

**Commonwealth of Massachusetts
Town of Shutesbury
2014 Annual Town Meeting**

At a legal meeting of the Inhabitants of the Town of Shutesbury qualified to vote in elections and town affairs held at the Shutesbury Elementary School at 23 West Pelham Road on the third day of May 2014 in the presence of a quorum, the following business was conducted. Moderator Penelope Kim opened the meeting at 9:10 AM, identified emergency exits, introduced public officials, read a civic invocation, and identified Town Meeting Time as the parliamentary law authority for this meeting.

Recognition to town volunteers as displayed by Susie Mosher.

Select Board member April Stein recognized the passing of William "Bill" Elliott who served the town for many years with passion, love and commitment.

Moderator Kim recognized people who have lived in town more than 50 years.

Moderator Kim recognized people who are new in town.

Select Board Chairman Elaine Puleo presented a rose bush to Member Al Springer who is stepping down from the Board of Selectmen after serving for 9 years.

Finance Committee Chairman Rus Wilson: The Town is in good financial shape.

Article 1. A motion was made and seconded 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, 2014, as contained in the budget, or take any other action relative thereto.

Passed unanimously

Article 2. A motion was made and seconded to postpone Article 2 indefinitely because it will also be in the budget.

Passed unanimously.

Article 3. A motion was made and seconded to 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 2015 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 FY15 budget to each member town. Approval to use this apportionment method must be granted each year."

Passed unanimously.

Article 4. A motion was made and seconded to transfer the sum of \$20,000 from the Free Cash, to fund OPEB (Other Post Employment Benefits).

Passed unanimously.

Article 5. A motion was made and seconded to raise and appropriate \$127,156.00 to move into the Capital Stabilization Fund.

Yes: 113 No: 18 Passed by more than the required 2/3rds.

Article 6. A motion was made and seconded to meet town expenses including operations, capital, salaries and school expenses of \$5,807,582.00 by raising the sum of \$5,668,660.00, transferring \$20,414.00 from the Septic Betterment Fund, transferring \$18,508 from the MSBA FY 14 Accrual Account as well as transferring the sum of \$100,000 from free cash for the fiscal year beginning July 1, 2014.

A motion was made and seconded to remove line 174 (\$25,000 for the Library Building Fund) from the budget: Yes - 33, No - 104.

A motion was made and seconded to remove line 176 (\$6,590 for Town Hall fiber technology) from the budget: Amendment motion failed.

Main motion passed.

Article 7. A motion was made and seconded to transfer from free cash the sum of \$30,000 to fund water quantity and water quality test wells in Shutesbury.

Passed unanimously.

Article 8. A motion was made and seconded to transfer from capital stabilization the sum of \$44,000 to fund a new pick-up truck for the highway department.

Passed unanimously.

Article 9. A motion was made and seconded to borrow the sum of \$434,000 to fund and originally equip a new pumper tanker fire truck. A paper ballot vote was used.

Yes - 96, No - 26 Blank - 2. Passed by more than the required 2/3rds.

Article 10. A motion was made and seconded to transfer from capital stabilization the sum of \$36,000 to fund a new police cruiser for the police department.

Yes - 65, No - 13. Passed by more than the required 2/3rds.

Article 11. A motion was made and seconded to accept and expend funds available from the State for Highway reimbursement programs, such as the Chapter 90 program, without further appropriation.

Passed unanimously.

Article 12. A motion was made and seconded 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, 2014 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.

Passed unanimously.

Article 13. A motion was made and seconded to allow the Select Board to apply for, accept and expend state, federal and other grants, which do not require a town appropriation.

Passed unanimously.

Article 14. A motion was made and seconded for the Town to 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.

Approved unanimously.

Article 15. A motion was made and seconded to hear, and act, on reports of town officers, committees, and boards:

Asha Strazzero-Wild: Broadband Committee Co-Chair: Committee charge, membership, activities of the first 2 meetings.

Elaine Puleo: Regional Agreement Working Group Member: No longer the Regional School District Planning Board, public meetings in July and August, public forums in September, fall town meetings to vote on an agreement which would allow 1 town not to be a part of a Pre-K to 12 region. "Stay tuned."

Melissa Makepeace-O'Neil: Senior Lounge Renovations Subcommittee Chairman: Lists membership, work thus far, invitation to look at the room.

Jeff Lacy: Planning Board Member and Zoning Board Member: Planning Board: Plan approval requests way down, Master Plan 10 years old, 1 of 11 towns to receive an award for zoning bylaws. Zoning Board: Special permits, new first paid clerk for the Board, membership represents, legal, planning and inspection specialists.

April Stein: Personnel Board Chairman: Committee membership, types of Board functions including contract negotiations and policy reviews. New program being developed by member Ralph Armstrong to synchronize personnel salaries with town budget.

Donald Fletch: Community Preservation Committee: Membership, funded with 1.5% surcharge on property taxes and state match, first 2 funded projects, statute designed to ensure broad public support and discussion, actively building the amount of the fund.

Article 16. A motion was made and seconded to act on the recommendation of the Community Preservation Committee on the fiscal year 2015 budget to transfer the following sums of money from the Community Preservation Fund estimated annual revenues: \$5,000 to Open Space (excluding recreational purposes); \$5,000 to Historic Resources; \$5,000 to Community Housing; and \$29,750 to the FY15 Community Preservation Fund budgeted reserve.

Passed unanimously.

Article 17. A motion was made and seconded to appropriate \$ 2,350 from fiscal year 2015 Community Preservation Fund estimated annual revenues for necessary and proper administrative and operational expenses of the Shutesbury Community Preservation Committee.

Passed unanimously.

