

TOWN OF CLARKSBURG  
Clarksburg, Massachusetts 01247

ANNUAL TOWN MEETING  
WARRANT



COMMONWEALTH OF MASSACHUSETTS

**Berkshire ss:**

To any of the Police Officers of the Town of Clarksburg in the County of Berkshire:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote at Town Meeting, to meet at the Clarksburg Elementary School at 777 West Cross Rd on WEDNESDAY MAY 31<sup>ST</sup>, 2023 AT 6:00PM then and there to vote on the following articles to wit:

**ARTICLE ONE:** (majority vote):

To receive the printed annual report of the Town Officers for the closing Fiscal Year 2022, or take any action thereto.

**ARTICLE TWO:** (majority vote):

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in the Fiscal Year beginning July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, in accordance with the provisions of the Massachusetts General Laws (MGL), Chapter 44, Sections 4, 6A and 7, and to issue a note or notes thereof, in accordance with MGL Chapter 44, Section 17, or take any action in relation thereto.

**ARTICLE THREE:** (majority vote):

To see if the Town will vote to authorize the Town Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, as permitted by MGL Chapter 44, Section 53F, or take any action in relation thereto.

**ARTICLE FOUR:** (majority vote):

To see if the Town will vote to take from available fines and forfeitures, concerning the Clarksburg Police Department, monies collected by the Treasurer to be recorded and deposited into a special revolving fund account, a sum of \$5,000.00 , authorized under MGL Chapter 44, Section 53E1/2, to be used by said Police Department for Police Officer Training, equipment and fuel, or take any action in relation thereto.

**ARTICLE FIVE:** (majority vote):

To see if the Town will vote to set the annual compensation for elected officials as follows:

	<b>APPROPRIATED</b>	<b>RECOMMENDED</b>
<b>INDIVIDUAL STIPENDS</b>	<b>FY23</b>	<b>FY24</b>
Selectboard Chair	\$600	\$600
Selectboard Members (\$500X2)	\$1000	\$1000
Planning Board Chair	\$300	\$300
Planning Board Members (\$250X4)	\$1000	\$1000
Board of Health Chair	\$280	\$280
Board of Health Members (\$230X2)	\$460	\$460
School Committee Chair	\$280	\$280
School Committee Members (\$230X2)	\$460	\$460
Rep. to McCann Tech Voc. School	\$230	\$230
Tree Warden	\$150	\$150

**TOTAL:** **\$4760** **\$4760**

**ARTICLE SIX:** (majority vote):

To see if the Town will vote to raise and appropriate, or take from available funds in the Town Treasury the amount of \$2,838,417 to pay for charges, expenses and outlays for the School Department for the ensuing Fiscal Year July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, or take any action in relation thereto.

**ARTICLE SEVEN:** (majority vote):

To see if the Town will vote to raise and appropriate, or take from available funds in the Town Treasury the amount of \$383,921 to pay for the Towns share of the Northern Berkshire Vocational School District’s budget for the ensuing Fiscal Year July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, or take any action in relation thereto.

**ARTICLE EIGHT:** (majority vote):

To see if the Town will vote to authorize the Selectboard to enter into contracts with the Massachusetts State Highway Department (a/k/a Massachusetts Department of Transportation) for the construction and maintenance of public highways for the ensuing year July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, or take any action in relation thereto.

**ARTICLE NINE:** (majority vote):

To see if the Town will vote to raise and appropriate, or take from available funds in the Town Treasury, the following sums of money for salaries, expenses, charges and other purposes including loan debts, for the Fiscal Year beginning July 1<sup>st</sup>, 2023 through June 30<sup>th</sup>, 2024, or take any action in relation thereto.

