

Town of Shutesbury Annual Town Meeting Minutes May 31 2025

The Town of Shutesbury met for Annual Town Meeting on Saturday, May 31 2025, at 23 West Pelham Road, in the Shutesbury Elementary School gymnasium. 172 voters qualified to vote in elections and town affairs convened to conduct the Town's business. The meeting was called to order at 9:12 AM.

The newly elected Moderator, Nettie Harrington Pangallo, introduced herself to the assembly and briefly introduced the other town officials on the stage. The Moderator read a statement, which is incorporated at the end of these minutes. Susan Millinger read a tribute to longtime resident, volunteer, and Our Town Newsletter editor Janis Gray, who passed away in early April. The Moderator thanked Paul Lyons, the previous Moderator, for his service to the Town.

Library Director Mary Anne Antonellis made an announcement reminding people of library hours and programming. Anne Magill welcomed the assembly as the principal of Shutesbury Elementary School. Henry Geddes gave an update about the Historical Commission's work over the past year. Susan Millinger returned to the microphone to announce a new Dementia Care program being developed by the Council on Aging in cooperation with Village Neighbors.

Article 1.

A motion was made and seconded to hear and receive reports of town officers, committees, and boards.

Article 1 passed unanimously

Elaine Puleo spoke on behalf of the Library Building Committee and gave an update on the construction of the new library. Recycling Coordinator Meryl Mandell spoke about the work of the Recycling & Solid Waste Committee. April Stein spoke on behalf of the Personnel Board. Michael DeChiara spoke on behalf of the Energy & Climate Action Committee. Nathan Murphy spoke on behalf of the Planning Board. Matt Boroweic spoke on behalf of the Lake Wyola Boating Safety Committee.

Article 2.

A motion was made and seconded to see if the Town of Shutesbury would vote to adopt a budget of \$37,077,171 for Fiscal Year 2026 for the Amherst- Pelham Regional School District using the statutory method as outlined in Section VI and Section VII of regional agreement and assess member towns as follows: Amherst \$19,744,008, Pelham \$1,310,503, Leverett \$1,863,803, Shutesbury \$1,780,721.

Article 2 passed unanimously

Article 3.

A motion was made and seconded to see if the Town of Shutesbury would 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 \$7,678,806 by raising the sum of \$7,542,731 and transferring \$126,075 from Free Cash, and \$10,000 from the Septic Betterment Fund, for the fiscal year beginning July 1, 2025, or take any other action relative thereto.

Voters requested further discussion for line items 100, 104-114, 116, 117, 121, 181, 182, 191, and 221 in the Town's Fiscal Year 2026 budget.

An amendment was submitted to reduce line items 104-114 to the amounts approved for the previous fiscal year. **This amendment was withdrawn.**

A second amendment was submitted to reduce line 104 from \$95,000 to \$71,663, reduce line 110 from \$23,000 to \$21,000, and to reduce line 114 from \$283,356 to \$258,019. **This amendment failed by a majority.**

Article 3 passed unanimously.

Articles 4 through 9 were presented as a consent agenda, which was passed unanimously.

Article 4.

A motion was made and seconded to see if the Town of Shutesbury would 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, 2025, as contained in the budget, or take any other action relative thereto.

Article 4 passed unanimously via consent agenda.

Article 5.

A motion was made and seconded to see if the Town of Shutesbury would vote to authorize the Treasurer to enter into compensating balance agreements during Fiscal Year 2026 as permitted by M.G.L. c. 44, section 53F, or take any other action relative thereto.

Article 5 passed unanimously via consent agenda.

Article 6.

A motion was made and seconded to see if the Town of Shutesbury would 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.

Article 6 passed unanimously via consent agenda.

Article 7.

A motion was made and seconded to see if the Town of Shutesbury would 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.

Article 7 passed unanimously via consent agenda.

Article 8.

A motion was made and seconded to see if the Town of Shutesbury would vote to approve the appointment pursuant to MGL Chapter 268A, Section 21A, of Walter Tibbetts as a Cemetery Groundskeeper while also serving as an elected official on the Cemetery Commission or take any other action relative thereto.

Article 8 passed unanimously via consent agenda.

Article 9.

A motion was made and seconded to see if the Town of Shutesbury would vote to approve annual spending limits for FY2026 for revolving funds established in the Town Bylaws, pursuant to MGL c. 44, sec. 53E1/2, as most recently amended, to (1) authorize revolving funds for certain Town Departments for:

Revolving fund	FY2026 spending limit
Dog license and control	\$1,000
Recycling	\$25,000
Fire Inspections	\$3,000

Electrical Inspections	\$7,000
Plumbing Inspection	\$5,000
Cemetery	\$2,000
Library	\$10,000
Conservation	\$3,000
SRECS Solar Renewable Energy Certificates	\$30,000
COA Seniors	\$ 5,000

Or take any action relative thereto.

Article 9 passed unanimously via consent agenda.

Article 10.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer \$50,000 from Free Cash and \$100,000 from the Town Stabilization fund for the continued payment of ongoing costs of PFAS mitigation.

Article 10 passed unanimously

Article 11.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$11,400 for a new mower for the Highway Department, or take any other action relative thereto.

Article 11 passed unanimously

Article 12.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$16,600 for repairs to the Highway Department's road grader, or take any other action relative thereto.

Article 12 passed unanimously

Article 13.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$8,648 to replace the fire alarm system at Town Hall, or take any other action relative thereto.

Article 13 passed unanimously

Article 14.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$10,000 for needed Town Hall meeting room repairs, or take any other action relative thereto.

Article 14 passed by a majority.

Article 15.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$8,000 to serve as matching funds for a Rural Development Fund Grant that will evaluate sources of erosion into Lake Wyola and potential mitigation or management measures or take any other action relative thereto.

A motion was made and seconded to amend Article 15 by replacing the amount “\$8,000” with the amount “\$4,700” so that Article 15 now reads “the Town of Shutesbury will vote to transfer from Free Cash \$4,700 to serve as matching funds for a Rural Development Fund Grant that will evaluate sources of erosion into Lake Wyola and potential mitigation or management measures or take any other action relative thereto.”

The amendment passed unanimously.

Article 15 as amended passed by a majority.

Article 16.

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from Free Cash \$30,000 for legal expenses to support the Town of Shutesbury in its solar bylaw litigation, or take any other action relative thereto.

