

**Commonwealth of Massachusetts**  
**Town of Shutesbury**

**Special Town Meeting Minutes**

**January 16 2024**

**Continued until January 23 2024 per MGL Chapter 39, Section 10A**

The Town of Shutesbury met for a Special Town Meeting in the Shutesbury Elementary School gymnasium, at 23 West Pelham Rd, on Tuesday, January 23 2024. Originally scheduled for January 16<sup>th</sup>, the meeting was continued by Moderator Paul Lyons until January 23<sup>rd</sup> due to winter weather conditions. 244 Shutesbury residents qualified to vote in elections and town affairs attended to conduct the town's business.

The Special Town Meeting was called to order at 6:08pm. The Moderator opened the meeting by thanking all the attendees for being there and then invited the Town Clerk up to introduce Janet Kiely, who was appointed Assistant Town Clerk on January 2 2024.

**Article 1:** A motion was made and seconded to see if the Town would vote to transfer \$50,000 to the legal expense line from Free Cash.

**Article 1 passed by a clear majority.**

**Article 2.** A motion was made and seconded to see if the Town would vote to adopt MGL c.40, sec 22F.

**Article 2 passed by a clear majority.**

**Article 3.** A motion was made and seconded to see if the Town would vote to repeal the old 1987 Town of Shutesbury Wetlands Protection Bylaw and adopt the new 2024 Town of Shutesbury Wetlands Protection Bylaw.

A motion was made to amend the article by deleting the last sentence in the proposed Shutesbury General Wetlands Protection Bylaw Section 8, Subsection A, paragraph 3. The motion was seconded and discussion ensued.

**Amendment passed with a majority.**

A motion was made to amend the article by adding to the definition of “agent” in Section 10 of the proposed Shutesbury General Wetlands Protection Bylaw the phrase “and if applicable.” The motion was seconded and discussion ensued.

**Amendment passed with a majority.**

A motion was made to amend the article by changing paragraph 5 in Section 12 of the proposed Shutesbury General Wetlands Protection Bylaw as written, replacing “shall” with “may” in two places in the first sentence, and adding the last sentence “The Conservation Commission shall inform the police chief prior to any involvement with outside law enforcement.” The motion was seconded and discussion ensued.

A motion was made to amend the amendment by splitting the proposed amendment into two separate amendments, one regarding the “shall” and “may” language choice, one regarding whether or not to include the final sentence. This motion was seconded. **The amendment to amend the amendment passed with a majority.**

A motion was made and seconded to call the vote on the amendments. Motion to call the vote was approved unanimously.

**The amendment to replace “shall” with “may” in two locations in the first sentence of paragraph 5 in Section 12 passed by a majority.**

**The amendment to include the additional sentence at the end of paragraph 5 in Section 12 passed by a majority.**

A motion was made and seconded to call the vote on Article 3. Motion to call the vote passed by a clear majority.

A motion was made and seconded to call for a secret ballot vote. The motion failed by a majority. The vote proceeded with a raising of hands.

**Article 3 as amended passed by a majority.**

**Article 4.** A motion was made and seconded to see if the Town would vote to transfer \$9,000 from Free Cash to fund mitigation and testing for gasoline at fire station in response to DEP letter.

**Article 4 passed unanimously.**

**Article 5.** A motion was made and seconded to see if the Town would vote to appropriate the FY 2024 MLP certified retained earnings of \$136,943 as follows:

1. \$ 136,943.00 to the MLP FY 2024 Emergency Reserve fund.

**Article 5 passed by a 2/3<sup>rds</sup> majority.**

**Article 6.** A motion was made and seconded to see if the Town would vote to transfer \$40,000 from Capital Stabilization to fund the cost overrun at the Locks Pond Culvert Project.

**Article 6 passed by a clear 2/3<sup>rds</sup> majority.**

**Article 7.** A motion was made and seconded to see if the Town would vote to pay a bill of prior years, from Free Cash for \$2500.00 to the Mosquito Control Board.

**Article 7 passed by a 9/10<sup>ths</sup> majority (73 yes to 3 no)**

**A motion was made, seconded and unanimously passed to dissolve Special Town Meeting at 8:58pm.**

Respectfully submitted,

Grace Bannasch Shutesbury Town Clerk

A True Copy Attest: \_\_\_\_\_