

TOWN OF BARRE - SPECIAL TOWN MEETING NOVEMBER 29, 2023

TOWN CLERK MINUTES

Pursuant to the foregoing warrant 64 of the 4,184 qualified voters (40 from Prec. 1 and 24 from Prec. 2) gathered at the Ruggles Lane School, 105 Ruggles Lane in Barre, to act on the Articles in said warrant. A total of 7 guests (non-voters) were also in attendance. A quorum of 50 voters or more were present at all times.

Moderator Joshua Smith called the meeting to order at 6:35 p.m. with a total 64 voters in attendance. The Moderator opened the meeting by welcoming everyone, followed with a pledge of allegiance to the Flag. He then announced that everyone should have received a copy of the Finance Committee's Booklet with warrant articles to be acted upon with recommendations and a paper ballot packet with instructions from the Town Clerk in the event a paper ballot is requested upon checking in. He then proceeded with **the following moderator motions which were all favorably recommended by the Select Board and Finance Committee, seconded and passed unanimously with no objection:**

MODERATOR'S MOTIONS

MOTION 1

To approve that this meeting dispense with the reading of the warrant and of the Constable's return of service of that warrant and that the Moderator not be required to read warrant articles verbatim, but may refer to them by number and/or subject matter.

MOTION 2

To approve that the moderator may extend the floor to Town management and staff and other non-voters provided that they must first be recognized by the Moderator.

MOTION 3

To approve that the Moderator, pursuant to G.L. c. 39 § 15, be allowed to declare a two-thirds vote rather than taking a standing count.

The meeting continued as follows:

ARTICLE 1: Main Motion. Sponsor: Select Board- read by Maureen Marshall.
Select Board Favorable Recommendation
Finance Committee Favorable Recommendation

VOTED UNANIMOUSLY by voice vote: TO Raise and Appropriate the following amounts for Departmental budgets and appropriations for Fiscal Year 2024, ending on June 30, 2024:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
00101122-570000	Select Board Expenses	\$ 9,880.00
00101131-570000	Reserve Fund	\$ 95,410.40
00101176-512000	Land Use Admin Secretary	\$ 398.00
00101192-571100	Henry Woods Building	\$ 14,805.00
00102241-512000	Building Department Clerk	\$ 6,000.00
00111750-591126	Debt Interest on Capital Plan Debt Exclusion	\$ 16,709.00

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And further, transfer from Water Retained Earnings \$52,435.00 for the operation and maintenance of the municipal water system and revise the amount of Water Receipts from \$665,435.00 to \$613,000.00 to reflect this transfer.

ARTICLE 2: MAIN MOTION: Sponsor: Select Board – read by John Dixon.

Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

VOTED UNANIMOUSLY by voice vote to Raise and Appropriate \$52,201.60 to fund and implement the Collective bargaining agreement between the Town of Barre and Barre DPW Employees, Teamsters #170 for Fiscal Year 2024, ending on June 30, 2024

ARTICLE 3: FUNDING OF POLICE UNION AGREEMENT- Sponsor: Select Board – read by Maureen Marshall

Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

VOTED UNANIMOUSLY to Pass Over Article 3.

ARTICLE 4: TOWN ADMINISTRATOR BYLAW – Sponsor: Select Board – Read by Maureen Marshall

Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

ARTICLE 4: On a motion made by John Dixon and duly seconded it was unanimously voted by a voice vote to amend the main motion by adding “and all applicable laws and bylaws” to the end of paragraph K of subsection 70-2 Powers and Duties.

ARTICLE 4: On a motion made by Maureen Marshall and duly seconded it was unanimously voted by a voice vote to amend Article 4 by deleting the words “(Town Hall)” under § 70-2 section R:

ARTICLE 4: A motion made by Matthew Urban and duly seconded to Table Article 4 was defeated by a **2/3rd majority** standing count of 28 yes to 27 no.

ARTICLE 4: TOWN ADMINISTRATOR BYLAW

VOTED BY A MAJORITY AFFIRMATIVE STANDING VOTE

To amend the Code of the Town of Barre by establishing a bylaw for the position of Town Administrator as set forth in the warrant, as amended:

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Chapter 70- Town Administrator

§ 70-1 Appointment; annual review; other activities.