ACCOUNT	FY2023	FY2024	\$INCREASE
NAME	APPROPRIATED	RECOMMENDED	\$DECREASE
LEGISLATIVE	\$100	\$100	-0-
EXECUTIVE	\$2200	\$2200	-0-
FINANCE	\$137,851	\$152,338	\$14,487

OPERATIONS	\$165,701	\$166,923	\$ 1,222
ACCOUNT	FY2023	FY2024	\$INCREASE
NAME	APPROPRIATED	RECOMMENDED	\$DECREASE
LICENSING/			
REGISTRATION	\$ 25,806	\$ 26,119	\$ 313
LAND USE/DEVELOPMENT	\$ 4,391	\$ 4,251	-\$ 140
FACILITIES MANAGEMENT	\$ 62,150	\$ 57,450	- 4,700
PUBLIC SAFETY/INSPECTION	\$163,643	\$153,407	-\$10,236
PUBLIC WORKS	\$348,159	\$375,013	\$26,854
& RECREATION			
HUMAN SERVICES	\$154,855	\$154,648	-\$ 207
DEBT	\$253,850	\$246,898	-\$ 6,952
EMPLOYEE INSURANCE			
& BENEFITS	\$449,134	\$483,199	\$34,065
LIABILITY INSURANCES	\$ 47,175	\$ 55,500	\$ 7,825
SCHOOL STIPENDS	\$ 970	\$ 970	-0-
TRANSFERS OUT OPEB	\$ 500	\$ 500	-0-
TOTAL TOWN	\$1,816,485	\$1,880,046	\$ 63,561
TOTAL SCHOOL DEPT	\$2,782,762	\$2,838,417	\$ 55,655
McCANN Tech Vocational	\$ 313,046	\$ 383,921	\$ 70,875

**ARTICLE TEN:** (majority vote):

To see if the Town will vote to take from fees for permits issued from various inspectors and Boards, money collected by the Treasurer, to be recorded and

deposited into a special revolving account, a sum up to \$15,000 under MGL Chapter 44, Section 53 ½ , to be used for the payment of said Inspectors and Board Inspectors, or take any action in relation thereto.

**ARTICLE ELEVEN:** (2/3 vote required):

To see if the Town will vote pursuant to MGL Chapter 40 Section 5B to establish a Special Purpose Stabilization Fund, to be known as the Opioid Settlement Stabilization Fund, for the money received from judgements or settlements in litigation or claims against the opioid manufacturers or distributors, to be expended for the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents, consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further see if the Town will vote to accept the provisions of the fourth paragraph of said Chapter 40 Section 5B to dedicate all of the money received from judgements or settlements in litigation or claims against opioid manufacturers or distributors to the special purpose stabilization fund established under this article, effective for Fiscal Year 2024, beginning July 1<sup>st</sup>, 2023; and further transfer from stabilization the amounts of such judgements and settlements received by the Town before July 1, 2023 to the special purpose stabilization fund established under this article, or take any action in relation thereto.

**ARTICLE TWELVE:** (2/3 vote required):

To see if the Town will vote to transfer \$6,773.94 from the Towns Stabilization Fund and deposit it into the Opioid Settlement Stabilization Fund, representing monies already received and to comply with State mandates regarding its use and segregation from the General Fund, or take any action in relation thereto.

**ARTICLE THIRTEEN:** (majority vote):

To see if the Town will vote to appropriate for the expenses of the Town's Sewer Enterprise Fund to be raised from sewer user fees, for the ensuing fiscal year beginning July 1, 2023 through June 30, 2024, as listed below in accordance with MGL Chapter 40 Section 39k and Chapter 44 Section 53F ½, or take any action in relation thereto.

**\*Sewer Operations**

-Maintenance and Operations	\$53,000
-Intra-municipal service charges	\$19,800
North Adams Usage Fee	\$264,898
Capital Exp HWQD	\$ 57,120
Total Sewer Operations for FY24.....	\$394,818

**ARTICLE FOURTEEN:** (2/3 vote required)

To see if the Town will transfer \$57,000 from the Sewer Enterprise Reserve fund to pay for expenses for sewer system repairs and upgrades to reduce Inflow and Infiltration (I&I) as required by the Massachusetts Dept. of Environmental Protection, or take any action in relation thereto.