Article 18. A motion was made and seconded to amend the Watercraft and Persons Using Lake Wyola Shutesbury Town Bylaw as set forth below, changing "dusk and dawn" to "Sunset and Sunrise:"

Town Bylaw in reference to watercraft and persons using Lake Wyola:

1. All motorboats must comply with Massachusetts Boating Laws and Coast Guard Regulations for safety equipment.
2. Speed limit on Lake Wyola is not to exceed (30 mph) day time and 5 mph ~~dusk to dawn~~ **Sunset to Sunrise.**
3. The speed limit within 150 feet of shore is 5 mph.
4. All motorboats must travel in a counter clockwise direction around the lake.
5. No water skiing between ~~dusk and dawn~~ **Sunset to Sunrise.**
6. No watercraft are allowed other than non-motorized watercraft that are docking or launching in swimming areas designated and marked by the state or town or the East, North or West Lake Wyola Association beaches. Such areas shall extend no further than 75

feet from shore.

7. Swimmers must be accompanied by a boat when swimming out beyond 150 feet from shore.

Enforcing persons and fines: Fines for items 1, 2 and 3 are \$50.00 per offense and are enforced by all police officers. Fines for items 4, 5, 6 and 7 are \$25.00 per offense and are enforced by Selectboard, all police officers and constables with jurisdiction.

Passed unanimously.

Article 19. A motion was made and seconded to adopt the proposed Littering and Dumping Town of Shutesbury Bylaw as stated below:

**Town of Shutesbury Bylaw
Littering and Dumping**

- 1. Disposal of refuse, rubbish, etc. on public roads and rights of way, private property or in inland waters (Mass. G.L. c. 270, § 16 and G.L. c. 131, § 1).**

No person may place, throw, deposit or discharge, or cause to be placed, thrown, deposited or discharged, trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or other material of any kind on a public road or public right of way, or any other public land, or in or upon inland waters, or within 100 feet of such waters, or on property of another

- 2. Free by the side of the road items.**

Usable items placed by residents beside Shutesbury roads for others to take must be properly disposed of by the resident or property owner if said items have not been taken two weeks after they have been placed on the roadside. The property owner is responsible for proper disposal of these items.

- 3. Vacating a Residence.**

People vacating a residence in Shutesbury may not leave trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, bulky or hazardous waste or other waste materials of any kind on the side of Shutesbury roads with the exception of trash disposed of in official Shutesbury trash bags or trash scheduled for pick up within a week by a private hauler. In the case of rental properties, the property owner is responsible for any necessary disposal or roadside clean-up.

- 4. Enforcement**

The provisions of this bylaw shall be enforced by the Police Officers of the Town of Shutesbury by any available means in law or equity, including but not limited to enforcement by noncriminal disposition. Instances of hazardous waste dumping shall be enforced according to applicable state law. Non-hazardous waste (trash, refuse, rubbish, garbage, debris, scrap, bulky or other non-hazardous waste materials of any kind), enforced through noncriminal disposition, will be handled in the following manner:

- a. The Shutesbury Police shall investigate ownership or origin of the non-hazardous waste. Reports of illegal dumping initiated by a resident shall be reported via telephone or email to the Shutesbury Recycling Coordinator. The Recycling Coordinator shall follow up with the**

Police. For a first offense, the Police shall issue a written notice and direct the violator to remove the items immediately. The notice shall include notification that the property owner will be charged for the cost of removal if the non-hazardous materials are not removed within two weeks from receipt of the written notice.

- b. If materials are not removed within the two week period after notification, a fine of \$25.00 in addition to all costs of disposal, including waste removal and disposal costs, Shutesbury departmental, administrative and hired staff time to handle the disposal, and any other relevant costs incurred, shall be charged to the violator.

If the originator of the non-hazardous waste cannot be identified, the Town Administrator shall determine how vendors will be paid.

Passed by a majority.

Article 20. A motion was made and seconded to authorize the following revolving funds for certain town departments under MGL Chapter 44, Section 53 E1/2 for the fiscal year beginning July 1, 2014, 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.

Approved unanimously.

Revolving fund	Authorized to spend	Revenue source	Use of fund	FY2015 spending limit	Surplus column cap
Dog license and care	Town Clerk and Dog Officer	Licenses, fines and donations	Supplies and animal care	\$1,000	\$1,000
Recycling	Recycling Coordinator Town Administrator	MIRF, grants, bulky waste, garbage bags, recycling containers	Expenses, stipends, equipment	\$25,000	\$5,000
Fire Inspections	Selectboard	Fire inspection fees	Pay Fire Inspector assistant	\$3,000	\$1,000
Electrical Inspections	Selectboard	Electrical Inspection fees	Pay Electrical Inspector or assistant	\$4,000	\$1,000
Plumbing Inspections	Selectboard	Plumbing Inspection fees	Pay Plumbing Inspector	\$5,000	\$1,000
Swimming Exercises	Selectboard	Swimming Exercise fees	Pay instructor	\$3,000	\$1,000
Library & Dog	Library Board of Trustees	Grants, fines, sales, dog license bequests		\$10,000	\$7,500
Conservation	Commissioners	Local Wetland Protection Fees	Education, outreach and maintenance property	\$1,000	\$1,000

Flu Vaccine	Board of Health	Reimbursements for Flu s grants	Flu Clinic Expens	\$1,500	\$1,500
SRECS Solar Renewable Ene Credits	Selectboard	Contract payments for Sol Production	Renewable & Conservation En Projects	\$30,000	\$40,000
Total Spending				\$83,500	

A motion was made, seconded and unanimously voted to dissolve the meeting at 2:38 PM.

Respectfully submitted,

Town Seal

Leslie Bracebridge
Shutesbury Town Clerk

A true copy. Attest: _____