



TOWN OF CLARKSBURG, MASSACHUSETTS

ANNUAL TOWN MEETING WARRANT

WEDNESDAY MAY 28th, 2025 @ 6PM

AT CLARKSBURG ELEMENTARY SCHOOL 777 WEST RD. CLARKSBURG, MA 01247

Berkshire ss:

To the constable 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 Clarksburg Elementary School at 777 West Cross Road on Wednesday May 28, 2025, at 6:00pm then and there to vote on the following articles:

ARTICLE ONE (majority vote):

To receive the printed annual report of the Town Officers for Fiscal Year 2024 or take any action in relation 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 1st, 2025, through June 30th, 2026, 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 therefor, 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 1st, 2025, through June 30th, 2026, 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 fix the maximum amount that may be spent during fiscal year 2026 for the revolving funds established in the revolving funds bylaw, in accordance with MGL Chapter 44, Section 53E ½, as set forth below, or take any action in relation thereto.

<u>REVOLVING FUND</u>	<u>FY 26 SPENDING LIMIT</u>
Board of Health	\$5,000.00
Gas Inspector	\$2,000.00
Wire/Electrical Inspector	\$4,000.00
Plumbing Inspector	\$4,000.00
Cumulative Limit for the Board of Health & Inspector Funds	\$15,000.00
Town Hall	\$5,000.00

ARTICLE FIVE (majority vote):

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

Position	FY25 Stipend	FY26 Stipend
	APPROPRIATED	RECOMMENDED
Selectboard Chair	\$600.00	\$600.00
Selectboard Members (\$500 × 2)	\$1,000.00	\$1,000.00
Board of Assessors Chair	\$250.00	\$250.00
Board of Assessors Members (\$150×2)	\$300.00	\$300.00
Planning Board Chair	\$300.00	\$300.00
Planning Board Members (\$250 × 4)	\$1,000.00	\$1,000.00
Board of Health Chair	\$280.00	\$280.00
Board of Health Members (\$230 × 2)	\$460.00	\$460.00
School Committee Chair	\$280.00	\$280.00
School Committee Members (\$230 × 2)	\$460.00	\$460.00
Rep. to McCann Tech Voc. School	\$230.00	\$230.00
Agricultural Comm Chair	\$100.00	\$100.00
Agricultural Comm Members (\$50 × 2)	\$100.00	\$100.00
Tree Warden	\$150.00	\$150.00
TOTAL	\$5,760.00	\$5,760 .00

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 \$3,085,643.03 to pay for charges, expenses, and outlays for the School Department for the ensuing Fiscal Year July 1st, 2025, through June 30th, 2026, 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 \$437,567.00 to pay for the Town's share of the Northern Berkshire Vocational School District's budget for the ensuing Fiscal Year July 1st, 2025, through June 30th, 2026, or take any action in relation thereto.

ARTICLE EIGHT (majority vote):

To see if the Town will vote to authorize the Selectboard to accept and expend any monies provided pursuant to MGL Chapter 90, or any other transportation program, and 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 1st, 2025 through June 30th, 2026, 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 and debts, for the Fiscal Year beginning July 1st, 2025, through June 30th, 2026, or take any action in relation thereto.

Account Name	FY2025 Appropriated	FY2026 Recommended	\$ Increase / (Decrease)
Legislative	\$ 100.00	\$ 100.00	\$ -
Executive	\$ 2,175.00	\$ 2,175.00	\$ -
Finance	\$ 186,780.00	\$ 255,208.00	\$ 68,428.00
Operations	\$ 173,917.00	\$ 198,500.00	\$ 24,583.00
Licensing/Registration	\$ 25,881.00	\$ 29,108.00	\$ 3,227.00
Land Use/Development	\$ 4,990.00	\$ 5,275.00	\$ 285.00
Facilities Management	\$ 59,850.00	\$ 53,333.00	\$ (6,517.00)
Public Safety/Inspection	\$ 160,448.00	\$ 86,934.00	\$ (73,514.00)
Public Works & Recreation	\$ 430,309.00	\$ 497,709.00	\$ 67,400.00
Human Services	\$ 144,084.00	\$ 152,239.00	\$ 8,155.00
Debt	\$ 44,490.00	\$ 44,424.00	\$ (66.00)
Employee Insurance & Benefits	\$ 483,460.00	\$ 486,029.00	\$ 2,569.00
Liability Insurances	\$ 50,700.00	\$ 50,368.00	\$ (332.00)
School Stipends	\$ 970.00	\$ 970.00	\$ -
Transfers Out OPEB	\$ 500.00	\$ 500.00	\$ -
Total Town	\$ 1,768,655.00	\$ 1,862,872.00	\$ 94,217.00
School Dept	\$ 2,967,609.00	\$ 3,085,643.00	\$ 118,034.00
Northern Berkshire Voc. School (McCann)	\$ 363,220.00	\$ 437,567.00	\$ 74,347.00
Total:	\$ 5,099,484.00	\$ 5,386,082.00	\$ 286,598.00

