

2016 Annual Town Meeting Warrant
Town of Shutesbury
Commonwealth of Massachusetts
May 7, 2016

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

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

Article 1. To see if the Town will vote to amend the number of members on the Shutesbury Council on Aging from five citizens to seven citizens appointed for a term of three years. The Shutesbury Council on Aging was established by the Town October 30, 1973, under the provisions of the General Laws, Chapter 40, Section 8B.

(Sponsor: Council on Aging) Requires majority vote

Article 2. To see if the Town will vote to accept and approve the following resolution regarding the critical need for immediate action on fiber optic broadband service, as written below,

Whereas broadband service to our rural towns is critical infrastructure for economic survival;

Whereas our students' education is compromised by their inability to perform an increasing number of required online assignments; and

Whereas our residents are unable to utilize digital internet health care; and

Whereas broadband assures the interconnectivity essential to life in the 21st century; and

Whereas The Massachusetts legislature passed and the governor signed Bill H4355, an Act financing information technology equipment and related projects, on June 6, 2014, which authorized \$50 Million to the Massachusetts Broadband Incentive Fund for the purpose of providing broadband internet service to the unserved towns of western Massachusetts; and

Whereas in February 2015 the new Baker-Polito Administration affirmed its support for the bond bill and said that: "Providing high-speed broadband access to all cities and towns is not only a matter of basic fairness, but it is an essential part of building stronger communities and a stronger economy"; and

Whereas on May 2, 2015 Shutesbury Annual Town Meeting, by a vote of 417 to 12, appropriated and authorized borrowing for \$1,693,200 for two-thirds of the costs for construction of a fiber optic network; and

Whereas on June 10, 2015 the voters of Shutesbury by a 92% favorable vote authorized a debt exclusion override for the fiber optic network; and

Whereas by August 1, 2015 over 52% of all the households in the Town of Shutesbury had signed up for service from WiredWest and made a \$49 deposit;

Whereas on August 4, 2015 the then Director of the Massachusetts Broadband Institute informed the Town of Shutesbury Selectboard that we had taken the necessary steps to begin construction of the fiber optic network; that the pole survey and design and engineering would begin in the next eight to nine weeks; that make ready work would begin in spring of 2016; and that construction would begin in the fall of 2016; and

Whereas little or no progress has been made on any of the steps needed to build the network;

THEREFORE be it resolved that we, the Citizens of the Town of Shutesbury in Town Meeting Assembled call upon the Baker/Polito Administration to commit all necessary resources to ensure the provision of fiber optic broadband service to all residents of Shutesbury; and

Expeditionously provide resolution to this most challenging situation by allocating the funds necessary to bring this project to conclusion; and

Instruct the Massachusetts Broadband Institute to work cooperatively with the towns and their agencies, including WiredWest, and to accept input and policy direction from the towns to jointly produce an immediate actionable plan that is acceptable to our town by June 30th, 2016.

Be it further resolved that the Town Clerk be directed to send copies of this resolution to Governor Charlie Baker, Lt. Governor Karyn Polito, State Representative Steve Kulik, State Senator Stan Rosenberg and Secretary Jay Ash, or take any action related thereto.

(Sponsors: Selectboard and Broadband Committee) Requires majority vote

Article 3. To see if the Town will vote to adopt the Shutesbury Zoning ByLaw by adding a section entitled "Ground-Mounted Solar Electrical Installations." **(Sponsor- Planning Board) Selectboard and Finance Committee Recommends Requires a 2/3 ballot vote**

Article 4. To see if the Town will vote to adopt the proposed Zoning by-law Changes for Ground Mounted Solar Electric Installations **(Sponsor- Citizen Petition) January 11, 2016, 5:25pm**

Requires a 2/3 ballot vote

Article 5. To see if the Town will vote to adopt the proposed Zoning by-law Changes for Ground Mounted Solar Electric Installations **(Sponsor- Citizen Petition) December 28, 2015, 4:30pm**