Article 16 passed by a majority.

Article 17.

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$41,357.00 of the FY2025 MLP certified retained earnings to the MLP FY 2026 Emergency Reserve Fund.

Article 17 passed by a majority.

Article 18.

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate the sum of \$379,330.00 for the MLP Enterprise Fund beginning July 1, 2025 in accordance with the provisions of M.G.L. c.44, sec 53 F ½, amount to be funded from the following sources; or take any other action relative thereto.

MLP ENTERPRISE FUND OPERATING BUDGET FY2026

Expenses

NOTES

<u>Routine network maintenance</u>	<u>\$ 70,000</u>	<u>Annual Maintenance</u>
<u>Insurance</u>	<u>\$ 12,000</u>	<u>Insurance via PURMA with a 25K deductible</u>
<u>Backhaul</u>	<u>\$ 44,256</u>	<u>10GB CrownCastle connection \$2,063/month; 1GB MBI/backup \$1,125/mo. TOTAL = \$3188/month AND monitoring \$500/mo= \$3688/mo</u>
<u>MLP Manager Salary</u>	<u>\$ 26,306</u>	<u>MLP Manager Stipend</u>
<u>Employment Overhead</u>	<u>\$ 677</u>	<u>Medicare and Workers Comp Overhead</u>
<u>Bond fee for poles</u>	<u>\$ 6,750</u>	<u>3K for Ngrid and Verizon; 750 for Eversource</u>

<u>Pole rental</u>	<u>\$ 20,670</u>	<u>\$13.78 x 1500 poles</u>
<u>Calix Essentials Support</u>	<u>\$ 7,975</u>	<u>Annual Maintenance contract with Calix. Provides direct support and emergency electronic equipment replacement.</u>
<u>Supplies</u>	<u>\$ 500</u>	<u>Office supplies, postage, data backup</u>
<u>Legal</u>	<u>\$ 1,000</u>	<u>Legal Services from Town Counsel</u>
<u>Electronics Hut Operations</u>	<u>\$ 6,500</u>	<u>HVAC maintenance \$500, Security Monitoring \$336, Building Maintenance \$464, Electricity to power hut (\$3,600), shared propane (\$600, full tank fill), shared generator maintenance (\$1,000). Indirect Costs reimbursed to town.</u>
<u>Electronics Depreciation</u>	<u>\$ 45,000</u>	<u>To replace electronics in 7-10 years. Hut servers and switches, home routers and ONTs. (Broadband Capital Stabilization)</u>
<u>Debt Service</u>	<u>\$ 96,800</u>	<u>Payment due 4/3/2026 on \$883,333 10 year note</u>
<u>Accounting, Treasurer, Audit Support</u>	<u>\$ 5,710</u>	<u>Indirect Costs reimbursed to town. Portion based on current town budget. Audit \$2000, Accountant \$1,330, Treasurer \$2,380</u>
<u>Lifeline CAFII Administration</u>	<u>\$ 7,000</u>	<u>\$2K per year flat admin cost plus \$80 for each new recipient application, then \$50 annual renewal for each recipient (estimating < 50 applications annually)</u>

<u>OPERATIONS SUBTOTAL</u>	<u>\$ 351,144</u>	
<u>Extraordinary & Unforseen</u>	<u>\$ 28,186</u>	<u>Emergency Reserve Fund*</u>
<u>OPERATIONS TOTAL</u>	<u>\$ 379,330</u>	

Income

<u>MLP FEES</u>	<u>\$ 364,600</u>	<u>(770 Subscribers x \$40 x 12 months) - (\$5000 Subscriber Support)</u>
<u>CAF II Funding</u>	<u>\$ 14,730</u>	<u>Grant funds - annual payment until 2030</u>
<u>INCOME TOTAL</u>	<u>\$ 379,330</u>	

*Will also include the \$41,357.00 in retained earnings from prior year if article 18 above passes.

Article 18 passed unanimously

Article 19: Prior Bills

A motion was made and seconded to see if the Town of Shutesbury would vote to transfer from free cash to pay bills from prior years, first, a bill from Encore Fire Protection, 11/13/24, \$134.00, for annual fire extinguisher service, and secondly, a bill from Paciorek Electric Inc., 10/13/23, \$600.00, for annual generator maintenance, or take any other action relative thereto.

Article 19 passed unanimously

Article 20: Rate of Development

A motion was made and seconded to see if the Town of Shutesbury would vote to amend the Town of Shutesbury Zoning Bylaw by deleting Article VII Rate of Development inclusive of all its sections, or take any other action related thereto.

Article 20 passed unanimously.

Article 21: Accessory Dwelling Units and Related Zoning Amendments

A motion was made and seconded to see if the Town of Shutesbury would vote to amend the Town of Shutesbury Zoning Bylaw by Amending Section 3.1-1 Use Table, Section 4.2-1 Dimensional Table, Section 4.4 Housing Options, Section 4.4-2 Accessory Apartments; Section 8.6-2 Driveways and Common Driveways, and Section 13.2 Definitions , or take any other action related thereto.

Severability

The invalidity of any section or provision of this article shall not invalidate any other section or provision thereof

3.1-1 Use Table

Change reference under Residential Uses

From: accessory apartments

To: Accessory Dwelling Units. (no change to footnote 1, it remains in place)

Section 4.2-1 Dimensional Table

Change reference in footnote #1

From: accessory apartments

To: Accessory Dwelling Units

Section 4.4 Housing Options

Amend this section to read as follows:

The Town of Shutesbury values being a diverse community that welcomes residents of varying income levels. As the cost of land and housing increases, many local residents are being priced out of the market for homes. The Town of Shutesbury desires to maintain and encourage housing that is affordable to the entire range of its residents while maintaining consistency of its zoning and the underlying values of the zoning bylaw. The Town therefore establishes this section to allow the creation of apartments, two-family dwellings, multi family dwellings, accessory dwelling units, modular dwelling units, and tiny houses to help meet the Town's housing needs and to offer incentives for the creation of affordable housing in residential developments. All housing developments must comply with applicable requirements of the Board of Health.