ARTICLE TEN (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, 2025, through June 30, 2026, as listed below in accordance with MGL Chapter 44 Section 53F ½ or take any action in relation thereto.

*Sewer Operations	
-Maintenance and Operations	\$53,000.00
-Intra-municipal service charges	\$20,904.00
-North Adams Usage Fee	\$260,871.49
-Capital Exp HWQD	\$80,243.00
Total Sewer Operations for FY26	\$415,018.49

ARTICLE ELEVEN (2/3rd vote):

To see if the Town will vote to take \$828.00 from Free Cash and deposit it into the Towns Stabilization Account or take any action in relation thereto.

To see if the Town will vote to take \$172,000.00 from Free Cash to reduce the tax rate or take any action in relation thereto.

ARTICLE TWELVE (2/3rd vote):

To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) for the design and construction of a new roof at the Clarksburg Elementary School, located at 777 West Cross Road, including all incidental and related costs, to be expended under the direction of the Town Administrator, and to meet said appropriation authorize the Town Treasurer/Tax Collector, with the approval of the Select Board, to borrow such sum pursuant to G.L. c.44, §§7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE THIRTEEN (2/3rd vote)

To see if the Town will transfer \$113,371.00 from the School Roof Stabilization to pay expenses for the Clarksburg Elementary School roof replacement or take any action in relation thereto.

ARTICLE FOURTEEN (majority vote)

310-8.7 Unregistered or Junk Vehicles.

Amend **Section (D)** by deleting **two** junk vehicles and inserting **one** junk vehicle.

Section (D) will read; any residential property owner may have no more than one junk vehicle housed behind fencing or natural screening out of view of the public and abutting property owners. No junk vehicle shall be kept in view of any residential property. No more than one unregistered vehicle shall be kept in view of the public or abutting property owner. No more than one unregistered vehicle shall be kept behind fencing or natural screening.

Amend **Section E** by deleting **four** unregistered vehicles and inserting **three** unregistered vehicles.

Section E will read: any commercial or industrial property owner may have up to three unregistered or junk vehicles housed behind fencing out of view of the public and abutting property owners.

Section F by deleting any reference to the **Zoning Officer** and inserting **Berkshire Health Alliance/Building Inspector**.

ARTICLE FIFTEEN (majority vote):

To see if the Town will vote to amend Chapter 13, Articles I, II and III of the Town Bylaws

ARTICLE I: DOGS

13-1

- (a) **NO DOGS AT LARGE:** No person owning, harboring, or having custody and control of a dog shall permit such dog to be at large in the town of Clarksburg, elsewhere than on the premises of the owner, except it be on the premises of another person with the knowledge and assent of such other person.
- (b) **DUTY TO CONTROL OR RESTRAIN:** Any dog elsewhere shall always (24 hours a day) be controlled or restrained by any chain or leash and be under the direct control and supervision of its owner or designee.
- (c) **DUTY TO DISPOSE:** It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by their dog on any sidewalk, street, park, public areas or private property of another.
- (d) **DUTY TO POSSESS MEANS OF REMOVAL:** No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park, public area or private property of another without the means of removing any feces left by such dog.
- (e) **METHOD OF REMOVAL AND DISPOSAL:** For the purposes of this regulation the means of removal shall be any tool, implement or other device carried for the purpose of picking up and containing such feces, unexposed to said person or the public. Disposal shall be accomplished by transporting such feces to a place suitable and

regularly reserved for the disposal of human feces and or specifically reserved for the disposal of canine feces and so disposing of said feces.

