

**PUBLIC HEARING**  
**GREAT BARRINGTON FINANCE COMMITTEE and JOINT MEETING with**  
**BOARD OF SELECTMEN - FY 13 BUDGET**

**MINUTES**

**MARCH 28, 2012**

**7:00 P.M. – TOWN HALL**

**FINANCE COMMITTEE:**

THOMAS BLAUVELT – CHAIRMAN

WALTER ATWOOD

MARK LEFENFELD

ANDREW MORO

JAMES STARK

**BOARD OF SELECTMEN:**

STEPHEN BANNON

ANDREW BLECHMAN

ALANA CHERNILA

DEB PHILLIPS

SEAN STANTON

KEVIN O'DONNELL, TOWN MANAGER

**7:00 PM - PUBLIC SESSION - BOARD ROOM**

**I. CALL TO ORDER**

Tom Blauvelt called the meeting to order at 7:00 p.m.

**II. Approval of Minutes of Finance Committee/Board of Selectmen**

February 14, 2012

February 15, 2012

February 21, 2012

February 22, 2012

**MOTION:** Mr. Atwood to approve.

**SECOND:** Mr. Moro

**VOTE:** 5-0

**III. Review Revenues FY13**

Page: 2 - currently the Real Estate sign fee is \$25.00, Driveway permit fee \$10.00, Common Driveway Permit Application, \$10.00, and a Street Opening Permit \$35.00. It was noted that Williamstown has a \$50.00 fee for a Driveway, Common Driveway and Street Opening Permit. Lenox and Lee do not charge.

**MOTION:** Mr. Blechman to increase the Real Estate Sign fee, Driveway permit fee, Common Driveway Permit Fee and Street Opening Permit fee to \$50.00.

**SECOND:** Ms. Phillips

**VOTE:** 5-0

**Treasurers Office Fees:**

There is a warrant article to increase the demand fee on unpaid real estate, personal property and motor vehicle taxes. Ms. Larkin is going after the tax titles now. She said there are companies who will bid to purchase desirable tax title accounts and they would pay the taxes and do the foreclosure process. Ms. Larkin advised it is a way to raise revenue. A company has contacted her noting they are interested in doing this. Mr. O'Donnell noted this can be put on an agenda for a future meeting.

**Clerks Fees** – they were raised in 2010. It was noted that the Board of Selectmen set the fees for the Fire Department and Town Clerk.

Mr. O'Donnell advised that Chief Jennings requested that the Annual 304 Inspection Fee be increased from \$25.00 to \$40.00 which would be the same as the Building Inspector.

**MOTION:** Mr. Blechman to raise the 304 Inspection fee for the Fire Department to \$40.00.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**Police Department** – False alarm fees. The current permit fee is \$25.00. The first false alarm charge is \$50.00 and the second is \$100.00. Currently the parking violation fee is \$20.00. The handicapped parking violation is \$100.00 with a cap of \$300.00. Junk Car Permits are \$25.00. After discussion, it was determined to leave the fees as they currently are. New parking tickets will be purchased in 2013. The lock up fee is currently \$100.00 per person. Currently we have an agreement with the Towns of Egremont, Sheffield, New Marlboro and Monterey. Chief Walsh said we average 6 a month. Andrew made a motion to raise the lock-up fee to \$150. There was no second. The motion failed.

**Assessors Office** – All fees are proposed to be the same except for the addition of Income and Expense Penalty (failure to file – Per MGL c.59 § 38D) \$250.00 Commercial. Mr. Lamrre said the assessors lobbied the legislature because of a low return from most commercial entities throughout the state. The legislature imposed the \$250 fee and they made it so you forfeit your right to any appeal.

**MOTION:** Mr. Bannon that we accept the Assessors recommendation for the FY13 fees.

**SECOND:** Ms. Phillips

**VOTE:** 5-0

**Cemetery** – Non Resident - \$1,250.00 and Resident \$400.00. The fee is based on the equipment and time. Mr. Atwood noted that all money goes into the cemetery fund for road repair and purchasing equipment.

**Planning Department** – Currently the fee is \$150.00 for the special permit. The recommendation is to charge two rates: \$150 for SP-1 – Short Form and \$300 for SP-2 – Long Form which is for larger projects.

**MOTION:** Mr. Bannon to keep the SP-1 Short Form at \$150.00 and increase the SP-2 – long form to \$300.00.

**SECOND:** Ms. Phillips

**VOTE:** 5-0

**Conservation Commission:** The current Notice of Intent Fee is \$25.00. The Request for Determination of Applicability is \$75.00. The Conservation Commission is recommending that the fees stay the same.