A.Appointment; term of office. The Select Board shall appoint and enter into an employment agreement with a Town Administrator to serve for a term of not more than three years; provided, however, that the first six months of any individual's first appointment to the office shall be considered a probationary period. The Town Administrator shall be appointed solely on the basis of their executive and administrative qualifications. They shall be a person especially fitted by education, training and previous experience in business or public administration to perform the duties of the office of Town Administrator.

B.Review of performance. The Select Board shall annually provide for a review of the job performance of the Town Administrator which shall, at least be in summary form, be a public record.

C.Restriction on other activities. The Town Administrator shall devote their full time to the duties of their office and will not hold any other public office, elective or appointive, nor shall they engage in any other business, occupation or profession during their term unless such action is approved, in advance, in writing, by the Select Board.

§ 70-2 Powers and duties.

The Town Administrator shall be the chief administrative officer of the Town and shall be responsible to the Select Board for the proper administration of all Town affairs placed under their charge by the Board or under Town bylaws. Acting by and for the Select Board, the powers and duties of the Town Administrator shall include, but are not intended to be limited to, the following:

A.They shall supervise, direct and be responsible for the efficient administration of all functions placed under their control by bylaw, by Town Meeting vote, by vote of the Select Board, or otherwise, including all officers appointed by them.

B.They shall coordinate the activities of all Town departments under their control with those under the control of officers and multiple-member bodies who are elected directly by the voters of Barre appointed by the Select Board, or provided for under any special act, including, without limitation, Chapter 56 of the Acts of 1988.

C.They shall recommend the appointment, and may recommend the removal, subject to the civil service law and any collective bargaining agreements as may be applicable, of all department heads, all officers, subordinates and employees for whom no other method of selection is provided by bylaws, unless otherwise provided by state law. Appointments made by the Town Administrator shall become effective at their discretion, unless the Select Board shall within such period by majority vote of the Board vote to reject such appointment or has sooner voted to affirm it.

D.They shall be entrusted with the administration of a Town personnel system and personnel policy manual adopted by the Select Board, including but not limited to personnel policies and practices, rules and regulations, including provisions for an annual employee performance review, personnel bylaw and all collective bargaining agreements entered into on behalf of the Town. They shall prepare, maintain and keep current a classification and compensation plan establishing the personnel staffing requirement of each Town agency, subject to Select Board approval.

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E. They shall attend all regular and special meetings of the Select Board and Finance Committee, and unless excused at their own request, and shall have a voice, but no vote in all of its proceedings.

F. They shall attend all sessions of the Town Meeting and shall answer all questions addressed to them related to warrant articles and which are related to matters under their general supervision.

G. They shall assure that all provisions of State laws, the bylaws and other votes of the Town Meeting, votes of the Select Board and of other Town agencies which require enforcement by them or by officers or employees subject to their general supervision and direction are faithfully carried out, performed and enforced.

H. They shall prepare, propose and submit the fiscal documents pertaining to the annual operating budget and proposed capital outlay program for all municipal departments.

I. They shall keep the Select Board fully informed as to the fiscal condition and needs of the Town and shall make such recommendations to the Board and to other elected and appointive officers as they may deem to be necessary or desirable.

J. They shall assure that full and complete records of the financial and administrative activities of the Town are kept and shall render full reports to the Select Board at the end of each fiscal year and at such other periods as it may reasonably require or as required by law.

K. They shall have full jurisdiction over the rental and use of all Town facilities. They shall be responsible for the maintenance and repair of all Town facilities, subject to the agreement between the Select Board and the Barre Library Association and all applicable laws and bylaws.

L. They may at any time inquire into the conduct of office or performance of duty of any Town officer, Town employee or Town agency under their general supervision. The Town Administrator may impose progressive discipline for any infractions subject to disciplinary actions, including verbal warning, written warning, performance improvement plans, suspension or administrative leave, and may recommend termination or any other action to the Select Board as may be necessary in accordance with the town's personnel policy manual.

M. They shall assure that a full and complete inventory of all Town-owned property, both real and personal, is kept consistent with generally accepted accounting principles.