4.4-2 Accessory Dwelling Units

Amend this section to read as follows:

To help the Town meet its housing needs, accessory dwelling units (ADUs) are allowed as follows:

- A. One Accessory Dwelling Unit is allowable on any lot with a principal dwelling.
- B. An accessory dwelling unit may be located in any of the following:
 - 1. within or attached to the principal dwelling
 - 2. within a garage or barn or other accessory structure

C. In addition to the accessory dwelling unit, the lot may contain no more than a single, principal dwelling and uses accessory to such dwelling that are permitted by this Zoning Bylaw.

D. No additional curb cuts shall be permitted beyond that allowed for a principal dwelling, unless the lot already had multiple access points on May 31, 2025, or the Zoning Board of Appeals determines that a second curb cut will improve public safety and not detract from the rural character of the road.

E. Only one off-street parking space for dedicated use by the accessory dwelling unit is required, in addition to the required parking for the principal dwelling, but more may be provided at the applicant's option. This may include internal garage bays. No additional parking space shall be required for an accessory dwelling located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, as defined in 760 CMR 71.02.

F. An accessory dwelling unit shall meet the following standards and/or requirements

1. State Building Code

2. State Fire Code

3. Massachusetts 310 CMR 15.000: The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of onsite Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage.

4. Approved Shutesbury Board of Health permit required for residential dwelling units

5. Water, sewer/septic, and electric service as similarly required by these bylaws for a principle dwelling

G. For purposes of public safety and in compliance with the Shutesbury House Number bylaw, an ADU shall have a reflective street address or appropriate identifying signage installed so it can be easily seen by emergency crews.

H. An accessory dwelling unit shall count as a full dwelling unit for the purposes of Subsection 8.6-2 B., Common Driveway Regulations.

I. A site plan review shall be required for an accessory dwelling unit to be conducted by the Zoning Board of Appeals in an as-of-right process.

J. Nothing in this Subsection 4.4-2 shall be construed to change or reduce any dimensional or area requirements of this Zoning Bylaw relative to single-family dwellings and accessory structures thereto or to allow any uses not otherwise permitted by this Zoning Bylaw, other than accessory dwelling units, as allowed herein.

8.6-2 Driveways and Common Driveways

Amend section B1 under Common Driveway Regulations to read as follows:

B1. Common Driveways are allowed by Special Permit from the Planning Board. At most, three (3) lots may be served by or otherwise share a Common Driveway. A Common Driveway shall lie entirely within the lots being served or on open space land in Open Space Designs and shall, if serving more than two dwelling units, be named as a "way" (Example: "Wilson Way") with a sign placed in plain view from its intersection with a public way.

SECTION 13.2 Definitions In This Bylaw

To delete the definition of Accessory Apartment and replace with the following:

Accessory Dwelling Unit: Accessory Dwelling Unit (ADU). A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- a. maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building Code for safe egress;
- b. is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller;
- c. is subject to such additional restrictions as may be imposed by Shutesbury including, but not limited to, additional size restrictions, and restrictions or prohibitions on Short-term Rental as defined in M.G.L. c. 64G, § 1.

To add the following definition:

Modular Dwelling Unit. A pre-designed Dwelling Unit assembled and equipped with internal plumbing, electrical or similar systems prior to movement to the site that meets the state building code, where such Dwelling Unit is affixed to a foundation and connected to external utilities; or any portable structure with walls, a floor, and a roof, designed or used as a Dwelling Unit, transportable in one or more sections and affixed to a foundation and connected to external utilities.

Article 21 passed by a clear 2/3 majority.

Article 22: Tiny Houses

A motion was made and seconded to see if the Town of Shutesbury would vote to amend the Town of Shutesbury Zoning Bylaw by Amending Section 3.1-1 Use Table, Adding Section 4.4-25 Tiny Houses; and Section 13.2 Definitions , or take any other action related thereto.

3.1-1 Use Table

Use Category	RR	FC	TC	LW
Tiny House	SPR-Z	SPR-Z	SPR-Z	SPR-Z

4.4-5 Tiny Houses

- A. A Tiny House is allowed under the Massachusetts Building Code and shall comply with the dimensions and specifications of the International Residential Code (IRC) Appendix Q as adopted by the Massachusetts Building Code, as Appendix IQ
- B. A Tiny House may be a primary dwelling or an accessory dwelling unit and will comply with requirements accordingly in this bylaw including Section 4.2 Dimensional Table.

C. The Tiny House shall be consistent with all applicable local, state and federal requirements, regulations, and laws including but not limited to all applicable health, safety, utility, construction and electrical requirements. This shall include a Tiny House having permanent water, septic and electrical connections approved by the Shutesbury Board of Health, Requirements for Title V 310 CMR 15.00, and local septic and well regulations, as appropriate. A building permit shall be required.

D. A Tiny House unit shall not be a recreational vehicle (commonly known as an RV), auto home, shipping container, motor vehicle, semi-trailer, camper, or boat.

E. A Tiny House shall not be located upon a lot with a commercial or other non-residential use.

F. There shall be at least one parking space dedicated to use for the Tiny House.

13.2 Definitions

Tiny House – a dwelling consistent with the requirements and specifications of Massachusetts Building Code Appendix IQ. Unless otherwise defined by Massachusetts Building Code, a Tiny House is a detached structure containing a dwelling unit with a maximum of 400 square feet of habitable living space, excluding lofts, projections from bay windows, open decks, porches or exterior utility and storage compartments, and no more than 15 feet in height, that is connected to electricity, water, and sewer or septic, and on a fixed foundation, intended for residential use.

Article 22 passed unanimously.

Articles 23 through Article 27 were voted via a consent agenda, and were passed unanimously.

Article 23.

A motion was made and seconded to see if the Town of Shutesbury would vote to return the remaining \$359.89 in the Lake Wyola Canoe Launch CPA grant (account 210-630-5703-0000) to the Town's Open Space/Recreation CPA Fund, or take any other action relative thereto.

Article 23 passed unanimously via consent agenda.

Article 24.

A motion was made and seconded to see if the Town of Shutesbury would vote to return the remaining \$1,000 in the South Brook Conservation Area Trails Consultant CPA grant (account 210-171-5700-0000) to the Town's Open Space/Recreation CPA Fund, or take any other action relative thereto.

Article 24 passed unanimously via consent agenda.

Article 25.