**Board of Health** – They were just increased in August 2011.

**Building Inspector Fees** – The only one that hasn't been increased is the Wire Inspector. It is currently at \$44.00. The Town keeps \$4.00 and the Inspector receives the \$40.00.

**MOTION:** Ms. Chernila to increase the Wire Inspector Fee, Gas Inspector Fee, and the Plumbing Inspector Fee to \$60.00

**SECOND:** Mr. Bannon

**VOTE:** 4-1

**Table 110 Inspection Schedule** – the proposal is to increase the inspection fee from \$40.00 to \$80.00 for use groups that fall under Table 110 of the State Board of Building Regulations and Standards.

**MOTION:** Mr. Blechman to increase the fee from \$40.00 to \$80.00

**SECOND:** Mr. Bannon

**VOTE:** 5-0

Mr. May explained that the fees were set in 1975. The new code came out in 2006 and the BBRS decided it was up to the Board of Selectmen to set the fees. No fees are currently listed in the code book. Camps are charged per unit – a unit is 10 Beds. There is always a fluctuation in the number of beds in the cabins.

All fees were voted except for the summer camps for children.

#### **Sheet Metal Permits**

**MOTION:** Mr. Bannon to charge \$7.00 per \$1,000 of construction cost with a minimum fee of \$35.00 for small jobs.

**SECOND:** Mr. Blechman

**VOTE:** 5-0

#### **PUBLIC HEARING:**

**MOTION:** Mr. Atwood to open the public hearing at 7:45 p.m.

**SECOND:** Mr. Moro

**VOTE:** 5-0

**MOTION:** Mr. Atwood made a motion to close the public hearing at 7:46 p.m.

**SECOND:** Mr. Moro

**VOTE:** 5-0

#### **2013 Capital Improvements Plans**

Mr. O'Donnell noted that there is one change. On the Capital Improvements – Town Hall – \$70,000 is included for a generator. Mass Broad Band Institute is designating the Town Hall as an anchor institution to get the high speed cable. They are contributing \$15,000 for a generator. The generator isn't going to be sufficient for us if the power goes out. The generator they would install would just be for their equipment. The goal is to get a large one rather than a small one and a large one. Money from the overlay district from previous years is being used so it has no impact on the budget. We previously had \$130,000 in the overlay and that rolls over from previous years. They are going to pay the Town a monthly stipend. They will put the generator in a 10' by 10' area in the basement. After discussion, it was decided to subtract the \$70,000 from the budget.

Under Public Works – Repair Town Hall Pillars/Bldg. Improvements was changed to \$105,000.

#### **FIRE DEPARTMENT:**

Mr. Atwood noted that there is \$700,000 in the budget for a new fire truck and he said the town has plenty of trucks and he doesn't want to spend additional money for a new truck.

**MOTION:** Mr. Atwood to remove the \$700,000 from the Fire Truck line item.

**SECOND:** Mr. Stark

**VOTE:** 3-2 – Negative recommendation

Chief Jennings said he is trying to replace a 28 year old truck. He noted it has 124,400 hours and 27,000 miles which is 1 or 2 miles at a time. The truck needs to have the transmission rebuilt, it needs exhaust work, and it has the original steel tank. In Housatonic, the first piece is 16 years old. It needs to go out for rust repair. It can't be sent out without another truck to take its place or we close the Housatonic Station. Mr. Atwood said in the Great Barrington Station there are two 2000 trucks and one 2010 Truck, plus there is a ladder truck. Chief Jennings said he can't fit it in the Housatonic Station. Chief Jennings said the Town is an ISO 4 which is a huge savings for the tax payers. People save approximately 10% on their homeowners insurance. The reason we are at that is our water system, our pumping capacity, truck capacity and maintenance records. Chief Jennings asked if the Board would consider starting a stabilization fund of about \$300,000 to \$400,000 a year for fire apparatus.

Mr. Stark asked what the full time cemetery employees do during the winter. Mr. Sokul said there is two full time staff in the winter. We supplement that with two employees from the highway department from April through November. The staff in the winter assists in winter maintenance by plowing. They also maintain the parks equipment and winter equipment. During the season, we have 4 people.

