

**Commonwealth of Massachusetts
Town of Shutesbury**

**Annual Town Meeting Minutes
May 6, 2017**

At a legal meeting of the Inhabitants of the Town of Shutesbury qualified to vote in elections and town affairs held in the Shutesbury Elementary School at 23 West Pelham Road on the sixth day of May 2017 in the presence of a quorum, the following business was conducted. Moderator Penelope Kim opened the meeting at 9:02 AM. She introduced the public officials, identified the emergency exits, read a Civic Invocation and identified Town Meeting Time as the procedural guide for the meeting.

Town Meeting Attendees were invited to enjoy food and drink for sale at the Friends of the Library Café. The moderator asked who was attending their first town meeting and these people were applauded. The moderator also noted two citizens attending for 50 or more years.

Article 1. A motion was made and seconded that the Town vote to amend the Amherst Pelham Regional School District Agreement such that, notwithstanding Section VI, for Fiscal Year 2018 only, 10% of the operating budget assessment shall be allocated to each town based on proportionate shares of a five-year average of statutory minimum contributions (FY14-18) and the other 90% will be allocated to the member towns in accordance with the per-pupil method found in the Amherst Pelham Regional School District Agreement. Since FY18 minimum contributions will not be finalized at the time of this vote, the District will use the state's preliminary figures with estimated corrections provided by the state.

Discussion: George Arvanitis from the Finance Committee explained that Shutesbury has been in negotiations with the three other towns in our regional school district for two years. This regional committee will be working with a consultant this summer to reach an agreement that is expected to be voted on during a Special Town Meeting this fall.

Passed unanimously.

Article 2. A motion was made and seconded that the Town vote to accept the provisions of Massachusetts General Laws Chapter 40A, Section 13E, which allows the establishment of, and appropriation or transfer of money to, a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation.

Discussion: Sean Mangano, from the Amherst Regional Public School's business office, explained that this is a fund to meet future expenses and does not require appropriations.

Passed unanimously.

Article 3 A motion was made and seconded that the Town vote to act on the recommendation of the Community Preservation Committee on the fiscal year 2018 budget to transfer the following sums of money from the Community Preservation Fund estimated annual revenues: \$5,100 to Open Space; \$5,100 to Historic Resources; \$5,100 to Community Housing; and \$32,000 to the FY18 Community Preservation Fund budgeted reserve.

Discussion: Allen Hanson, Community Preservation Committee co-chair, briefed the town meeting about the valuable resource past Community Preservation projects have been to Shutesbury. He encouraged citizens to visit the CPC website to get more information if they have a qualified project in mind.

Passed unanimously.

Article 4. A motion was made and seconded that the Town vote to appropriate \$2,500 from fiscal year 2018 Community Preservation Fund estimated annual revenues for necessary and proper administrative and operation expenses of the Shutesbury Community Preservation Committee, or to take any action relative thereto.

Passed unanimously.

Article 5. A motion was made and seconded that the Town vote to adopt the following bylaw: Pursuant to M.G.L. c. 41 section 110A, Town Offices will be closed on Saturdays as provided therein.

Discussion: Susie Mosher, Town Clerk, explained that if the town accepts this state statute, the deadline dates that result from the Annual Town meeting process will fall on week days instead of weekends when citizens are more likely to register to vote, etc.

Passed unanimously.

Article 6. A motion was made and seconded that the Town vote to hear, and receive reports of town officers, committees, and boards.

Presentations:

Union 28 Superintendent, Jennifer Haggerty: Union 28 schools are all very busy. She appreciated the activity in the Shutesbury school.

Shutesbury Elementary School Principal, Jackie Mendonsa: She is enjoying her third year as principal at Shutesbury, noting especially the community support for the school. In the area of professional development, the SES staff is working on developing Universal Design principles for all aspects of the school programming.

Regional School Interim Superintendent, Michael Morris: Amherst Regional Public Schools are flourishing. ARPS has moved up from 15th to ranking 11th best in the state. There have been some unanticipated expenses that were met such as the flooding in one of the gyms. There has been a new policy regarding homework to reduce the stress to students and families. There are many activities to support social justice such as Dialogue Day, Know Your Rights if ICE authorities show up and policies to support families of immigrants. This is just one example of the programs for the students and whole educational community.

Board of Health member, Catherine Hilton: This year the town Board of Health successfully outsourced the Flu Clinic, to the Greenfield Public Health Department. She described developing Board of Health initiative in conjunction with the Emergency Management Team to develop a Neighborhood Safety Net system. With a network map, neighborhoods would be designated and residents could voluntarily participate, connecting as much or as little as they choose. In the event of any wide-spread event, a networked neighborhood would be able to communicate more effectively with each other and with town services.

Broadband Co-Chair - Gayle Huntress: Thanks to those who attended the Special Town Meeting in March, enabling the formation of the Municipal Light Plant (MLP) board. The Select Board has appointed

temporary MLP members: Gayle Huntress, Craig Martin, Steve Schmidt, Graeme Sephton and Kent Whitney. The Broadband committee will have an advisory role.

