on April, with the certification of Free Cash in the amount of \$616,406. While the audit firm of Scanlon and Company did offer technical assistance and continued to provide guidance, they recommended against an audit of the year, due to a lack of progress in areas addressed in the management letter of the audit of Fiscal Year 2014.

The budget for the FY20 was developed, jointly, between the Finance Committee and the Board. While the Finance Committee did the greater amount of work examining departmental budget requests, the Board led the way in developing goals and strategies. The budget was developed with the main goal of easing taxpayer burden and/or town operation budget from the annual fluctuations in school assessment. This was addressed with two strategies:

During the year, a Committee of Selectmen and Finance Committee members from five towns within the regional school district worked to revise the School Assessment formula that is used to divide the school budget between the member towns. The goal was a new formula that would ease the yearly variances in each Town's assessment to improve each town's ability to plan budgets.

Additionally, within town finances, the Board and Finance Committee sought to build levy capacity by dividing allowable increases evenly between Town Operating Expenses and School Assessment. Half (the school assessment accounts for roughly half town budget) the allowable increases were either left unspent or proposed to be allocated to one-time expenses which can be eliminated in the next year and allocated to an assessment increase. Increases in Town operating expenses were limited at or below half the increase allowed by Proposition 2 ½

Only one town meeting, the Annual Town Meeting, was held in May. No Special Town Meetings were held. One special election was held in April regarding prohibition of various cannabis business types.

Highlights of the Annual Town Meeting were: the passage of articles raising and appropriating \$5.77M for FY20 (a 3.2% increase v. FY19), all forms of cannabis business were disallowed with the exception of research facilities, a new Regional School District assessment formula was approved, the layouts of some roads were approved, Town Hall employees requested from the floor and received an increase in budget for their salaries, a new by-law requiring a Knox Box for alarmed houses was approved and local taxes on lodging and prepared restaurant meals were denied.

The Annual Town Election was held and a new member, Richard Long, was elected to the Board. The Board then reorganized, as they do annually, and elected Nat Yohalem as Chairman and Tara White as the Vice Chairman. In May and June, the major issue the Board approached was that of town employee compensation, determining that study and assistance are needed to ensure that compensation is fair, reasonable, consistent and competitive. Additionally, a letter was received from the Berkshire Hills Regional School District, asking our school district to begin considering the benefits and possibility of consolidating the two districts into a single district.

Many thanks are owed to everyone who participated and contributed to the management of New Marlborough. As always, there is plenty of work ahead for the Board in FY20 and beyond.

*Respectfully submitted,*

Tara B. White

## **TOWN OF NEW MARLBOROUGH ANNUAL TOWN MEETING MINUTES - MAY 7, 2019**

The Annual Town Meeting was called to order at 7:03 PM on Monday, the 6th day of May, 2019 in the Fire Department, Southfield Village by Moderator, Barry Shapiro. Mr. Shapiro welcomed voters to the Annual Town Meeting and mentioned that this form of town meeting is the purest, oldest Democrat of the country. One hundred ninety four (194) voters were present. Pledge of allegiance was done. Mr. Shapiro extend gratitude to Mr. Charles Loring and the Fire Department for the use of the Fire Department, and the Chief of Police and officers, and town hall staff including Mr. Alvin Stalker. Mr. Shapiro also mentioned that there are hearing devices in the back of the room for those how need them. Mr. Shapiro also gave a thanks to Mr. Thomas Stalker, Chair of the Commission on Disabilities and to Mr. William Kelly for his technology support. Mr. Steven Klein, Chair of the Finance Committee, extended a huge thanks to Ms. Prudence Spaulding for all of her thirty six years of service on the Finance Committee. Mr. Shapiro stated that next Monday, May 13th is Annual Town Election for town offices and that the Five Village News is hosting a meet the candidates' night on Wednesday, May 8th at 7PM. Mr. Shapiro reminded voters to check in and that the yellow voter's cards will be used for each article and the process of the meeting; and that the purpose of the meeting is to act on the fifty seven (57) articles; and that there will be a time limit of two minutes for those you wish to speak. Mr. Shapiro noted that the warrant was duly posted by the constable, Mr. David Herrick. Mr. Shapiro welcomed Mr. Joseph Poindexter to give an invocation. After the greetings were done a motion was made, seconded and so voted to waive the reading of the warrant.

**Article 1:** To hear and act upon the reports of the Town Officers or any committee of the Town.

**Article 2:** To see if the Town will vote to authorize the Board of Selectmen to act as agents of the Town in accordance with Chapter 40, Section 2 of the General Laws for the purpose of bringing suit or suits in the name of the Town and on its behalf, and to adjust, litigate, defend, compromise, settle, and execute any and all documents pursuant to any settlement on behalf of the Town for such amounts as the Selectmen shall determine in their decision to be proper and in the best interest of the Town, or take any other vote in relation thereto.

**Article 3:** To see if the Town will vote to authorize the Town, with the approval of the Board of Selectmen, to seek and accept any grants, or take any other vote in relation thereto.

**Article 4:** To see if the Town will vote to authorize the Board of Selectmen to appoint any member or members thereof to other office(s) or position(s) for a term as provided by law (if any), or otherwise for a term not to exceed one year and to fix the salary and compensation in accordance with Chapter 41, Section 4A of the General Laws, or take any other vote in relation thereto.

**Article 5:** To see if the Town will vote to authorize the Board of Health to appoint an agent for the Board of Health who may be a member of the Board of Health, under the provisions of Chapter 41, Section 4A of the General Laws, subject to the approval of the Board of Selectmen, or take any other vote in relation thereto.

**Article 6:** To see if the Town will vote to authorize the Conservation Commission to appoint an agent for the Conservation Commission, who may be a member of the Conservation Commission, under the provisions of Chapter 41, Section 4A of the General Laws, subject to the approval of the Board of Selectmen, or take any other vote in relation thereto.

**Article 7:** To see if the Town will vote to authorize any Town Board to appoint any member thereof to another office or position, subject to the approval of the Board of Selectmen, for a term as provided by law (if any), or otherwise for the term not to exceed one year, and to fix the salary and compensation in accordance with Chapter 41, Section 4A of the General Laws or take any other vote in relation thereto.

**Article 8:** To see if the Town will vote to accept any and all money appropriated by the Executive Office of Transportation and Massachusetts Highway Department, subject to the approval of the Board of Selectmen, said sums to be used for the purpose of repairing roads, or take any other vote in relation thereto.

**Article 9:** To see if the Town will vote to accept any and all money appropriated by the Executive Office of Veterans Affairs and appropriate said amounts, subject to the approval of the Board of Selectmen, to the Veterans Benefits Trust Fund for the purpose of paying veteran benefits under Chapter 115 of the General Laws, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Articles #1 through Article #9 by a show of cards.**

**Article 10:** To see if the Town will vote to affix the salaries of various elected Town Officers, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
Board of Selectmen (each, 3 members)	\$2,850.00		\$2,850.00
Town Moderator	\$145.00		\$145.00
Town Clerk	\$33,159.00	\$1,139.00	\$32,020.00
Board of Assessors (chairman)	\$2,200.00		\$2,200.00
Board of Assessors (each, 2 members)	\$1,900.00		\$1,900.00
Board of Health (chairman)	\$450.00		\$450.00
Board of Health (each, 2 members)	\$400.00		\$400.00
Cemetery Commissioners (chairman)	\$150.00		\$150.00
Cemetery Commissioners (each, 2 members)	\$125.00		\$125.00
Constable	\$475.00		\$475.00
Tree Warden	\$1,250.00		\$1,250.00
Library Trustees (chairman)	\$120.00		\$120.00
Library Trustees (each, 2 members)	\$100.00		\$100.00
School Comm Reps (each, 2 members)	\$825.00		\$825.00

**A motion was made, seconded and so voted to approve Article #10 by a show of cards.**

## **General Government**

**Article 11:** To see if the Town will vote to raise and appropriate the amounts recommended, or any other amounts, for the following purposes, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Moderator	\$145.00	\$-	\$145.00
2 Selectmen Salaries	\$8,550.00	\$-	\$8,550.00
3 Selectmen Expenses	\$3,000.00	\$-	\$3,000.00
4 Contingency	\$5,000.00	\$-	\$5,000.00
5 Conservation Commission Expenses	\$1,700.00	\$300.00	\$1,400.00
6 Conservation Commission Clerical	\$600.00	\$-	\$600.00
7 Town Counsel	\$10,000.00	\$-	\$10,000.00
8 Town Administrator Salary	\$39,574.00	\$4,553.00	\$35,021.00
9 Administrative Secretary Salary	\$30,777.00	\$1,062.00	\$29,715.00
10 Website	\$3,975.00	\$1,500.00	\$2,475.00
11 Finance Committee Expenses	\$500.00	\$-	\$500.00
12 Accounting Officer Salary	\$19,071.00	\$640.00	\$18,431.00
13 Accounting Officer Expenses	\$4,515.00	\$-	\$4,515.00
14 Assessors Salaries	\$6,000.00	\$-	\$6,000.00
15 Assessors General Expenses	\$1,850.00	\$50.00	\$1,800.00
16 Assessors Tax Map Update	\$2,500.00	\$-	\$2,500.00
17 Assessors Consultant	\$ -	\$(2,500.00)	\$2,500.00
18 Assessors Property Cards Online	\$1,640.00	\$40.00	\$1,600.00
19 Assessors Clerk Salary	\$19,450.00	\$671.00	\$18,779.00
20 Assessors Computer Contract	\$4,771.00	\$143.00	\$4,628.00
21 Assessors Revaluation Account	\$16,500.00	\$ -	\$16,500.00
22 Tax Collector Computer Service	\$7,940.00	\$1,110.00	\$6,830.00
23 Tax Collector Salaries	\$26,963.00	\$786.00	\$26,177.00
24 Tax Collector Expenses	\$6,255.00	\$ -	\$6,255.00
25 Treasurer Salary	\$18,737.00	\$648.00	\$18,089.00
26 Assistant Treasurer Salary	\$2,000.00	\$ -	\$2,000.00
27 Treasurer Expenses	\$3,300.00	\$ -	\$3,300.00
28 Treasurer Software	\$3,975.00	\$ -	\$3,975.00
29 Tax Title (Collector)	\$800.00	\$(500.00)	\$1,300.00
30 Tax Title (Treasurer)	\$2,000.00	\$(4,000.00)	\$6,000.00
31 Town Clerk Salary	\$33,159.00	\$1,139.00	\$32,020.00
32 Town Clerk Expenses	\$2,200.00	\$ -	\$2,200.00
33 Town Records Preservation	\$5,000.00	\$ -	\$5,000.00
34 Election Expenses	\$4,525.00	\$2,300.00	\$2,225.00
35 Street Listing	\$800.00	\$ -	\$800.00
36 Agricultural Commission Expenses	\$250.00	\$50.00	\$200.00
37 Planning Board Expenses	\$900.00	\$27.00	\$873.00
38 Planning Board Clerical	\$1,500.00	\$200.00	\$1,300.00
39 Board of Appeals	\$300.00	\$ -	\$300.00



40 Clerical	\$9,124.00	\$315.00	\$8,809.00
41 Town Hall Expenses	\$34,500.00	\$ -	\$34,500.00
42 Town Hall Custodian	\$8,622.00	\$298.00	\$8,324.00
43 Town Officers Bonds	\$1,500.00	\$700.00	\$800.00
44 Printing	\$1,900.00	\$100.00	\$1,800.00
45 ADA Coordinator	<u>\$1,500.00</u>	<u>\$1,500.00</u>	<u>\$ -</u>
<b>Total Article 11</b>	<b>\$357,868.00</b>	<b>\$11,132.0</b>	<b>\$346,736.00</b>

A motion was made, seconded and so voted to approve Article #11 by a show of cards, except for lines #6, #9, #19, #23, #25, #31 which were put on hold for discussion. Mr. Freddy Friedman, Chair of the Conservation Commission stated that he was speaking on behalf of the Commission and that they would like to make an amendment to line #6 to \$900.00, which is the amount that the Finance Committee original budgeted. A motion was made, seconded and so voted to approve line #6 for the amount of \$900.00 by a show of cards. Mrs. Marilyn Fracasso, Town Treasurer, Mrs. Sharon Fleck, Administrative Secretary and Ms. Kathy Chretien spoke on lines #9, #19, #23, #25, #31. Mrs. Fracasso stated that she would like to explain the conundrum of the Town Hall employees and that the Town Hall employees put down 10% pay for FY20 to simply get the Board of Selectmen's attention, which it did not. Mrs. Fracasso also stated that the five employees met separately with two of Select board members to discuss many topics, i.e. working conditions, salaries, etc. and asked who advocates for us at Town hall. Mrs. Fracasso also mentioned that other department heads advocate for their employees but no one is advocating for the Town hall staff, so we are asking you the voters to advocate for us, as much for a salary increase and for acknowledgement of the contribution we make. Mrs. Fleck stated that some of voters come into Town Hall at noon time, and someone always acknowledges your presence and offers to help. Mrs. Fleck also mentioned that we have done our best to serve you and when you come in at noon, we ask "did you bring your lunch?" We invite you to come and have lunch with us so we get to know you and you get to know the people who work for you. Mrs. Fleck also stated we are a cohesive group, offering to help one another and working together for the good of the Town. Ms. Chretien stated that we all know that the Commission on Disabilities is working to make the Town Hall complaint, which will take some time. Ms. Chretien also mentioned that the ducts at Town Hall have been cleaned and they've never been cleaned, and the Select board is evaluating a new heating system as well as an air conditioning system. Ms. Chretien mentioned that we the five employees advocate for us and hope that we have been able to help you in the Town Hall. A non-resident mentioned that he does not feel that the Town Hall employees need an additional raise since the Police Department is asking for a raise. A motion was made, seconded and so discussed, one voter stated that he supports the increase of 5% for the five employees, since employees don't change over the years very much and it's very difficult to get pay raises when you work for many years, compare to newer employees. Ms. Shalaby mentioned that she was one of the Select board members who met with the five employees and that the Select board voted on 3% for all Town employees across the board. After discussion a motion was made, seconded and so voted to approve a 5% raise for lines #9, #19, #23, #25, #31. Mrs. Fleck thanked the voters for their support of the Town Hall employees.

**Article 12:** To see if the Town will vote to raise and appropriate the sum of \$5,700.00, or any other amount, for the purpose of purchasing a Voting Tabulator for use at elections in New Marlborough, or take any other vote in relation thereto.

*(Not recommended by the Finance Committee)*

**A motion was made, seconded and put on hold. A voter inquired what a voting tabulator does. Ms. Chretien, Town Clerk stated that the current wooden election box has been jamming at the last two elections, and that opening the ballot box leaves us open to possible litigation and it's time to come into the twenty first century. A voter inquired what would happen to the current wooden election box. Ms. Chretien stated that we would use the election box for the Town Caucus since our caucus is the people's caucus and can be used for an event for children. Ms. Chretien also stated that Mrs. Teena Parton, Election Warden was not able to be present and she would like the voters to know that each ballot has to be hand counted and some elections take many hours to count and that there is a limited amount of space. Mrs. Parton also wanted the voters to know that the voting tabulator is not hooked to the internet and doesn't take any more electric then turning on a light. Ms. Chretien also mentioned that all elections have to been completed in one location and that she runs election by State regulations, and that at this time there is only one set of counters for the upcoming Town Election. Ms. Chretien also mentioned that Sheffield Town Clerk has invited New Marlborough voters of to see the voting tabulator in action, since it will be the first time Sheffield uses it, it was just approved that Sheffield's Town Meeting last May. Mrs. Fusco-Walker, Vice Chair of the Finance Committee stated that the cost of each ballot and coding of the disks is the reason that isn't not recommended by the Finance Committee. A voter stated that we should support the Clerk's office since she has been trying to purchase a tabulator for a few years but has been denied and it's time to come into the twenty first century and support the Town Clerk. After discussion a motion was made , seconded and so voted to approve Article #12 by a show of cards.**

**Highways/Public Works**

**Article 13:** To see if the Town will vote to raise and appropriate the amounts recommended for the following purposes, or take any other vote in relation thereto. *(Line 7 is not recommended by the Finance Committee. All other lines in Article 14 are recommended by the Finance Committee)*

	<b>FY2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Roads and Bridges Salaries	\$341,854.00	\$40,724.00	\$301,130.00
2 Roads and Bridges Expenses	\$183,000.00	\$(9,000.00)	\$192,000.00
3 Propane	\$10,000.00	\$ -	\$10,000.00
4 Diesel Fuel	\$40,000.00	\$ -	\$40,000.00
5 Winter Roads	\$266,334.00	\$ -	\$266,334.00
6 Street Lights	\$4,848.00	\$ -	\$4,848.00
7 Highway Department Expenses	\$28,900.00	\$2,600.00	\$26,300.00
8 Machinery Expense	\$80,000.00	\$ -	\$80,000.00
9 Cemetery Officers Stipends	\$400.00	\$ -	\$400.00
10 Cemetery Salaries	\$38,677.00	\$1,127.00	\$37,550.00

11 Cemetery Expenses	<u>\$2,900.00</u>	<u>\$2,900.00</u>	<u>\$ -</u>
<b>Total Article 13</b>	<b>\$996,913.00</b>	<b>\$38,351.00</b>	<b>\$958,562.00</b>

**A motion was made, seconded and so voted to approve Article #13 by a show of cards.**

**Article 14:** To see if the Town will vote to raise and appropriate the sum of \$35,000.00, or any other amount, for the purpose of defraying any associated right of way expenses in connection with the repair and/or replacement of the bridges over the Umpachene River on Canaan Southfield Road, Lumbert Cross Road, and Norfolk Road, as well as the bridge over the Whiting River on Campbell Falls Road, or take any other vote in relation thereto.  
(Recommended by the Finance Committee)

**A motion was made, seconded and discussed. A voter inquired as to what the funds are for. Ms. Mari Enoch, Town Administrator stated that the Town has received funds from the State to repair/replace bridges in Town and to pay for right of ways. Ms. Enoch also mentioned that the funds are for bridge work similar to what was done for Hadsell Street Bridge. After discussion a motion was made, seconded and so voted to approve Article #14 unanimously by a show of cards.**

**Article 15:** To see if the Town will vote to raise and appropriate the sum of \$ 19,980.00, or any other sum, to the Cemetery Projects fund, for the purpose of repair and maintenance in the Town cemeteries, or take any other vote in relation thereto.

(Recommended by the Finance Committee)

**A motion was made, seconded and so voted to approve Article #15 by a show of cards.**

### **Schools**

**Article 16:** To see if the Town will vote to raise and appropriate the amounts recommended, for the following purposes, or take any other vote in relation thereto.