A motion was made and seconded to see if the Town of Shutesbury would vote to rescind the grant of \$34,000 from the Community Preservation Historic Resource Fund, previously authorized by Article 12 of the May 4, 2019 Annual Town Meeting for the purposes of work on the Old Town Hall including excavation of the crawlspace, any necessary repairs to the building's underpinnings, and the structural design and installation of new wood framing for the original first floor of the building, and to return those funds to the CPA account from which they were appropriated, or take any other action relative thereto.

Article 25 passed unanimously via consent agenda.

Article 26.

A motion was made and seconded to see if the Town of Shutesbury will vote to act on the recommendation of the Community Preservation Committee on the Fiscal Year 2026 budget to transfer from the Community Preservation Fund estimated annual revenues the sums of \$7,300 to Open Space and Recreation; \$7,300 to Historic Preservation; \$7,300 to Community Housing; and \$35,000 to the FY26 Community Preservation Fund budgeted reserve, or take any action relative thereto.

Article 26 passed unanimously via consent agenda.

Article 27.

A motion was made and seconded to see if the Town of Shutesbury will vote to appropriate \$2,500 from Fiscal Year 2026 Community Preservation Fund estimated annual revenues for

necessary and proper administrative and operational expenses of the Shutesbury Community Preservation Committee, or take any action relative thereto.

Article 27 passed unanimously via consent agenda.

Article 28: Lake Wyola Dam Preservation and Repairs Project

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$10,000 from the CPA Historic Resources account and \$3,775 from the CPA Open Space/Recreation Fund to develop a scope of work for dam repair and maintenance of the Lake Wyola dam, as detailed in the Lake Wyola Advisory Committee's funding application, or take any other action relative thereto.

Article 28 passed by majority.

Article 29: Base for Town Common Guideboard Project

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$2,250 from the CPA Historic Resources account to construct a concrete foundation base for the historic Town Common guideboard, as detailed in the Shutesbury Historical Commission's funding application for the same, or take any other action relative thereto.

Article 29 passed by a majority.

Article 30: Invasive Plant Management at Top of the Lake Conservation Area Project

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$4,000 from the CPA Open Space/ Recreation Fund to remove invasive plants from the Town's Top of the Lake Conservation Area and replant the Area with native species, as detailed in the Shutesbury Conservation Commission's funding application for the same, or take any other action relative thereto.

Article 30 passed unanimously.

Article 31: Historic Guideboard Restoration Project, Phase Two

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$6,482 from the CPA Historic Resources account to complete the work of preserving, rehabilitating, and restoring the historic Town Common guideboard, as detailed in the Shutesbury Historical Commission's funding application for the same, 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, or take any other action relative thereto.

Article 31 passes by a majority.

Article 32: South Brook Conservation Area Trail Repair Project

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$5,000 from the CPA Open Space/Recreation Fund and \$67,900 from the CPA Undesignated Fund to restore, repair, and preserve the recreational trails in the Town's South Brook Conservation Area, as detailed in the Shutesbury Conservation Commission's funding application for the same, or take any other action relative thereto.

An amendment was proposed to add the language "Lake Wyola" after "South Brook" in the title and description of Article 32, so that the article now reads

"South Brook/Lake Wyola Conservation Area Trail Repair Project:

To see if the Town of Shutesbury will vote to appropriate \$5,000 from the CPA Open Space/Recreation Fund and \$67,900 from the CPA Undesignated Fund to restore, repair, and preserve the recreational trails in the Town's South Brook/Lake Wyola Conservation Area, as detailed in the Shutesbury Conservation Commission's funding application for the same, or take any other action relative thereto."

Amendment passed by majority.

Article 32 as amended passes by a majority.

Article 33: West Cemetery Preservation Project

A motion was made and seconded to see if the Town of Shutesbury would vote to appropriate \$9,000 from the CPA Historic Resources account to preserve, rehabilitate, and restore select historic gravestones in Shutesbury's West Cemetery, as detailed in the Shutesbury Cemetery Commission's funding application, 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 Cemetery Commission, or take any other action relative thereto.

Article 33 passes by a majority.

Article 34: Town of Shutesbury Zero-Emission First Vehicle Policy

A motion was made and seconded to see if the Town of Shutesbury would vote to repeal the 2011 Policy to Purchase Only Fuel-Efficient Vehicles and replace it by adopting the following Zero-Emission First Vehicle policy, that requires town officials, when purchasing new vehicles, to purchase available Zero-Emission Vehicles, as financially feasible and practicably appropriate or act relative thereto.

Article 34 passes by a majority.

Article 35: Lake Wyola Amended Bylaw

A motion was made and seconded to see if the Town of Shutesbury would vote to delete the existing Town Bylaw, last amended May 3rd, 2014, titled "Watercraft and Persons Using Lake Wyola," and adopt the following proposed bylaws, or act on anything relative thereto.

An amendment was proposed to change the language of the article as it was printed in the warrant, so that it reflects the language of the motion, "To see if the Town will delete the existing bylaw, last amended May 3rd, 2014, titled "Watercraft and Persons Using Lake Wyola," and adopt the following proposed bylaws, or act on anything relative thereto"

The amendment to change the language of the article passed unanimously.

A second amendment was proposed to change "3. Speed limit: 30mph daytime, 6mph sunset to 8:00AM" to "3. Speed limit: 30mph daytime, 6mph sunset to 8:00AM and on Saturdays and Sundays after 2:00PM." And to change "6. Waterskiing and other towable activities: Allowed between 8:00AM to sunset" to "6. Waterskiing and other towable activities: Not allowed sunset to 8:00AM and on Saturdays and Sundays after 2:00PM."

The amendment failed, 30 yes votes to 44 no votes

A third amendment was proposed to change "4. Distance: Speed limit is 6mph within 150ft of swimmers and the shore" to "4. Distance: Speed limit is 6mph within 150ft of swimmers, non-motorized watercraft, and the shore."

The amendment passed, 41 yes votes to 33 no votes.

