

WARRANT
COMMONWEALTH OF MASSACHUSETTS
COUNTY OF BERKSHIRE, SS.
TOWN OF MONTEREY

To: Julio Rodriguez, Constable of the Town of Monterey in the County of Berkshire,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn inhabitants of said Town qualified to vote in Town affairs to meet in the Pavilion of the Monterey Fire Company Ltd. in said Town on Saturday, November, 6, 2021, at 1 o'clock in the afternoon, then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to transfer the sum of \$91,500 or any other sum from Free Cash to pay for the remaining costs the grant did not cover to replace the SCBA (self-contained breathing apparatus) for the Monterey Fire Department, or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to amend Section 5 of the Departmental Revolving Fund by establishing the following two new revolving funds, or take any other action relative thereto.

<u>A</u> Revolving Fund	<u>B</u> Department, Board, Agency or Officer Authorized to Spend from Fund	<u>C</u> Fees, Charges or Other Receipts Credited to Fund	<u>D</u> Program or Activity Expenses Payable from Fund	<u>E</u> Restrictions or Conditions on Expenses Payable from Fund	<u>F</u> Other Requirements/Reports	<u>G</u> Fiscal Years
Conservation – Wetlands Protection Act	Conservation Commission	Fees and receipts related to wetlands protection and permitting other than NOI	Conservation Agent salary, advertisement and related expenses	Annual Expenditures not to exceed: \$15,000		Fiscal Year 2022 and subsequent years
Conservation – Scenic Mountains Act	Conservation Commission	Fees and receipts related to regulation and protection of property pursuant to MGL 131, §39A	Conservation Agent salary, advertisement and related expenses	Annual Expenditures not to exceed: \$500		Fiscal Year 2022 and subsequent years

ARTICLE 3. To see if the Town will vote to transfer from free cash the sum of \$300 or any other sum to pay for a FY21 town clerk bill submitted after the deadline to pay, or take any other action relative thereto.
This will require a 9/10 vote.

ARTICLE 4. To see if the Town will vote to transfer from Visiting Nurse Services the sum of \$2,400 or any other sum to a new account called Public Health Services, or take any other action relative thereto.

ARTICLE 5. To see if the Town will vote to transfer the sum of \$10,000, or any other sum, from Free Cash and appropriate said amount for the Select Board to use for an independent investigation of personnel issues, or take any other action relative thereto.

ARTICLE 6. Citizen Petition. To see if the Town will vote to approve the addition of an Article X to the by-laws, thereby authorizing recall elections in accordance with the following procedures:

SECTION 1. Any holder of an elective town office may be recalled and removed from office by the registered voters of the town as provided herein.

SECTION 2. Thirty registered voters of the town may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The town clerk shall thereupon deliver to the voters making such affidavit sufficient number of copies of petition sheets in blank demanding such recall and removal, each bearing the town clerk's signature and official seal. The petition blanks shall be addressed to the Select Board, dated, and shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds of recall as stated in the initial affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. The recall petition(s) shall be returned and filed with the town clerk within twenty-one (21) days after filing the affidavit and shall be signed by at least fifteen (15) percent of the registered voters of the Town as of the date the affidavit was filed with the town clerk. The number and street of each person's residence shall appear after their signature. The town clerk will forthwith submit the petition sheets to the board of registrars of voters, which within five (5) working days of receipt of the recall petition sheets shall forth verify the number of signatures which are the names of registered voters of the town.

SECTION 3. If the total recall petition sheets shall be found and certified by the board of registrars of voters to be sufficient, the certified petition shall be submitted forthwith with the certificate of the town clerk to the Select Board. The Select Board shall give written notice of the receipt of the petition to the officer sought to be recalled. If the officer does not resign within five (5) days of the date notice is given by the Select Board, then the Select Board shall promptly order an election to be held on a date fixed by the Select Board which is not less than 60 nor more than 90 days after receipt of the certified petition. However, if any other town election is scheduled to occur within 100 days after the date of receipt of the certified petition, the Select Board may postpone the holding of the recall election to the date of the other election and may include the question of recall on the ballot for that other election.

