

**Please bring this to
Town Meeting**

Please attend fragrance free.

**2012 Annual Town Meeting
Town of Shutesbury
Commonwealth of Massachusetts**

To one of the Constables of the Town of Shutesbury in the County of Franklin, Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and town affairs, to meet at **9:00** a.m. on Saturday the **fifth** day of May, at the Shutesbury Elementary School at 23 West Pelham Road in said Shutesbury, in the year Two Thousand and Twelve, then and there to act on the following articles:

Article 1. To see if the Town of Shutesbury will vote to act on the recommendation of the Community Preservation Committee on the fiscal year 2013 budget to transfer the following sums of money from the Community Preservation Fund estimated annual revenues: **\$4,500.00** to Open Space (excluding recreational purposes); **\$4,500.00** to Historic Resources; **\$4,500.00** to Community Housing; and **\$29,250** to the FY12 Community Preservation Fund budgeted reserve, or take any action relative thereto.

(Sponsor: Community Preservation Committee) Finance Committee Recommends

Article 2. To see if the Town will vote to appropriate **\$ 2,250** from fiscal year 2013 Community Preservation Fund estimated annual revenues for necessary and proper administrative and operation expenses of the Shutesbury Community Preservation Committee, or take any action relative thereto.

(Sponsor: Community Preservation Committee) Finance Committee Recommends

Article 3. To see if the Town will vote to appropriate the sum of \$8,000 from the Community Preservation Fund; and to meet this appropriation, transfer the sum of **\$4,375** from the Historic Resources account and transfer the sum of **\$3,625 appropriated** from the Community Preservation Fund Balance, **to increase the appropriation of \$15,000 by Town Meeting in 2011 to a total of \$23,000** to rehabilitate the West Schoolhouse as detailed in the Shutesbury Historical Commission's West Schoolhouse Sills Project proposal, with all the work to comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for Treatment of Historic Properties, said funds to be expended under the direction of the Shutesbury Building Committee, or take any action thereto.

(Sponsor: Community Preservation Committee) Finance Committee Recommends

Article 4. To hear, and act, on reports of town officers, committees, and boards, or take any other action relative thereto. **(Sponsor: Select Board)**

Article 5. To see if the Town will vote to authorize the Board of Selectmen to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 of the General Laws as amended from time to time and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable as implemented from time to time, a municipal lighting plant and to acquire such property and /or such rights to use or share in the use of property owned by others as may be necessary, appropriate or convenient for such municipal lighting plant to provide energy-related services utilizing power demand monitoring and related technologies which are available primarily in concert with advanced

telecommunications systems (commonly described as "smart grid"), to operate facilities necessary for the distribution and/or operation of a telecommunications system and to operate a community television system or to take any other action relative thereto.

(Sponsor: Select Board, Broadband Committee) Finance Committee Recommends
Requires a 2/3 ballot vote

Article 6. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money to meet town expenses including operations, capital, salaries and school expenses for the fiscal year beginning July 1, 2012, or take any other action relative thereto. **(Sponsor: Select Board and Finance Committee) Finance Committee Recommends**

Article 7. To see if the Town will vote to raise and appropriate \$68,923 to move into the Capital Stabilization Fund, or take any other action relative thereto. **(Sponsor: Select Board and Finance Committee) Finance Committee Recommends**

Requires a 2/3 ballot vote

Article 8. To see if the Town will vote to approve the increase in Longevity Pay Bonus schedule to non-school employees, or take any action relative thereto. The bonus would be applied at five-year intervals with increasing amounts: Year 30-\$1750, Year 35-\$2000, Year 40-\$2,250, Year 45-\$2,500, Year 50-\$2,750. Bonus applies to employees who work 20 or more hours per week. Part-time employees will receive one-half of the amount, or take any other action relative thereto. **(Sponsor: Personnel Board and Select Board) Finance Committee Recommends**

Article 9. To see if the Town will approve the appointment pursuant to MGL Chapter 268A, Section 21A of Catherine Hilton as a Board of Health Administrative Consultant while also serving as an elected official on the Board of Health, or take any other action relative thereto. **(Sponsor: Personnel Board) Finance Committee Recommends**

Article 10. To see if the Town will approve the existing Amherst-Pelham Regional School District Agreement for allocating the total amount to be contributed by each member town of the District for Fiscal Year 2013 as required by Section VI of the Regional Agreement.

