

Minutes of Annual Town Meeting

May 4, 2012

The Meeting was called to order by Moderator Donna L. Forgea at 7:00 p.m. at the Community House with the suggested quorum. Such is the Action taken under the Warrant:

Article 1: Moved, seconded, and voted unanimously to fix the salaries of all elected officials of the Town for Fiscal 2013 as provided in Section 108 of Chapter 41 of Mass General Law.

Selectboard Chairman	\$1,200.00
Selectperson 2	1,100.00
Selectperson 3	1,100.00
Assessor Chairman	1,200.00
Assessor 2	1,100.00
Assessor 3	1,100.00
Treasurer	8,830.00
Tax Collector	8,830.00
Town Clerk	2,000.00
Moderator	95.00
Tree Warden	40.00
Board of Health Chairman	700.00
Board of Health 2	400.00
Board of Health 3	400.00
Vocational School Chairman	40.00
Vocational School 2	15.00
Vocational School 3	15.00
Water Commissioner Chairman	400.00
Water Commissioner 2	300.00
Water Commissioner 3	300.00
TOTALS	\$29,165.00

Constables \$14.00/hr

Mileage Reimbursement .50 cents/mile

Article 2: Moved, seconded, and voted unanimously to Raise and Appropriate the following amounts for the School and Library Accounts.

CBRSD Operating Expense	\$807,247.00
CBRSD Capital Expense	27,161.00
CBRSD Transportation Expense	36,691.00
Vocational Tuition	166,991.00

Vocation Transportation	38,915.00
Bryant Library Appropriation	7,040.00
TOTAL SCHOOL AND LIBRARY ACCOUNTS	\$1,084,045.00

Article 3: Moved, seconded, and voted unanimously to Raise and Appropriate the following sums for General Government Accounts.

Official Salaries	\$29,165.00
Admin. General	4,750.00
Admin. Various Officials	800.00
Town Counsel	8,000.00
Admin. Selectmen	12,300.00
Admin. Finance Committee	126.00
Account Salary	8,830.00
Admin. Account	3,500.00
Admin. Assessors	4,732.00
Assessors Clerk	7,800.00
Assessors Consultant	8,550.00
Assessors Tax Maps	800.00
Admin. Treasurer	5,100.00
Admin. Tax Collector	4,000.00
Tax Title Expense	2,000.00
Admin Town Clerk	1,600.00
Elections & Registrations	1,000.00
Conservation Commission	150.00
Planning Board Expense	1,600.00
Zoning Board	500.00
TOTAL GENERAL GOVERNMENT	\$106,303.00

Article 4: Moved, seconded, and voted unanimously to Raise and Appropriate the following sums for Highways.

Highway Garage	\$11,000.00
Highway Administration	500.00
Highway General	51,000.00
Highway Tool & Machinery	62,000.00
Highway Vac, Hol, Sick, Personal	14,341.00
Highway Salaries	124,438.00
Winter Roads	50,000.00
TOTAL HIGHWAYS	\$313,279.00

Article 5: Moved, seconded, and voted unanimously to Raise and Appropriate the sum of \$18,447.00 for the Veterans Account.

Article 6: Moved, seconded, and voted unanimously to Raise and Appropriate the following sums for Protection of Persons and Property.

Police Department	\$9,500.00
Police Department Salaries	15,000.00
F.D. & Forest Warden	14,447.00
Building Inspector	8,000.00
Building Inspector Admin.	100.00
Safety Complex	15,600.00
Emergency Management	3,150.00
Animal Control Expenses	2,300.00
Tree Account	4,500.00
TOTAL PROTECTION OF PERSONS & PROPERTY	\$72,597.00

Article 7: Moved, seconded, and voted unanimously to Raise and Appropriate the following sums for Health and Sanitation.

Water Operating	\$53,000.00
Board of Health	63,000.00
Highland Ambulance	16,794.00
TOTAL HEALTH AND SANITATION	\$132,794.00

Article 8: Moved, seconded, and voted unanimously to Raise and Appropriate the following sums for Debt and Interest.

Interest on Loans	\$5,000.00
Safety Complex Loan	77,574.00
TOTAL DEBT AND INTEREST	\$82,574.00

Article 9: Moved, seconded, and voted unanimously to Raise and Appropriate or transfer the following sums for Unclassified Accounts.

Insurance and Bonds	R/A	\$35,000.00
Transfer from Historical Commission		3,000.00
Lawn Mowing		2,800.00
Community House		13,000.00
Phone/Internet Various depts.		10,250.00
Town Reports		3,000.00
Council on Aging		1,900.00
Recreation Committee		3,000.00
Contributory Retirement		31,433.00
Council of Governments		992.00
Unemployment Compensation		1,000.00
Medical Insurance		5,000.00

Social Security/Medicare	9,000.00
Audit	8,000.00
Pioneer Valley Planning Commission	131.00
Reserve Fund	6,000.00

TOTAL UNCLASSIFIED \$133,506.00

Article 10: Moved, seconded, and voted unanimously to set a cap of \$13,000.00 for the Community House Revolving Account and the Inspectors Revolving Account.