The bylaw as amended reads:

- “1. Reckless or unsafe boating is prohibited, including speeding near shorelines, swimmers, or docks, boating under the influence, and failing to maintain a proper lookout.
 2. All motorboats and paddle vessels must comply with Massachusetts Boating Laws and Coast Guard regulations for safety equipment.
 3. Speed limit: 30mph daytime, 6mph sunset to 8:00AM.
 4. Distance: Speed limit is 6mph within 150ft of swimmers, non-motorized watercraft, and the shore.
 5. Direction: Motorboats must travel in a counterclockwise direction around the lake.
 6. Waterskiing and other towable activities: Allowed between 8:00AM to sunset.
 7. Swimming: Swimmers must be accompanied by a boat when swimming beyond 150ft from shore.
 8. Beaches: No watercraft are allowed other than non-motorized watercraft that are docking or launching in swimming areas designated and marked by the town or the East, North, or West Lake Wyola Association beaches. Such areas shall extend no further than 75ft from shore.
- Enforcing persons and fines: Fines for items 1, 2, 3, and 4 are \$50.00 per offense and are enforced by all police officers. Fines for items 5, 6, 7, 8 are \$25.00 per offense and are enforced by the Selectboard, all police officers, and constables with jurisdiction”

Article 35 as amended passed by a majority.

Article 36: Specialized Energy Code

A motion was made and seconded to see if the Town of Shutesbury would vote to repeal the Town of Shutesbury General Bylaw, entitled “Stretch Energy Code” and replace it with a new General Bylaw entitled “Specialized Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments or modifications thereto, with an effective date of May 31, 2025, a copy of which is on file with the Town Clerk, or act relative thereto.

“SHUTESBURY GENERAL BYLAW: SPECIALIZED ENERGY CODE

A. Purpose

1. The purpose of the Specialized Energy Code shall be to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code and the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings to further reduce the climate impacts of buildings, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

B. Definitions

1. International Energy Conservation Code (IECC): The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

2. Specialized Energy Code: Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC. The Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC).

3. Stretch Energy Code: Codified by the combination of 225 CMR 22 and 23, not including Appendices RC and CC. The Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost- effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code. The Stretch energy code was previously codified in 780 CMR appendix 115.aa, prior to the passage of the 2021 Act Creating a Next-generation Roadmap for Massachusetts Climate Policy (2021 Climate Act).

C. Applicability

1. The Town adopts the Specialized Energy Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, in place of the applicable provisions of the Massachusetts State Building Code and the Stretch Energy Code, for all commercial and residential buildings.

2. The Specialized Code is enforceable by the Building Inspector.”

Article 36 passed by a majority.

Article 37: Municipal Decarbonization Resolution

A motion was made and seconded to see if the Town of Shutesbury would vote to commit to a Municipal Decarbonization (defined as the elimination of all on site burning of fossil fuels in

municipal buildings and vehicles) by 2050 in accordance with state climate goals or act relative thereto.

Article 37 passed by a majority.

Article 38. Franklin Regional Council of Governments (FRCOG)

A motion was made and seconded to see if the Town of Shutesbury would vote to adopt and enact the amendments to the Franklin Regional Council of Governments (FRCOG) Charter, said amendment(s) having been proposed by a two-thirds majority of the weighted vote of the full membership of the FRCOG Council and a majority vote of the FRCOG Executive Committee, with said amendment(s) taking full effect immediately upon adoption by two-thirds of the member towns unless a later effective date is otherwise specified; or take any action relative thereto.

Article 38 passed unanimously.

Article 39: COLA Adjusted Veterans' Exemption

A motion was made and seconded to see if the Town of Shutesbury would vote to accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for the applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Article 39 passed unanimously.

Article 40: Additional Percentage Veterans' Exemption

A motion was made and seconded to see if the Town of Shutesbury would vote to accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by 100% of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for the applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Article 40 passed by majority.

Article 41: Farm and Forest Commission Bylaw

A motion was made and seconded to see if the Town of Shutesbury would vote to rescind the Shutesbury Farm and Forest Commission Bylaw of 2009.

Article 41 passed unanimously.

Article 42. Dog Licensing and Control Bylaw

A motion was made and seconded to see if the Town of Shutesbury would vote to approve the amended Dog Licensing And Control Bylaw as a general bylaw or take any other action relative thereto.

An amendment was proposed to delete the current bylaw and replace it with the proposed new bylaw.

The amendment passed unanimously.

“TOWN OF SHUTESBURY, MASSACHUSETTS

DOG LICENSING AND CONTROL

Bylaw passed by Shutesbury Town Meeting on May 4, 2002

Pickup and Storage Fees amended at Special Town Meeting on October 17, 2006

Amended May 31 2025

GENERAL OFFENSES

All owners or keepers of dogs, or their agents, shall at all times:

- Maintain control of the dog beyond the confines of their property by leash or voice command.
- Maintain a collar or harness on the dog, suitable for restraining the animal.
- Maintain current Massachusetts dog license, if over six months of age.
- License any dog requiring same within 30 days of its arrival in Shutesbury.
- Maintain current rabies vaccination, if required.
- Maintain the issued current license tag securely attached to the collar or harness.

NON-CRIMINAL DISPOSITION

In addition to criminal enforcement through the Massachusetts General Laws, all sections of this bylaw may be enforced by the below-designated enforcing persons through the non-criminal disposition process as defined in Chapter 40 section 21D of the Massachusetts General Laws. The Enforcing persons for this bylaw shall be: all Dog Officers, all Police Officers and Constables with jurisdiction, and all members of the Select Board.

FINES

Unless otherwise specified, the fines for any listed offense shall be \$25.00 for each first offense, and \$50.00 for each subsequent violation. Each offense shall be considered as a separate offense in determining the applicable fine, and each day on which any violation exists shall be deemed to be a separate offense. The offenses shall be accrued against the owners or keepers, and not tallied against individual dogs.

PICKUP AND STORAGE FEES

In the event that the enforcing person is required to collect and/or keep a dog in the performance of his or her official duties, said enforcing person shall charge a fee to the owner, keeper or adopter for every dog collected plus the cost of necessary inoculations; and a fee per day for storage and board, beginning on the pickup date. All fees are subject to the approval of the Select Board and reflect the current market costs.