(Recommended by the Finance Committee)

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 SBRSD Operating and Transportation	\$2,709,542.00	\$238.00	\$2,709,304.00
2 SBRSD Capital (Includes Bond)	<u>\$156,139.00</u>	<u>\$23,988.00</u>	<u>\$132,151.00</u>
<b>Total Article 16</b>	<b>\$2,865,681.00</b>	<b>\$24,226.00</b>	<b>\$2,841,455.00</b>

**A motion was made, seconded and discussed. Mrs. Jane Burke, New Marlborough School Committee member stated that she would like to inform all of the people present that you are all well served by the Board of Selectmen compared to the other four towns in the district in this budget season and that they have advocated for all residents. Mrs. Burke also mentioned that the district will need help in the future since the State is not doing their share of the costs, and all towns are paying 80%. Mrs. Burke also mentioned that the school administration is writing to the State Legislators and Governor regarding rural schools not receiving funds and asking the voters to do the same. After discussion a motion was made, seconded and so voted to approve Article #16 was a show of cards.**

**Article 17:** To see if the Town will vote to raise and appropriate the sum of \$1,650.00 for School Committee Representatives Compensation, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #17 by a show of cards.**

### **Culture and Recreation**

**Article 18:** To see if the Town will vote to raise and appropriate the amounts recommended for the following purposes, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Library Expenses	\$46,919.00	\$1,004.00	\$45,915.00
2 Library Salaries	\$61,315.00	\$2,236.00	\$59,079.00
3 Library Trustees Stipends	\$320.00	\$ -	\$320.00
4 Historical Commission Clerical	\$300.00	\$300.00	\$ -
5 Historical Commission Expenses	\$500.00	\$500.00	\$ -
6 Umpachene Falls Park Expenses	\$4,000.00	\$ -	\$4,000.00
7 Care of Village Green	\$4,323.00	\$1,230.00	\$3,093.00
8 Cultural Council Expenses	\$1,250.00	\$250.00	\$1,000.00
9 Memorial Day	<u>\$700.00</u>	<u>\$ -</u>	<u>\$700.00</u>
<b>Total Article 18</b>	<b>\$119,627.00</b>	<b>\$5,520.00</b>	<b>\$114,107.00</b>

**A motion was made, seconded and so voted to approve Article #18 by a show of cards.**

**Article 19:** To see if the Town will vote to raise and appropriate the sum of \$ 11,000.00, or any other sum, to the Umpachene Falls Park Erosion Project, for the purpose of obtaining engineering services to stabilize the riverbank in Umpachene Falls Park, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

**A motion was made, seconded so voted to approve Article #19 by a show of cards.**

### **Protection of Persons and Property**

**Article 20:** To see if the Town will vote to raise and appropriate the amounts recommended for the following purposes, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Police Department Salaries	\$161,053.00	\$27,082.00	\$133,971.00
2 Police Department Expenses	\$26,250.00	\$1,800.00	\$24,450.00
3 Police Department Rental	\$6,000.00	\$(3,000.00)	\$9,000.00
4 Constable Stipend	\$475.00	\$ -	\$475.00
5 Constable Expenses	\$50.00	\$(45.00)	\$95.00
6 Fire Protection	\$62,000.00	\$3,100.00	\$58,900.00
7 Fire Fighters Stipends	\$36,500.00	\$ -	\$36,500.00
8 Fire Department Clerical	\$1,700.00	\$ -	\$1,700.00
9 NM Rescue Clerical	\$4,992.00	\$ -	\$4,992.00
10 Building Inspector Expenses	\$3,475.00	\$1,358.00	\$2,117.00
11 Building Inspector Salary	\$21,532.00	\$743.00	\$20,789.00
12 Alternate Building Inspector Compensation	\$1,000.00	\$1,000.00	\$ -

13 Building Inspector Software	\$2,990.00	\$145.00	\$2,845.00
14 Emergency Management Stipend	\$4,330.00	\$ -	\$4,330.00
15 Emergency Management Expenses	\$2,450.00	\$450.00	\$2,000.00
16 Animal Control Officer	\$3,711.00	\$ -	\$3,711.00
17 Animal Inspector Compensation	\$1,500.00	\$ -	\$1,500.00
18 Animal Inspector Expense	\$825.00	\$25.00	\$800.00
19 Tree Warden Salary	\$1,250.00	\$ -	\$1,250.00
20 Tree Work	\$20,000.00	\$5,000.00	\$15,000.00
21 911 Coordinator Expenses	\$100.00	\$ -	\$100.00
22 Emergency Notification System	\$2,700.00	\$100.00	\$2,600.00
23 Berkshire County Communications	<u>\$10,592.00</u>	<u>\$308.00</u>	<u>\$10,284.00</u>
<b>Total Article 20</b>	<b>\$375,475.00</b>	<b>\$38,066.00</b>	<b>\$337,409.00</b>

**A motion was made, seconded and so voted to approve Article #20 by a show of cards.**

**Article 21:** To see if the Town will vote to transfer the amount of \$28,850.00 from the New Marlborough Rescue/Comstar Reserved Account, or any other amount, and to appropriate said amount, or any other amount, to the New Marlborough Rescue Expense Account for the purpose of the operation of the ambulance, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #21 by a show of cards.**

**Article 22:** To see if the Town will vote to transfer the amount of \$27,250.00 from the New Marlborough Rescue/Comstar Reserved Account, or any other amount, and to appropriate said amount, or any other amount, to the New Marlborough Rescue Stipend Account for the purpose of staffing the ambulance, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #21 by a show of cards.**

**Article 23:** To see if the Town will vote to raise and appropriate the amount of \$2,400.00, or any other amount, for the purpose of updating the Hazardous Mitigation Plan, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #23 by a show of cards.**

**Article 24:** To see if the Town will vote to raise and appropriate the amount of \$10,000.00, or any other amount, to the Tree Maintenance Projects Accounts, for the purpose of trimming and removing trees, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #24 by a show of cards.**

### **Health and Human Services**

**Article 25:** To see if the Town will vote to raise and appropriate the amounts recommended for the following purposes, or take any other vote in relation thereto.  
*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Household Hazardous Waste	\$3,160.00	\$1,761.00	\$1,399.00
2 Board of Health Salaries	\$1,250.00	\$ -	\$1,250.00
3 Board of Health Expenses	\$1,500.00	\$ -	\$1,500.00
4 Board of Health Clerical	\$5,004.00	\$4.00	\$5,000.00
5 Board of Health Software Expense	\$1,750.00	\$150.00	\$1,650.00
6 Transfer Station Expenses	\$75,000.00	\$3,000.00	\$72,000.00
7 Transfer Station Salaries	\$27,528.00	\$1,253.00	\$26,275.00
8 Community Health Program	\$1,000.00	\$ -	\$1,000.00
9 Visiting Nurse Association	\$2,581.00	\$1.00	\$2,580.00
10 Mental Health	\$200.00	\$ -	\$200.00
11 Berkshire Regional Purchasing	\$800.00	\$200.00	\$600.00
12 Council on Aging Transportation	\$5,720.00	\$ -	\$5,720.00
13 Council on Aging Expenses	\$250.00	\$ -	\$250.00
14 Commission on Disabilities Expenses	\$225.00	\$225.00	\$ -
15 Senior Tax Workoff Expenses	<u>\$150.00</u>	<u>\$ -</u>	<u>\$150.00</u>
<b>Total Article 25</b>	<b>\$126,118.00</b>	<b>\$6,594.00</b>	<b>\$119,524.00</b>

**A motion was made, seconded and so voted to approve Article #25 by a show of cards.**

### **Debt and Interest**

**Article 26:** To see if the Town will vote to raise and appropriate the amounts recommended for the following purposes, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 2014 Highway Truck	\$ -	\$(24,420.00)	\$24,420.00
2 2014 Loader	\$ -	\$(17,797.00)	\$17,797.00
3 2015 Highway Truck	\$45,492.00	\$(892.00)	\$46,384.00
4 2015 Fire Truck	\$70,400.00	\$(2,200.00)	\$72,600.00
5 2019 Grader	<u>\$45,500.00</u>	<u>\$45,500.00</u>	<u>\$ -</u>
<b>Total Article 26</b>	<b>\$161,392.00</b>	<b>\$191.00</b>	<b>\$161,201.00</b>

**A motion was made, seconded and so voted to approve Article #26 by a show of cards.**

### **Unclassified Expenses**

**Article 27:** To see if the Town will vote to raise and appropriate the recommended amounts, for the following purposes, or take any other vote in relation thereto.

*(Recommended by the Finance Committee)*

	<b>FY 2020</b>	<b>+/-</b>	<b>FY 2019</b>
1 Berkshire County Retirement	\$158,015.00	\$13,326.00	\$144,689.00
2 Workers Compensation Insurance	\$16,500.00	\$ -	\$16,500.00
3 General Insurance	\$64,850.00	\$(3,150.00)	\$68,000.00
4 Group Insurance	\$194,484.00	\$(1,737.00)	\$196,221.00
5 Insurance Reimbursement	\$5,000.00	\$ -	\$5,000.00

6	Longevity Stipend	\$2,500.00	\$ -	\$2,500.00
7	Medicare	\$14,894.00	\$1,394.00	\$13,500.00
8	Veterans District	\$6,796.00	\$125.00	\$6,671.00
9	Veterans Benefits Trust Chapter 115	\$10,000.00	\$(2,000.00)	\$12,000.00
10	Berkshire Regional Planning	\$1,203.00	\$30.00	\$1,173.00
11	Reserve Fund	<u>\$50,000.00</u>	<u>\$ -</u>	<u>\$50,000.00</u>
	<b>Total Article 27</b>	<b>\$524,242.00</b>	<b>\$7,988.00</b>	<b>\$516,254.00</b>

**A motion was made, seconded and so voted to approve Article #27 by a show of cards.**

**Article 28:** To see if the Town will vote to raise and appropriate the sum of \$150,000.00 or any other amount, for the purpose of funding the Stabilization Fund, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

**A motion was made, seconded and discussed. A voter made an amended motion to raise and appropriate \$50,000 and to take \$100,000 out of free cash and seconded. Mr. Shapiro, Moderator stated that the amendment is out of scope. A voter mentioned that there is \$616, 000 in free cash, and made an amendment to raise and appropriate the sum of \$50,000 and was seconded. Ms. Shalaby stated that the Select board has been working with the Finance Committee on capital items, and stabilization and that they need to generate \$150,000 otherwise a lower amount won't work. Ms. Shalaby also mentioned that they are working on an ADA study and will need funds to make the Town Hall ADA compliant which will be very costly and don't want to take on any debt. A voter agrees that \$50,000 needs to be amount used for Stabilization not \$150,000 that will raise tax payer's taxes, and feels that \$50,000 is a realizable amount. Amendment motion was defeated. A motion was made, seconded and so voted to approve Article #28 in the amount of \$150,000 by a show of cards.**

**Article 29:** To see if the Town will vote to transfer the sum of \$219,000.00 or any other amount, from Free Cash and appropriate said amount, or any other amount, to the Roads Projects Account for the purpose of repairing town roads, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

**A motion was made, seconded and so voted to approve Article #29 by a show of cards.**

**Article 30:** To see if the Town will vote to transfer the sum of \$115,000.00, or any other amount, from Free Cash and appropriate said amount, or any other amount, to the Highway Yard Paving Account for the purpose of paving the driveway and parking areas at the town Highway Garage, or take any other vote in relation thereto. *(Recommended by the Finance Committee)*

**A motion was made, seconded and discussed. A resident inquired has to why pave the highway driveway when there is dirt roads should be a priority. Mr. Charles Loring, Highway Department Superintendent stated that the driveway has potholes, muddy and two employees have fallen; and that he has sales representatives coming in to see him and that he department is open for public. Mr. Loring also mentioned that it is not feasible for him to have employees out of work or have to submit a workers comp claim since it would be very costly to the Town. Mr. Loring also mentioned that salt has contaminated the driveway area, and dust is an issue for the vehicles as well as**



the building. A voter stated that they felt the driveway doesn't need to be paved, and that the Highway Department has two graders, other equipment and could use better materials; put down a different apron and that there are more important things to be done in Town. Mr. Loring mentioned that they have tried using different materials but none of them are working, and if not paved driveway will be muddy. Ms. Shalaby, Chairman of the Selectmen stated that the area is hazardous work site and that the Board would like to make improvements at the Highway just like they are working on doing at the Town Hall. After discussion a motion was made, seconded and so voted to approve Article #30 by a show of cards.

**Article 31:** To see if the Town will vote to transfer the sum of \$140,000.00, or any other amount, from Free Cash, and appropriate said amount, or any other amount, to the 2019 Highway Truck account, for the purpose of purchasing a 19.5 GVW highway truck with complete snow and ice removal package, or take any other vote in relation there to. *(Recommended by the Finance Committee)*

A motion was made, and seconded. A voter stated that they feel the purchase of another vehicle is not necessary, since they have other vehicles such as the Army trucks and the spending is going on and on. Mr. Yohalem, member of the Select Board, mentioned that the purchase of the vehicle is for the benefit of the whole town and town roads. Mr. Loring mentioned that he has been working with the Finance Committee on capital plan and doesn't want to have to ask for three vehicles at one time and that the vehicles are worked in a harsh environment. After discussion a motion was made, seconded and so voted to approve Article #31 by a show of cards.

**Article 32:** To see if the Town will vote to transfer the sum of \$25,000.00, or any other amount, from the Town Hall Renovations account and appropriate said amount, or any other amount, to the Town Hall Workspace Improvements account for the purpose of improving the working conditions in Town Hall, or take any other vote in relation thereto. A motion was made, seconded and so voted to approve Article #32 by a show of cards.

**Article 33:** To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2020 without further appropriation for the revolving funds established in the General By-laws for certain departments, boards, committees, agencies, or other officers in accordance with MGL Chapter 44, Section 53E ½ as follows, or take any other vote in relation thereto:

<u>Authorized Revolving Funds</u>	<u>FY 2020 Spending Limit</u>
Plumbing Inspector	\$7,500.00
Gas Inspector	\$5,000.00
Electrical Inspector	\$10,000.00
Board of Health	\$17,000.00
Tax Title Fees	\$25,000.00

A motion was made, seconded and so voted to approve Article #33 by a show of cards.

A motion was made, seconded and so voted to advance Article #35 before Article #34.

**Article 35:** To see if the Town will vote to accept the provisions of MGL Chapter 64 G, section 3(A), and impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, short term rental, or motel located within the Town at a rate of 6%, said excise tax to take effect on the first day of the calendar quarter following thirty days after such vote of the Town Meeting, or take any other vote in relative thereto.

**A motion was made, seconded and discussed.** Owners of Inn on the Green & Southfield Store mentioned that they feel that the Select board wants to reach into business owners pockets, and they would have to doubled what is already collected, 11.7% tax will close the businesses since customers will take their business elsewhere. The owner went on to state that no notification was given to them, that this isn't feasible, no justification and they would have to charge double of what they are already charging. It was also mentioned that they support local businesses and so do their customers, and that they are hands on seven days a week. One of the co-owners of Gedney Farm stated that they have already booked twenty weddings for 2020 and they don't want to tell the people that they owe more money, as a business owner they will have to take a loss by not charging the extra tax and they will have to pay the difference themselves. A voter inquired has to what amount the Town is receiving. Mrs. Sandy Walker, member of the Finance Committee stated that she has been exploring the room tax and the estimate from the State would have been \$2,000 for 6% & \$7,000 for 8%. Ms. Walker also mentioned that this is an opportunity to bring funds into the Town that aren't on the backs of tax payers; other towns have implemented this tax and more towns are doing this, and if people want to come to New Marlborough they should be able to pay. Another voter feels that this will hurt town residents that need jobs year around. A resident feels that if people book weddings then they have deep pockets, and not sure if 6% is the right amount. Another voter mentioned that it does affect those that have already booked and they would have to review the bookings, and the Town doesn't do anything for the businesses in town, and this will drive businesses down. Another voter stated that if prices here are high it will hurt other businesses. Another voter mentioned that people are encouraged to bargain and they look around to have the best bargains, and if approved this will hurt the Town. After discussed a motion was made, seconded and so voted to defeat Article #35 by a show of cards.

**Article 34:** To see if the Town will vote to accept the provisions of MGL Chapter 64 L, Section 2(A), the meals excise tax of 0.75%, to take effect on the first day of the calendar quarter following thirty days after such vote of the Town Meeting, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to defeat Article #34 by a show of cards.**

**Article 36:** To see if the Town will vote to amend the Regional Agreement Establishing the Southern Berkshire Regional School District as restated effective as of July 1, 2011 as shown on the attached proposed Amendment to Regional Agreement, by deleting the introductory paragraph and subparagraphs a. through h., inclusive, of Section 4 APPORTIONMENT OF COSTS, and replacing that introductory paragraph and those deleted subparagraphs with a new introductory paragraph and new subparagraphs a.

through h. of Section 4 APPORTIONMENT OF COSTS.

## AMENDMENT TO REGIONAL AGREEMENT ESTABLISHING THE SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT

The Regional Agreement Establishing the Southern Berkshire Regional School District as restated effective as of July 1, 2011, is amended by deleting the introductory paragraph and subparagraphs a. through h., inclusive, of Section 4 APPORTIONMENT OF COSTS, and replacing those deleted subparagraphs with a new introductory paragraph and new subparagraphs a. through h. of Section 4 APPORTIONMENT OF COSTS, inclusive, to read in their entirety as follows:

### 4. APPORTIONMENT OF COSTS.

For the purpose of apportionment among Member Towns of the District, costs shall be classified as capital costs, operating costs, and transportation costs. (For purposes herein, costs apportioned among and assessed to the Member Towns shall not include any costs paid by third party sources as determined by the Regional School Committee, including but not limited to Chapter 70 state aid, Chapter 71 Regional Transportation Reimbursement, and Medicaid reimbursements.)

- a. Capital costs shall include cost of site, construction, laying out playgrounds and athletic fields, original grading, original equipment, and other costs incurred to put a new school plant into operation. Capital costs shall also include interest on indebtedness incurred to meet these outlays and the expense incident to the preparation, issuing, and marketing of bonds and other obligations. All subsequent improvements to the school plant which would be capitalized according to generally accepted accounting practices shall be treated as capital costs.

The “Required Minimum Contributions” for the Member Towns and the “Required District Contribution” for the District as used herein shall be the “required local contribution” and the “required district contribution” respectively as those terms are defined and determined by the Department of Elementary and Secondary Education (hereinafter the “DESE”) in accordance with the Education Reform Act and its implementing regulations, as such statute and regulations may be amended from time to time. The ratio of each Member Town’s Required Minimum Contribution to the Required District Contribution in any applicable year is hereinafter referred to as the “Applicable Percentage.” For Fiscal Year 2013 (July 1 through June 30) and each Fiscal Year thereafter through Fiscal Year 2019 (July 1, 2018 through June 30, 2019), each Member Town’s respective share of the annual capital costs shall be calculated as follows: each Member Town’s respective share of the annual capital costs shall be calculated by multiplying total capital costs by the percentage that such Member Town’s Required Minimum Contribution bears to the District’s Required District Contribution for the applicable fiscal year. For Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and each Fiscal Year thereafter, each Member Town’s respective share of the annual capital costs shall be calculated by multiplying total capital costs by the percentage share that such

Member Town's 5-year rolling average Required Minimum Contribution bears to the total of the District's 5-year rolling average Required District Contribution. The 5-year rolling averages shall be calculated using the Required Minimum Contributions for the current and four fiscal years prior.