Article 11: Moved, and seconded to pass over.

Article 12: Moved, seconded, and voted unanimously to transfer \$50,000.00 from Free Cash to the Board of Health Old Landfill closure.

Article 13: Moved, seconded, and voted unanimously to transfer \$12,000.00 from Free Cash to Board of Health Compactor Engineering.

Article 14: Moved, seconded, and voted unanimously to transfer \$600.00 from Free Cash to Municipal Light Plant.

Article 15: Moved, seconded, and voted unanimously to transfer \$15,000.00 from Free Cash to Community House Capital.

Article 16: Moved, seconded, and voted unanimously to transfer \$9,661.00 from Free Cash to Fire Department Capital.

Article 17: Moved, seconded, and voted unanimously to transfer \$10,000.00 from Free Cash to the Library Capital.

Article 18: Moved, seconded, and voted unanimously to authorize the Board of Selectmen to apply for any Federal, State, or other grants that may be available and to expend any money received, or take any other action in relation thereto.

Article 19: Moved, seconded, and voted unanimously to vote in accordance with the provisions of Chapter 41, Section 4A of the General Laws to authorize the employment of the members of the Board of Selectmen by the Selectmen, Selectmen by the Highway Department, the members of the Board of Health by the Health department. The Water Commissioners by the Water Department, the Assessors by the Board of Assessors, the Historical Commission members by the Historical Commission, and to fix the rate of compensation for such employment, and to vote to pay the Highway Department employees hired by the Water Commissioners at their Highway Department rate of pay from the Water Department Account. \$15.00/hr

Article 20: Moved, seconded, and voted unanimously to accept any available funds relating to highways including, without limitation, so-called Chapter 90 type construction monies and further to vote to authorize the Selectmen to enter into contracts for the expenditure of the monies received.

Article 21: Moved, seconded, and voted by majority, with a nay vote of one to accept the following resolution: Whereas, government of, by and for the people has long been a cherished American value, and We The People’s fundamental and inalienable right to self-govern, and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in the US Constitution and the Declaration of Independence, and;

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

Whereas, corporations are entirely human-made legal fictions created by express permission of We The People and our government, and;

Whereas, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, and exist solely through the legal charter imposed by the government of We The People, and;

Whereas, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying We The People’s exercise of our Constitutional rights, and;

Whereas, corporations are not mentioned in the Constitution, and the People have never granted constitutional rights to corporations, nor have We decreed that corporations have authority that exceeds the authority of We The People of the United States.

Whereas, interpretation of the US Constitution by unelected Supreme Court justices to include corporations in the term “persons” has long denied We The People’s exercise of self-governance by endowing corporations with Constitutional protections intended for We The People, and;

Whereas, the illegitimate judicial bestowal of civil and political rights upon corporations usurps basic human and Constitutional rights guaranteed to human persons, and also empowers corporations to sue municipal and state governments for adopting laws that violate “corporate rights” even when those laws serve to protect and defend the rights of human persons and communities, and;

Whereas, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

Whereas, large corporations’ profits and survival are often in direct conflict with the essential needs and rights of human beings, and;

Whereas, large corporations have used their so-called “rights” to overturn democratically enacted laws passed at municipal, state and federal levels, aimed at curbing corporate abuse, thereby rendering local governments ineffective in protecting their citizens against corporate harms to the environment, to health, to workers, to independent business, to local and regional economies, and;

Whereas, the recent Citizens United v. the Federal Election Commission Supreme Court decision that rolled back the legal limits on corporate spending in the electoral process creates an unequal playing field and allows unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from The Peoples’ business, or even vote against the interest of their human constituents, in order to ensure competitive campaign funds for their own re-election, and;

Whereas, large corporations own most of American’s mass media and use that media as a megaphone to express loudly their political agenda and to convince Americans that their primary role is that of consumers, rather than sovereign citizens with rights and responsibilities within our democracy, and this forces citizens to toil to discern the truth behind headlines and election campaigning, and;

Whereas, people and municipalities across the nation are joining with the Campaign to Legalize Democracy in the United States to call for an Amendment to the US Constitution to Abolish Corporate Personhood;

Therefore be it resolved that the people of Cummington, Massachusetts hereby

calls on our Selectboard to join the citizens, grassroots organizations and local governments across the county in the Campaign to Legalize Democracy in the US and to call for an Amendment to the Constitution to Abolish Corporate Personhood and return our democracy, our elections, our communities back to America's human persons and to thus reclaim our sovereign right to self-governance.

Be it further resolved that the people of Cummington, Massachusetts supports education to increase public awareness of the threats to our democracy posed by Corporate Personhood and encourages lively discussion to build understanding and consensus to take appropriate community and municipal actions to democratically respond to these threats.

Be it further resolved, that the people of Cummington, Massachusetts hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort.

Meeting has dissolved at 8:55 p.m.

A true record of this meeting to the best of my knowledge.

Attest:

Susan F. Forgea
Town Clerk of Cummington
June 1, 2012