Requires a 2/3 ballot vote

Article 6. To see if the Town will vote to authorize the Board of Selectmen to negotiate an agreement for payments-in-lieu-of-taxes pursuant to M.G.L. c. 59, section 38H(b) and Chapter 164, Section 1 or any other enabling authority for taxing of personal property attributable to a solar photovoltaic facility to be located on privately owned land off Pratt (Corner?) Road, Shutesbury, shown as Assessor's Book 1032, Page 390 - Lot ZG2, for a term of not more than 25 years, and on such other terms and conditions and for such consideration as the Board of Selectmen deems appropriate or take any other action relative thereto.**(Sponsor: Select Board) Finance Committee Recommends**
Requires majority vote

Article 7. To hear, and receive reports of town officers, committees, and boards.
(Sponsor: Select Board)

Article 8. To see if the Town will vote to amend the Amherst Pelham Regional School District Agreement such that, notwithstanding Section VI, for Fiscal Year 2017 only, 10% of the operating budget assessment shall be allocated to each town based on proportionate shares of taxable property values 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.

"The School Committee has voted to use an alternative income method voted by the Amherst Pelham Regional School District School Committee to determine the apportionment of the FY17 budget to each member town. Approval to use this apportionment method must be granted each year." **(Sponsor: Select Board) Finance Committee Recommends**
Requires majority vote

Article 9. To see if the Town will vote to set the salary compensation for all elected officials of the town (Select Board, Town Clerk, Moderator and Constable) as provided by MGL Chapter 41, Section 108, to be made effective from July 1, 2016, as contained in the budget, or take any other action relative thereto.
(Sponsor: Personnel Board and Select Board) Finance Committee Recommends
Requires majority vote

Article 10. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money to meet town expenses including

operations, capital, salaries and school expenses of \$6,155,690.00 by raising the sum of \$6,135,255.00 and transferring \$20,435.00 from the Septic Betterment Fund, for the fiscal year beginning July 1, 2016, or take any other action relative thereto.

(Sponsor: Select Board and Finance Committee) Finance Committee Recommends
Requires majority vote

Article 11. To see if the Town will vote to transfer \$100,000 from Free Cash to the Capital Stabilization Fund, or take any other action relative thereto.

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

Article 12. To see if the Town will vote to raise and appropriate, borrow, or transfer from free cash or capital stabilization any part thereof of the sum of \$192,000 to fund a dump truck for the highway department, or take any other action relative thereto.

(Sponsor: Highway Dept.) Capital Planning and Finance Committee Recommends

Requires majority vote for appropriation, or free cash, 2/3 vote for borrowing or transfer from capital stabilization

Article 13. To see if the Town will vote to accept and expend funds available from the State for Highway reimbursement programs, such as the Chapter 90 program, without further appropriation, or take any other action thereto.

(Sponsor: Select Board) Finance Committee Recommends
Requires majority vote

Article 14. To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow money from time to time in anticipation of revenues for the fiscal year beginning July 1, 2016 in accordance with the MGL Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of the MGL Chapter 44, Section 17, or take any other action relative thereto.

(Sponsor: Select Board) Finance Committee Recommends
Requires 2/3rds vote

Article 15. To see if the Town will vote to allow the Select Board to apply for, accept and expend state, federal and other grants, which do not require a town appropriation, or take any other action relative thereto.

(Sponsor: Select Board) Finance Committee Recommends
Requires majority vote

Article 16. To see if the Town will approve the appointment pursuant to MGL Chapter 268A, Section 21A of Catherine Hilton as a Board of Health Administrative Consultant while also serving as an elected official on the Board of Health, or take any other action relative thereto. **(Sponsor: Personnel Board) Finance Committee Recommends**

Requires majority vote

Article 17. To see if the Town of Shutesbury will vote to act on the recommendation of the Community Preservation Committee on the fiscal year 2017 budget to transfer the following sums of money from the Community Preservation Fund estimated annual revenues: \$5,300 to Open Space; \$5,300 to Historic Resources; \$5,300 to Community Housing; and \$29,500 to the FY17 Community Preservation Fund budgeted reserve, or take any action relative thereto. **(Sponsor: Community Preservation Committee) Finance Committee Recommends**
Requires majority vote

Article 18. To see if the Town will vote to appropriate \$ 2,400 from fiscal year 2017 Community Preservation Fund estimated annual revenues for necessary and proper administrative and operation expenses of the Shutesbury Community Preservation Committee, or take any action relative thereto. **(Sponsor: Community Preservation Committee) Finance Committee Recommends**
Requires majority vote