Examples: The years to be included to calculate the 5-year rolling average Required Minimum Contribution for FY20 and FY21 are:

FY20 – Fiscal Years 2016, 2017, 2018, 2019, 2020

FY21 – Fiscal Years 2017, 2018, 2019, 2020, 2021

For each Member Town, the percentage share that such Member Town's 5-year rolling average Required Minimum Contribution bears to the total of the District's 5-year rolling average Required District Contribution is hereinafter referred to as the "Rolling Average Applicable Percentage".

- c. The payments of respective shares of said capital costs of each of the Member Towns for each year shall be paid in two equal installments made by the respective town treasurers by checks payable to the District and delivered to the District not later than August 15th and March 15th of each fiscal year. In the event a different payment schedule is required in order to allow the District to meet its payment obligations under any bond issues or other financing facilities for capital costs ("Indebtedness Payment"), each Member Town shall make such payments of its respective share of said Indebtedness Payment no later than 15 days preceding the date on which such obligation is so payable by the District.
- d. Operating costs shall include all estimated expenses of the District except capital and transportation costs, including but not limited to salaries, administration expenses, wages, textbooks, supplies, additions to current equipment, repairs, maintenance and interest on temporary notes issued in anticipation of revenue to be earned by the District.
- e. For Fiscal Year 2013 and each Fiscal Year thereafter through Fiscal Year 2019 (July 1, 2018 through June 30, 2019), each Member Town's share of the total operating costs of the District schools in any fiscal year shall be calculated by multiplying the total operating budget by the Member Town's respective Applicable Percentage. For Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and each Fiscal Year thereafter, each Member Town's annual respective share of the total operating costs of the District schools in any fiscal year shall be calculated in a two-step process as follows: First, each Member Town's respective share of the total Required Minimum Contribution shall be calculated by multiplying the Required District Contribution as shown in the District's budget for the applicable fiscal year by the Member Town's respective Applicable Percentage for that year. Second, the balance of each Member Town's respective share of the total operating costs of the District schools as shown in the District's budget for the applicable fiscal year in excess of the Required Minimum Contribution shall be calculated by multiplying the remaining

balance of the total operating costs of the District schools as shown in the District's budget for the applicable fiscal year by such Member Town's Rolling Average Applicable Percentage.

- f. The District shall arrange for necessary transportation for pupils from all member towns attending the Regional District schools under provisions of applicable MGL and special acts.
- g. For Fiscal Year 2013 and each Fiscal Year thereafter through Fiscal Year 2019 (July 1, 2018 through June 30, 2019), each Member Town's share of the total transportation costs shall be calculated by multiplying the total transportation costs by the Member Town's respective Applicable Percentage. For Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and each Fiscal Year thereafter, each Member Town's respective share of the annual transportation costs shall be calculated by multiplying total transportation costs of the District for that fiscal year by such Member Town's Rolling Average Applicable Percentage.
- h. Each Member Town shall make payment for its respective share of the District's estimated annual operating and transportation costs upon certification by the District treasurer as specified in section 8(b) below, such payment to be made by the respective town treasurer in four equal installments on the fifteenth day of August, November, February and May, by check payable to the District.

All other terms and provisions of the Regional Agreement Establishing the Southern Berkshire Regional School District as restated effective as of July 1, 2011, and including but not limited to subparagraphs i, and j of Section 4 APPORTIONMENT OF COSTS, remain in full force and effect in their entirety.

**A motion was made, seconded and discussed. A voter inquired what this agreement means. Ms. Shalaby stated that the population has declined within the last few years and this will make it easier to plan for budgeting; New Marlborough and other towns are proposing a new formula on rolling average. Another voter mentioned that this agreement has to do with student enrollment and is a formula, the voter recommends approving this article. After discussion a motion was made, seconded and so voted to approve Article #36 by a show of cards.**

**Article 37:** To see if the Town will vote to accept the provisions of MGL 143 Section 3Z and allow any part time inspector of buildings, building commissioner, local inspector or alternate inspector to practice for hire or engage in the business for which he is certified, licensed or registered under the building code, while serving as such inspector, provided, however, that within the area over which he has jurisdiction as inspector or alternate inspector, he shall not exercise any of his powers and duties as such inspector, including those of enforcement officer of the state building code for the construction, reconstruction, alteration, repair, demolition or removal work done by himself, his employer, employee, or one employed with him, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #37 by a show of cards.**

**Article 38:** To see if the Town will vote to authorize the Board of Selectmen to enter into a Tax Agreement pursuant to MGL Chapter 59 Section 38H(b) and Chapter 164 Section 1, and/or any other enabling authority for any solar photovoltaic facilities located in Town for a term of up to 20 years, on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to take any and all actions as may be necessary or convenient to accomplish the purpose of this article, or take any other vote in relation thereto.

**A motion was made, seconded and discussed. A voter stated that this article is asking voters to give up their rights and is against this article. She has been an abutter of a special permit for solar and asked the voters to vote no on this article. A resident is concerned that if you put all the solar special permits then it puts the voters against the applicant; resident feels that the Board of Selectmen should be empowered to enter into a pilot. Another voter feels that this article isn't democratic and that the voters won't know what the amount is. Another voter inquired if solar fields can be placed anywhere in New Marlborough. Mr. Yohalem, member of Board of Selectmen stated that there seems to be a misconception that when a solar project is submitted and approved then a personal assessment can be placed but the Select board can't exceed a three year contract. A PILOT from a special permit on Knight Road could bring in a total of \$915,000.00. A voter feels that PILOT is all about the money that has conditions and feels that the voters don't have a voice in any conditions place in a special permit for solar. Ms. White, member of the Board of Selectmen stated that solar has to go through the special permit process, this isn't what this article is for. Ms. White mentioned that the PILOT has already been approved at last year annual town meeting and that negotiations are done in executive session. Another voter inquired if this is payment in lieu of taxes, and yes was the answer. Town Counsel, Mr. Jeremia Pollard stated that there will be a condition of a special permit and it's a negotiation tool. The Select board will have to go into a three year agreement and he recommends a twenty year agreement, it will give move bargaining power. Mr. Yohalem stated that one of the conditions will be to enter into a three year agreement, but the solar companies want longer lease term of twenty years and that the PILOT assessments are how much companies are going to have to pay for personal taxes. The PILOT is only for taxes not location. A motion was made, seconded to move article. After discussion a motion was made, seconded and so voted to approve Article #38 by a show of cards.**

**A motion was made, seconded and so voted to advance Articles #48 – 55 before Article #49.**

**Article 48:** To see if the Town will vote to adopt the following by-law, and insert as Section 18: Marijuana Prohibition, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana cultivator shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana cultivator (Marijuana Cultivator means an entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft

Marijuana Cooperative is a type of Marijuana Cultivator) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and discussed. A voter mentioned that 250 voters submitted a petition for a temporary moratorium, which deadline is June 30, 2019, and that supporting bylaws be drafted by the planning board, but haven't seen any bylaws yet; and the citizens and the Town have to be protect. Voter encouraged that time be given to the Planning Board to write the bylaws and vote yes on all to protect our town. Another voter stated that he wasn't against this but there are issues, such as smells, uses a lot of water, etc. and rules need to make that all can benefit from. A voter inquired if this allows us not to follow rules. Mr. Pollard, Town Counsel stated that Massachusetts General Laws 94G is completely silent, and that the marijuana questions have to be on an election ballot and on a town meeting warrant. A voter wondered if we could have understand of the process instead of this instead of guessing from someone who is working on this. Mr. Peter Tiso, Chairman Planning Board stated that the Board has been working on this bylaw and will continue to work on if voted down. He suggested a special town meeting will be scheduled before the end of June. Mr. Tiso also mentioned that if this article fails then they have longer then June, 2019 to develop a bylaw. A motion was made, seconded to move the Article. After discussion a motion was made, seconded and so voted to approve Article #48 by a show of cards.**

**Article 49:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a craft marijuana cooperative shall be prohibited in the Town of New Marlborough."?

Counsel's summary: The foregoing bylaw would ban the operation of a craft marijuana cooperative (Craft Marijuana Cooperative means a Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

A motion was made, seconded and discussed. A resident inquired if this article means that the Planning Board will have come up with a ban. Mr. Pollard, Town Counsel, stated that the Planning Board will draft a bylaw; it will be presented, and the voters will have to vote again by a ballot (election) and town meeting. A voter mentioned that the town is able to opt in & then opt out. After discussion a motion was made, seconded and so voted to approve Article #49 by a show of cards. A motion was made, seconded to have a recount



vote. Recount vote totals: 91 yes votes, to 70 no votes, moderator stated that Article #49 was approved by a show of cards.

**Article 50:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana product manufacturer shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana product manufacture (Marijuana Product Manufacturer means an entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and so voted to approve Article #50 by a show of cards.**

**Article 51:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana retailer shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana retailer (Marijuana Retailer means an entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment) in the Town of New Marlborough, subject to approval by the town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and so voted to approve Article #51 by a show of cards.**

**Article 52:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana research facility shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana facility (Research Facility means an entity licensed to engage in research projects by the Commission) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and discussed. Mr. Peter Tiso, Chairman Planning**

**Board stated that spaces can be used in different ways. After discussion Article #53 failed by 79 yes (prohibit) to 82 no (allow) votes. A motion was made, seconded and so voted to reconsider this Article \$52, motion fails by a show of cards.**

**Article 53:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana independent testing laboratory and standards laboratory shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana independent testing laboratory and standards laboratory (Independent Testing Laboratory means a laboratory that is licensed by the Commission and is: (a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission; (b) independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and (c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and discussed. A voter stated that is article is not specific and nothing is in place, no regulations. A voter inquired what regulations are in place in New Marlborough. Mr. Pollard, Town Counsel stated that New Marlborough has light zoning in place. Mr. Tiso, Chairman Planning Board, mentioned that they would consider business space. After discussion a motion was, made, seconded and so voted to approve Article #43 by a show of cards.**

**Article 54:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana transporter shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana transporter (Marijuana Transporter means an entity, not otherwise licensed by the Commission that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third Party Transporter) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and so voted to approve Article #54 by a show of cards.**

**Article 55:** To see if the Town will vote to adopt the following by-law, numbered according to the town meeting's acceptance or rejection of specific marijuana establishments: "The operation of a marijuana microbusiness shall be prohibited in the Town of New Marlborough."

Counsel's summary: The foregoing bylaw would ban the operation of a marijuana microbusiness (Microbusiness means a colocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.) in the Town of New Marlborough, subject to approval by the Town of New Marlborough Town Meeting.

Yes = Prohibit

No = Allow

**A motion was made, seconded and discussed. A voter inquired what a micro business is. Mr. Tiso, Chairman Planning Board stated that a micro business is 5,000 feet or less than 2,000 pounds, and is small levels, small kitchen, not retail and would only sell to licensed contractors. After discussion was made, seconded and so voted to approve Article #55 by a show of cards.**

**A motion was made, seconded and so voted to advance to Article #57.**

**Article 57:** To see if the Town will vote to adopt the proposed zoning amendments to the Town of New Marlborough's Protective By-laws to create two zoning districts within the Town, Rural Residential and Village Center Residential, to propose different dimensional requirements applicable to properties within these districts, to remove definitions from Section 2 and reinsert definitions as Section 12 with no changes to the number or language of current definitions, to renumber Section 3.4 to correct an existing numbering error, and set the boundaries of the new zoning districts on the New Marlborough Zoning Map as more particularly published in the supplementary document, copies of which are available in the Town Clerk's office, on the Town website, and provided at the Annual Town Meeting, or take any other vote in relation thereto. **(2/3 vote required)**

#### **Village Center Zoning District**

**Proposed changes are presented in italics underlined font**

**Proposed deletions are presented in strikethrough font**

**Comments are provided in a comment box for informational purposes only and are not intended to become part of the Protective Bylaws**

Comment: Delete the text of existing "Section 2 – Definitions" and replace with text of a new "Section 2 – Zoning Districts" in order to establish two zoning districts, the Village Center Residential District and the Rural Residential District as further set forth below. This includes the adoption of a new zoning map (attached) that delineates the boundaries between the Village Center Residential District and the Rural Residential District. (Existing Section 2 – Definitions is moved to a new Section 12 – Definitions)

## ***SECTION 2: ZONING DISTRICTS***

### ***2.1 Types of Districts***

2.1.1 For the purpose of this bylaw, the Town of New Marlborough is hereby divided into two districts as follows:

Rural Residential District (RRD)

Village Center Residential District (VCRD)

### ***2.2 The Zoning Map***

2.2.1 The location and boundaries of these districts are hereby established as shown on a map entitled "Zoning Map of New Marlborough, Massachusetts" with date of adoption, bearing the signatures of the members of the Planning Board and on file in the office of the Town Clerk, which map, with all explanatory matters thereon, is hereby made a part of this chapter.

### ***2.3 Interpretation of District Boundary Lines***

2.3.1 Street. For the purpose of interpretation of district boundaries as shown on the Official Zoning Map, where a street constitutes a zone boundary, the centerline of that street is the boundary.

2.3.2 Water Bodies. Boundaries indicated as following shorelines of lakes or ponds shall be construed to follow such shorelines.

2.3.3 Other Boundaries. Boundaries which appear to run parallel to the features indicated above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

2.3.4 Split Lots. Where a district boundary line divides a lot that was in single ownership on the effective date of this ordinance, the following rules shall apply:

2.3.4.1 The Board of Selectmen may permit, as a special permit, the extension of regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

2.3.4.2 The Board of Selectmen may authorize an access road from the less restricted portion of the lot through the more restricted portion of the lot upon the grant of a special permit.

2.3.5 Interpretation. In cases of uncertainty or disagreement concerning the exact location of a district boundary line or where physical features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered herein, the district boundary shall be determined by the Zoning Board of Appeals.

## ***SECTION 2: DEFINITIONS***

**~~2.1 MAXIMUM GROSS FLOOR AREA (GFA):~~** The sum of all enclosed or covered areas capable of being used or finished for habitable space of each floor of the building, measured to the exterior faces of the enclosing walls, columns, or posts. A space shall be considered “capable of being used or finished for habitable space” if it meets Massachusetts Building Code occupiable ceiling height requirements. (ATM 5.4.15) (AG 11.4.15)

**~~2.2 ACCESSORY DWELLING:~~** A detached freestanding building located along with the principal dwelling unit on the lot shall be allowed as an accessory dwelling.

**~~2.3 AGRICULTURAL USE:~~** Any use of land for the purpose of raising agricultural products, livestock, poultry or dairy products, including necessary farm structures, vehicles and equipment. This use does not include kennels, commercial stables or facilities for the commercial raising of swine or fur bearing animals.

**~~2.4 BUILDING:~~** A roofed or walled structure used or intended for supporting or sheltering any use occupancy.

**~~2.5 CUSTOMARY HOME OCCUPATION:~~** Self-employed resident occupants in their private homes working at an occupation which is limited to the home, carried forth at the home and requiring no more off-street parking facilities that would ordinarily be used by the household, such as dress making, preserving or home cooking, photography, the giving of private music and dance lessons or a one chair beauty parlor. Customary home occupation does not include gift shop, antique shop, art gallery or similar retail establishment.

**~~2.6 DWELLING UNIT:~~** One or more rooms constituting a separate independent housekeeping unit establishment with cooking, living, sanitary and sleeping facilities for the use of no more than one family.

**~~2.7 DWELLING, SINGLE FAMILY:~~** A detached residential building designed for or occupied by one (1) family only, but not including mobile homes and trailers whether placed on foundations or not.

**~~2.8 DWELLING, MULTI-FAMILY:~~** A residential building containing two (2) or more dwelling units.

**~~2.9 FAMILY:~~** An individual or any number of individuals related by blood, marriage or other legal arrangement such as adoption, guardianship, foster care or up to six (6) unrelated individuals living in a single dwelling unit.

**~~2.10 FRONTAGE:~~** That boundary of a lot, which lies along a road.

**~~2.11 LOT:~~** An area of land in one ownership with definite boundaries, used or available for the use as the site of one or more buildings.

**~~2.12 MUNICIPAL USE:~~** Any Town of New Marlborough use of land in accordance with

~~the General Laws governing municipal powers and functions including participation in regional uses.~~

~~**2.13 ROAD:** a. A public way or way which the Clerk of the Town certifies is maintained and used as a public way, or b. A way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or c. A way in existence when the subdivision control law became effective in New Marlborough on March 8, 1965 having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the building erected or to be erected thereon.~~

~~**2.14 SETBACK:** The area of a lot extending inward from a lot line (or, in the case of front setback, the road line), for the distance specified in the zoning regulations in which no building or structures may be placed.~~

~~**2.15 SETBACK, FRONT:** An area extending across the full width of the lot and extending inward from the road line of the lot.~~

~~**2.16 SETBACK, REAR:** An area extending inward from rear of the lot between the side lot lines.~~

~~**2.17 SETBACK, SIDE:** An area extending along a side lot line from the frontline to the rear line.~~

~~**2.18 STRUCTURE:** Any construction, erection, assemblage or other combination of material upon the land necessitating pilings, footings, or a foundation for attachment to the land, including swimming pools and recreational courts.~~

Comment: Amendments are proposed to the headings and text of existing Sections 3.2, 3.3 and 3.4 to reflect the establishment of two districts as further set forth below. Section 3.4 is renumbered to correct a previous numbering error.

### **SECTION 3: PERMITTED USES/USE REGULATIONS**

**3.1** No dwelling, structure or land or any part thereof shall be used for any purpose unless authorized:

3.1.1 As a use by right

3.1.2 Under special permit granted by the Board of Selectmen

3.1.3 Under variance granted by the Board of Appeals

3.1.4 Under applicable law at the time such use began, and provided such use has continued until the present time

**3.2** *Rural Residential District and Village Center Residential District* ~~Town Residential District~~

**3.3 Use by Right:** *The following uses are allowed by right in both the Rural Residential District and Village Center Residential District:*

3.3.1 Single Family Dwelling

3.3.1.2 Accessory Dwelling, existing on or before May 5, 2003, subject to the following conditions:

- A. The exterior appearance of the building shall not be altered except for the purpose of safety (stairs for fire escape), health (weather protection for the main entry such as enclosed entry or drip edge protection) or handicapped accessibility requirements (ADA compliance) or to meet building code requirements, nor shall the footprint of the building be enlarged.
- B. The minimum lot size requirement shall be two (2) acres and the minimum frontage requirement shall be 150 feet.
- C. One of the two units on the lot shall be occupied by the owner of the lot, and in the event of the sale of the property, the new owner shall occupy one of the two units as a primary residence.
- D. There shall be no more than one accessory dwelling per lot created under this bylaw.
- E. The maximum gross floor area (GFA) shall not exceed 1,200 square feet. (ATM 5.4.15) (AG 11.4.15)

### 3.3.1.3 Accessory Apartment

#### A. Purpose.

- 1. Add moderately priced rental units to the housing stock of the Town. (ATM 5.4.15) (AG 11.4.15)
  - 2. Provide homeowner(s) with a means of obtaining rental income, accommodation for caregiver(s), companionship, security and/or services, thereby enabling him/her to stay more comfortably in their homes.
  - 3. Protect property values and the single-family residential character of neighborhoods by ensuring that accessory apartments are permitted by right only on owner occupied premises.
- B. Accessory Apartments. An accessory apartment may be permitted by right, as an accessory use where the principal use of the lot is an owner occupied single-family dwelling.