Page 10 – 12 – Line Item 218 – Non-print materials for the library. Mr. Stark noted that they requested \$46,100 and the Town Manager recommended \$31,100. Mr. Blauvelt noted that during the discussion on the budget, it was determined that the \$26,100.00 was not adequate. The library board also approved \$5,000 out of a trust fund and we have about \$9,000 in fee revenues that was also going to be applied. It

was explained that the non-print resources at the library includes books on CD, Tape and DVD's and is 10% of the entire collection. Usage accounts are more than 35% of the circulation. \$5,000 is coming from the tax payers and money is also coming from non resident cards that were paid years ago. A book on CD can cost \$30.00 to \$60.00 where a regular book can cost \$14.00 to \$20.00.

Mr. Stark asked if the Treasurer/Tax Collector is compensated by the Fire District for billing services and fee collections. Ms. Larkin advised that the Town Manager accepts an amount that the Fire District will pay the Town for doing the work. The Assessors bills the Fire District as well by assessment. We collect the taxes and turn it over to the Fire District. Lauren said that they paid us about \$22,000 previously.

**FINANCE COMMITTEE VOTE ON THE OPERATING BUDGET**

**MOTION:** Mr. Moro to recommend \$10,208,961.00 – Pages: 11-12 of the Budget.

**SECOND:** Mr. Stark

**VOTE:** 5-0

**FINANCE COMMITTEE:**

**Waste Water Treatment Plant Operating Budget.**

**MOTION:** Mr. Atwood to recommend \$1,805,308.

**SECOND:** Mr. Moro

**VOTE:** 5-0

Mr. O'Donnell advised that the Board of Selectmen will convene as the Sewer Commissioners sometime between now and July 1 to set the sewer user fees. The recommendation was between \$460 and \$700. The \$460 would hold the rate for two years and the \$700 would hold for between 4 and 5 years.

Vote on the total Capital for the General Fund with the exception of the \$700,000 for the Fire Truck and \$70,000 for the repairs to town hall /building.

**FINANCE COMMITTEE:**

**The Total capital \$5,646,000.**

**MOTION:** Mr. Atwood to recommend \$5,646,000.

**SECOND:** Mr. Moro

**VOTE:** 5-0

Mr. Stark asked if the Police Department can get just one cruiser now and keep the proposed replacement one until a current one is not functioning and then replace it. It was noted that the replacement schedule that is in place works very well. Mr. Moro inquired if we can sell vehicles at auction or do we have to trade in the vehicles? Mr. O'Donnell said that we can accept a dealers bid but we do not have to accept what they are offering for the trade in if we don't agree. We would then declare the vehicle as surplus and try to sell it. The Green Community doesn't want the Town to rotate nonfuel efficient vehicles into the fleet. Police vehicles are exempt from the fuel efficiency standards. We cannot take a former Police Vehicle and rotate it to Public Works because the fleet needs to be mostly energy efficient and it would be contrary to the Green Community application that we have submitted. The Highway Department was hoping to get one of the Tahoe's but it is not an energy efficient vehicle. It is very clear in the States Green Community Designation that you can't do this and also is contrary to our own energy efficient policy that we are working on with the Energy Committee. When we have to get a new vehicle for the highway superintendent, we are going to look at an energy efficient vehicle. Ms. Sartori said the trade in concept has to have been already negotiated in the contract. If not, we have to go through the state law that we have to do advertized bids. She noted that she has not seen any of those contracts include a trade-in allowance that is set.