SECTION 4. An officer sought to be recalled may be a candidate to succeed the officer in an election to be held to fill the vacancy. Unless the officer requests otherwise in writing, the town shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall be in accordance with the law relating to elections, unless otherwise provided in this act. A majority of those voting at the recall election shall be sufficient to recall and remove such elected officer.

SECTION 5. The incumbent shall continue to perform the duties of the office until the recall election. If the incumbent is not recalled, the incumbent shall continue in officer for the remainder of the unexpired term, subject to recall as before, except as provided in this act. If not re-elected in the recall election, the incumbent shall be considered removed from office immediately and the office vacant. No recall petition may be filed against an officer within the first three (3) of their term of office or within three (3) months of a recall election wherein the officer was not recalled and removed.

SECTION 6. Ballots used in a recall election shall contain the following propositions:

FOR the recall of (name of officer) _____
AGAINST the recall of (name of officer) _____

Next to each proposition there shall be a place to mark a vote. Under the propositions shall appear the word "Candidates" and the direction "Vote for One", and beneath this the names of candidates nominated as herein before provided. Next to the name of each candidate shall be a place to mark a vote.

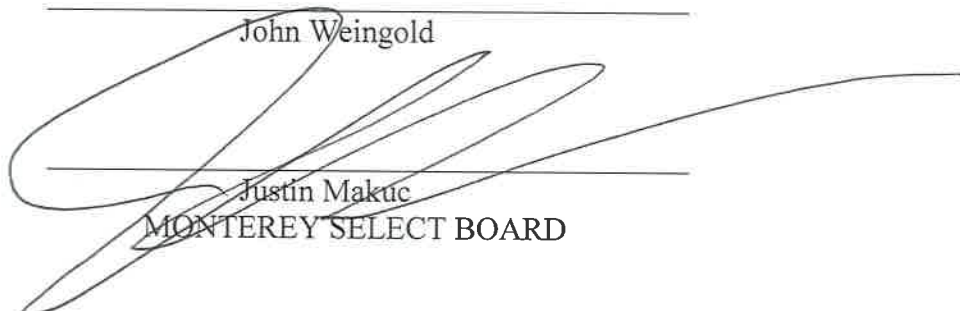
If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes on the question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted, nor any action taken relative thereto.

Hereof fail not and make return of this Warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands this 20 day of October, 2021.



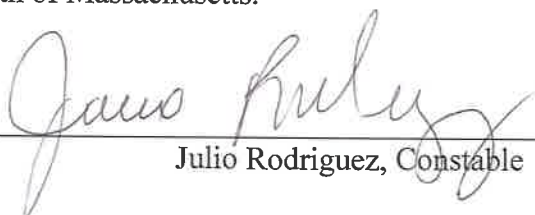
Steven Weisz, Chair

John Weingold


Justin Makuc
MONTEREY SELECT BOARD

A true copy attest.

Pursuant to the within Warrant, I have this 21 day of October, 2021, notified and warned inhabitants of the Town of Monterey in accordance with the Town Bylaws and the General Laws of the Commonwealth of Massachusetts.



Julio Rodriguez, Constable

Monterey Town Hall
Monterey Transfer Station
U.S. Post Office
Monterey General Store
Main Rd. at/near intersection of Swann Rd.
Select Board file

DATE and TIME this paper
received by Town Clerk

The Commonwealth of Massachusetts

Town of Monterey
Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

Subject or Subjects Requested for Action at the Meeting:

(To be filled in by petitioners. If space is insufficient, attach additional page of description to each petition form before signatures are gathered.)

For by-law authorizing recall elections to be
submitted at special town meeting presently scheduled
For November 6, 2021.
Proposed by-law is attached.

SIGNER INFORMATION

INSTRUCTIONS TO SIGNERS

For your signature to be valid, you must be a registered voter in Monterey and your signature should be written substantially as registered. Do NOT sign more than one petition for the same subject. If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence. If you have NOT moved since January 1 of this year, you need to complete only columns I and II. If you HAVE moved since January 1 of this year, you must complete columns I, II and III.