#### C. Accessory Apartment, shall be subject to the following conditions:

- 1. An accessory apartment shall only be constructed within an existing principal building or structure or an existing attached accessory building or structure.
- 2. Only one (1) accessory apartment shall be permitted on a lot.
- 3. The maximum gross floor area of an accessory apartment constructed within a principal building or structure shall not exceed forty percent (40%) of the maximum gross floor

area of the principal building or structure. The maximum gross floor area of an accessory apartment shall not be less than 300 square feet. The principal dwelling unit shall not be reduced to less than 300 square feet.

4. To qualify as an accessory apartment, the owner of the lot must occupy either the accessory apartment or the principal dwelling unit.

5. The principal or accessory structure or building that will contain an accessory apartment shall not be enlarged or extended in connection with the construction or modification of an accessory apartment, except to comply with building, safety or health codes as outlined in Section 3.3.1.2.A of these By-laws.

6. All parking for the occupant(s) of an accessory apartment shall be off-street in accordance with Section 7.3.1.4 of these By-laws.

7. An accessory apartment shall meet all applicable standards of the State Building Code (780 CMR) and the State Environmental Code, Title V (310 CMR 15.00) and subsequent revisions thereof.

3.3.2 Any lawful residential, municipal or non-profit recreational purpose.

3.3.3 Any religious or non-municipal educational purpose subject to Section 6.1.

3.3.4 Any agricultural use except commercial piggeries, fur farming, slaughterhouse or greenhouses.

3.3.5 The following commercial purposes, but no others:

3.3.5.1 The display and sale of natural products, the major portion of which are raised in the Town

3.3.5.2 The use of a room or rooms in a dwelling or accessory building by a resident occupant for the practice of a recognized profession or by a resident carpenter, painter, plumber, electrician or other artisan in connection with his trade, including display and sale of products produced on the premises, or by a resident engaged in the customary home occupation, provided that there is no evidence of business other than a permitted sign.

3.3.5.3 Renting of rooms and furnishing of board by an owner in his residence provided no independent kitchen facilities are maintained.

3.3.6 Buildings or structures related to the above uses.

**3.4 Uses by Special Permit Only: *The following uses may only be allowed by special permit in both the Rural Residential District and Village Center Residential District:***



3.4.1 The following uses are permitted if approved, after a public hearing thereon, by permit from the Board of Selectmen who shall determine that the use will not be injurious, noxious or offensive, and that such use is consistent with the intent of the by-law.

3.4.1.1 Commercial Greenhouses

3.4.1.2 Gallery

3.4.1.3 Sawmill

3.4.1.4 Antique, craft or gift shop

3.4.1.5 Summer camp, golf course, boat livery, riding stable

3.4.1.6 Ski tow

3.4.1.7 Restaurant

3.4.1.8 Facility for generating power from wind, sun or water

3.4.1.9 Enclosed veterinary hospital

3.4.1.10 Municipal and public service buildings, structures and use

3.4.1.11 Display and sale of natural products, the major portion of which are raised outside of Town

3.4.1.12 Scrap and salvage yard

3.4.1.13 Sales and service of vehicles

3.4.1.14 Accessory Dwelling either new construction or modification of an existing freestanding building constructed after May 5, 2003.

3.4.2 Multifamily dwelling, subject to the following requirements:

3.4.2.1 Construction plans elevations, and the location of the building(s) on the lot must be submitted to the Planning, Board of Health, Conservation Commission and the Building Inspector for their recommendations to the Board of Selectmen. The recommendations shall be submitted within thirty (30) days of the date the plans are submitted.

3.4.2.2 Design plans shall contain provisions for not more than six (6) dwelling units. No building shall exceed thirty-five (35) feet in height. Such plans shall also contain provisions for adequate water and sewage disposal facilities.

3.4.2.3 Lot shall contain a minimum of one (1) acre for the first dwelling unit and three (3) acres for each additional unit. The lot shall contain a minimum of one hundred fifty (150) feet of frontage for the first unit and one hundred (100) feet of frontage for each additional unit.

3.4.2.4 Dwelling units, parking areas and playgrounds shall not be less than one hundred (100) feet from all property lines.

~~(3.4.2.4.1)~~ 3.4.3 Conversion of a single family dwelling into a multifamily dwelling of two (2) or more units, without meeting the requirements of 4.1, if in the Rural Residential district, or 4.2, if in the Village Center Residential district, as to lot area, frontage and as to distance from property boundary line may be permitted by the Board of Selectmen provided that:

~~(3.4.2.5)~~ 3.4.3.1 The single-family dwelling has not been enlarged within seven (7)

years of the proposed conversion.

~~(3.4.2.6)~~ 3.4.3.2 The lot area has not been reduced below the minimum within seven (7) years of the proposed conversion.

~~(3.4.2.7)~~ 3.4.3.3 Any fire escapes or outside stairways leading to a second story shall be located on any wall not facing a road and shall not occupy any part of the rear or side setback.

~~(3.4.2.8)~~ 3.4.3.4 No exterior addition to the original dwelling shall thereafter be made other than fire escapes and outside stairways.

~~(3.4.2.9)~~ 3.4.3.5 No dwelling shall be converted unless in connection therewith it is placed in reasonable state of repair.

~~(3.4.2.8.1)~~ 3.4.4 Accessory dwelling on a lot with less than two (2) acres or less than 150 feet of frontage, subject to the conditions set forth in Section 3.3.1.2 and Section 7.3.1.1

~~(3.4.3)~~ 3.4.5 Any other use determined by the Board of Selectmen to be similar in character to one or more uses specifically authorized herein, provided the Board finds that the proposed use is in harmony with the general purpose and intent of this by-law and not offensive or detrimental to the neighborhood.

~~(3.4.4)~~ 3.4.6 The Board of Selectmen may impose additional safeguards and requirements for any use under this section as in their judgment are necessary for the protection of the public health, safety and welfare.

~~(3.4.5)~~ 3.4.7 Every use permitted by right or authorized by special permit under the provisions of this by-law shall be subject to the State Building Code, State Sanitary Code and the Town's Board of Health Regulations and any other applicable statutes, bylaws and regulation, including Parking and Sign Regulations.

### **3.5 Nonconforming Structures, Uses and Lots**

3.5.1 These procedures shall not apply to structures or uses lawfully in existence or lawfully begun at the time of the adoption of this by-law as provided in Section 6, Chapter 40A (MGL).

3.5.2 Any pre-existing nonconforming structures or uses may be rebuilt or reestablished within two (2) years if damaged or destroyed by fire or other catastrophe.

3.5.3 Pre-existing nonconforming structures or uses may be extended, altered or changed to another nonconforming use by Special Permit from the Board of Selectmen provided that the Board finds that such change, extension or alteration shall not be substantially more detrimental to the neighborhood than the existing nonconforming use.

3.5.4 A nonconforming use of land or structure which has been abandoned or not used for a period of two (2) years or more shall not be reestablished, except by Special Permit and any future use of such premises shall be in conformance with these instructions.

3.5.5 Nonconforming lots of record and lots shown on a plan endorsed by the Planning Board under the Subdivision Control Law are exempt from the provisions of this By-Law to the extent and as provided in Section 6, Chapter 40A (MGL).

Comment: Minor change proposed to existing Section 4.1 to reflect the establishment of two districts and set the dimensional standards for land located in the Rural Residential District – which remain unchanged. Add a new Section 4.2 and 4.3 to establish new dimensional standards for land located in the Village Center Residential District. Renumber existing Section 4.2 as new Section 4.4.

#### **SECTION 4: LOT SIZE AND FRONTAGE**

4.1 *In the Rural Residential District, no dwelling or accessory building shall be erected or placed on a lot having less than one (1) acre in area or having less than one hundred and fifty (150) feet in frontage or be placed closer than forty (40) feet to the street line or twenty five (25) feet from side or rear lot line. No more than one (1) dwelling shall be erected or placed on any such lot.*

4.2 *In the Village Center Residential District, no dwelling or accessory building shall be erected or placed on a lot having less than one (1) acre in area or having less than seventy-five (75) feet in frontage or be placed closer than twenty (20) feet to the street line or twenty (20) feet from side or rear lot line. No more than one (1) dwelling shall be erected or placed on any such lot.*

4.3 The maximum front setback for lots located in the Village Center Residential District shall be the average of the front setbacks of all principal buildings on the same side of the street within 100 yards on either side of the subject lot.

4.3.1 Vacant lots shall not be included in the front setback average.

4.3.2 If no principal buildings exist on the same side of the street within 100 yards on either side of the subject lot then the maximum front setback shall be thirty-five (35) feet.

4.3.3 The front setback is not to be less than twenty (20) feet.

~~(4.2)~~ 4.4 Nothing in this By-law, however, shall prohibit the construction, alteration or enlargement of a single family dwelling or other permissible building on a lot which contains a lesser area or frontage if the lot was separately owned and was so recorded in the Southern Berkshire Registry of Deeds at the time of the adoption or amendment of this By-law.

Comments: Add new Section 12 – Definitions – formerly existing Section 2

## **SECTION 12: DEFINITIONS**

**12.1 MAXIMUM GROSS FLOOR AREA (GFA):** The sum of all enclosed or covered areas capable of being used or finished for habitable space of each floor of the building, measured to the exterior faces of the enclosing walls, columns, or posts. A space shall be considered “capable of being used or finished for habitable space” if it meets Massachusetts Building Code occupiable ceiling height requirements. (ATM 5.4.15) (AG 11.4.15)

**12.2 ACCESSORY DWELLING:** A detached freestanding building located along with the principle dwelling unit on the lot shall be allowed as an accessory dwelling.

**12.3 AGRICULTURAL USE:** Any use of land for the purpose of raising agricultural products, livestock, poultry or dairy products, including necessary farm structures, vehicles and equipment. This use does not include kennels, commercial stables or facilities for the commercial raising of swine or fur bearing animals.

**12.4 BUILDING:** A roofed or walled structure used or intended for supporting or sheltering any use occupancy.

**12.5 CUSTOMARY HOME OCCUPATION:** Self-employed resident occupants in their private homes working at an occupation which is limited to the home, carried forth at the home and requiring no more off-street parking facilities that would ordinarily be used by the household, such as dress making, preserving or home cooking, photography, the giving of private music and dance lessons or a one chair beauty parlor. Customary home occupation does not include gift shop, antique shop, art gallery or similar retail establishment.

**12.6 DWELLING UNIT:** One or more rooms constituting a separate independent housekeeping unit establishment with cooking, living, sanitary and sleeping facilities for the use of no more than one family.

**12.7 DWELLING, SINGLE FAMILY:** A detached residential building designed for or occupied by one (1) family only, but not including mobile homes and trailers whether placed on foundations or not.

**12.8 DWELLING, MULTI-FAMILY:** A residential building containing two (2) or more dwelling units.

**12.9 FAMILY:** An individual or any number of individuals related by blood, marriage or other legal arrangement such as adoption, guardianship, foster care or up to six (6) unrelated individuals living in a single dwelling unit.

**12.10 FRONTAGE:** That boundary of a lot, which lies along a road.

**12.11 LOT:** An area of land in one ownership with definite boundaries, used or available for the use as the site of one or more buildings.

**12.12 MUNICIPAL USE:** Any Town of New Marlborough use of land in accordance with the General Laws governing municipal powers and functions including participation in regional uses.

**12.13 ROAD:** a. A public way or way which the Clerk of the Town certifies is maintained and used as a public way, or b. A way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or c. A way in existence when the subdivision control law became effective in New Marlborough on March 8, 1965 having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the building erected or to be erected thereon.

**12.14 SETBACK:** The area of a lot extending inward from a lot line (or, in the case of front setback, the road line), for the distance specified in the zoning regulations in which no building or structures may be placed.

**12.15 SETBACK, FRONT:** An area extending across the full width of the lot

**12.16 SETBACK, REAR:** An area extending inward from rear of the lot between the side lot lines.

**12.17 SETBACK, SIDE:** An area extending along a side lot line from the front line to the rear line.

**12.18 STRUCTURE:** Any construction, erection, assemblage or other combination of material upon the land necessitating pilings, footings, or a foundation for attachment to the land, including swimming pools and recreational courts.

**A motion was made, seconded and discussed. Currently New Marlborough has only one zone, which is residential and doesn't defer between areas in town. The Planning Board is proposing two (2) zones, i.e. – rural and district zoning. There are no changes with the current bylaws, doesn't reduce size or acres, or setback. Only change is in Section 4.2, a motion was made, seconded and so voted to amend Section 4.2 from 20 feet to 25 feet. A motion was made, seconded and so voted remove Section 4.3 in its entirety and renumber Section 4.4 as Section 4.3. Mr. Peter Tiso, Chairman Planning Board stated that this will establish village districts has showed on the map, reduce the road frontage from 150 feet to 75 feet, 40 feet for side to 20 feet. A voter inquired if this bylaw change would have an effect on assessed values, would it mean that we would have two different tax rates. Mr. Mark Carson, Vice Chair, Planning Board stated there wouldn't be any changes to the values, or tax rates. He has checked with the Berkshire Regional Planning Commission and the Town Assessors. Mrs. Marsha Phensishny, Chair of the Board Assessor's stated that the frontages sizes doesn't affect the values since they are not buildable and that 75 feet will be considered a buildable lot. Mr. Freddy Friedman, Assessor mentioned that a bylaw will make it easier for future bylaws and is 25% of New Marlborough isn't in**

**compliance. A former Planning Board member mentioned that in the past voters voted this bylaw down and there is a need to be define rural and district areas. Another voter mentioned that this bylaw change would give residents more freedom. Another voter inquired if there would be any changes to businesses in town. Mr. Tiso stated that no changes would occur for businesses/commercial. A voter inquired if being in a Historical District has an effect on small businesses. Mr. Tiso stated no changes to businesses in either zone. Another voter mentioned do voters want high density in the Town. Mr. Tiso mentioned that this bylaw would not increase density, would still need one buildable acre and that we need to get this bylaw approved. After discussion a motion was made, seconded and so voted to approve Article #57 by a hand count of 110 yes's to 51 no's.**

**Article 39:** To see if the Town will vote to authorize the Board of Selectmen to enter into a ten (10) year contract, commencing on July 1, 2020 with the qualified vendor selected by MASS DEP through a competitive bid process for recycling processing services for the Town, subject to the Board of Selectmen's determination that the contract is in the best interests of the Town and subject to Town Meeting approval in the Spring of 2020 for funding for these services, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #39 by a show of cards.**

**Article 40:** To see if the Town will vote to accept portions of Campbell Falls Road as public ways, as heretofore laid out by the Board of Selectmen and shown on the plans entitled "New Marlborough Campbell Falls Road Proposed Layout" dated March 21st, 2019, prepared by WSP USA Inc., as said plan may be amended, and on file with the Town Clerk, for all purposes for which public ways are used in the Town of New Marlborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plans, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #40 by a show of cards.**

**Article 41:** To see if the Town will vote to accept portions of Canaan Southfield Road as public ways, as heretofore laid out by the Board of Selectmen and shown on the plans entitled "New Marlborough Canaan Southfield Road Proposed Layout, dated February, 2019, prepared by WSP USA, Inc, as said plan may be amended, and on file with the Town Clerk, for all purposes for which public ways are used in the Town of New Marlborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plans, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #41 by a show of cards.**

**Article 42:** To see if the Town will vote to accept portions of Lumbert Cross Road as public ways, as heretofore laid out by the Board of Selectmen and shown on the plans entitled "New Marlborough Lumbert Cross Road Proposed Layout" dated February, 2019, prepared WSP USA Inc, as said plan may be amended, and on file with the Town Clerk, for all purposes for which public ways are used in the Town of New Marlborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plans, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #42 by a show of cards.**

**Article 43:** To see if the Town will vote to accept portions of Norfolk Road as public ways, as heretofore laid out by the Board of Selectmen and shown on the plans entitled "New Marlborough Norfolk Road Proposed Layout dated February, 2019, prepared by WSP USA, Inc has said plan may be amended, and on file with the Town Clerk, for all purposes for which public ways are used in the Town of New Marlborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plans, or take any other vote in relation thereto.

**A motion was made, seconded and so voted to approve Article #43 by a show of cards.**

**Article 44:** To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels; and or, the rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements for the construction of a new bridge on Campbell Falls Road.

<b>In Fee:</b>	<b>Total number of parcels:</b>	<b>Area (square feet):</b>
<b>Temporary Easement</b>	0	
<b>Permanent Easement</b>	0	

Further that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase, or eminent domain. The subject parcels are currently identified on plans drafted by Aecom Technical Services, Inc, dated March 19, 2019, titled “Plan and Profile of Campbell Falls Road in the Town of New Marlborough, Berkshire County, Preliminary Right of Way Plan, or take any other vote in relation thereto. **(2/3 Vote required)**

**A motion was made, seconded and so voted to approve Article #44 unanimously by a show of cards.**

**Article 45:** To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels; and or, the rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements for the construction of a new bridge on Canaan Southfield Road.

<b>In Fee:</b>	<b>Total number of parcels:</b>	<b>Area (square feet):</b>
<b>Temporary Easement</b>	1	1,360 +/-
<b>Permanent Easement</b>	4	183 +/-

Further that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase, or eminent domain. The subject parcels are currently identified on plans drafted by Gill Engineering dated February 21st, 2019, titled “Plan and Profile of Canaan Southfield Road over Umpachene River in the Town of New Marlborough, Berkshire County, Preliminary Right of Way Plan, or take any other vote in relation thereto. **(2/3 Vote required)**

**A motion was made, seconded and so voted to approve Article#45 unanimously by a**

**show of cards.**

**Article 46:** To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels; and or, the rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements for the construction of a new bridge on Lumbert Cross Road.

<b>In Fee:</b>	<b>Total number of parcels:</b>	<b>Area (square feet):</b>
<b>Temporary Easement</b>	<b>2</b>	<b>2,050 +/-</b>
<b>Permanent Easement</b>	<b>0</b>	

Further that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase, or eminent domain. The subject parcels are currently identified on plans drafted by Gill Engineering dated February 21st, 2019, titled “Plan and Profile of Lumbert Cross Road over Umpachene River in the Town of New Marlborough, Berkshire County, Preliminary Right of Way Plan or take any other vote in relation thereto. **(2/3 Vote required)**

**A motion was made, seconded and so voted to approve Article #46 unanimously by a show of cards.**

**Article 47:** To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels; and or, the rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements for the construction of a new bridge on Norfolk Road.

