

Town of Shutesbury
May 3, 2008
Annual Town Meeting

At a legal meeting of the Inhabitants of the Town of Shutesbury qualified to vote in elections and town affairs held at the Shutesbury Elementary School at 23 West Pelham Road on the third day of May 2008 in the presence of a quorum, the following business was conducted.

Moderator opened the meeting at 9:10 AM.

Article 1. A motion was made and seconded that the Town accept the annual report for the year ending June 30, 2007 as written and accept reports from town officers, committees and boards as presented.

Board of Health Chairman William "Bill" Elliott: Flu shot clinic as an Emergency Dispensing Site, new out door wood burning boiler regulations, and groundwater protection regulations are in process.

Buildings Committee Chairman Dale Houle: Library accessibility project, town hall air quality, fire station and old town hall insulation, new fence for town hall, up-coming work on highway garage.

Library Trustees Chairman Clifton "Cliff" Read: New Library Director Mary Anne Antonellis, new Saturday hours, 7 town cultural event: The Worst Hard Times.

Library Facility Needs Assessment Committee (LFNAC) member Marie Weezie" Houle: Collection inventory done, now developing a needs statement for 20 years from now, 201 surveys returned, May 13 public forum.

Broadband Committee member Marie "Weezie" Houle: Results of up-coming survey will go to Pioneer Valley Connect which is helping Western Massachusetts get broad band connections. The future for area broadband is not certain.

Fire Chief and Emergency Management Director Walter Tibbetts: Is recruiting volunteer fire fighters also auxiliary service people. Increased government mandates for Emergency management, incident command training, Lake Wyola Emergency Action Plan, and Continuation of Operations Plan.

Amherst-Pelham Regional School Representative Marianne Jorgensen: Introduced Superintendent Jere Hochman: Handouts on college profiles and courses offered, new Middle School Principal.

Passed unanimously.

Article 2. A motion was made and seconded that the Town vote to approve the appointment pursuant to Massachusetts General Law 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.
Passed unanimously.

Article 3. 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.
Passed unanimously.

Article 4. 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, 2008, as contained in the budget.
Passed unanimously.

Article 5. 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, 2008 in accordance with the Massachusetts General Laws 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 Massachusetts General Laws Chapter 44, Section 17.
Passed unanimously.

Article 6. 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.
Passed unanimously.

Article 7. A motion was made to pass over this article. (The State has eliminated the 8% stumpage tax and DCR filing fee for Chapter 61 land).
Passed in the majority.

Article 8. A motion was made and seconded that the Town vote to authorize the revolving funds included in the Article 8 chart, for certain town departments under Massachusetts General Laws Chapter 44, Section 53E1/2 for the fiscal year beginning July 1, 2008.
Passed unanimously.

Article 9. A motion was made and seconded that the Town vote to adopts Sections 3 to 7, inclusive, of Chapter 44B of the Massachusetts General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purpose permitted by said Act, including the acquisition, creation and preservation of open space; the acquisition, preservation, rehabilitation and restoration of historic resources; the acquisition, creation and preservation of land for recreational use; the acquisition, creation and preservation and support of community housing; and rehabilitation and restoration of such open space, land for recreational use and community housing that is acquired or created as provide under said Act: the amount of surcharge on real property shall be 1.5% of the annual real estate tax levy against real property commencing in the fiscal year 2009; and that the Town accept the following two exemptions from such surcharge permitted under Section 3(e) of said Act: 1. property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income

senior housing in the town, as defined in Section 2 of said Act; and
2. \$100,000 of value of each taxable parcel of residential real
property.

A motion was made to call the motion: Yes: 87 No: 43.

The Moderator called for a paper ballot vote for the main motion: Yes:
116 No: 40 Blank: 2.

Article 10. A motion was made and seconded to transfer the sum of
\$16,640 from Septic Betterments to the General Fund to pay the FY08
WPAT Septic Repair Debt.
Passed unanimously.

Article 11. A motion was made and seconded that the Town vote to
accept High Point Road (a private road) as a public town road. (This
article was passed last year at Annual Town Meeting, but was not valid
because it did not contain the meets and bounds in the article.)
Passed in the majority.

Article 12. A motion was made and seconded that the Town vote to
approve the existing Amherst-Pelham Regional School District Agreement
for allocating the total amount to be contributed by each member town
of the District for Fiscal Year 2009 as required by Section VI of the
Regional Agreement.
Passed unanimously.

Article 13. A motion was made and seconded that the Town vote to
approve amendment to Section X of the Regional Agreement of the
Amherst-Pelham Regional School District to shift the cost of providing
transportation to elementary school students from the Regional budget
to the budgets of the Elementary School districts served.
Passed unanimously.

Article 14. A motion was made and seconded that the Town vote to
approve amendment to Section VI of the Regional Agreement of the
Amherst-Pelham Regional School District to read if the amount of
unencumbered surplus funds of the district at the end of the any
fiscal year exceeds 5% of the budgeted operating and capital costs for
the succeeding fiscal year, an amount at least equal to the amount of
such excess shall be applied by the committee to reduce the amounts
certified to the Participating Towns for such succeeding fiscal year
in accordance with Section VII.
Passed unanimously.

Article 15. A motion was made and seconded that the Town vote to fund
operating expenses of \$5,443,735 by raising the sum of \$5,423,439 and
transfer from Septic Betterment the sum of \$20,296, and appropriating
said sums to meet town expenses including operations, salaries, school
and capital expenses for the fiscal year beginning July 1, 2008,
contingent upon the subsequent approval of a proposition 2 ½ override
vote.

A motion was made to call the vote (2/3rds vote required): Yes: 127 No:
30.

Main motion passed in the majority.

Article 16. A motion was made and seconded that the Town vote to
amend the Zoning Bylaw of Shutesbury by deleting the Bylaw now in
effect and by replacing it with a new Bylaw that includes the

following articles:

Introduction and Authority

Establishment of Districts

Zoning Districts: Use and Regulation

Zoning Districts: Dimensional and Density Regulations

Open Space Design

Nonconformity of Pre-Existing Uses and Structures

Rate of Development

Supplementary Regulations

Site Plan Review and Special Permits

Administration and Enforcement

Amendment

Validity

Definitions

Four friendly clerical amendments were made to the text as follows:

1. Page 11: Because Section 3.2-4 was deleted, the subsequent sections need to be re-numbered: 3.2-5 becomes the new 3.2-4 and 3.2-6 becomes section 3.2-5.

2. Page 14: "Sections" should be changed to "section" in the first line.

3. Page 25: In section 5.6-1, remove "that" from the 8th line.

4. Page 31: In section 7.2 line 7, change "Both" to "Each" and "sets" to "set".

* A motion was made and seconded to skip the Planning Board slide presentation.

Disapproved by majority voice vote.

* A motion was made and seconded to amend the zoning bylaw by adding the following wording to section 4.4-3B: "The residency requirement of the section is only necessary at the time of creation of the dwelling unit."

Disapproved by a majority voice vote.

* A motion was made and seconded to call the vote.

Unanimously approved.

The Moderator called for a paper ballot vote for the main motion:

Yes - 151 No - 15 Blank - 1.

The May 3, 2008 Annual Town Meeting dissolved at 1:50 PM.

Respectfully submitted,

Leslie Bracebridge

Shutesbury Town Clerk

A true copy. Attest: _____