**FINANCE COMMITTEE:**

**Wastewater Treatment Plant – General Capital**

**MOTION:** Mr. Atwood to recommend \$4,540,000.

**SECOND:** Mr. Moro

**VOTE:** 5-0

Ms. Phillips noted that the Town budget and School budget is going up \$285,000. She wondered if it was the appropriate time to make the suggestion to use some of our surplus funding to keep the tax levy level this year to offset the school budgets increase. Mr. O'Donnell noted that we took \$2,150,000 out of Free Cash for the FY13 budget. There is currently a little over 3 million in free cash. That is about \$100,000 over what we did previously. With the school district budget, the way it is set up, property taxes in Great Barrington will go up overall on the levy around \$285,000. That is related to the assessment to the School district. In relation to Ms. Phillips idea, could we take \$285,000 out of a revenue stream so the levy isn't going up from FY12. Legally, we can do that. We would be taking the additional money out of free cash. Mr. O'Donnell said that the concern he has with that is that we will be going to the bond market in FY 13 with the projects and Capital and with that amount of money going to reduce the tax levy, it is not being used for an emergency and the financial institutions may not react positively to that. Somewhere between 72 and 75% of the total revenues come from property taxes. The average tax bill is going up \$80.00. Mr. O'Donnell said in the next few years there is going to be significant expenses for C.I.P. There will be the Wastewater Treatment Plant, and High School renovation. All those will be 2016 or 2017. We have a 22 million capital improvement plan for 5 years. He noted the boards may want to hold off on some of the free cash until 2016 – 2017 when we will have some large expenses. Mr. O'Donnell noted that free cash derives from having additional revenues above what we have anticipated vs. overall expenditures. The town is intentionally over budgeting. Ms. Sartori said it also does not lock us into a mandatory school budget number. It was what the Department of Revenue suggested that we use for finance and funding mechanism when education reform came into effect in 1993. If you have zero free cash and zero reserves you would have to borrow money on a short term basis to meet payroll and expenses. What is left gets recertified every year. It is not cash, it is unreserved fund balance. Mr. O'Donnell said that if an additional \$285,000 was taken out the net effect of the levy would not increase for the Town. The school assessment would be what the school assessment is going to be. It will not have an adverse affect on the property tax levy. Ms. Phillips said as we go into the next budget season, she would like to look at the varying ways to use free cash.

**BOARD OF SELECTMEN:**

**MOTION:** Ms. Phillips to approve \$6,346,000 for the Capital Budget as amended which excludes the \$70,000 for the generator.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

Ms. Chernila asked about the revised street improvements list. Mr. Sokul said that Haley Road was taken out of this fiscal year and Lewis and West Avenues were moved up to Fiscal 12 and 13. Also Main Street in Housatonic is being looked at.

**BOARD OF SELECTMEN:**

**WASTE WATER TREATMENT PLANT OPERATING BUDGET:**

**MOTION:** Ms. Phillips to recommend \$10,212,099.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**BOARD OF SELECTMEN:**

**WASTEWATER TREATMENT PLANT CAPITAL IMPROVEMENTS:**

**MOTION:** Ms. Phillips to recommend \$4,540,000.00

**SECOND:** Ms. Chernila

**VOTE:** 5-0

**WARRANT ARTICLES:**

**ARTICLE 1 -- REVOLVING FUNDS - FINANCE COMMITTEE**

**MOTION:** Mr. Atwood

**SECOND:** Mr. Moro

**VOTE:** 5-0

**ARTICLE 1 – REVOLVING FUNDS – BOARD OF SELECTMEN**

**MOTION:** Ms. Phillips

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 2 – ELECTED OFFICIALS SALARIES – FINANCE COMMITTEE**

**MOTION:** Mr. Atwood to recommend \$7,500.00

**SECOND:** Mr. Moro

**VOTE:** 5-0

**ARTICLE 2- ELECTED OFFICIALS SALARIES – BOARD OF SELECTMEN**

**MOTION:** Ms. Phillips to recommend \$7,500.00

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 3 – ACCEPT ANY AND ALL FUNDS PROVIDED BY THE COMMONWEALTH OF MASS (MassDOT) – FINANCE COMMITTEE**

**MOTION:** Mr. Atwood to recommend that the Town accept MassDOT funds

**SECOND:** Mr. Moro

**VOTE:** 5-0

**ARTICLE 3 – ACCEPT ANY AND ALL FUNDS PROVIDED BY THE COMMONWEALTH OF MASS (MassDOT) - BOARD OF SELECTMEN**

**MOTION:** MS. Phillips to recommend that the Town accept MassDOT funds

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 10 – LIBRARY BOOKS & SUPPLIES – FINANCE COMMITTEE**

**MOTION:** Mr. Moro to recommend \$8,808.50 for library books and supplies.

**SECOND:** Mr. Moro

**VOTE:** 5-0

**ARTICLE 10 – LIBRARY BOOKS AND SUPPLIES – BOARD OF SELECTMEN**

**MOTION:** MS. Phillips to recommend \$8,808.50 for library books and supplies.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 11 – BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT – FINANCE COMMITTEE**

Appropriate or transfer from available funds \$10,961,153.00 for operating assessment and \$637,566.00 for capital assessment for a total of \$11,598,719.00).

**MOTION:** Mr. Moro

**SECOND:** Mr. Blauvelt

**VOTE:** 2-3 – Not to recommend.

**ARTICLE 11 – BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT – BOARD OF SELECTMEN**

Appropriate or transfer from available funds \$10,961,153.00 for operating assessment and \$637,566.00 for capital assessment for a total of \$11,598,719.00).