<b>In Fee:</b>	<b>Total number of parcels:</b>	<b>Area (square feet):</b>
<b>Temporary Easement</b>	<b>1</b>	<b>4,784 +/-</b>
<b>Permanent Easement</b>	<b>4</b>	<b>583 +/-</b>

Further that the Selectmen may acquire these parcels, or modifications of these parcels or other required parcels, through all legal means. This includes donations, purchase, or eminent domain. The subject parcels are currently identified on plans drafted by Gill Engineering dated February 19, 2019, titled “Plan and Profile of Norfolk Road over Umpachene River in the Town of New Marlborough, Berkshire County, Preliminary Right of Way Plan, or take any other vote in relation thereto. **(2/3 Vote required)**

**A motion was made, seconded and so voted to approve Article #47 unanimously by a show of cards.**

**Article 56:** To see if the Town will vote to amend the Town Bylaws by inserting as Section 19 the following Alarm Regulations, or to take any other vote in relation thereto:

**SECTION 19 ALARM REGULATIONS**

**19.1 Definitions:** As used in this section, the following terms shall have the meanings indicated:  
Alarm System— Any alarm or device which automatically dials the emergency telephone



number of the Police, Fire Department, or other emergency service to alert that an emergency exists or that the services of that department are needed or which transmits an alarm to the town's alarm monitoring system. "Alarm system" shall also mean any alarm device which automatically emits an audible, visual, or other response upon the occurrence of the hazard or emergency and is intended to alert persons outside the building and/or any person who in turn notifies the Police and/or Fire Department to the existence of said hazard or emergency.

Dial Alarm or Dialing Device—Any fire, police, or emergency alarm device which is a telephone device or telephone attachment which automatically or electronically selects a telephone line connected to the Police, Fire Department, or dispatch center and reproduces a prerecorded message to report a criminal act or emergency requiring police, fire, or emergency response.

False Emergency Alarm—Any signal actuated by an emergency alarm to which the Police or Fire Department responds which is not the result of an emergency.

Emergency Number—Any telephone number designated by the Police or Fire Chief as a telephone number through which members of the public may report an emergency or request police assistance.

## 19.2 Dialing Devices Restriction/Compliance

19.2.1 All dialing devices operated by automatic means shall transmit messages only to such numbers as may be designated for that purpose by the Police and/or Fire Department of the town.

19.2.2 After six (6) months following the effective date of this section, no person shall use, operate, or install any device which will, upon activation by automatic means, initiate the dialing, calling, or other connection with the Police and/or Fire Department of the town, either at its regularly constituted telephone number or any other number which may be designated by said Police or Fire Department as a police/fire emergency number, without a permit issued by the Board of Selectmen.

19.2.3 No person shall use, operate, or install any dialing device that will, upon activation, automatically dial, call, or connect with the telephone number designated by the Chief of Police and/or Fire Chief for the purpose of receiving such alarm messages, more than twice for any one (1) incident.

19.2.4 Any system installed on or after the effective date of this section must comply with this section. Preexisting installations must comply within six (6) months of the effective date of this section.

## 19.3 Mandatory Alarm Delay

19.3.1 Upon the activation of a burglary (break-in ) alarm, there shall be a mandatory

delay of at least fifteen (15) seconds before the transmission of a signal to the Police Department to enable the user to abort the signal in the event that it was triggered inadvertently.

19.3.2 This delay shall not be applicable to a robbery (holdup), fire, or medical emergency alarm.

19.3.3 Any system installed on or after the effective date of this section must comply with this section. Preexisting installations must comply within six (6) months of the effective date of this section.

19.4 Timing Devices The user of every alarm system emitting and audible, visual, or other response shall, at the time such system is installed or within ninety (90) days of the effective date of this section in the case of existing systems, install or cause to be installed an automatic timing device which shall deactivate such alarm so that it will be activated for no more than fifteen (15) seconds.

19.5 KnoxBox All new alarm system users of emergency, medical, or fire system alarm systems shall equip the alarmed premises with an approved KnoxBox of sufficient size to hold all pertinent data and provide the Fire Department access to the facility. All KnoxBoxes are to have a red locator centered over them and shall contain a complete set of access keys and a typewritten laminated list of emergency contacts and alarm code. Existing alarm system users shall install KnoxBoxes within twelve (12) months of the passage of this bylaw.

#### 19.6 Information to be filed

19.6.1 The user of every alarm system maintained in the town, except those installed in motor vehicles, shall within ten (10) days of the installation thereof or within sixty (60) days of the enactment of this section, file the following information with the Police Department of the town:

- 1) The type of alarm system.
- 2) The street address and the nearest cross street of the building which houses the alarm.
- 3) In the case of a commercial premises, the name, address, and telephone number of an authorized represented and/or alternate who will be able to respond when called by police to deactivate the alarm system, if necessary.
- 4) In the case of a private residence, the name, address, and telephone number of a person who is not a resident of the private residence in question and who will be able to deactivate the alarm system.

19.6.2 Such filing requirements are not applicable to all alarm systems, whether the same

are or are not directly connected to the Police, Fire Department, or dispatch center or are merely audible alarms. Such filing must be made within the time period specified above even though there shall have been previous notification of the existence of such alarm systems to the Police and/or Fire Department or other department of the town.

19.7 Permit Fees

19.7.1 The Board of Selectmen is hereby authorized to grant a revocable permit to any owner, lessee, or occupant of property located in the town to operate, maintain, install, or modify a police or fire alarm device, and no such device shall be operated unless such permit shall have first been issued.

19.7.2 The Board of Selectmen shall charge of a fee of \$25.00 for the issuance of such permits, which are to be renewed annually. Permits will expire on December 31 of each year.

19.8 Revocation

19.8.1 A permit issued pursuant to this section may be revoked at any time or from time to time by the Board of Selectmen upon the giving of ten (10) days' notice, in writing, by registered or certified mail, to the permittee, sent to the address shown on the permit.

19.8.2 The violation of this section shall constitute grounds for the revocation of the permit.

19.9 False Alarms A fee will be charged as listed below for each response by the Fire and /or Police Department to any building/residence in which an alarm malfunction or alarm activation is caused by the occupant or persons having control of the building/residence. The Police/Fire Chief or senior officer making an alarm response shall determine whether the alarm was a malfunction by the alarm system or accidental activation. After a third response in a twelve month period, the permit shall be revoked by the Board of Selectmen until the alarm system has been recertified by a reputable installer of alarms.

First Offense:	\$ 0.00
Second Offense:	\$25.00
Third Offense:	\$50.00

19.10 Disconnection In the event that an alarm system emitting an audible, visual or other similar response shall fail to be deactivated within the time limitation specified in

Section 19.4 above, the town shall have the right to take such action as may be necessary in order to disconnect any such alarm.

19.11 Violations and penalties Any person operating an alarm system without a permit

from the Board of Selectmen violates the provisions of this section and shall be subject to a fine of \$100.00 for each offense.

**A motion was made, seconded and discussed. A voter said that Knox boxes aren't safe and also mentioned that they saw results on the internet with home break ins. Mr. Robert Dvorchik, Deputy Chief stated that yes homes are safe and firefighters can't enter a home without a certain code and there hasn't been any issues with security and that keys are kept in a locked safe box and there is a log trail. Mr. Dvorchik also mentioned that when an alarm goes off it reports directly through the 911 system. After discussion a motion was made, seconded and so voted to approve Article #56 by a show of cards.**

A motion was made, seconded and so voted to dissolve the meeting at 10:22 PM.

*Attest A True Copy:*

Katherine M. Chretien, CMMC/CMC  
**Town Clerk**

## REPORT OF THE TOWN CLERK

The Town Clerk's office is the official record keeper for the Town of New Marlborough. Some of the services that this office covers are vital statistics; births, marriages, deaths, posting of meeting notices for all municipal boards and committees, voter registration, town political calendar, annual street listing, business certificates (DBA), notarization of documents, Town Meeting warrants and minutes, and payments of non-criminal violations.

This past year, I continued to attend conferences and classes offered by the Massachusetts Town Clerk's Association. These conferences and class offerings have become a vital part of this position as laws and regulations are changing at rapid pace. I appreciate and thank the Town for supporting my continued education.

The following report is based on primary areas of activity during 2019 calendar year.

### Vitals Report

Births 9

Deaths 8

Marriage Intentions Filed 14

Marriages That Took Place 14

### Dog Licensing

Dog licensing is required annually each spring. Licenses expire on March 31st and dog owners have from March 1st to May 1st to renew; if you do not renew your license a \$25.00 late fee (per dog) will be implemented in addition to your license fee. If you have a dog that is six months of age or older licensing is required.

Sex	Fee	Number of Licenses Issued	Amount
Male	\$15.00	25	\$ 375.00
Neutered Male	\$ 7.00	117	\$ 819.00
Female	\$15.00	8	\$ 120.00
Spayed Female	\$7.00	121	\$ 847.00
Kennel	\$30.00	1	\$ 30.00
Kennel	\$50.00	<u>1</u>	<u>\$ 50.00</u>
<b>Late Fees</b>			<b>\$ 17.00</b>
<b>Totals</b>		<b>275</b>	<b>\$ 2,285.00</b>
<b>Fees retained</b>			<b>\$ 275.00</b>
<b>Paid to Town</b>			<b>\$ 2,010.00</b>

### Division of Fisheries and Wildlife

The Town Clerks' office no longer sells Hunting/Sporting and Fishing/Trapping licenses, as well as, Primitive Arms, Waterfowl and Archery stamps. Hunters should be aware that annual written permission is required to hunt on private or town property.

*Respectfully submitted,*

Katherine M. Chretien, CMMC/CMC  
Town Clerk

## ASSESSOR'S REPORT 2019

The year was fairly slow, with less new construction. The cyclical inspections were completed and the ongoing property inspections were done.

As always, the board is willing to help with any problems the taxpayers may have. Please feel free to call the office at 413-229-8926.

### Fiscal Year 2019 Valuations

Residential	\$466, 176,203.00
Personal Property	\$5,150,010.00
Commercial	\$19,458,537.00
Industrial	\$2, 625,050.00
Total	\$493,511,800.00
Exempt	\$22,321,100.00

### Estimated Local Receipts Fiscal Year 2019

	Actual Receipts 2018	Estimated Receipt 2019
Motor Vehicle Excise	\$289,225.00	\$250,000.00
Other Excise	\$0.00	\$0.00
Penalties and Interest on- Taxes and Excises	\$43,573.14	\$50,000.00
Payments in Lieu of Taxes	\$0.00	\$0.00
Solid Waste Fees	\$62,253.25	\$47,000.00
Other Charges for Services	\$0.00	\$0.00
Fees	\$22,134.00	\$22,000.00
Departmental Revenues	\$0.00	\$0.00
Licenses and Permits	\$28,841.00	\$35,000.00
Fines and Forfeits	\$0.00	\$0.00
Investment Income	\$4,038.04	\$4,000.00
Miscellaneous Recurring	\$1,198.60	\$1,000.00
Miscellaneous non- Recurring	\$9,115.96	\$0.00

Town Meeting Date	Total Appropriations Each Meeting	Raise & Appropriate	Free Cash	Other Available Funds	Rev Funds	Borrowing
05/01/18	5,903,848.00	5,584,698.00	270,000.00	49,150.00	0.00	325,000
Totals	5,903,848.00	5,584,698.00	270,000.00	49,150.00	0.00	325,000

**Tax Rate Recapitulation  
Fiscal Year 2019**

**Amounts to be raised**

Appropriations	\$5,903,848.00
Total Cherry Sheet Offsets	\$2,599.00
Other	\$0.00
Overlay deficits	\$0.00
<b>Total</b>	<b>\$2,599.00</b>

State Cherry Sheet Charges	\$1,898.00
Allowance for Abatements & Exemptions	\$35,672.01
Total to be Raised	\$5,944,017.01

**Estimated Receipts & Other Revenue**

State Cherry Sheet Revenue	\$123,037.00
<b>Local Estimated</b>	<b>\$397,300.00</b>

**Revenue Sources Appropriated for Particular Purposes**

Free Cash	\$270,000.00
Other Available Funds	\$49,150.00
<b>Total</b>	<b>\$319,150.00</b>

**Summary of Total Amounts to be Raised & Total Receipts**

Total amount to be raised	\$5,944,017.01
Total estimated receipts & other revenue sources	\$841,105.00
Total real and personal property tax levy	\$5,102,912.01
<b>Total receipts from all sources</b>	<b>\$5,944,017.01</b>

*Respectfully submitted,*

Marsha A. Pshenishny, *Chair*  
Wendy Miller  
Freddy Friedman  
Board of Assessors

# TOWN OF NEW MARLBOROUGH TAX COLLECTOR ANNUAL REPORT

## 7/1/18 - 6/30/19

	Balance 7/1/18	Commitments	Collected	Abatements Exemptions	Refunds Issued	Credit Adjustments	Tax Title Adjustments	Balance 6/30/2018
<b><u>REAL ESTATE</u></b>								
2015	\$13,052.88						\$13,052.88	\$13,052.88
2016	\$27,029.12		\$9,614.00				\$17,223.27	\$27,029.12
2017	\$51,754.63		\$23,765.36				\$16,986.04	\$51,754.63
2018	\$158,013.04		\$91,099.35		\$26.62		\$16,990.04	
2019		\$5,052,658.49	\$4,860,768.14	\$46,013.41	\$20,788.13		\$12,956.13	
<b>TOTALS</b>	<b>\$236,796.79</b>	<b>\$5,052,658.49</b>	<b>\$4,985,246.85</b>	<b>\$46,013.41</b>	<b>\$20,814.75</b>		<b>\$64,155.48</b>	<b>\$249,849.67</b>
<b>ROLL BACK</b>								
		<b>\$1,126.12</b>						
<b><u>PERSONAL PROPERTY</u></b>								
2017	\$194.53		\$194.53					
2018	\$990.09		\$855.85					
2019		\$53,251.11	\$52,812.28	\$136.18	\$232.44			
<b>TOTALS</b>	<b>\$1,184.62</b>	<b>\$53,251.11</b>	<b>\$53,862.66</b>	<b>\$136.18</b>	<b>\$232.44</b>			<b>\$1,184.62</b>
<b><u>PP FARM</u></b>								
2017								
2018								
2019		\$316.75	\$316.75					-
<b>TOTALS</b>		<b>\$316.75</b>	<b>\$316.75</b>					<b>0</b>
<b><u>MOTOR VEHICLE</u></b>								
2000	\$1,867.88							\$1,867.88
2001	\$2,160.63							\$2,160.63
2002	\$898.75							\$898.75
2003	\$1,162.81							\$1,162.81
2004	\$46.25							\$46.25



	Balance 7/1/18	Commitments	Collected	Abatements Exemptions	Refunds Issued	Credit Adjustments	Tax Title Adjustments	Balance 6/30/2018
2005	\$1,672.92							\$1,672.92
2006	\$1,090.83							\$1,090.83
2007	\$949.90							\$949.90
2008	\$702.50							\$702.50
2009	\$486.88		\$21.14					\$465.74
2010	\$825.21		\$57.50					\$767.71
2011	\$527.92							\$527.92
2012	\$726.67							\$726.67
2013	\$632.82							\$632.82
2014	\$874.17							\$874.17
2015	\$916.26		\$60.00					\$856.26
2016	\$1,971.05		\$195.00					\$1,776.05
2017	\$3,964.29	\$7.71	\$1,065.96	\$280.83	\$280.83			\$2,906.04
2018	\$16,661.16	\$28,202.18	\$41,850.73	\$990.64	\$937.31			\$2,959.28
2019		\$247,599.78	\$226,991.40	\$3,648.98	\$1,830.96			\$18,790.36
<b>TOTALS</b>		<b>\$275,809.67</b>	<b>\$270,241.73</b>	<b>\$4,920.45</b>	<b>\$3,049.10</b>			<b>\$3,696.59</b>
<b>GRAND TOTALS</b>		<b>\$5,382,036.02</b>	<b>\$5,309,667.99</b>	<b>\$51,070.04</b>	<b>\$24,096.29</b>		<b>\$64,155.48</b>	
Interest								
Fees			\$29,623.71					
Deputy Collector Fees			\$5,710.00					
MV Marking Fees			\$2,880.00					
Misc. Fees			\$1,140.00					
<b>GRAND TOTAL COLLECTED</b>			<b>\$25.00</b>					
			<b>\$5,349,046.70</b>					

*Respectfully submitted by:*

Gina Campbell  
Tax Collector

**REPORT OF THE TOWN TREASURER  
JULY 1, 2018 – JUNE 30, 2019**

**Cash Report by Fund**

**Trust Funds**

Conservation Commission	\$3,745.61	
Perpetual Care Interest	\$8,555.15	
Perpetual Care Bequests	\$77,404.76	
Marcus Rogers Trust	\$6,693.15	
NM Library	\$23,646.71	
Stabilization Fund	\$411,880.10	
Unemployment Security	\$40,156.19	
<b>Total</b>		<b>\$572,081.67</b>

**Agency Funds**

Cultural Council/Arts Lottery	\$25,044.40	
<b>Total</b>		<b>\$25,044.40</b>

<b>General Funds</b>		<b>\$1,834,674.42</b>
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<b>TOTAL ALL FUNDS</b>		<b>\$2,431,800.49</b>
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*Respectfully submitted,*

Anne Marie Enoch  
Treasurer

# SCHOOL COMMITTEE REPORT

This has been a very positive year for the Southern Berkshire Regional School District despite the huge challenges it faced when schools were directed to close on March 16. Superintendent Beth Regulbuto began her third year with a renewed commitment to use the Strategy for District Improvement document to guide the work of the Leadership Council and the School Committee. This document lists three main goals that are based on the vision for the District generated by representatives from all stakeholders. The plan was approved by the School Committee in the fall 2019.

1. Student needs will drive decisions with respect to developing curriculum and instruction.
2. Recognizing the profound influence of a positive school culture, SBRSD will strive towards creating an emotional climate where safety, security, and well-being are high priorities.
3. Acknowledging the unique advantages and challenges of sustaining a small district, SBRSD will create a variety of pathways for our students to develop as resilient, curious, and ethical global citizens.

The members of the Leadership Council include Elementary Principal Charles Miller, Elementary Assistant Principal Amy Lyn, Secondary Principal Jesse Carpenter, Secondary Assistant Principal Douglas Daponde, Director of Student Services Sandi Hubbard, and Director of Technology Chris Thompson. Dr. Lyn is also the Coordinator of Curriculum and Professional Development. This team presented their specific objectives to advance the improvement plan to the School Committee, and have been reporting regularly of their progress.