**ARTICLE FIFTEEN:** (2/3 vote required):

To see if the Town will vote, in accordance with MGL Chapter 40 Section 8L, establish an Agricultural Commission, appointed by the Selectboard with 3 members, of which in the initial appointment shall be for a 1 year, 2 year and a 3 year term, or take any action in relation thereto.

**ARTICLE SIXTEEN:** (majority vote):

To see if the Town will vote to amend/edit the bylaws of the Clarksburg council on Aging, or take any action in relation thereto.

**Article SEVENTEEN:** (majority vote):

To see if the Town will vote to authorize the Clarksburg Selectboard to enter into a lease for up to 20 years from a solar-related enterprise to site a solar array on the site of the former landfill and an adjacent 5 acres in accordance with MGL Chapter 40, Section 3 with said revenues credited to the General Fund, or take any action in relation thereto.

**ARTICLE EIGHTEEN:** (2/3 vote required):

To see if the Town will vote to pay a June 30<sup>th</sup>, 2022 invoice from KP Law in an amount of \$855 from the Town's Stabilization account or take any action in relation thereto.

**ARTICLE NINETEEN:** (2/3 vote required):

To see if the Town will vote to renumber and recaption the Zoning Bylaws of the Town by a) designating the Zoning Bylaw as Chapter 310 of the Code of the Town of Clarksburg; b) renumbering each section and subsection of the bylaw accordingly; c) inserting article, section and subsection titles; and d) updating internal references to reflect the new numbering system, all set forth in the Final Draft of the Code of the Town of Clarksburg dated March 2022, on file with the Town Clerk, or what it will do in relation thereto, or take any action in relation thereto.

**ARTICLE TWENTY:** (2/3 vote required):

To see if the Town will vote to adopt the following changes to the Zoning Bylaws as set forth in the Final Draft of the Code of the Town of Clarksburg dated March 2022, on file with the Town Clerk, or take any action in relation thereto.

**ARTICLE TWENTY ONE:** (2/3 vote required):

To see if the Town will vote to adopt the proposed zoning amendment to the Zoning Bylaws of the Town of Clarksburg Section 5, Table of Dimensional Requirements (5.2) for the purpose of revising road frontage and lot size requirements for the Residential (R-30) district where both public water and sewer are available, or take any action in relation thereto.

**ARTICLE TWENTY TWO:** (2/3 vote required):

To see if the Town will vote to adopt the proposed zoning amendment to the Zoning Bylaws of the Town of Clarksburg Section 5, Table of Dimensional Requirements (5.3) for the purpose of reducing the road frontage requirements in the Upland Conservation District (U-C) from 250' to 125' , or take any action in relation thereto.

**ARTICLE TWENTY THREE:** (2/3 vote required):

To see if the Town will vote to transfer \$231,000 from the Towns Stabilization account to the General Fund to reduce the tax rate, or take any action in relation thereto.

**ARTICLE TWENTY FOUR:** (majority vote):

To see if the Town will vote to authorize the Selectboard to amend the Town Election date to the second Tuesday in May, and the Town Meeting date to be the last Wednesday of May, or take any action in relation thereto.

**ARTICLE TWENTY FIVE:** (majority vote):

To see if there is any other business to transact in relation thereto.

**ARTICLE TWENTY SIX:** (majority vote):

To see if the Town will vote a motion to adjourn.



To any of the Police Officers for the Town of Clarksburg, you are hereby directed to serve this Warrant by posting two or more attested copies of the same, in the Town of Clarksburg at least SEVEN (7) days before the time of holding said meeting

Given under our hands this 24<sup>th</sup> day of May 2023

CLARKSBURG SELECTBOARD

Jeff Levanos Jeffrey Levanos, Chair  
Robert Norcross Robert Norcross  
Daniel Haskins Daniel Haskins

Attest: Marilyn Gomeau Marilyn Gomeau, Town Clerk  
Date: 5-24-2023

I have served the above warrant, therein directed, by posting two or more attested copies in two or more public places to wit: Clarksburg Town Hall/Website and the Clarksburg Elementary School in said Town of Clarksburg on this 24 day of May 2023

Chief of Police: Michael Williams Date: 5-24-2023