The gridlock created by MBI has been broken. The state has moved the shepherding of broadband initiative to the Executive Office of Housing and Economic Development. The Shutesbury Broadband Committee projects that our fiber network will be completed in 2019. The tasks at hand are the pole survey, made easier by the citizen work done earlier, and getting a bid for the design and engineering.

Council on Aging member - Melissa Makepeace-O'Neill: The Council on Aging offers Med-Ride services, a foot clinic and has representatives on the Aging-In-Place Task Force. This committee recently won a \$15,000 grant to develop a Village to Village Network.

Farm and Forest Committee Chair - Bill Wells: After a public hearing for Article 7, the Farm and Forest Committee agreed to withdraw Article 7. They hope more community members will volunteer to work on writing a Right-To Farm bylaw for Shutesbury.

Library Director - Mary Anne Antonellis: The town library is an active, diverse community, utilizing the help of a large number of volunteers. Patrons have enjoyed the Library's loan programs for kayaks, a telescope and Science lab kits. Materials circulation is up 11% and there have been 112 programs, attracting 483 participants last year. These programs were funded through grants and donations from the Friends of the Spear Memorial Library.

Recycling and Solid Waste Chair - Meryl Mandell: The town negotiated a contract with Alternative Recycling as our new trash hauler, starting July 1st. The 2017 – 18 trash bag distribution has begun; the schedule of the dates volunteers will hand out bags is on line. Full year Leverett Transfer Station stickers will also be available for \$20. Many people have found this to be a helpful sharing of services. Shutesbury Bulky Waste Day is June 3. Volunteers are needed.

Master Plan Working Group Visioning Committee Chair - Meryl Mandell: The final report from this committee is now published. Following visioning workshops and survey's the committee highlighted citizen aspirations and concerns for Shutesbury's future. The next step will be for the town to decide how to develop or implement the information in the report.

Water Resources Committee Chair - Al Werner: The data gathered over the year showed that due to the drought conditions the shallow test well behind Town Hall went dry and recovered. The 300' well to bedrock did not go dry. Questions about water quality are best addressed to private water testing companies.

Old Town Beach Park Chair – Catherine Hilton: Townspeople are invited to Elliott Park, located at the Old Town Beach on Randall Rd. The committee has worked to install a beautiful gazebo and is working on the landscaping. This park is a memorial in honor of Bill Elliott, a man who was a dedicated citizen of Shutesbury.

April Stein and Elaine Puleo, former members of the Select Board, Michael DeChiara and Melissa Makepeace-O'Neill, current Select Board members, and Becky Torres, Town Administrator, each thanked Mike Vinsky for his three years of service on the Select Board.

Farm & Forestry Committee moved to withdraw the following article:

Article 7. To see if the Town will vote to approve the Shutesbury Right to Farm By-Law text as provided.

Discussion: Bill Wells, Chair of the Farm and Forest committee said a citizen group needs to be formed to work on issues raised during the public hearing process.

Article 8. A motion was made and seconded that the Town 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, 2017, as contained in the budget, or take any other action relative thereto.

Discussion: In a joint discussion this spring with the Finance Committee and Select Board, the Personnel committee recommended a 1.5% salary increase for town workers who are not in a union or under contract.

Passed unanimously.

Article 9. A motion was made and seconded that the Town 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 of \$6,247,051.00 by raising the sum of \$6,226,626.00 and transferring \$20,425.00 from the Septic Betterment Fund, for the fiscal year beginning July 1, 2017, or take any other action relative thereto.

Discussion: Eric Stocker, Finance Committee Co-Chair reviewed the written report the Finance Committee sent to all citizens. Mike Vinskey, Select Board Chair reviewed his process of proposing an alternative budget. Then he removed himself from the Select Board table so he could offer budget line amendments as a citizen from the floor of Town Meeting

Following some questions and discussion, Moderator Kim asked for lines to be flagged for discussion or amendments in the first section of the budget, General Government. M. Vinskey flagged twenty-two items. He proposed amendments for lines 3,4, 10 and 11. After a discussion of each, the amendments did not pass. A citizen then moved the question to close off further debate on the whole budget, Article 9. A hand count vote was taken and the motion to end debate on the budget passed the required 2/3 majority, with 131 Yes, 21 No, and 9 abstentions. A vote was then taken on Article 9, the budget, as a whole.

Passed by the majority vote.

Article 10. A motion was made and seconded that the Town vote to approve a transfer from Free Cash of \$25,020, for flooring at the Shutesbury Elementary of 4 classrooms.

Discussion: This replaces rugs that were installed in 1993 with linoleum on the east side of the building.

Passed with one abstention.

Article 11. A motion was made and seconded that the Town vote to approve a transfer from Free Cash of \$35,000, for sidewalk repair at the Shutesbury Elementary School.

Discussion: This allocation covers some of the walk that needs repair.

Passed unanimously.

Article 12. A motion was made and seconded that the Town vote to approve a transfer from Free Cash of \$25,000, for Town Building Repair and Maintenance.