One of the most important roles of the School Committee is to work together with the superintendent to establish clear goals for her efforts in specific areas related to the improvement plan. This year the process was very thorough and inclusive, with many discussions that led to a consensus on key issues. Communication was high on the list of priorities and progress on this has been evident over the year. The School Committee engaged in professional development sessions to better understand its roles and responsibilities, and this contributed to its productive relationship with the superintendent.

These efforts put the School Committee into an excellent position to undertake the consideration of whether to offer the superintendent a new contract, another key role of the committee. For the first time, the full committee participated in the negotiations with Ms. Regulbuto and were able to agree unanimously to offer her a three-year contract signed in February.

The improvements in the budget-making process were evident. It was a shared effort over many months, led by the superintendent and the leadership team. They gathered input from teachers about their needs. Hard choices were made to make sure that all expenditures would contribute to meeting the District Improvement Plan. The draft budget moved on to the Finance Subcommittee of the School Committee, which met multiple times in open meetings to which town officials were invited. The full leadership team spent hours answering all questions. It was

clear that towns needed as spare a budget as possible. Ms. Regulbuto's fifteen years' experience as a school business manager helped her find ways to make reductions while preserving the high quality of the District. The result was gratifying - a 1.47% increase in the budget and a 2.17% increase in the assessments to towns. The School Committee met on March 12 to approve the budget. The vote was unanimous but there was little time to celebrate this accomplishment. Members were eager to move on to another item on the agenda, Covid-19.

Since March 13 the superintendent and leadership team have worked seven days a week to provide the best remote education possible in our rural area. The first few weeks were all about getting food to children who were part of the federally-funded school lunch program and making sure that the whole SBRSD staff and students were safe. At the end of March, the state finally provided guidance on educational expectations for remote learning. Within a week, the teachers' union and the District were able to come to an agreement about new work expectations, and the bus company was included in a plan to enable learning to begin. One third of families in the District do not have access to the internet at home, and many do not have computers. The school provided Chrome books to all families without computers. Teachers designed work for online, as well as paper assignments for those without online access. On April 3, the school buses went to every home to deliver packets containing two weeks of work. Every two weeks the buses have gone to pick up finished work and drop off new packets. Teachers have been in contact with students and parents so that each child has a personal experience.

The pandemic has thrown the financial side of education into chaos. As of May 18 there are no answers about whether the property tax payers of the five towns in the district can provide 81% of the district funding. The state budget will not be set until late summer so no one knows how much state aid will be available. It is difficult to craft any new budget figures to present to the towns. For now, we will be working on a monthly basis with one twelfth of the FY 20 budget being the amount that the District can ask of towns.

How we proceed at SBRSD for FY 21 is yet to be determined. We await guidance from the state about student returning to school buildings. We do not know what cuts may have to be made to the budget. Another unknown is what the newly formed Regional School District Planning Board will recommend about the advisability of forming a new regional school district that would include Berkshire Hills Regional School District and SBRSD grades kindergarten through twelfth grade. The New Marlborough representatives are Jane Burke, Susan Smith, and Tara White. The board has elected Lucy Prashker as chair. A facilitator and a consulting group to assist in the investigation are expected to be chosen in June. An important part of the process will be the opportunity for community members to voice their ideas and ask questions. The School Committee is going forward with an open mind. Our mission will always be to provide the best education possible for our students with the resources that are available.

*Respectfully Submitted,*

David Travis

# ANNUAL REPORT FOR THE ANIMAL INSPECTOR

The Animal Inspector is responsible for insuring that all the farm animals in the town have food, water, shelter and care. This past year there were fifty animal "homes" or barns in the town. One farm owner may have only one chicken, a pig or several steers for personal use. Recently when visiting the barns and talking to the owners I was again reminded what wonderful people live in our town.

This year I have put dogs in quarantine, answered questions regarding "wild" animals and provided traps to some folks to help them catch troublesome skunks or woodchucks!

The following numbers will give you an idea of the number of farm animals living in our town.

Horses	60
Cattle	73
Ponies	6
Mules	1
Donkeys	11
Goats	20
Sheep	33
Pigs	49
Chicken	2,114

Assorted fowl (this includes ducks, pigeons, pheasants, geese, guinea hens, peacocks and turkeys 83.

In closing remember that all mammals need to be protected against rabies, that there is a leash law in New Marlborough, and dogs must be licensed.

*Respectfully submitted,*

Prudence Spaulding  
Animal Inspector

# **BOARD OF HEALTH REPORT**

In Fiscal Year 2019 the Board of Health membership consisted of Larry Davis III, Chairman, Jack Bellinger and Jordan Chretien as members, Scott McFarland as Agent and Pia Bellinger as Secretary. Please note that Board of Health meetings will continue to be held on the 2nd Tuesday of the month at 6 PM, unless otherwise posted.

Permits and licenses issued by the Board of Health for FY 2019 were as follows:

- 7 New system designs were permitted
- 10 Repairs/upgrades to existing systems were permitted
- 8 Perc and deep hole tests performed
- 33 Title 5 Inspections witnessed
- 12 Septic System Installer permits issued
- 5 Septic Pumper permits were issued
- 11 Well site inspections and permits issued
- 8 Food Permits
- 1 Recreational Camp License
- 1 Public Beach permit
- 0 Housing Inspection
- 1 Water Bottling permit
- 4 Beaver permits

The board reminds residents that a Title 5 Septic Inspection (as per 310 CMR 15.000) is required upon transfer of ownership of property with a septic system, regardless of the method of financing. For example, a cash sale does NOT exempt the property from the requirement of a Title 5 Septic Inspection. The seller must provide the results of an official inspection to the buyer and the Board of Health upon sale of the property. Alternatively, the seller can notify the buyer in writing that a Title 5 inspection is not being performed and that the buyer is then responsible to complete it and provide results to the Board of Health within 6 months of the property transfer. There are a few very specific inter-family transfers that are exempt, but you should confer with your real estate lawyer and the Board of Health agent before assuming they apply to your situation.

New Marlborough continued its participation in the Berkshire Public Health Alliance. The Alliance provides New Marlborough an opportunity to effectively apply for public health related grants with other interested nearby towns, and can also provide experienced inspectors on a contract basis for inspectional assistance. Scott McFarland and Jack Bellinger remain as New Marlborough's representatives to the Berkshire Public Health Alliance governing board.

The Board is very grateful to the Visiting Nurses Association of the Berkshires for their invaluable help and care to the citizens of New Marlborough. The Board of

Health is here to help protect your health and to work with you on those issues that require Board of Health input or permitting, and we ask for your cooperation and support in this endeavor.

***Respectfully submitted,***

Board of Health  
Larry Davis, III, Chairman  
Jordan Chretien, Member  
Jack Bellinger, Member  
Pia Bellinger, Secretary  
Scott McFarland, Agent

# **BERKSHIRE VISITING NURSE ASSOCIATION**

## **2019 ANNUAL REPORT**

As part of the Berkshire Health System network, Berkshire Visiting Nurse Association provides comprehensive, multidisciplinary healthcare to individuals and families in the community. Community public health services are **Disease Surveillance and Investigation, Active TB Disease Management, Disease Screening and Immunizations, and Health Promotion**. A description of services follows:

**Disease Surveillance and Investigation** of reportable and communicable diseases involves the receipt and processing of reports for specific diseases and implementation of appropriate follow-up measures. This is accomplished with the use of MAVEN. The Massachusetts Virtual Epidemiologic Network known as MAVEN is part of the Electronic Disease Surveillance System.

There were **42** diseases investigated during this time frame:

- Hepatitis C, - **1**
- Arbovirus (other) - **1**
- Lyme Disease, - **12**
- Human Granulocytic Anaplasmosis, - **13**
- Babesiosis, - **4**
- Influenza, - **8**
- Giardiasis, - **1**
- Shigellosis, - **1**
- Shiga Toxin producing organism, - **1**

**Active TB disease management** is following all cases of active disease in accordance with MDPH requirements and MA regulations. This includes contact investigation, skin testing, multiple months of case management and direct observation therapy. There were no cases of active TB in New Marlborough.

Disease screening and immunizations for individual and community disease prevention are provided as necessary. An established distribution station is maintained in accordance with MDPH requirements for the management of state supplied vaccine. A town clinic for seasonal influenza vaccine is offered to persons meeting the criteria. Opportunity for those who are unable to come to the town clinic is made available at subsequent health promotion clinics. A total of **18** seasonal influenza shots were administered.

**Health promotion** provides accessible monitoring of health risks to the community. Also provided are health education, health promotion and screening in accordance with acceptable standards of care. A health promotion clinic is held regularly at the town offices in Mill River. There were **57** visits made to this clinic. Blood sugar testing is offered regularly to those with diabetes and annually for all clinic participants. Health education presentations this year included influenza information, tick bite reduction information., and a Tick Bite education clinic, Cholesterol clinic, Choking treatment, Measles Education, Benefits of Activity, Norovirus Education and 2 cholesterol clinics. A total of **34** clients received



education, one to one in aspects of Diet, Medication, Life Style and Disease. Printed resource material was offered to participants for future reference on each subject. **One** client was screened for cholesterol, **12** clients received annual flu shots, **one** client was referred to diabetes educator at Fairview Hospital.

Clinic Statistics:

- Visits – **57**
- Blood Pressure up to 140/90mm/Hg – **20**
- Stage I Hypertension (140-150/90-99mm/Hg) – **11**
- Stage II Hypertension (>160/100mm/Hg) – **3**

The Board of Health Coordinator, Nancy Slattery, RN, collaborates with the Council on Aging to provide coordination of services for residents. As a member of the community health care continuum of Berkshire Health Systems, collaboration with and referrals to other health care professionals are readily made.

Berkshire Visiting Nurse Association wishes to thank the Select Board and the Board of Health for the opportunity to serve your residents. Please feel free to call BVNA for information at 800-788-2862. We look forward to our continued relationship in maintaining and promoting good health in New Marlborough.

Respectfully submitted,

Nancy Slattery, RN, B.S.  
Board of Health Coordinator  
Berkshire Visiting Nurse Association

## **SOUTHERN BERKSHIRE DISTRICT DEPARTMENT OF VETERANS' SERVICES (SBDDVS)**

Thank you for allowing me to service the member towns, their veterans, and widows. We have made great strides in reaching out to our veterans in our local area, letting them know the various services available to them from Elderly Services, Community Actions and also the local senior centers. During FY 2019 we have seen a slight increase in all areas of operation and currently have 52 active Chapter 115 claims.

Chapter 115 Submissions and Return from the State:

<b>Town</b>	<b>FY 2019 Submitted 7/1/18-6/30/19</b>	<b>Pmt Due in FY 2020 - FY 2019 - 75%</b>
New Marlborough	\$5,913.45	\$4,435.09

Over the last year we have completed the following for our member town's veterans:

Applications for VA Health Care	38
ALS/Disability/A&A/Appeals/Life Insurance	48
DD 214s	49
Request for Grave Markers	35
Tax Abatements/SS help/Other requests	73
Flags to funerals homes for veterans	42
Assisted with Dr. appointments	11
Home and Office Visits	272
Veterans Services Phone Calls	1370

For FY 2019 District budget was reduced by the reserve resulting in a smaller assessment for the member towns. During these trying financial times all veterans and widows are encouraged to contact this office or the US Department of Veterans Affairs and review current entitlements as many changes have taken place. New Marlborough's apportionment towards the FY 2019 DVS budget was \$6,670.58 – this number was based on population percentage on the 2010 Census.

***Respectfully Submitted,***

Laurie J. Hils  
District Director  
Southern Berkshire District Veterans Services

## **REPORT OF THE CEMETERY COMMISSION**

The Cemetery Commission has been working on removing trees from different cemeteries. These trees are in danger of falling on the Monuments or visitors. The Cemetery Commission is also working on repairing some of the roads in the cemeteries. We have an on-going budget to help with both of these projects.

The Cemetery Commission was asked about Green Burials. After talking with different people, it was decided that there is no way the Cemetery Commission could commit to Green Burials. Green Burials include being able to do burials all year long, and the winter seasons here are too unpredictable to make that commitment. It could not be guaranteed that a cemetery would be accessible in the winter.

The Commission would like to thank everyone for all their support

*Respectfully submitted,*

Tammi Palmer

Robert Palmer

James Palmer

# CULTURAL COUNCIL ANNUAL REPORT

The New Marlborough Cultural Council (NMCC) is a local extension of the Massachusetts Cultural Council (MCC), one of the largest grassroots cultural funding networks in the nation. We support programs for town residents of all ages in the arts, humanities and sciences. Our mission is to build community among residents and enrich their lives.

The Council receives funding from the MCC, the Town of New Marlborough and our generous local donors. In 2019 we received \$4,400 from the MCC and \$1,000 from the Town. These sums along with contributions from full and part-time residents enabled the NMCC to award \$16,000 in grants to 21 local organizations in Fiscal 2019. Our grants supported an array of programs in New Marlborough and Southern Berkshire communities. Among the programs supported were the New Marlborough Village Association's Music and More concert and author series along with three art exhibits and several of the Flying Cloud Institute's programs combining science and the arts. Science, arts and history programs at Mount Everett High School, Undermountain Elementary and New Marlborough Central Schools received support as did the New Marlborough Land Trust. Theatre activities were supported at Shakespeare & Company, WAM Theatre and Berkshire Playwrights Lab. Musical programs were supported at Berkshire Children's Chorus, Berkshire Bach, Berkshire Pulse, Aston Magna Foundation, and Berkshire South's Ukulele Band and Berkshire Sings!

The Council also supported several community events. We started the year with the Maureen Hosford Garden Tour, a self-guided tour highlighting 4 spectacular gardens and one farm on a beautiful July afternoon. The annual Elihu Burritt Day celebration followed in August. Despite torrential downpours, magicians, jugglers, hayrides, the Library's book and bake sale, a 5K run/walk, a vintage car show, a variety of food and vendors and the much-beloved White Elephant Sale provided entertainment for all. The Council awarded the annual Elihu Burritt award to Louise Yohalem in recognition of her tireless devotion to New Marlborough.

Finally, the Council again sponsored the annual pot luck supper in April. Residents provided and enjoyed a delicious buffet of offerings, with entertainment provided by Christa Gay Andersen and Michael Stephens.

Complete information about the New Marlborough Cultural Council, our activities and grant process and awards can be found at [www.mass-culture.org/NewMarlborough](http://www.mass-culture.org/NewMarlborough). Members of the Cultural Council are happy to hear from you. Keep up with us by liking us on Facebook.

*Respectfully submitted,*

Nancy Barbe, Chair  
Holly Valente, Secretary  
Richard Long, Treasurer

Members: Sue Cohen, Alice Fahs, Linda Barr Fass, Barbara Lowman, Wendy Miller,  
Kathy Potoski, Margie Shapiro, Louise Yohalem

# **TOWN LIBRARY ANNUAL REPORT**

The library has had another busy and productive year. In our role as a library and more often a community center we offer of variety of programs including a documentary film series, knitting and crafting groups, book club, a Monday exercise program and playgroups for young children. A new program this year has proven to be very popular. The Thursday evening cookbook club includes food prepared from recipes in the selected cookbook. All of the programs are open to the public and most are free of charge.

The annual Halloween celebration this year took place in the new Goodnow Reserve. 150 children and adults attended and enjoyed hayrides, a spooky walk, storytellers and food.

The fundraising efforts; the Elihu Burritt day book and bake sale, the Valentine chocolate sale and Thanksgiving pie sale continue with the help of the Friends of the Library and continue to be successful. In addition the library has received private donations that will enable the library to install a generator. The installation of the generator will allow the library to remain open as a safe space open to the community during storms and power outages.

We continue to provide programs for the children in the community, working closely with the New Marlborough Elementary School including half day programs, Lego club, school field trips to the library and our summer reading program, all filled to capacity.

Our valuable services available to the community include:

- High speed internet
- E content including books, and videos
- Computer classes
- Online databases
- Ability to borrow books and materials from libraries throughout the United States
- Community meeting space.

Through the continued support and generosity of our community and the New Marlborough Friends of the Library we continue to serve the needs of the community.

***Respectfully submitted by the Library Trustees,***

Claudette Callahan  
Carrie Liba  
Sally Turner

# **UMPACHENE FALLS PARK COMMISSION**

## **ANNUAL REPORT 2019**

Currently there are three parks members, Courtney Davis, Warren Weldon and Robert Twing Jr. We would welcome up to two more members. If you would like to become a member of the Parks Commission, please contact the Board of Selectmen at 413-229-8116 -P.O. Box 99 Mill River, MA 01244.

The voters approved funding at the Annual Town Meeting to hire an engineer for the purpose of creating a plan to stabilize the eroding riverbank on the Konkapot River at the Park.

White Engineering from Pittsfield was hired in June to create a proposal; their work began in July. At the time of this report the Park Commission and the Selectboard have received a design plan but are waiting for a cost estimate.

A new 911 emergency call box has been installed as well as dog waste bag station. Please pickup after you pooch and use a leash.

I would like to thank Courtney, Warren and the New Marlborough Police Department for keeping an eye on the Park during the busy summer season.

The Park is open from May through October for New Marlborough residents and their guests. If you notice anything that doesn't seem right happening at the Park, please contact the police or a member of the Parks Commission. (See something, say something).

**The commission reminds everyone that there are no open fires or alcoholic beverages allowed at the Park.**

**Like us on Facebook and share your photos and memories of the falls.**

*Respectfully Submitted,*

Robert Twing Jr, Chairman

# REPORT OF THE CONSERVATION COMMISSION

The New Marlborough Conservation Commission works to protect the wetland resources of New Marlborough through thoughtful application of the Wetlands Protection Act. For the period of July, 2018- June, 2019, the Conservation Commission held Eight (8) meetings.

The commission received eleven (11) Requests for Determination of Applicability (RDA) filings, six (6) Notice of Intent filing, one amended – order of conditions(1) one, three (3) extension – order of conditions (NOI) and five (5) certificate of compliances, one (1) enforcement order, and three (3) record order of conditions. The commission also reviewed five (5) forest cutting plans.

Conservation members regularly met on the third Saturday of the month for regular scheduled meetings; prior to the scheduled meetings the commission meets for site visits. The public is encouraged to attend the commissions meetings.

*Respectfully submitted,*

Freddy Friedman, Chair  
Dr. John Schreiber, Vice Chair  
Rona Easton  
David Hosford  
David Herrick

# **REPORT OF THE POLICE DEPARTMENT**

For fiscal year 2020, July 1, 2018 through June 30, 2019, the New Marlborough Police Department recorded a total of 1,628 Calls for Service. The Department logged 26 Incident Reports, 40 Arrests, 16 Motor Vehicle Crash Reports and 285 Traffic Citations. This is a dramatic increase in most areas from FY18 which we logged 1,364 Calls for Service, 19 Incident Reports, 25 Arrests, 18 Motor Vehicle Crash Reports, and 260 Citations.