**MOTION:** Ms. Phillips

**SECOND:** Mr. Bannon

**VOTE:** 5-0

Mr. Peter Dillon, Superintendent of Schools presented the Monument Mountain 4 Year Graduation and Drop out Rates bar graph. The graduation rate in 2008 was 80.6, 2009 81.8, 2010 90.6 and 2011 95.3. The drop out rate in 2008 was 9.1, 2009 8.2, 2010 5.8 and 2011 0.7. He said the district is coming to the 3 Towns with a 2.08% increase or \$285,000. It was noted that the original budget was \$75,000 higher. Great Barrington's percentage is 2.52%. Tuition in – choice – we have tuition agreements with Richmond Schools, Farmington River, Otis and Sandisfield. School choice numbers have been locked in 1993. For each grade level we are able to set specific caps.

Transportation: The state promised 100% reimbursement when the regional transportation started. The reimbursement has been 56%. He is hoping legislation will keep it at 56%. They bid out the bus contracts this year and had two responses. The bid award will go to Massini which is slightly less than they anticipated. The Mass Association of Regional Schools is having a meeting in 3 weeks at the Stockbridge Offices and both Senator Downing and Smitty Pignatelli will be attending.

Historically there was only a principal at the middle school and not at the elementary school. An assistant principal was added to the elementary school which is slightly larger than the middle school. The return on that position is very important. It has freed up the principal to be an instructional leader.

**ARTICLE 12 – AUTHORIZE USE OF PENSION RESERVE FUND**

**FINANCE COMMITTEE**

**MOTION:** Mr. Atwood to authorize to use \$100,000 from the Pension Reserve Fund.

**SECOND:** Mr. Moro

**VOTE:** 5-0

**ARTILCE 12 – AUTHORIZE US OF PENSION RESERVE FUND**

**BOARD OF SELECTMEN**

**MOTION:** Ms. Phillips

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 13 – AUTHORIZE USE OF FREE CASH TO REDUCE THE TAX LEVY**

**FINANCE COMMITTEE**

**MOTION:** Mr. Atwood to authorize applying \$2,150,000 of free cash to reduce the tax levy.

**SECOND:** Mr. Lefenfeld

**VOTE:** 5-0

**ARTICLE 13 - AUTHORIZE USE OF FREE CASH TO REDUCE THE TAX LEVY**

**BOARD OF SELECTMEN**

**MOTION:** Ms. Phillips to authorize applying \$2,150.00 of free cash to reduce the tax levy.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

**ARTICLE 15 – AUTHORIZE THE INCREASE IN COLLECTOR DEMAND FEES ON UNPAID TAXES. – FINANCE COMMITTEE**

**MOTION:** Mr. Atwood that \$10.00 charge is added to the demand fee issued by the tax collector.

**SECOND:** Mr. Moro

**VOTE;** 5-0

**ARTICLE 15 – AUTHORIZE THE INCREASE IN COLLECTOR DEMAND FEES ON UNPAID TAXES – BOARD OF SELECTMEN**

**MOTION:** Ms. Phillips that \$10.00 charge is added to the demand fee issued by the tax collector.

**SECOND:** Mr. Bannon

**VOTE;** 5-0

It was noted that Articles 16, 17, and 18 will be voted on by the Board of Selectmen on April 9, 2012.

Mr. Dillon advised that the school committee is asking for authorization to create a stabilization fund beginning July 1, 2012 as a mechanism for funding future maintenance and capital expenditures. Mr. Dillon said he sent it to the 3 towns and spoke to the Finance Committee and Board of Selectmen in Stockbridge and they would like the language fine tuned and West Stockbridge is not opposed to it. He noted the two new building are beginning to age. It was noted that the first step is to create the fund and fund it; setting aside \$50,000 a year. This would be brought forth in 2014.

**ESTABLISHMENT OF A STABILIZATION FUND BY THE BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT BEGINNING JULY 1, 2012.**

**MOTION:** Mr. Blechman to approve the establishment of a stabilization fund for the Berkshire Hills Regional School District.

**SECOND:** Mr. Bannon

**VOTE:** 5-0

On a motion by Mr. Moro and seconded by Mr. Atwood, the Finance Committee adjourned its meeting at 9:50 p.m.

On a motion by Ms. Phillips and seconded by Ms. Chernilla, the Board of Selectmen adjourned its meeting at 9:50 p.m.

Respectfully submitted,



Carolyn Wichmann  
Secretary