"The School Committee has voted to continue using the formula put forth in the Regional Agreement to determine the apportionment of the FY13 budget to each member town. Approval to use this apportionment method must be granted each year."

(Sponsor: Select Board) Finance Committee Recommends

Article 11. To see if the Town will vote to set the salary compensation for all elected officials of the town (Select Board, Town Clerk, Moderator and Constable) as provided by MGL Chapter 41, Section 108, to be made effective from July 1, 2012, as contained in the budget, or take any other action relative thereto. **(Sponsor: Personnel Board and Select Board) Finance Committee Recommends**

Article 12. To see if the town will vote to accept M.G.L. c.32B sec. 20, OPEB, Other Post-Employment Benefits Liability Trust Fund to meet the Town's Obligations under the Government Accounting Standards board (GASB) Statement #45 to fund the Town's future obligations for the cost of other post employment benefits identified by the GASB #45 statement, or take any action relative thereto.

(Sponsor: Select Board and Finance Committee) Selectboard and Finance Committee

Recommend

Article 13. To see if the Town will vote to transfer the sum of \$40,000 from the Free Cash, TO fund OPEB, or take any other action relative thereto. **(Sponsor: Selectboard) Finance Committee Recommends**

Requires majority vote

Article 14. To see if the Town will vote to accept and expend funds available from the State for Highway reimbursement programs, such as the Chapter 90 program, without further appropriation, or take any other action thereto. **(Sponsor: Select Board) Finance Committee Recommends**

Article 15. To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow money from time to time in anticipation of revenues for the fiscal year beginning July 1, 2012 in accordance with the MGL Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of the MGL Chapter 44, Section 17, or take any other action relative thereto. **(Sponsor: Select Board) Finance Committee Recommends**

Article 16. To see if the Town will vote to allow the Select Board to apply for, accept and expend state, federal and other grants, which do not require a town appropriation, or take any other action relative thereto. **(Sponsor: Select Board) Finance Committee Recommends**

Article 17. To see if the Town will vote to authorize the following revolving funds for certain town departments under MGL Chapter 44, Section 53E1/2 for the fiscal year beginning July 1, 2012, and to further authorize that any surplus in said accounts exceeding the amounts reflected below in the surplus column will be directed to the general fund at the end of the fiscal year, or take any other action relative thereto. **(Sponsor: Select Board) Finance Committee Recommends**

Revolving fund	Authorized to spend	Revenue source	Use of fund	FY2013 spending limit	Surplus column cap
Dog license and control	Town Clerk and Dog Officer	Licenses, fines and donations	Supplies and animal care	\$1,000	\$1,000
Recycling	Recycling Coordinator and Town Administrator	MIRF, grants, bulky waste, garbage bags, recycling containers	Expenses, outreach, educ. stipend and equipment	\$25,000	\$5,000
Fire Inspections	Select Board	Fire inspection fees	Pay Fire Inspector or assistant	\$3,000	\$1,000
Electrical Inspections	Select Board	Electrical Inspection fees	Pay Electrical Inspector or assistant	\$4,000	\$1,000
Plumbing	Select Board	Plumbing Inspection	Pay	\$5,000	\$1,000

Inspection		fees	Plumbing Inspector		
Swimming Exercise	Select Board	Swimming Exercise fees	Pay instructor	\$3,000	\$1,000
Library & Dog	Library Board of Trustees	Grants, fines, sales, dog licenses, bequests	Library expenses	\$10,000	\$7,500
Conservation	Commissioners	Local Wetland Protection Permit Fees	Education, outreach, and maintenance of property	\$1,000	\$1,000
Flu Vaccine	Board of Health	Reimbursements for Flu shots & grants	Flu Clinic Expenses	\$1,500	\$1,500
SRECs Solar Renewable Energy Credits	Selectboard	Contract payments for Solar PV Production	Renewable & Conservation Energy Projects	\$30,000	\$40,000
Total Spending				\$83,500	

Article 18. To see if the Town will vote to amend Article II, Section 2.1-1 of the Town of Shutesbury Zoning Bylaw by adding new text as follows: "In addition, there shall be a Floodplain Overlay District as defined herein in Section 8.9." or take any other action relative thereto. **(Sponsor: Select Board and Planning Board) Requires 2/3 vote**