The New Marlborough Police Department continued to serve the community with utmost pride, creating new relationships and nurturing old ones with the residents and businesses within town. This year we worked with many other agencies on a wide variety of cases including the Sheffield Police, Monterey Police, Great Barrington Police, Sandisfield Police, Massachusetts State Police, Massachusetts Environmental Police, Connecticut State Police, the Department for Children and Families, Elder Services, the Brien Center, Elizabeth Freeman Center and the Berkshire County District Attorney's Office.

FY 19 began with a shortage of Officers as two members of the department resigned to work full time in other towns/cities in the Berkshires and a third opening remained unfilled. The department then hired three new officers, Hunter Lucey, of New Marlborough, Dominick Crupi, of Housatonic and Gary Lemon, of Sandisfield. These new part time officers were trained and have been actively fulfilling the duties set forth by the Town. During the Annual Town Meeting for FY 19, it was voted upon and approved to eliminate the "permanent part time" police position and create a second full time police officer position. The Town then hired Officer John Mullen for this position, who was previously in the permanent part time role. Officer Mullen was issued a waiver from the Massachusetts Police Training Committee to begin working full time hours prior to attending the full time police academy. Officer Mullen then attended the 58th ROC at the Western Mass Police Academy which began on October 10, 2018 and he graduated on April 14, 2019. During these 26 weeks Officer Mullen was trained by Academy Staff on a series of topics including but not limited to, Criminal Procedure, Criminal Law, Motor Vehicle Law, Emergency Vehicle Operation, Water Rescue, Motor Vehicle Crash Investigation, Defensive Tactics, Domestic Violence Training, Death Investigation, Crime Scene Investigation, Police and Community Relations and Mental Illness Awareness. Officer Dan Hamill also continues to work his part time role; however, his availability is limited as he was appointed Police Chief for the Town of Otis.

The New Marlborough Police Department is proud to serve all community members and will maintain strong working relationships with not only its citizens, but also with other Law Enforcement Agencies, Fire and Rescue Services and the Highway Department to help provide a safe community within the Town of New Marlborough.

*Respectfully submitted,*

Graham Frank, Chief of Police



# **REPORT OF THE HIGHWAY SUPERINTENDENT**

The New Marlborough Highway Department has had a very productive 2018-2019 season. Our large pavement projects included resurfacing Mill River Great Barrington Road and New Marlborough South Sandisfield Road (Route 183) including installing shoulders and driveway aprons. Additionally, Norfolk Road underwent a full depth reclamation. Work on these large pavement projects began in July and ended in October. Toward the end of summer, a section of East Hill was widened to allow for proper drainage. This included drilling and blasting. We thank the neighbors for their patience during this unpleasant process. I hope you all agree that it was worth it, considering how long we have waited for this update.

This year the highway crew paid special attention to the culverts and catch basins. We were able to add, replace and clean them as needed. There are hundreds of catch basins throughout New Marlborough and it was discovered that several of them were quite full. This year we hired a company specializing in cleaning catch basins with a vacuum truck. The company used a state-of-the-art process consisting of high-pressure suction and high-pressure water to clean 240 catch basins. Many of the catch basins which were full and inoperable are now working as designed, allowing the water to flow properly. We plan to have the vacuum truck back to clean the remaining catch basins.

The New Marlborough Highway Department had an endless list of small projects to conquer throughout the year. The crew routinely graded all of the unpaved roads, but with the record rain fall our gravel roads required a great deal more attention than anticipated. Keyes Hill Road, Brewer Branch Road and Cagney Hill Road are a few of the roads which required extensive repair. This process includes hauling in multiple truckloads of gravel and spending hours, sometimes days grading and rolling. Throughout the year, the highway crew continued to aggressively tackle the brush and thick overgrowth behind the guardrails and up the banks. To help with the maintenance of our road sides, the Town contracted a land service company which started work cutting the grass in October. The record rainfall created the perfect environment for potholes. The highway crew tries to fill potholes expeditiously, but must wait for them to dry before patching them. The trees in New England appear to be dying at an alarming rate. After storms, or just on a windy day, trees fall. The highway crew is on call 24 hours a day to remove the debris when they fall and block the roads. It is important to note, the highway crew is not allowed to remove trees which are on power lines. To finish up the season, our annual application of crack seal and line painting took place in November.

Overall, the winter season seemed typical for the Berkshires with many minor winter weather events producing snow or freezing rain throughout our Town. The Highway Crew was called out well over 50 times throughout the season to treat the roads. New Marlborough experienced a few major storms, sometimes taking down trees and knocking out power. During these storms the highway crew worked diligently with the electric and phone companies to clear the roads. Our records show that the first winter storm with significant snowfall occurred in mid-November. Mid-February marked the final major storm of the winter season. But, winter persisted through the beginning of April. During a storm, it is common for one part of New Marlborough to experience severe weather, while another other part of the Town is oblivious. But the highway crew is always on call throughout the winter months, keeping the roads safe for travel.

## **HIGHWAY SUPERINTENDENT *(continued)***

The furnace in the highway garage, which was replaced last year, already required repair in the middle of March. The highway garage also required electrical repairs in September. And in October the roof of the salt shed was patched.

In January a temporary grader was delivered and used while a new grader was being assembled for our Town. In May, our new, 2019 Caterpillar grader with customized attachments was delivered. Thank you to voters who approved its purchase at a Town meeting last year.

The Highway Department continues to receive funding from the MSPCA to assist the Town in purchasing and maintaining water flow devices which humanely, non-lethally and ecologically control beaver-related flooding. There are 15 sites throughout New Marlborough where these devices have been installed. Thanks to these water flow devices, we have encountered fewer blocked culverts in the last few years. Although, this year a few beavers have outsmarted our devices which forced us to try to rethink our approach. We will continue monitoring the devices while at the same time respecting the beavers habitat.

The New Marlborough Highway Department was awarded a grant from the Massachusetts Interlocal Insurance Association (MIIA). The grant was used to contract an asset management team specializing in creating pavement management systems for towns. During the summer and into the fall, New Marlborough roads were inspected and the information was used to create a pavement management system. This tool will be used for collecting, analyzing, maintaining and reporting pavement and roadway data. The mapping component will be used to collect information pertaining to not only roadway assets such as traffic signs, guardrails and culverts; but also road materials and conditions. Having an inventory of our assets on a computer based program will help the Town prioritize road concerns and better manage funding. We will be able to update and customize the program as needed.

The highway crew continues to attend classes and workshops throughout the year with the focus on furthering their education in the areas of roadway safety, worker safety and workforce development.

I would like to extend my appreciation to the Highway crew. Thank you Paul Krom, Dave Colucci, Bill Ruane, Bob Palmer, Pete Wilson, Dan Bonetti, Larry Davis, Jr., Laura Worth and Bob Russell. Additionally, thank you to the Town Hall Staff, the Fire Department and the Police Department. Without their help and dedication, my job would have been impossible. And finally, thank you to the Town Administrator and the Board of Selectmen for their continued support to the New Marlborough Highway Department.

***Respectfully Submitted,***

Charles M. Loring, III  
Highway Superintendent

# **NEW MARLBOROUGH FIRE AND RESCUE REPORT**

## **JULY 1, 2018 – JUNE 30, 2019**

For the fiscal year July 1, 2018 to June 30, 2019, New Marlborough Fire and Rescue responded to a total of 178 calls:

Medical calls in town	74
Fire alarms	36
Carbon monoxide alarms	15
Mutual aid medical calls	15
Motor vehicle accidents	10
Trees down/wires down	9
Mutual aid structure fires & other calls	5
Structure fires in town	4
Mutual aid medical stand-by	3
Mutual aid miscellaneous	3
Unattended burning	2
Chimney fires	1
Water rescue	1
Total Calls 2018-19	178
2017-18	180
2016-17	175
2015-16	158
2014-15	174

In fiscal year 2018-19 (July 1, 2018 to June 30, 2019) New Marlborough Fire and Rescue responded to 178 calls, which included 26 calls for assistance in neighboring communities. Overall activity remained consistent with previous years, with medical calls and fire alarms continuing to account for the majority of the activity.

Significant during the year was a major structure fire in Southfield. The fire destroyed a home and threatened the former Baptist Church, causing considerable damage. However, the building was saved, thanks to concentrating resources on the historic structure and with timely assistance from neighboring mutual aid fire departments. Additionally, a structure fire in May heavily damaged a Canaan Southfield Road home, which was saved due to a quick response from New Marlborough and mutual aid departments.

Though fires are infrequent, residents are reminded that working smoke detectors and carbon monoxide alarms are required by law in all buildings. Early detection is crucial to saving lives and property. It is also important to note that alarms do not have an indefinite life. They should be regularly inspected and the batteries changed, even in hard-wired systems, which include a battery back-up in the event of a power failure. Further, though carbon monoxide alarm calls remained consistent with previous years, the frequency of calls in which there were significant carbon monoxide exposure increased, and the importance of working carbon monoxide alarms cannot be overestimated.

## **FIRE AND RESCUE (*continued*)**

All homeowners are also again reminded to register their alarm systems with the town, and homeowners are required by town bylaw to install a Knox-Box — a secured key system that enables access to properties in the event of an emergency. This saves considerable time in the event of an alarm activation.

All citizens are also encouraged to obtain and make visible a 911 sign. This allows responders to quickly identify your home in your time of need. Assistance with obtaining and installing your 911 sign is available. Please contact New Marlborough Fire & Rescue at 229-8100 for further information.

As mentioned earlier, medical calls account for the bulk of the year's activity. The town is extremely fortunate to have a dedicated corps of Emergency Medical Technicians (EMTs), but more are always needed, particularly during the day. This is not unique to New Marlborough but region-wide. Residents interested in serving are encouraged to speak with current members to gain an understanding of how they may be able to help the emergency services in New Marlborough.

Additionally, New Marlborough Fire & Rescue, New Marlborough Emergency Management, and the Council on Aging are formulating a list of people who might appreciate being looked in on during a major weather event. If you are interested in getting on this list, please contact Maureen Krejci at nmrescue@gmail.com, Ed Harvey at edharvey19@gmail.com, or Pru Spaulding, via Town Hall.

Strong relationships with emergency services in neighboring communities also continue to be an asset to the community, particularly during the day, when the number of volunteers available to respond remains critically low. This is true not only of New Marlborough, but also surrounding communities. During the course of the year, New Marlborough Fire and Rescue provided assistance to the towns of Great Barrington; Monterey; Norfolk, Conn.; Sandisfield; Sheffield, and Tolland.

Most importantly, FY 2018-19 was again a safe year for all emergency service members, who dedicate considerable time and energy to the community throughout the year training and responding to calls. New members are always welcome.

Finally, the Fire and Rescue thank the Board of Selectmen, Board of Finance, the Emergency Services Fund, and the Highway and Police departments, for their support. We look forward to maintaining professional and timely service to all in the town.

***Respectfully submitted,***

Charles M. Loring, Chief  
New Marlborough Fire and Rescue

# EMERGENCY MANAGEMENT REPORT

New Marlborough Emergency Management (NMEM) NMEM is the town's agency charged with ensuring the town is prepared to withstand, respond to, and recover from all types of emergencies and disasters, including natural hazards, accidents, deliberate attacks, and technological and infrastructure failures. NMEM's director with the support from the Board of Selectmen and the emergency services is committed to an all hazards approach to emergency management. By building and sustaining effective partnerships with federal, state and neighboring government agencies, and with the private sector, individuals, families, non-profits and businesses NMEM ensures the New Marlborough's ability to rapidly recover from large and small disasters by assessing and mitigating threats and hazards, enhancing preparedness, ensuring effective response, and strengthening our capacity to rebuild and recover.

There are several projects items NMEM is currently engaged in working on during the FY 20/21.

1. NMEM manages the notification system sometimes referred to as reverse 911, any questions or concerns please e-mail [nmarl911sys@gmail.com](mailto:nmarl911sys@gmail.com)
2. NMEM will be on a launching a Community Emergency Response Team (C.E.R.T.) program, this a citizen based program that prepares citizens to prepare for and respond to emergencies, particularly disasters that may occur within the community.
3. NMEM be working with the Council on Aging to develop a voluntary list of residents who wish to have neighborly checks conducted during times of extended power outage or severe weather.
4. Several grant projects are in progress to ease the financial burden on the local taxpayers to fund planning activities and special projects.

*Respectfully submitted,*

Ed Harvey, Director  
Robert Litchfield, Deputy Director

## PLANNING BOARD 2019 ANNUAL REPORT

After many years of dedicated service, James Mullen resigned from the Board. Peter Tiso, who served as chair for three years resigned as did Lonn Combs, a recently elected member. New members Daniel Doern and Robert Hartt were appointed to fill two of the vacated seats. One seat remains vacant. Daniel Doern was elected Chair with Eric Schaefer as Vice Chair. Daniel Doern was named the delegate to the Berkshire Regional Planning Commission and the position of alternate has yet to be filled. Jane Tant left her position as clerk for the Board and has been replaced by Angus Kerr.

Review of ANR (approval not required) forms continued. A total of \$450 was collected in fiscal year 2019.

This year, the Board successfully, after many years of trying, passed an update to the Town's Zoning (protective) bylaws creating two zoning districts in Town – the Rural Residential District and the Village Center Residential District. In addition, the Marijuana ad-hoc committee, formed to investigate the potential impacts of marijuana establishment on the Town, completed its work and shared its findings with the Board. A general bylaw was passed at the Annual Town Meeting allowing Research Facilities in Town. The Board began creating a marijuana bylaw to regulate Medical Marijuana Treatment Centers and Research Facilities which will be presented to the residents at the Annual Town Meeting in May 2020.

*Respectfully submitted,*

Daniel Doern, Chair

# **BUILDING DEPARTMENT ANNUAL REPORT**

The Building Department received and processed One Hundred Fifteen applications for permits and periodic inspections for the period July 1st 2018 thru June 30th, 2019.

## **Permits issued:**

- 91 Residential Building Permits
- 8 Commercial Building Permits
- 7 Solid Fuel Burning Appliances Permits
- 8 Temporary Structures Permits
- 8 Sheet Metal Permits
- 4 Periodic Inspections

Fees collected by the Building Department total Thirty Eight Thousand Six Hundred Seven and 40/100 dollars, (\$38,607.40) with an estimated construction value of 7.5 million dollars.

I thank The Board of Selectmen and The Town of New Marlborough residence for the opportunity to serve the community once again this year.

If you have any questions or desire further information, please do not hesitate to contact me.

The Building Department office hours are Mondays 5:00 pm to 7:00 pm and Thursdays 8:00 am to 10:00 am.

Telephone: 413-229-0277

Fax: 413-229-6674

E-mail: [owright@newmarlboroughna.gov](mailto:owright@newmarlboroughna.gov)

***Respectfully submitted,***

Owen Wright  
Building Commissioner

## **PLUMBING INSPECTION REPORT**

This department issued 24 plumbing permits and conducted 50 on-site inspections. A total of \$3,000.00 in fees were collected.

*Respectfully submitted,*

Robert Krupski  
Plumbing Inspector

## **GAS INSPECTION REPORT**

This department issued 62 permits and conducted 64 on-site inspections. A total of \$3,800.00 in fees were collected.

*Respectfully submitted,*

Robert Krupski  
Gas Inspector

## **ELECTRICAL INSPECTION REPORT**

It was a very busy year for the Electrical Inspector's Department this year. A total of ninety one (91) electrical permits were processed through Berkshire Permit Eyes. This represents a total of one hundred ninety one (191) inspections and five (5) National Grid disconnect/reconnect requests. I also answered questions from homeowners regarding policies and procedures. And, our thanks to Butch Ray for serving the Town as Alternate Wiring inspector.

*Respectfully submitted,*

Michael Leining



## REPORT OF THE TRANSFER STATION

The Town of New Marlborough Transfer Station continued to operate efficiently during FY19. Newly designed stickers were issued, again two for the price of one to residents. The price of the sticker increased to \$125 if purchased prior to August 15 and \$150 if purchased after that date. A total of 349 stickers were issued during FY19. The hours of the Transfer Station remain as follows:

Wednesday and Sunday	9 a.m. – 1 p.m.
Saturday	9 a.m. – 3 p.m.

In addition, 226 tons of trash was collected, an increase of 5 tons from the previous year. We are grateful to the residents who recycled 96 tons of materials in the single stream container. The Town collected 83 tons of Construction and Demolition materials, up 18 tons from the previous year, 4 tons of tires and 10 tons of metal.

My thanks go to Alvin Stalker, Bobby Litchfield and Gary Miller, who work conscientiously to help residents and keep the Transfer Station operating smoothly. An additional “thank you” goes to Tara White who worked diligently to keep the Swap Shop organized and uncluttered. And thank you to the residents who were conscientious and careful about recycling.

If you are considering donating your clothing and/or furniture at the Swap Shop, we ask that you consider donating to one of the non-profit organizations such as The Salvation Army, Habitat for Humanity, Viet Nam Vets, Goodwill Industries, etc. This will help many more families in need and alleviate the congestion at the Swap Shop.

We look forward to serving the community during FY19.

*Respectfully submitted,*

Freddy Friedman

## **ANNUAL REPORT OF THE SENIOR TAX WORK-OFF ABATEMENT PROGRAM 2018**

During this past fiscal year sixteen seniors have worked 476 hours from July 1st 2018 to December 30th 2018, and 676 hours from January 1st 2019 to June 30th 2019, making a total of 1,152 hours.

Under the law senior compensation is limited in the form of real estate abatement up to \$1500 per fiscal year. Two seniors exceeded this allotted amount by working 392 extra hours.

New Marlborough seniors work at the Library, the Highway Department and the Transfer Station. They help the Tax Collector stuffing real estate bills in envelopes ready to be mailed. They work at election time helping the Town Clerk and one has been doing historical research on early dwellings in the town. They perform tasks for the Council on Aging and the Finance Committee. This past spring a talented senior helped in the establishment of the new town website!

The Town is indeed fortunate to have such competent dedicated seniors.

*Respectfully submitted,*

Prudence Spaulding MSW  
Director of Senior Services

# ANNUAL REPORT OF THE COUNCIL ON AGING 2019

This has been another busy year for the New Marlborough Council on Aging.

The focus of our outreach activities remains to be on SAFETY. We continue to offer small buckets with sand, salt and a scoop to be kept at the senior's door in the winter months. This year we filled and distributed over twenty MEMA bags that would be available should disaster occur and the senior had to rapidly vacate his/her dwelling. Lately we have been distributing safety vests to those who walk on our roads. (Our roads have no sidewalks!)

Other Outreach activities include obtaining food from the State's monthly food distributions to share it locally. We helped provide information about a Community Block Grant that offered house rehabilitation. We continue to visit the sick, support those who have suffered losses and referred those in need to appropriated agencies.

We continue to support our local ADA Commission and helped with two community suppers offered by a local church. Our members help collect food and clothing for the St. Mother Theresa's bi-monthly food and clothing distribution that serves some of our town's seniors.

With the support of funds from our state grant seniors are able to take advantage of a wellness aerobic swim program offered by the Kilpatrick Athletic Center five days a week for \$3.00 a session. Seven swimmers swam over three hundred and thirty seven times this year!