N. Under the guidance of the Select Board, they shall be responsible for the negotiation of all contracts with Town employees over wages, hours, and other conditions of employment.

O. They shall serve as chief procurement officer pursuant to MGL Chapter 30B and be responsible for the purchase of all supplies, materials and equipment, and shall award all contracts for supplies, materials and equipment for all departments and activities of the Town. They shall examine and inspect, or cause to be examined and inspected, the quality and the condition of all supplies, materials and equipment delivered to or received by any Town department. They shall, in addition, be responsible for the disposal of all surplus supplies, materials and equipment for all departments and activities of the Town.

P. They shall be in charge of all technology, including hardware and software, and shall allocate the use thereof among the several Town agencies.

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Q.They may authorize any subordinate officer or employee to exercise any power or duty which they are authorized to perform; provided, however, that all acts which are performed under any such delegation shall be deemed to be their acts.

R.They shall be responsible to implement and maintain general security and public safety procedures in the Henry Woods Municipal Center and extend and review policies and procedures to all buildings and properties controlled or owned by the Town. This includes but is not limited to IT and network security.

T.They shall also serve as the ADA Coordinator, Records Access Officer, Parking Clerk and Municipal Hearings Officer pursuant to MGL Ch. 148A.

U.They shall perform such other duties as may be required by bylaw, by Town Meeting vote, by vote of the Select Board, or otherwise.

§ 70-3 Acting & Interim Town Administrator.

A.Temporary absence. The Town Administrator shall, by letter filed with the Select Board and a copy filed with the Town Clerk, designate a qualified Town officer or employee to exercise the powers and perform the duties of their office during their temporary absence. During the temporary absence of the Town Administrator, the Select Board may vote to appoint another qualified Town officer or employee to serve as acting Town Administrator until they return and assume their duties.

B.Vacancy. Any vacancy in the office of Town Administrator shall be filled as soon as possible by the Select Board, but pending such permanent appointment the Board shall designate a qualified Town officer or employee or other qualified individual to perform the duties of the Town Administrator on an interim basis. The appointment of an acting Town Administrator shall be for a term not to exceed six months; provided, however, that a renewal, not to exceed an additional three months, may be provided.

C.Powers and duties. The powers of an interim or acting Town Administrator, under Subsections B above, shall be limited to matters not admitting of delay and shall include authority to make appointments or designations to Town office or employment to the same extent and the same conditions as the Town Administrator, except that, for positions reporting directly to the Town Administrator, only an acting appointment or designation may be made.

§ 70-4 Removal and suspension.

A.The Select Board, by a majority vote taken with the full Board present, may terminate the Town Administrator from their office in accordance with the following procedure:

- (1) During probationary period: notice in writing of termination.
- (2) After probationary period, the Town Administrator shall not be dismissed except for inefficiency, incapacity, conduct unbecoming the office, insubordination or other cause; nor shall the Town Administrator be dismissed without notice and an opportunity to be heard.

B. Anything contained in this provision to the contrary notwithstanding, the non-renewal of the term of appointment of the Town Administrator shall not be considered to be a dismissal and the provisions of Subsections A (1) and (2) shall not apply to the non-renewal of the Town

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Administrator's employment.

C. The Town Administrator may be suspended from office by a procedure following the same steps outlined above for a removal.

ARTICLE 5: COUNCIL ON AGING BYLAW Sponsor: Select Board – Read by Maureen Marshall

Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

ARTICLE 5: VOTED UNANIMOUSLY to Pass Over Article 5.

ARTICLE 6: CAPITAL STABILIZATION FUND Sponsor: Select Board – Read by John Dixon

Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

ARTICLE 6: VOTED UNANIMOUSLY to Pass Over Article 6.

ARTICLE 7: Sponsor: Treasurer/Collector – Read by Maureen Marshall

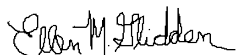
Select Board Favorable Recommendation

Finance Committee Favorable Recommendation

ARTICLE 7: VOTED UNANIMOUSLY to accept the provisions of G.L. c.44, Section 54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule.

On a motion made and duly seconded it was unanimously voted to dissolve the meeting at 7:30 p.m.

Respectfully Submitted:



Ellen M. Glidden, CMC, CMMC
Barre Town Clerk