(f) **FINES FOR VIOLATION:** Fines for violations of this by-law, in accordance with Massachusetts General Laws Chapter 140, are \$50.00 per offense (2000).

(g) **EXEMPTION:** This regulation shall not apply to a service animals performing tasks for persons with disabilities as defined in the Americans Disability Act

(h) **SEVERABILITY:** The provisions of this section are severable and if any of the provisions of this section shall be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

(i) **EXCESSIVE BARKING:** It shall be unlawful for any dog owner to allow excessive complaints provoking barking on the part of the dog. Violations of this by-law shall subject the dog owner to a \$25.00 for the first offense and a fine of \$50.00 for each subsequent offense.

(j) **DOG LICENSING FEES:** Notwithstanding the provisions of MGL Chapter 140, Section 137 or any other provision of law to the contrary, the annual fees to be charged the Town of Clarksburg for the issuance of licenses for dogs shall be:

Neutered males or spayed females.....\$10.00

Male or females\$15.00

(k) **FINES FOR PICKING UP AND TRANSPORTING UNLICENSED DOGS:** A fine of \$50.00 per day is established for any owner of an unlicensed dog not accompanied by their owner that must be picked up by the Animal Control Officer and transported to the animal hospital and/ or kennel.

CHAPTER 13 ARTICLE II: DOGS ON TOWN-OWNED LAND

A. PLAYING FIELDS:

No person owning, keeping, or handling a dog within the Town of Clarksburg shall allow such dog to trespass within a playing field. Playing field shall be defined under this subsection as any field designed to be used for outdoor team games or practice, whether those fields are under the control of the Town or Clarksburg Elementary School.

- (1) Basketball courts, tennis and pickleball courts shall be designated as “playing fields” for the purpose of this subsection.

B. PLAYGROUNDS:

No person owning, keeping, or handling a dog within the Town of Clarksburg shall allow such dog to trespass within a playground. The playground shall be defined under this subsection as any piece of land used for and usually equipped with facilities for recreation, especially by children (such as swings and slides).

C. PARKS AND CEMETERIES

- (1) Dogs are not allowed in any cemetery under the control of the Clarksburg Department of Public Works and Cemetery Department.
- (2) Dogs are not allowed in any Town parks unless specifically stated as allowable in appendix 1 section G of this regulation. The board has the right to include or remove specific parks within appendix 1, if they feel dog access is or is not causing public health nuisance at that park location.
- (3) Any area of park specifically designated as a “dog park” by the Town for the purpose of providing a recreational dog areas for dogs to

run off leash, while under the direct control of its owner, keeper or handler. If the “dog park” is located within a public cemetery, dogs must be driven, carried or transported by other means other than being walked through the cemetery.

(4) Any area of park that is specifically designed as a dog path or walkway designated by clear borders and town created signage specifically stating dogs are allowed within that path or walkway only and must be leashed.

(5) Any Park not designated as prohibited to dogs in appendix 1, if dogs are leashed, the owner or keeper has a means to collect, remove and dispose of dog waste.

CHAPTER 13 ARTICLE III: KENNEL LICENSE

A Kennel is defined as a pack or collection of more than 4 dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel or veterinary kennel.

Ollie’s Law Effective December 19, 2024 (Anyone over 4 dogs needs a kennel license).

Inspection process: Before the Town Clerk can issue the Kennel License, the Animal Officer must inspect the proposed Kennel, file a report on the inspection, and favorably recommend that the Kennel meets all requirements.

Please allow 2 weeks for inspection.

- Ten dogs or less \$50.00

To the Constable 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 16th of May 2025.

CLARKSBURG SELECT BOARD

_____ Robert Norcross

_____ Colton Andrews

_____ Dan Haskins

I have served the above Warrant, therein directed, by posting two or more attested copies in two public places to wit: Clarksburg Town Hall and the Clarksburg Elementary School in said Town of Clarksburg on this 16th day of May 2025.

Constable

Date