Article 19. To see if the Town will vote to amend Article VIII, Section 8 of the Town of Shutesbury Zoning Bylaw by adding a new Section 8.9, Floodplain Overlay District (See attached text), or take any other action relative thereto. **(Sponsor: Select Board and Planning Board) Requires 2/3 vote**

Article 20. To see if the Town will vote to amend Article XIII, Section 13.2 of the Town of Shutesbury Zoning Bylaw by adding new floodplain overlay district related definitions (See attached text), or take any other action relative thereto. **(Sponsor: Select Board and Planning Board) Requires 2/3 vote**

Article 21. To see if the Town will vote to amend Article XIII, Section 13.2 of the Town of Shutesbury Zoning Bylaw by adding the following words to the end of the definition of Structure: "For floodplain management purposes, structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure, for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building in the course of construction, alteration, or repair, but does not

include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises." or take any other action relative thereto. **(Sponsor: Select Board and Planning Board)**
Requires 2/3 vote

Article 22. Resolution: Amendment to the Constitution of the United States in Response to the Campaign of Corporate Interests Promoting "Corporate Personhood"

WHEREAS, We the people adopted and ratified the United States Constitution to protect the free speech and other rights of people, not corporation;

Whereas, Corporations are not people but instead are entities created by the law of states and foreign nations;

Whereas, for the past three decades, a divided United States Supreme Court has erroneously transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate the people's laws;

Whereas, this corporate misuse of the First Amendment and Constitution has reached a new extreme in the United States Supreme Court's ruling in *Citizens United v. Federal Election Commission*;

WHEREAS, *Citizen United v. Federal Election Commission* unleashes a torrent of corporate money in our political process unmatched by any campaign by any campaign expenditure totals in United States history;

WHEREAS, *Citizen United v. Federal Election Commission* and all other potential torrents of money that dominate and undermine democratic elections, present serious and direct threats to the integrity of the electoral system in our republican democracy;

WHEREAS, the people of the states of the United States of America have strengthened the nation and preserved liberty and equality for all by using the amendment process throughout our history, including in seven of the ten decades of the 20th Century, and including to reverse seven erroneous Supreme Court decisions.

NOW THEREFORE BE IT RESOLVED THAT WE PETITION THE MASSACHUSETTS LEGISLATURE TO PASS RESOLUTION S 772 CALLING UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION **A CONSTITUTIONAL AMENDMENT**:

1. TO REVERSE CITIZEN UNITED V. FEDERAL ELECTION COMMISSION,
2. TO ASSERT THE SOVEREIGNTY OF THE PEOPLE'S WILL TO BE FOREVER ABOVE THE CORRUPTING INFLUENCE OF MONEY THAT CURRENTLY LEVERAGES ACCESS AND INFLUENCE IN OUR ELECTORAL SYSTEM AND
3. TO RESTORE CONSTITUTIONAL RIGHTS AND FAIR ELECTIONS TO THE PEOPLE OF THE UNITED STATES.

By the People of SHUTESBURY, MASSACHUSETTS

At the Annual Town Meeting, on 5th May, 2012

Hereof fail not, and make due return of this warrant, with your doings thereon, at the time and place of the meeting. Given under our hands this Tuesday, the 24 th day of April two thousand and twelve.

Shutesbury Select Board

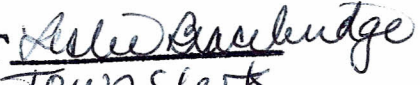

Elaine Puleo, Chair

Al Springer

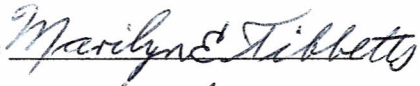
April Stein



A TRUE COPY

ATTEST 
Town Clerk

I, the undersigned Constable for the Town of Shutesbury, certify that I posted attested copies of the Warrant for the above mentioned meeting at the Locks Pond Bulletin Board, the Shutesbury Post Office, and the Town Hall in said town seven (7) days at least before the time of holding said meeting.

Constable 
Date 4/25/12

PLEASE ATTEND FRAGRANCE FREE



This report is reproduced on paper made with 30% post-consumer fiber in accordance with the Town of Shutesbury buy recycled policy