Seniors were referred to the American Red Cross Fire Safety Program that installed free fire alarms or updated existing ones in their dwellings.

The New Marlborough Council on Aging continues networking with other agencies. We attended the Elder Services of Berkshire County's Annual Meeting; The Chairman serves on the Board of the Southern Berkshire Elderly Transportation Corporation that provides transportation for seniors from our town for medical appointments, food and other services necessary for them to retain their independence, and the Chairman of the COA meets on a regular basis with chairmen of Council on Aging's from five other small neighboring towns.

New Marlborough seniors attended the Fall Concert and Spring Musical at Berkshire Hills Regional School District and enjoyed the Christmas Program at the Southern Berkshire Regional School District.

Three informational lunches were held informing the town's seniors of the possible marijuana bylaws. A program was held discussing guardianship, and information about lock boxes to be installed within the town was shared at one of these lunches along with information about other local senior programs.

Trips were taken to a daffodil farm, Mount Greylock and some of our seniors went on a Hudson River Cruise.

The New Marlborough Council on Aging continues to search for new members. For the yearly work is accomplished by three full time members and two members that leave the town during the winter months!

*Respectfully submitted,*

Prudence Spaulding MSW  
Director of Senior Services

## **ZONING BOARD OF APPEALS**

Courtney Turner, Chair, Dan Litchfield and Sharon Fleck head up the ZBA, with Helen Liveten and John Bellinger as Alternates.

Board members are urged to attend an annual informational meeting in Pittsfield, which is hosted by Berkshire Regional Planning. Courtney Turner was able to attend this meeting on July 26, 2019.

The Board only meets when there is an appeal to be heard and during FY19, there were no appeals. However, the Board continues to encourage residents to become volunteers for the ZBA.

*Respectfully submitted,*

Courtney Turner

# ACCOUNTING OFFICER REPORT 2018

EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
<b>MODERATOR</b>	145.00		<b>145.00</b>	0
<b>WEBSITE DEVELOPMENT</b>	2,475.00		<b>2075.00</b>	400
<b>BROADBAND EXPENSES</b>	20,000.00		<b>6,764.00</b>	13,236.00
Selectmen's Salaries	8,550.00		8193.75	356.25
Berk Reg Group Purchasing	600.00		600.00	0
Selectmen's Expenses	3,000.00		2,836.83	63.17
Contingent	5,000.00		903.53	4,096.09
Right of Way Funds	8,000.00		7,970.00	30.00
<b>TOTAL SELECTMEN</b>			<b>20,504.11</b>	
Town Administrator	35,021.00		35,021.00	0
Administrative Secretary	29,715.00		29,715.00	0
<b>TOTAL ADMINISTRATIVE</b>			<b>64,736.00</b>	
<b>TOWN COUNSEL</b>	10,000.00		<b>9,999.96</b>	0.04
<b>FINANCE COMMITTEE</b>	500.00		<b>136.00</b>	364.00
<b>AUDIT</b>		37,000.00		37,000.00
Town Accountant	18,431.00		18,431.00	0
Town Accountant Expenses	4,515.00		3,352.83	1,162.17
<b>TOTAL TOWN ACCOUNTANT</b>			<b>21,783.83</b>	
Assessor's Salaries	6,000.00	.18	6,000.18	0
Assessor's Clerk	18,779.00		18,779.00	0
Assessor's Tax Map Update	2500.00	975.00	2825.00	650.00
Assessor's Consultant	2500.00		0.00	2,500.00
Assessor's Revaluation	16,500.00		16,500.00	0
Cyclical Reinspection		10,000.00	10,000.00	0
Property Cards On-Line	1,600.00		1,600.00	0

## EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
Assessor's General Expense	1,800.00	(22.59)	754.09	1,023.32
Assessor's Computer Cont	4628.00	22.59	4650.59	0.00
<b>TOTAL ASSESSORS</b>			<b>61,108.86</b>	
Treasurer Salary	18,089.20		18,089.00	
Assistant Treasurer	2,000.00		1,079.99	920.01
Treasurer's Expense	3,300.00		2,660.74	639.26
Tax Title (Treasurer)	6,000.00	3,000.00	9,000.00	0.00
Treasurer Software/Support	3,975.00	(55.30)	3,408.20	511.50
<b>TOTAL TREASURER</b>			<b>34,238.13</b>	
Tax Collector Salary	26,177.00		25,118.28	1,058.72
Tax Collector Expense	6,255.00	55.30	6,196.96	113.34
Tax Collector Computer Serv	6,830.00		6,829.99	0.01
Tax Title (Collector)	1,300.00		1,299.56	0.44
<b>TOTAL COLLECTOR</b>			<b>39,444.79</b>	
Town Clerk Salary	32,020.00		32,020.00	0
Election Expense	2,225.00	1500.00	3,565.16	53.59
Street Listing	800.00		571.80	228.20
Town Clerk Expense	2,200.00		2,179.15	20.85
Town Records Preservation	5,000.00		5,000.00	0.00
<b>TOTAL TOWN CLERK</b>			<b>43,336.11</b>	
Conservation Clerical	600.00	(300.00)	350.00	250.00
Conservation Expenses	1,400.00	300.00	1,614.52	85.48
<b>CONSERVATION COMMISSION</b>			<b>1,664.52</b>	
Planning Board Clerical	1,300.00		1,100.00	200.00
Planning Board Expenses	873.00	427.13	1300.13	

# EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
<b>TOTAL PLANNING BOARD</b>			<b>2,400.13</b>	
<b>BOARD OF APPEALS</b>	<b>300.00</b>		<b>0.00</b>	
Town Hall Clerical	8809.00		8,809.00	0
Town Hall Custodian	8324.00		7,684.71	639.29
Town Hall Expenses	34,500.00		25,653.30	8,846.70
<b>TOTAL TOWN HALL</b>			<b>42,147.01</b>	
Town Officer's Expenses	100.00		100.00	0
Town Officer's Bond	800.00		336.00	464.00
<b>TOTAL TOWN OFFICERS</b>			<b>436.00</b>	
Town Hall Renovations		36,798.50	0.00	36,798.50
Town Hall Improvements		28,793.67	0.00	28,793.67
<b>TOTAL TOWN HALL IMPROVEMENTS</b>			<b>0.00</b>	
<b>PRINTING</b>	<b>1,800.00</b>		<b>1,800.00</b>	<b>0</b>
<b>911 CO-ORDINATOR</b>	<b>100.00</b>		<b>0.97</b>	<b>99.03</b>
<b>AGRICULTURAL COMMISSION</b>	<b>200.00</b>		<b>0.00</b>	<b>200.00</b>
<b>TOWN PROPERTY MAINTENANCE</b>	<b>3,093.00</b>		<b>3,093.00</b>	<b>0</b>
2014 Hwy Truck	24,420.00		24,420.00	0
2014 Loader	17,797.00		17,796.08	0.92
2015 Hwy Truck	46,384.00		46,384.00	0
Fire Truck 2015	72,600.00		72,600.00	
Grader 2018	325,000.00		323,673.03	1,326.97
<b>TOTAL LONG TERM DEBT</b>			<b>484,873.11</b>	
Workman's Compensation Ins	16,500.00		14,483.00	2,017.00
<b>TOTAL INSURANCE</b>			<b>14,483.00</b>	

# EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
Regional Planning Commission	1,173.00			1,173.00
RMV/Air Pollution State Assessments	1,878.00		1,878.00	0
District Dept Veteran's Services	6,671.00		6,670.58	0.42
<b>TOTAL STATE/COUNTY ASSESSMENTS</b>			<b>8548.58</b>	
Berkshire County Retirement	144,689.00	11,055.76	155,744.76	0
Insurance Expense	68,000.00		61,243.00	6,757.00
Group Insurance	196,221.00	-348.00	157,011.44	38,861.56
Medicare	13,500.00	748.00	14,090.01	157.99
Veteran's Benefits Chpt 115	12,000.00		5,523.89	6,476.11
Longevity Stipend	2,500.00		2,500.00	0
Insurance Reimbursement	5,000.00		5,000.00	0
<b>TOTAL BENEFITS/WITHOLDINGS</b>			<b>401,113.10</b>	
Reserve Fund	50,000.00		25,438.34	24,561.66
<b>TOTAL FINANCING USES</b>			<b>25,438.34</b>	
<b>BERKSHIRE CTY COMMUNICATIONS</b>				
Police Salaries*	10,284.00		<b>10,283.43</b>	0.57
Police Dept Expenses	133,971.00	10,560.00	140,499.78	4,031.22
Police Rental	24,450.00	3,000.00	27,450.00	26,569.01
	9,000.00		6,000.00	3,000.00
<b>TOTAL POLICE DEPARTMENT</b>			<b>173,949.78</b>	
Constable Salary	475.00		475.00	0
Constable Expense	95.00		0.00	95.00
<b>TOTAL CONSTABLE</b>			<b>475.00</b>	
Fire Dept Clerical	1,700.00		1,699.92	0.08
Firefighter's Stipend*	36,500.00		36,250.00	250.00
Fire Protection	58,900.00		58,896.70	3.30



# EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
<b>TOTAL FIRE DEPARTMENT</b>			<b>100,846.62</b>	
NM Rescue Salary	4,992.00		4,992.00	0
NM Rescue Stipends	25,250.00	582.50	25,832.50	0
NM Rescue Expenses	21,100.00	-595.25	19,267.45	1,237.30
<b>TOTAL RESCUE EXPENSES</b>			<b>50,104.70</b>	
Emergency Mgmt Salary	4,330.00	-2,065.00	2,265.00	0
Emergency Mgmt Expenses	2,000.00	2065.00	3,216.21	848.79
Emergency Mgmt Notification System	2,600.00		2,473.25	126.75
<b>TOTAL EMERGENCY MANAGEMENT</b>			<b>7,954.46</b>	
Building Inspector Salary	20,789.00		20,789.00	0
Building Inspector Expenses	2,845.00		2,833.13	11.87
Building Inspector Software	2,117.00	2,445.00	4,216.88	345.12
<b>TOTAL BUILDING INSPECTOR</b>			<b>27,839.01</b>	
SBRSD Operation	2,709,304.00		2,687,902.99	21,401.01
SBRSD Capital	132,151.00		132,150.22	0.78
School Committee Compensation	11,650.00		1,650.00	0
<b>TOTAL SCHOOL</b>			<b>3,011,070.96</b>	
Roads & Bridges Salaries*	301,130.00		300,838.67	291.33
Highway Dept Expenses	26,300.00	4,945.23	31,227.84	17.39
Machinery Expense	80,000.00	1,073.73	81,020.63	53.10
Propane	10,000.00		8,980.60	1,019.40
Diesel	40,000.00	1,500.00	40,463.01	1,036.99
Roads & Bridges	192,000.00	2,573.36	194,573.36	
<b>TOTAL ROADS &amp; BRIDGES</b>			<b>657,104.11</b>	
<b>WINTER ROADS*</b>	<b>266,334.00</b>		<b>188,147.60</b>	<b>78,186.40</b>

# EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
2018 Hwy Plowing	25,000.00		24,998.00	2.00
2018 Hwy 1 Ton Truck	783.47		324.64	458.83
Brewer Hill Drainage	17,482.00			17,482.00
Road Projects	42,261.19	260,000.00	302,261.19	0
2018 Hwy Vehicle Maintenance	10,233.99		2,616.33	7,617.66
<b>Total Highway Other</b>			<b>335,388.58</b>	
<b>STREET LIGHTS</b>	<b>4,848.00</b>		<b>4,575.62</b>	<b>272.38</b>
Cemetery Salaries*	37,550.00		35,352.75	2,197.25
Cemetery Officers Salary	400.00		400.00	0
Cemetery Expenses	2800.00		1,669.69	1,130.31
<b>TOTAL CEMETERY</b>			<b>37,422.44</b>	
Tree Warden Salary	1,250.00		1,250.00	0
Tree Work	15,000.00		15,000.00	
Tree Maintenance Projects	10,000.00		9,785.00	215.00
<b>TOTAL TREE WARDEN</b>			<b>40,197.00</b>	
Board of Health Officers	1,250.00		1,250.00	
Board of Health Salaries	5,000.00	910.00	5,909.92	0.08
Board of Health Software	1,600.00		838.00	762.00
Board of Health Expenses	1,500.00		1,499.69	0.31
<b>TOTAL BOARD OF HEALTH</b>			<b>9,497.61</b>	
Animal Control Officer Stipend	3,711.00		3,711.00	0
Animal Inspector Compensation	1,500.00		1,500.00	0
Animal Inspector Expenses	800.00		274.15	525.85
<b>TOTAL ANIMAL CONTROL</b>			<b>5,485.15</b>	
Transfer Station Salaries*	26,275.00	1,904.00	28,263.90	-84.90

## EXPENDITURES 7/1/18 - 6/30/19

Department	Budget	Carry Forward/Amended	Expended	Unexpended
Transfer Station	72,000.00		65,424.47	17,397.23
Household Hazardous Waste	1,399.00	10,821.70	1,071.00	328.00
<b>TOTAL PUBLIC HEALTH</b>			<b>94,759.37</b>	
Children's Health Program (CHP)	1,000.00		1000.00	
Visiting Nurse Association	2,580.00		2,145.00	435.00
Mental Health	200.00		200	0
Senior Tax Workoff Program	150.00		49.83	100.17
<b>TOTAL HEALTH/WELFARE</b>			<b>3394.83</b>	
Council on Aging Transportation	5,720.00	5,607.00	11,327.00	
Council on Aging Expenses	250.00		70.00	180.00
<b>TOTAL COUNCIL ON AGING</b>			<b>11,397.00</b>	
<b>CULTURAL COUNCIL</b>	<b>1,000.00</b>		<b>1,000.00</b>	<b>0</b>
Library Salaries	59,079.00		55,178.01	3,900.99
Library Trustees	320.00		320.00	0
Library Expenses	45,915.00		45,883.93	31.07
Library Project Fund	5,800.00		5,800.00	0
<b>TOTAL LIBRARY</b>			<b>107,181.94</b>	
<b>UMPACCHENE FALLS PARK</b>	<b>4,000.00</b>	<b>4,757.25</b>	<b>2,490.03</b>	<b>6,267.22</b>
<b>MEMORIAL DAY</b>	<b>700.00</b>		<b>507.29</b>	<b>192.71</b>

## REPORT OF THE FINANCE COMMITTEE

2019 was a groundbreaking year for the Finance Committee. In an effort to streamline and modernize the budgeting process, we instituted an electronic budget submission process and inserted each submitted budget into a single spreadsheet that showed the entire budget at a glance. We saved a lot of paper and managed to complete our budgeting process on time. Even some long serving members of the committee agreed that the new approach was a significant improvement on past practices.

Substantively, we were able to maintain the budget totals at levels below our proposition 2½ limits, while making some headway on chronically underfunded road improvement, tree work and town hall improvements

The Finance Committee welcomed new members Michele Shalaby and Barbara Marchione, both experienced in town affairs and finances and said farewell to Richard Long, who was elected to the Selectboard and Pru Spalding, for a well-deserved rest after over 36 years of Thursday night meetings.

Thanks to all for their commitment and diligence. On to 2020!

*Respectfully submitted,*

Steve Klein, Chair

**SPECIAL REVENUE BALANCES**  
**AS OF JUNE 30, 2019**

<b>GOVERNMENT /STATE GRANTS:</b>	<b>Amount</b>
Rural Fire Assistance Grant	\$ .18
State Elections	\$3,056.93
State Aid to Libraries	\$7,677.65
Cultural Council Grant	\$13,552.52
Council on Aging	\$5,530.18
Cemetery Preservation Grant	\$2,305.02
Strap Grant	\$18,210.99
Status of Roads Grant	\$1,000.00
Emergency Management Grant	\$673.47
2011 August Storm (Hurricane)	\$49,368.00
Board of Health Grant-Emerg Prepare	\$168.12
Board of Health Mini Grant	\$256.87
Board of Health On-Line Permitting	\$1,185.00
Transfer Station Grant	\$7,440.00
08 Storm Damage Reimbursement	\$6,023.79
IT Grant	\$2,100.00
<b>TOTAL GOVERNMENT/STATE GRANTS</b>	<b>\$118,548.72</b>

**OTHER SPECIAL REVENUE:**

Library Gifts & Memorials	\$3,539.80
250th Anniversary	\$234.65
Wetland Conservation	\$94.64
Machinery Earnings	\$1,848.40
Insurance Proceeds >20k	\$-2,807.50
<b>TOTAL OTHER SPECIAL REVENUE</b>	<b>\$2,909.99</b>

Comstar Reserved for Appropriation	\$206,540.29
Sale of Cemetery Lots	\$35,160.18
Revolving Accounts	\$9,470.45
Chapter 90 Funds	\$76,788.98

**TRUST FUNDS**  
**AS OF JUNE 30, 2019**

<b>ITEM</b>	<b>BALANCE 6/30/19</b>
Stabilization Fund	711,880.10
Marcus Rogers Fund	6,693.15
Cemetery Perpetual Care Bequests	75,956.43
Cemetery Perpetual Care Interest	594.34
Unemployment Fund	40,122.24
New Marlborough Library	9,718.84
Conservation Commission	7,290.69
<b>TOTAL TRUST FUNDS</b>	<b>\$852,255.79</b>

**LONG TERM DEBT**  
**June 30, 2019**

<b>ITEM</b>	<b>BALANCE 6/30/19</b>
Loader	0
Highway Truck (2013)	0
Fire Truck (2015)	385,000.00
Town Hall Renovations	0
Highway Truck (2014)	0
Highway Truck (2015)	44,600.00
Grader 2018	325,000.00
<b>TOTAL DEBT</b>	<b>\$754,600.00</b>

## ALL FUND REVENUES

As of June 30, 2019

Personal Property Taxes	53,862.66
Real Estate Taxes	4,985,246.85
Motor Vehicle Taxes	270,241.73
Farm Animal Excise Tax	316.75
Other Taxes	66,635.10
Penalties/Interest on Taxes	43,614.00
State Receipts	124,733.00
Transfer Station	47,467.00
Licenses & Permits	52,055.00
Fines & Forfeits	300.00
Investment Income	5,305.00
Miscellaneous Revenue	31,252.00
<b>TOTAL REVENUE</b>	<b>\$5,681,029.09</b>

## AGENCY FUNDS

As of June 30, 2019

	BEGINNING BALANCE	EXPENSES	REVENUE	ENDING BALANCE
Town Clerk Agency	1,119.18	801.00	827.00	1,145.18
Tax Collector Agency	15,517.26	2,880.00	8,810.00	21,447.26
Police FID	11,066.74	3,387.50	5,125.00	12,804.24
Unclaimed Checks		0	12,496.15	12,496.15
<b>TOTALS</b>	<b>\$27,703.18</b>	<b>\$7068.50</b>	<b>\$27,258.15</b>	<b>\$47,892.83</b>

*Respectfully submitted by*

Tara B. White  
Accountant