Discussion: Bob Groves, Chair of the Buildings Committee spoke of the necessity of addressing the maintenance of our aging town buildings.

Passed unanimously.

Article 13. A motion was made and seconded that the Town vote to approve a transfer from Free Cash of \$25,000, for paving of the fire station parking lot.

Discussion: Walther Tibbetts, Fire Chief spoke about the safety concerns due to the steep 8” drop from the floor of the firehouse to the dirt parking lot. The Highway department will help with the project, thus reducing the cost of the project.

Passed by the majority.

Article 14. A motion was made and seconded that the Town vote to transfer \$125,000 from Free Cash to the OPEB Trust fund.

Discussion: George Arvanitis, Co-Chair of the Finance Committee, explained that the Other Post-Employment Benefits (OPEB) funds have been slowly growing due to annual budget allocations in line 175. The state requires full funding be reached by 2040. This allocation will help reach that goal.

Passed unanimously.

Article 15. A motion was made and seconded that the Town vote to authorize the Board of Selectmen to file the following special legislation (or similar legislation as amended or modified by the legislature or counsel) and if so passed to authorize the Board of Selectmen to convey the land described as B-22, Oak Knoll; B-27, and B-28 located on Great Pines Drive, located in the Town of Shutesbury and accept a deed of land (description of land to be acquired) as a land swap for the purpose of establishing a well necessary for the highway garage and abutting properties.

Notwithstanding Chapter 30 B of the General Laws or any other laws applicable, the Town of Shutesbury, acting by and through its board of selectmen, may transfer or convey, by lot or otherwise, the property described as B-22, Oak Knoll; B-27, and B-28 located on Great Pines Drive, located in the Town of Shutesbury, containing approximately one third in total acres in exchange for acquiring a portion of the property described as ZH-12 (includes H-12, H-13, and H-30), known as the Mary Clark lot, located in the Town of Shutesbury, containing approximately ten acres and an easement to access the remaining land of the grantor. Said acquisition parcel to be used for a well for certain abutting properties in the Town of Shutesbury, including the highway garage.

Discussion: Becky Torres, Town Administrator, explained the town’s efforts to resolve a private well contaminated by salt. The swap of property and access granted by an abutter will hopefully bring this problem to a satisfactory conclusion.

Passed unanimously.

Article 16. A motion was made and seconded that the Town 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.

Passed unanimously.

Article 17. A motion was made and seconded that the Town 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, 2017 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.

Passed unanimously.

Article 18. A motion was made and seconded that the Town 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.

Passed unanimously.

Article 19. A motion was made and seconded that the Town vote 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, or take any other action relative thereto.

Passed unanimously.

Article 20. A motion was made and seconded that the Town vote 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, 2017, 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.

Discussion: Becky Torres, Town Administrator, explained that this article is unchanged from last year except for the cap on the Conservation Commission's spending limit. This has been raised to \$3,000 due to increased project applications to the Conservation Commission.

Article 21 was withdrawn.

Article 21. To see if the Town will approve a zoning bylaw petition for the Lake Wyola Zoning Bylaw Amendment-Height.

Article 22. A motion was made and seconded that the Town vote to approve a resolution to Preserve Native American Historical Sites and Ceremonial Stone Landscapes - **Citizen Petition**

Discussion: The petitioner, Rolf Cachat, presented a substitute amended Resolution/Citizen Petition for this article. This petition pertains to about 10 acres of public land in Shutesbury, the location of which is protected information. Leslie Bracebridge, representative of the Historical Commission, spoke in support of a volunteer committee with the purpose to identify, preserve and protect local Native American culture, heritage, and the history and archaeology of local indigenous people. A request for a paper ballot was made by Mike Vinskey, approved and taken.

The vote was 52 yes, and 54 no. The article did not pass.

Article 23. A motion was made and seconded that the Town vote to approve the Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the Influence of Money in Politics - **Citizen Petition**

Discussion: Elaine Puleo spoke to the importance of sending this message to our representatives in government.

Passed unanimously.

Article 24. A motion was made and seconded that to see if the Town will vote to approve the Resolution for Federal and State Carbon Fee and Dividend - **Citizen Petition**

Discussion: Mary Jo Maffei explained this petition references state and federal bills that include funding and rebate measures as well as tax on carbon fuel use. Some citizens spoke to their concerns about the increased fuel expenses will have on shipping and personal travel. Others expressed concern for fossil fuel pollution and depletion.

Passed with two abstentions.

Article 25. A motion was made and seconded that to see if the Town will vote to approve the Resolution Honoring Our Differences in a Safe Community - **Citizen Petition**

Discussion: Susan Rice spoke about the importance of community in light of needing each other and caring for one another.

Passed unanimously.

A motion was made, seconded and passed unanimously to dissolve the meeting at 2:19pm.

Respectfully submitted,
Susie Mosher
Shutesbury Town Clerk

Attached:
FY 18 Budget
Citizen Petitions for Articles 22, 23, 24 and 25