	Check	I. SIGNATURES to be made in person with name substantially as registered.	II. NOW LIVING AT (Street & number, if any)	PRECINCT	III. RESIDENCE ON JANUARY 1, 20__ If different (Street & number, if any) (City or Town)
1	✓	<i>John A. Curn</i>	350 Beartown Mt. Rd		
2	✓	<i>K. M. M. M.</i>	115 Pixley Rd		
3	✓	<i>Mark Maxim</i>	360 Beartown Mt Rd		
4	✓	<i>H. M. M.</i>	360 BEARTOWN MT RD		
5	✓	<i>Stephen P. M. M.</i>	12 New Marlboro Rd		
6	✓	<i>Wendy Jensen</i>	12 New Marlboro Rd		
7		<i>M. D. C.</i>	399 main Rd		MARK AMSTEAD
8	✓	<i>John M. M.</i>	28 Eaton Rd		
9	N	<i>F. M. M.</i>	28 Eaton Rd.		
10	✓	<i>Carl M. M.</i>	29 Eaton Rd		
11	✓	<i>Ken B. M.</i>	11 Eaton Rd		
12	✓	<i>Ken B. M.</i>	11 Eaton Rd		

Town of Monterey

Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

ATTENTION VOTERS: Before signing, read description of petition and signer information on other side.

ATTENTION Town Clerk: Before certifying signatures, see Instructions to Registrars, below.

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13	✓	Katrina Subashian	115 Pixley Rd		
14	✓	Chloris [Signature]	144 Pixley Rd.		
15	✓	Cy [Signature]	3 West Rd.		
16	✓	Barbara Palmer	137 Tyringham Rd		
17	✓	Joan Ruluy	10 SYLVAN Rd		
18	✓	Robert Hammer	3615 1/2 Rd		
19		[Signature]	427 Main Rd		
20		[Signature]	427 Main Rd		
21	✓	Ch [Signature]	445 Main Rd.		
22		[Signature]	29 Eaton Rd		Shawn Tryon
23		[Signature]	186 Blue Hill Road		
24		[Signature]	437 Main Road		
25	✓	Jegh Tryon	369 main Road		
26					
27					
28					
29					
30					

TOWN CLERK CERTIFICATION

Town Clerk check thus ✓ against the name of each qualified voter to be certified. For names not certified, use the following code:

N – no such registered voter at that address.

S – unable to identify signature or address as that of voter because of form of signature or address, or illegible.

T – signed too many petitions.

CERTIFICATION OF SIGNATURES

We certify that the _____ above signatures
(number of names certified)
checked thus ✓ are names of qualified voters of Monterey.

Board of Registrars

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The Commonwealth of Massachusetts

DATE and TIME this paper
received by Town Clerk

Town of Monterey Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

Subject or Subjects Requested for Action at the Meeting:

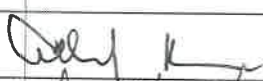
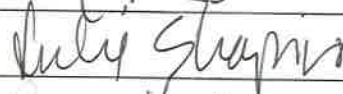
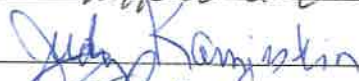
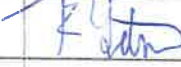
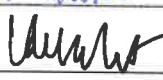
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For by-law authorizing recall elections to be
submitted at special town meeting presently
scheduled for November 6, 2021.
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				III. RESIDENCE ON JANUARY 1, 20__ If different (Street & number, if any) (City or Town)
1		48 Hupi Rd. Monterey, MA		Allan Dean
2		48 Hupi Rd.		Julie Shapiro
3		8 SEVEN RDS Rd		Rosalyn Helberstetter
4		18 Woodland Dr.		Judy Kaminstein
5		521 Main Rd		Ed Mandelbaum
6		151 Gould Rd		Rebecca Litwin
7		39 Wellman Rd		Laura Litwin
8				
9				
10				
11				
12				

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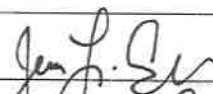
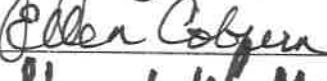
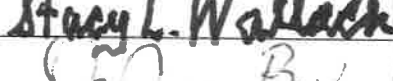
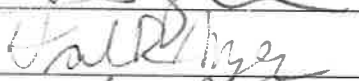
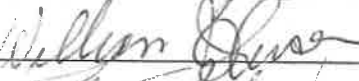
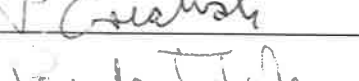
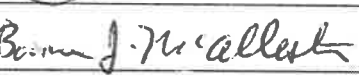
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For by-law authorizing recall elections to be
submitted at special town meeting presently
scheduled for November 6, 2021.
Proposed by-law is attached.