LOCAL AMENDMENTS OF EXISTING MASSACHUSETTS GENERAL LAWS

1. Notwithstanding the provisions of Section 136A of Chapter 140 of the General Laws or any other provision of law to the contrary, the License period for Shutesbury will be the time between January first and the following December thirty-first, both dates inclusive. Remainder unchanged.
2. Notwithstanding the provisions of Section 137 of Chapter 140 of the General Laws or any other provision of law to the contrary, the cost of a replacement for a lost license tag shall be one dollar. Remainder unchanged.
3. Notwithstanding the provisions of Section 137A of Chapter 140 of the General Laws or any other provision of law to the contrary, ...The fee for each license for a kennel shall be twenty-five dollars if not more than four dogs over the age of 3 months are kept in said kennel, fifty dollars if more four or more dogs over the age of 3 month but not more than ten dogs are kept therein, and seventy-five if more than ten dogs are kept therein;...Remainder unchanged. No

kennel license shall be issued until the kennel has passed inspection by the Animal Control Officer.

4. Notwithstanding the provisions of Section 137C of Chapter 140 of the General Laws or any other provision of law to the contrary, the fine for maintaining a kennel after the license therefore has been so revoked, or while such license is so suspended, shall be \$500 for a first offense, and a fine of not more than \$1,000 for a second or subsequent offense.

5. Notwithstanding the provisions of Section 139 of Chapter 140 of the General Laws or any other provision of law to the contrary, the fee for every license shall, except as otherwise provided, be ten dollars for a male or female dog, unless a certificate of a registered veterinarian who performed the operation attests that said male dog has been neutered, or female dog spayed, and has thereby been deprived of the power of propagation, has been shown to the town clerk, in which case the fee shall be five dollars. Further, that the town clerk may accept a statement under penalties of perjury from a registered veterinarian regarding an examination of any neutered male, as for a spayed female, as defined in Section 139 of Chapter 140 of the General Laws. Further, that a late charge of five dollars shall be charged beyond the start of the annual license period, or 30 days after arrival of the dog in town, as defined in the section entitled FINES of this bylaw and MGL Chapter 140 Section 138 that the dog is not licensed with the town clerk. Remainder unchanged.

6. Notwithstanding the provisions of Section 141 of Chapter 140 of the General Laws or any other provision of law to the contrary, the violation of statute fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

7. Notwithstanding the provisions of Section 145B of Chapter 140 of the General Laws or any other provision of law to the contrary, the noncriminal fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

8. Notwithstanding the provisions of Section 146 of Chapter 140 of the General Laws or any other provision of law to the contrary, the fee for a transfer license shall be one dollar. Remainder unchanged.

9. Notwithstanding the provisions of Section 150 of Chapter 140 of the General Laws or any other provision of law to the contrary, for an owner or keeper of a dog who refuses to answer or answers falsely the fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

10. Notwithstanding the provisions of Section 151 of Chapter 140 of the General Laws or any other provision of law to the contrary, the annual appointment date of dog officers shall be July first, beginning in 1993, and all dog officers holding office as of April thirtieth of any given year shall retain full powers and responsibilities until June thirtieth of said year, unless otherwise removed by the appointing authorities. Remainder unchanged.

11. Notwithstanding the provisions of Section 151A of Chapter 140 of the General Laws or any other provision of law to the contrary, the issue date of the warrant shall be amended from “June” to “July”; and the minimum adoption fee and ‘per day’ care fee shall both be amended from “three dollars” to “four dollars”. Remainder unchanged.

12. Notwithstanding the provisions of Section 157 of Chapter 140 of the General Laws or any other provision of law to the contrary, for any person owning or harboring a dog who shall fail to comply with an order of an enforcing authority the noncriminal fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw.

13. Notwithstanding the provisions of Section 164 of Chapter 140 of the General Laws or any other provision of law to the contrary, for a person who owns or keeps a dog and who has received notice and does not within 24 hours kill such dog or thereafter keep it on his premises or under immediate restraint and control of some person the fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw.

14. Notwithstanding the provisions of Section 172 of Chapter 140 of the General Laws or any other provision of law to the contrary, and in recognition of the acceptance of Section 147A of Chapter 140 by Town Meeting vote prior to this Article, any fees or charges or damages received by the town treasurer under Sections 136A to 174D inclusive of Chapter 140, and this by law, and receipts of noncriminal fines resulting from tickets issued under this bylaw, in excess of the limit set on the revolving fund as defined in MGL Ch. 44, S. 53E-1/2 for Dog Licensing and Control, shall be expended for the support of public libraries or schools. Further, should any future Annual Town Meeting fail to reauthorize the Dog Licensing and Control revolving fund, the provisions of this section shall revert to the current General Laws at that time, relating to disposition of the balance of the dog fund.

SEVERABILITY

It is the desire of Town Meeting to ratify this Article in its entirety. If any section, subsection, paragraph, sentence or word thereof is found to be invalid it is the intent and desire of Town Meeting to sever this entire Bylaw and revert back to the existing approved Bylaw. In any section which refers to existing statutes of Massachusetts General Laws which may be amended subsequent to this date, the statute in effect at the time of the offense shall be applied. Once approved in its entirety, this Bylaw replaces the existing Bylaw entitled “Dog Licensing and Control Bylaw” and the Bylaw entitled “Bylaws Governing Persons in Control of Dogs.”

Article 42 passed unanimously.

Article 43. Shutesbury Safe Community Bylaw

A motion was made and seconded to see if the Town of Shutesbury would vote to adopt a Safe Community Bylaw as follows, or act relative thereto.

“Safe Community Bylaw

Section 1. Shutesbury Town Officers and Employees will support the protections guaranteed to individuals under the 10th Amendment to the U.S. Constitution and under the MA Supreme Court case decision in *Lunn v Commonwealth* in 2017. Guaranteed rights and protections under the U.S. Constitution will be upheld and an individual's citizenship, immigration status, national origin, race, ethnicity, gender, sexual orientation, political affiliation or religion shall have no bearing on the treatment of said individuals.

Section 2. Specifically, to the extent permissible by law, no Town Officer or Employee shall act as an immigration officer in non-criminal situations or in those not supported by a judicial warrant signed by an agent of the court. No law enforcement officer may detain individuals solely on the basis of a federal immigration agency order.

The Town of Shutesbury affirms its commitment to applicable federal and state laws relating to citizenship and immigration status and to the rights of all individuals for fair and humane treatment.”

Article 43 passed unanimously.

Article 44. Citizen Petition

A motion was made and seconded to see if the Town would vote to approve this warrant article as a referendum for consideration by the Selectboard and to request that the Selectboard consider adopting this resolution as a Police for the Town of Shutesbury.