Article 19. To see if the Town will vote to appropriate the sum of \$29,000 from the Community Preservation Fund; and to meet this appropriation, transfer \$29,000 from the Community Preservation Fund Balance, to rehabilitate a playground and replace a play structure, as detailed in the Shutesbury Elementary School project proposal, said funds to be expended under the direction of the Shutesbury Elementary School, or to take any action thereto. **(Sponsor: Community Preservation Committee) Finance Committee Recommends**
Requires majority vote

Article 20. To see if the Town will vote to appropriate the sum of \$5,000 from the Community Preservation Fund; and to meet this appropriation, transfer the sum of \$5,000 from the Community Preservation Fund Balance, to construct a track in the upper field, as detailed in the Shutesbury Elementary School project proposal, said funds to be expended under the direction of the Shutesbury Elementary School, or take any action thereto. **(Sponsor: Community Preservation Committee) Finance Committee Recommends**
Requires majority vote

Article 21. To see if the Town will vote to transfer from free cash a sum not to exceed \$10,000 to the fire department special equipment account said sum to be set as the proceeds from the sale of the police and fire rescue boat; or, take any action thereto. **(Sponsor: Board of Selectman) Finance Committee Recommends**
Requires majority vote

Article 22. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$1,467.42 for the purpose of clearing a balance prior to FY06 for the Chapter 90 Highway program. **(Sponsor: Board of Selectman) Finance Committee Recommends**
Requires majority vote

Article 23. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$1982.50 for the purpose of clearing a balance prior to FY06 for Public Safety Highway Grant. **(Sponsor: Board of Selectman) Finance Committee Recommends**
Requires majority vote

Article 24. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$1,314.08 invoice #0384432 to Dennis K. Burke for the payment of a fuel bill from prior years, and \$207.76, for Gazette invoice for legal notice paid with chk#47744, refunded to the town by Gazette in error. **(Sponsor: Town Administrator) Finance Committee Recommends**
Requires 4/5ths vote

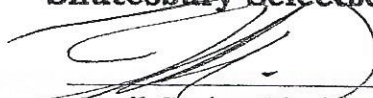
Article 25. To See if the Town will vote to authorize the following revolving funds for certain town departments under MGL Chapter 44, Section 53 E1/2 for the fiscal year beginning July 1, 2016, and to further authorize that any surplus in said accounts exceeding the amounts reflected below in the surplus column will be directed to the general fund at the end of the fiscal year, or take any other action relative thereto. **(Sponsor: Select Board) Finance Committee Recommends**
Requires majority vote

Revolving fund	Authorized to spend	Revenue source	Use of fund	FY2017 spending limit	Surplus column cap
Dog license and control	Town Clerk and Dog Officer	Licenses, fines and donations	Supplies and animal care	\$1,000	\$1,000
Recycling	Recycling Coordinator and Town Administrator	MIRF, grants, bulky waste, garbage bags, recycling containers	Expenses, stipend and equipment	\$25,000	\$5,000
Fire Inspections	Selectboard	Fire inspection fees	Pay Fire Inspector or assistant	\$3,000	\$1,000
Electrical Inspection	Selectboard	Electrical Inspection fees	Pay Electrical Inspector or assistant	\$4,000	\$1,000
Plumbing Inspection	Selectboard	Plumbing Inspection fees	Pay Plumbing Inspector	\$5,000	\$1,000
Swimming Exercise	Selectboard	Swimming Exercise fees	Pay instructor	\$3,000	\$1,000
Library	Library Board of Trustees	Grants, fines, sales, dog Licenses, bequests	Materials & Expense	\$10,000	\$7,500

Conservation	Commissioners	Local Wetland Protection Permit Fees,	Education, outreach maintenance of property	\$1,000	\$1,000
Flu Vaccine	Board of Health	Reimbursements for Flu shots & grants	Flu Clinic Expenses	\$1,500	\$1,500
SRECS Solar Renewable Energy Certificates	Selectboard	Contract payments for Solar PV Production	Renewable & Conservation Energy Projects	\$30,000	\$40,000
Total Spending				\$83,500	

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

Shutesbury Selectboard


 April Stein, Chairman


 Mike Vinskey


 Michael DeChiara

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

Constable _____

(TOWN SEAL)

Date _____