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Check	I. SIGNATURES to be made in person with name substantially as registered.	II. NOW LIVING AT (Street & Number, if any)	PRECINCT	PRINT NAME
				III. RESIDENCE ON JANUARY 1, 20__ If different (Street & number, if any) (City or Town)
1		230 Beartown Mnt Rd		Jennifer L. Andrews
2		350 Beartown Mnt Rd.		Ellen Coburn
3		105 Stevens Lake Way		Stacy L. Wallach
4		9 Art School Rd.		Jordan Bell
5		20 Groswood Rd		Susan Cooper
6		20 Groswood Rd		DAVID R. MYERS
7		190 Main Rd		William Johnson
8		8 Heron Pond Park		PETER CHAIT
9		101 TYRINGHAM RD		Peter Greatish
10		140 Main Road		PAMELA JOHNSON
11		660 MAIN RD		JAMES J. CHMIELINSKI
12		33 H-pi Rd.		Bonner J. McAllister

Town of Monterey Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

ATTENTION VOTERS: Before signing, read description of petition and signer information on other side.

ATTENTION Town Clerk: Before certifying signatures, see Instructions to Registrars, below.

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13		Juan	10 SYLVAN RD		Laura Pedriguez
14		Mary Therese Makua	571 Main Rd.		
15		Mary Kate Jordan	23 Stevens Lake Rd		MARY KATE JORDAN
16		Jane S. Jones	454 Main Road		Jane S. Jones
17		Ellen Koivisto	55 Sylvan Rd		Ellen Koivisto
18		Elizabeth C. Cox	23 Stevens Lake Rd.		ELIZABETH C. COX
19		Amanda Chmielinski	660 Main Rd		Amanda Chmielinski
20		Myrna Randolph	146 Hopi Rd		Myrna Randolph
21		Scott J. Jonsen	153 1st Rd		Scott J. Jonsen
22		DeBort C. Martin	410 MAIN ROAD		DeBort C. Martin
23		Charity Loy	86 Blue Hill Rd		Charity Loy
24		CATHERINE RODGERS	21 Main Rd		CATHERINE RODGERS
25		Robert Rodgers	21 Main Rd		Robert Rodgers
26		KAREN BLAIR	33 Blue Hill Rd		KAREN BLAIR
27		MARK COHEN	136 Blue Hill Rd		MARK COHEN
28		BARBARA COHEN	136 Blue Hill Rd		BARBARA COHEN
29		ERIC W. BOARDMAN	3 WEST RD		ERIC W. BOARDMAN
30		CLIFFORD M. BAKER	33 HOPI ROAD		CLIFFORD M. BAKER

TOWN CLERK CERTIFICATION

Town Clerk check thus ✓ against the name of each qualified voter to be certified. For names not certified, use the following code:

- N – no such registered voter at that address.
- S – unable to identify signature or address as that of voter because of form of signature or address, or illegible.
- T – signed too many petitions.

CERTIFICATION OF SIGNATURES

We certify that the _____ above signatures
(number of names certified)
checked thus ✓ are names of qualified voters of Monterey.

Board of Registrars

DATE and TIME this paper
received by Town Clerk

The Commonwealth of Massachusetts

Town of Monterey
Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

Subject or Subjects Requested for Action at the Meeting:

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For bylaw authorizing recall elections
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1		Lager Hendus	109 TYRINGHAM RD		
2		Chiffon Allen	109 TYRINGHAM RD		
3		Agastasia Coulack	237 BEARTOWN RD		
4			117 Beartown		
5		Chiffon Allen	117 Beartown		
6		Gregory Davis	9 Main Rd		
7		Dianna Downing	9 Main Road		
8		Chiffon Allen	33 BLUE HILL RD		
9		Elaine Lylich	22 Tyringham Rd		
10		Jennus Lynch	22 Tyringham Road		
11		Cheryl Zellman	30 Tyringham Rd		
12		Mammi	39 Tyringham Rd		