An amendment was proposed to remove the second to last paragraph starting “In the event that that an individual...”

The amendment passed by a majority.

**“TOWN POLICY TO PRESERVE AND PROTECT A SAFE AND WELCOMING
COMMUNITY**

Whereas, the Town of Shutesbury unanimously passed an *Honoring Our Differences in a Safe Community* resolution at Town Meeting in 2017;

Whereas, the Town recognizes that we are a town, state and nation of people with both differences and similarities that should be recognized, celebrated and protected;

Whereas, the Town recognizes that the freedom to speak, read, write, learn, report, gather, celebrate, protest, worship, and identify as we choose is foundational to our democracy and inscribed in the U.S. Bill of Rights and the Massachusetts Declaration of Rights;

Whereas, the Town recognizes that civic engagement and participation foster a stronger, more vibrant, and resilient community by ensuring that everyone has the opportunity to express themselves and that municipal policies and processes are representative of the needs of the community;

Whereas, the Town recognizes the inherent value of all persons within our community whether employees, residents, or visitors, regardless of race, sex, gender identity, sexual orientation, age, national origin, ethnic affiliation, religion, immigration status, physical or mental abilities or characteristics, or any other identities, as defined by the individual;

Whereas, the Town recognizes that safety means both physical and emotional well-being, and that a safe community is one where people feel welcomed, respected, and valued;

Whereas, the Town seeks to codify its commitment to openness and safety in its operations by establishing a binding policy that builds upon the prior unanimously supported resolution; and

Whereas, the Massachusetts Constitution and implementing statutes recognize the Home Rule authority of municipalities and the inherent self-government authority possessed by the people of Shutesbury that allows the Town to adopt bylaws and policies to achieve the aforementioned values;

Therefore, toward these ends, the Town of Shutesbury adopts the following binding policy:

It is the policy of the Town of Shutesbury to actively adopt and implement policies, due process procedural safeguards, , and other relevant guidelines, consistent with all existing laws and regulations, that are informed by the acknowledgement that there is inherent value of all persons within our community whether employees, residents, or visitors, regardless of race, sex, gender identity, sexual orientation, age, national origin, ethnic affiliation, religion, immigration status, physical or mental abilities or characteristics, or any other identities, as defined by the individual. As such, all people should be treated with respect and dignity, without discrimination of any kind.

In an effort to be a welcoming community to all, the Town of Shutesbury will:

- support and encourage thoughtful dialogue and exchange of perspectives based on the acknowledgement that civic participation and freedom of expression, even when there is disagreement, are core democratic values;

- work to integrate the values of this policy for a welcoming community by establishing and maintaining policies, procedures, bylaws, and operational norms that ensure that individual differences are honored and protected, and that barriers to civic participation for all residents are avoided or eliminated to the greatest extent possible;
- be vigilant in the defense of the rights of all people, whether employees, residents or visitors, and to equally and fairly enforce the law and Town policies; and
- uphold adherence to democratic principles, Constitutional frameworks, and due process safeguards at every level of government.

This policy shall apply to all Town governmental entities, committees, boards and departments, including the elementary school, and public safety departments, and all individual representatives of the Town whether an employee or volunteer.

Since the Town is proud to be a welcoming community, honoring differences, this policy shall be made broadly available – distributed to all current and new employees and volunteers and posted prominently in places frequented by the public, including in Town Hall.”

Article 44 passed with a majority.

Article 45. Citizen Petition

A motion was made and seconded to see if the Town of Shutesbury would vote to approve the Medicare For All resolution.

“Medicare For All

Whereas: access to health care has become one of the biggest political issues of the day and the U.S. remains one of the few countries that does not provide universal publicly-funded health care; and

Whereas: the cost of health care keeps increasing, the number of people without quality health care increases, and the health of our community decreases; and

Whereas: in particular, the money spent by Cities, Towns, and School Districts to cover their employees is a large cost to the employer; and

Whereas: in FY2024, Medicare For All would have saved the Town of Shutesbury an estimated \$308,150 in health insurance costs; and

Whereas: that unnecessarily large amount could be better spent by our Town to improve the overall quality of life and to increase wages, salaries, and other benefits for its employees; and

Whereas: Massachusetts has been a leader in providing coverage for quality health care for its people; and

Whereas: legislation has been filed to establish a single payer system that eliminates copays and deductibles, provides the freedom to choose doctors and other providers, and replaces the role of insurance companies with a publicly administered insurance trust fund;

Now Therefore Be It Resolved: That the Town of Shutesbury supports the Massachusetts Medicare for All Act establishing a single-payer health care system in Massachusetts and will communicate that support to its State Representative Aaron Saunders and State Senator Jo Comerford.”

Article 45 passed unanimously.

At 4:29 PM, Moderator Harrington-Pangallo recused herself due to the fact that the next Citizen Petition had been submitted by an immediate family member. In accordance with MGL Chapter 39 Section 14, the Town Clerk informed the Town Meeting that our previous Moderator, Paul Lyons, had agreed to serve as a temporary Moderator, and asked if there were any other nominations. There were none, and the Town Meeting voted unanimously to appoint Paul Lyons as a temporary Moderator for the business conducted under Article 46.

Article 46. Citizen Petition

A motion was made and seconded to see if the Town of Shutesbury would vote to adopt the proposed “Hunting on Private Property General Bylaw” of take any other action related thereto.

An amendment was proposed amend Section 4, subsection A, of the proposed bylaw by changing “\$300” to “\$50 for first offense and following offenses.”

The amendment failed by a clear majority.

“Hunting on Private Property General Bylaw

SECTION 1.

- a. No person shall trap, fish, hunt, or discharge a firearm, bow, or other weapon for the purposes of hunting animals, fish, birds, or any game on any private property in the Town, other than said person's parent' s, children's, grandchildren's or their respective spouse's property or their own property, without prior written permission of the said property's lawful resident, being either the owner or lawful tenant of the property.

SECTION 2.

- a. Permission forms shall be available from the Shutesbury Police Department.
- b. One copy of each completed permission form shall be retained by the Shutesbury Police Department.
- c. The original copy of a completed permission form must be carried by the named hunter while hunting and presented upon request of any law enforcement officer, the property owner or lawful tenant, or a legal agent or representative of the property owner or lawful tenant. An additional copy may be kept by the lawful resident.
- d. Permission forms expire three hundred sixty-five (365) days after the date of issue.

SECTION 3.

- a. On the permission form, the lawful resident may stipulate specific dates the property may be accessed, specific methods or points of access to the property, specific restrictions on accessing parts of the property, specific types of game that may be hunted or trapped, or Particular types of hunting or trapping that may be practiced on the property, provided such stipulations adhere to all relevant laws and regulations of the Commonwealth of Massachusetts.
- b. The lawful resident may choose to permit all lawful hunting on their property without requiring individual hunters to obtain prior written permission by providing a written notice to that effect to the Chief of Police. The Chief of Police will keep, and make available to the public upon request, a list of all private properties on which all lawful hunting has been permitted by the property owner or lawful tenant. Lawful residents may, at any time, remove their property from said list. Until a property owner or lawful tenant removes their property from said list, it shall remain on the list indefinitely.

SECTION 4.

- a. Any person found in violation of this Bylaw shall be fined by the Town of Shutesbury in the amount of three hundred dollars (\$300) for the first offense. Second time offenders shall be fined by the Town of Shutesbury in the amount of four hundred dollars (\$400). Third offenses shall result in a fine of six hundred dollars (\$600). Subsequent violations shall result in a fine of one thousand dollars (\$ 1 ,000) per offense. In addition, offenders may be subject to the penalties described in Massachusetts general hunting regulations for violations of MGL, Part I, Title XIX, Chapter 13 1, Section 36. Offenders may also be prosecuted for trespassing under MGL, Part IV, Title I, Chapter 266, Section 120.

b. This Bylaw shall be enforced by all local law enforcement officials and shall be administered under the provisions of MGL, Chapter 40, Section 2 ID on non-criminal dispositions and any Town Bylaw implementing said statute, provided, however, that this Bylaw shall not apply to the lawful defense of life or property or to any discharge of firearms by any official law enforcement officer done in accordance with said officer's official law enforcement duties.”

Article 46 passed by a clear majority.

Temporary Moderator Lyons returned the gavel to Moderator Harrington Pangallo. A motion was made, seconded and unanimously passed to adjourn the Town Meeting at 4:59 PM.

Opening Remarks of the Town Moderator

“This year, we celebrate the 250th anniversary of the start of the American Revolution marked by the “shot heard round the world” on April 19, 1775, in Concord. And here we are today, assembling in Town Meeting, as free citizens, to exercise, without fear of retribution, our inalienable right of self-determination, preserved for us by the founders of this nation.

There is something amazing in knowing that for 250 years, Americans have carried on this tradition in which we continue to learn about the virtues and responsibilities of self-governance. My students studied the American Revolution this year. It is always interesting to rediscover history by seeing it through the eyes of a student who is learning about it for the first time. My students were outraged to learn that a significant piece of the Intolerable Acts—the British response to the Boston Tea Party—was to restrict Town Meetings. In our classroom, we talk a lot about different kinds of power in the world: power within, power with others, and power over others. The British tried to use their power over the Colonies to forbid any Town Meetings without their explicit and express approval, because they feared the power and inspiration the Colonists held when they came together *with* their neighbors under the united goal of asserting their values and resisting the restrictions being placed on the Colonies by the Crown. They knew their power over the Colonists was threatened by the power that the colonists themselves accumulated when they worked together as a community. As so often has happened throughout history, when those exerting their “power over” became afraid of the collective power that Town Meeting encouraged, those in power became openly contemptuous of them, trying to publicly ridicule, condescend to, and diminish their efficacy. Lord Germain, appointed by King George as his Secretary of State to the Colonies, upon hearing of the Boston Tea Party, wrote: “This is what comes of their wretched town meetings—these are the proceedings of a tumultuous and riotous rabble”. Well, in the end, the Revolution was eventually won, according to one commentator, “...because Americans had learned the art of coming together and talking things out in their town meetings.”

There is a lot of angst in our country today. There is a lot of fear, anxiety, disagreement, and dissent coming from people of all political affiliations with very different lived experiences and world views from one another. I don’t need to tell you this can be unsettling. It can cause us to live in a constant state of fight, flight, or freeze, and this makes us reactive. Under these

circumstances, the amygdala in our brains—the structure that is simply tasked with reacting to threats promptly to ensure our survival—takes over our decision-making processes and this causes us to move quickly, bluntly, and without perceiving or expressing nuance. To make things harder, we’re still learning to adjust back to a world where we are no longer physically separated from one another. It wasn’t that long ago that, due to Covid, our communication was impacted by the mere fact that we weren’t able to physically stand together and look each other in the eye. Under conditions like those, sometimes people forget that if and when we disagree, we’re not simply arguing with adversaries. We’re communicating different perspectives of the wants and needs of ourselves and our community with neighbors. When we can’t look each other in the eye, it’s a lot easier for people to dehumanize each other, to assume the worst intentions from one another, and to search for potential faults of our neighbors. And yet, here we are now, gathering peacefully, to make choices about how we want our community to flourish and thrive together. We have an opportunity to communicate our perspectives and needs constructively—without hostility, suspicion, and blame. We have the opportunity to approach our neighbors with curiosity, to really listen to and understand each other, and embed that understanding in the decisions we make collectively—remembering that we are all just humans who are doing the best we can, giving our time and energy and expertise because we love our town, our neighbors, and our home. And we will succeed with this if we continue to learn the art of coming together and productively talking things out in good faith.

In *The Power of the Democratic Idea*, it reads, “a society is safer and freer when the bulk of its citizens understand the programs and goals that their government has chosen and when they have achieved this understanding because these programs and goals have been honestly debated in public.” This is what we’re here to do today. So let’s work together constructively and respectfully to make ourselves and our neighbors more informed about our community, its needs, and its goals. And while we are a small-but-mighty town, let us use this act of civil discourse and civic engagement as a model for how to use our collective voices to make ourselves and our neighbors freer, safer, and more authentically represented in our beautiful town of Shutesbury, our great state of Massachusetts, in the United States of America, and within our world community. And while we do, let’s remember those early citizens who chose at town meetings to work together to resist tyranny and create a new nation that has for a quarter of a millennium aspired to embody freedom.”

Respectfully submitted,
Grace Bannasch, Shutesbury Town Clerk

A True Copy Attest _____