14

40

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13		<i>Don Huet</i>	19 River Rd		
14		<i>Robert DeVergilio</i>	141 Pixley Rd / 5 Brook Lane		
15		<i>Cecile Lane</i>	101 Pixley Rd		
16		<i>Donna B. Burkhardt</i>	8 Fairview Rd		
17		<i>Wayne Burkhardt</i>	8 Fairview Rd.		
18		<i>Sharon Say</i>	86 Blue Hill Rd		
19		<i>Micah Say</i>	86 Blue Hill Rd		
20		<i>Stanton</i>	340 Beartown Mtn Rd		
21		<i>Timothy S. Stanton</i>	340 Beartown Mtn Rd		
22		<i>Timothy S. Stanton</i>	340 Beartown Mtn Rd		
23		<i>W. Schuster</i>	10 Stevens Lake Rd		
24		<i>Ruth Tigner</i>	17 Rockwell Rd		
25		<i>Pat Swanson</i>	425 Main Rd		
26					
27					
28					
29					
30					

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FOR BY-LAW AUTHORIZING RECALL ELECTIONS
TO BE SUBMITTED AT SPECIAL TOWN MEETING
PRESENTLY SCHEDULED FOR NOVEMBER, 6, 2021
PROPOSED BY-LAW ATTACHED.

SIGNER INFORMATION

INSTRUCTIONS TO SIGNERS
For your signature to be valid, you must be a registered voter in Monterey and your signature should be written substantially as registered. Do NOT sign more than one petition for the same subject. If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence. If you have NOT moved since January 1 of this year, you need to complete only columns I and II. If you HAVE moved since January 1 of this year, you must complete columns I, II and III.

	Check	I. SIGNATURES to be made in person with name substantially as registered.	II. NOW LIVING AT (Street & Number, if any)	PRECINCT	III. RESIDENCE ON JANUARY 1, 20__ If different (Street & number, if any) (City or Town)
1		<i>Adam Chait</i>	12 Buckingham Ln		Adam Chait
2		<i>Erika Chait</i>	12 BUCKINGHAM LN		ERIKA CHAIT
3		<i>[Signature]</i>	136 TYRINGHAM RD		KATHERINE WAVERIS
4		<i>[Signature]</i>	136 Tyringham Rd		TOM RYAN
5		<i>[Signature]</i>	38 Cronk Rd		Tika Snyder
6		<i>Kathie Tregon</i>	455 Main Road		Kathie Tregon
7		<i>Philip D. Castille</i>	54 Sandisfield Rd.		PHILIP D. CASTILLE
8		<i>Shannon Amidon Castille</i>	54 Sandisfield Rd.		ShannonAmidon Castille
9		<i>Christine Martin</i>	410 Main Rd		Christine Martin
10		<i>Vonda Amstead</i>	30 Fox Hill Rd		Vonda Amstead
11		<i>Scott Amstead</i>	30 Fox Hill Rd		Scott Amstead
12		<i>Wendy Tryon</i>	369 Main Rd.		Wendy Tryon

Town of Monterey Citizen's Petition

(pursuant to General Laws, Chapter 39, section 10)

ATTENTION VOTERS: Before signing, read description of petition and signer information on other side.

ATTENTION Town Clerk: Before certifying signatures, see Instructions to Registrars, below.

	Check	I. SIGNATURES to be made in person with name substantially as registered.	II. NOW LIVING AT (Street & Number, if any)	PRECINCT	III. RESIDENCE ON JANUARY 1, 20__ If different (Street & number, if any) (City or Town)
13		Gerald Clavin	37 Sylvan Rd		
14		Roy Cuddehe	MONTEREY		
15		George	2000 Gordon Road Monterey		Dennis Lynch asked to delete - signed James
16		Bruce	64 Maca Rd, Monterey		
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TOWN CLERK CERTIFICATION

Town Clerk check thus √ against the name of each qualified voter to be certified. For names not certified, use the following code:

N – no such registered voter at that address.

S – unable to identify signature or address as that of voter because of form of signature or address, or illegible.

T – signed too many petitions.

CERTIFICATION OF SIGNATURES

We certify that the _____ above signatures
(number of names certified)
checked thus √ are names of qualified voters of Monterey.

Board of Registrars