

**2014 Annual Town Meeting Warrant
Town of Shutesbury
Commonwealth of Massachusetts**

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 **third** day of May, at the Shutesbury Elementary School at 23 West Pelham Road in said Shutesbury, in the year Two Thousand and Fourteen, then and there to act on the following articles:

Article 1. To see if the Town will vote to transfer from free cash the sum of **\$100,000** to fund the Shutesbury FY15 budget, or take any other action relative thereto. **(Sponsor: Capital Planning) Finance Committee Recommends**

Requires majority vote

Article 2. To see if the Town will 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 2015 as required by Section VI of the Regional Agreement.

"The School Committee has voted to continue using the formula put forth in the Regional Agreement to determine the apportionment of the FY15 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 3. To see if the Town will vote to transfer the sum of \$20,000 from the Free Cash, to fund OPEB (Other Post Employment Benefits), or take any other action relative thereto. **(Sponsor: Selectboard) Finance Committee Recommends**

Requires majority vote

Article 4. To see if the Town will vote to raise and appropriate \$127,156.00 to move into 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 5. 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 \$5,834,739.00 by raising the sum of \$5,814,325.00 and transferring \$20,414.00 from the Septic Betterment Fund, for the fiscal year beginning July 1, 2013, or take any other action relative thereto.

(Sponsor: Select Board and Finance Committee) Finance Committee Recommends

Requires majority vote

Article 6. 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 7. 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, 2013, 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 8. 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, 2013 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 majority vote

Article 9. 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 10. 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 11. To see if the Town will vote transfer from free cash the sum of \$30,000 to fund water quantity and water quality test wells in Shutesbury, or take any other action relative thereto.

(Sponsor: Water Resource committee & Capital Planning) Finance Committee Recommends

Requires majority vote

Article 12. To see if the Town will vote to borrow or transfer from free cash or stabilization the sum of \$44,000 to fund a new pick up truck for the highway department, or take any other action relative thereto.

(Sponsor: Capital Planning) Finance Committee Recommends

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

Article 13. To see if the Town will vote to borrow or transfer from free cash or stabilization the sum of \$434,000 to fund a new pumper tanker fire truck, or take any other action relative thereto.

(Sponsor: Capital Planning) Finance Committee Recommends

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

Article 14. To see if the Town will vote to borrow or transfer from free cash or stabilization the sum of \$36,000 to fund a new police cruiser for the police department, or take any other action relative thereto.

(Sponsor: Capital Planning) Finance Committee Recommends

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

Article 15. To see if the Town of Shutesbury will vote to act on the recommendation of the Community Preservation Committee on the fiscal year 2015 budget to transfer the following sums of money from the Community Preservation Fund estimated annual revenues: \$5,000 to Open Space (excluding recreational purposes); \$5,000 to Historic Resources; \$5,000 to Community Housing; and \$29,750 to the FY15 Community Preservation Fund budgeted reserve, or take any action relative thereto.

(Sponsor: Community Preservation Committee)

Article 16. To see if the Town will vote to appropriate \$ 2,350 from fiscal year 2015 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 17. To hear, and act, on reports of town officers, committees, and boards, or take any other action relative thereto. **(Sponsor: Select Board)**

Article 18. To see if the Town will vote to amend the Watercraft and Persons Using Lake Wyola Shutesbury Town Bylaw as set forth below, changing "dusk and dawn" to "Sunset and Sunrise:"

Town Bylaw in reference to watercraft and persons using Lake Wyola:

1. All motorboats must comply with Massachusetts Boating Laws and Coast Guard Regulations for safety equipment.
2. Speed limit on Lake Wyola is not to exceed (30 mph) day time and 5 mph dusk to dawn
Sunset to Sunrise.

3. The speed limit within 150 feet of shore is 5 mph.
4. All motorboats must travel in a counter clockwise direction around the lake.
5. No water skiing between ~~dusk and dawn~~ **Sunset to Sunrise**.
6. No watercraft are allowed other than non-motorized watercraft that are docking or launching in swimming areas designated and marked by the state or town or the East, North or West Lake Wyola Association beaches. Such areas shall extend no further than 75 feet from shore.
7. Swimmers must be accompanied by a boat when swimming out beyond 150 feet from shore.

Enforcing persons and fines: Fines for items 1, 2 and 3 are \$50.00 per offense and are enforced by all police officers. Fines for items 4, 5, 6 and 7 are \$25.00 per offense and are enforced by Selectboard, all police officers and constables with jurisdiction.

(Sponsored by the Lake Wyola Advisory Committee) Selectboard Recommends

Article 19. To see if the Town will vote to adopt the proposed Littering and Dumping Town of Shutesbury Bylaw as stated below:

Town of Shutesbury Bylaw Littering and Dumping

- 1. Disposal of refuse, rubbish, etc. on public roads and rights of way, private property or in inland waters (Mass. G.L. c. 270, § 16 and G.L. c. 131, § 1).**

No person may place, throw, deposit or discharge, or cause to be placed, thrown, deposited or discharged, trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or other material of any kind on a public road or public right of way, or any other public land, or in or upon inland waters, or within 100 feet of such waters, or on property of another

- 2. Free by the side of the road items.**

Usable items placed by residents beside Shutesbury roads for others to take must be properly disposed of by the resident or property owner if said items have not been taken two weeks after they have been placed on the roadside. The property owner is responsible for proper disposal of these items.

- 3. Vacating a Residence.**

People vacating a residence in Shutesbury may not leave trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, bulky or hazardous waste or other waste materials of any kind on the side of Shutesbury roads with the exception of trash disposed of in official Shutesbury trash bags or trash scheduled for pick up within a week by a private hauler. In the case of rental properties, the property owner is responsible for any necessary disposal or roadside clean-up.

- 4. Enforcement**

The provisions of this bylaw shall be enforced by the Police Officers of the Town of Shutesbury by any available means in law or equity, including but not limited to enforcement by noncriminal disposition. Instances of hazardous waste dumping shall be enforced according to applicable state law. Non-hazardous waste (trash, refuse, rubbish, garbage, debris, scrap,

bulky or other non-hazardous waste materials of any kind), enforced through noncriminal disposition, will be handled in the following manner:

- a. The Shutesbury Police shall investigate ownership or origin of the non-hazardous waste. **Reports of illegal dumping initiated by a resident shall be reported via telephone or email to the Shutesbury Recycling Coordinator. The Recycling Coordinator shall follow up with the Police.** For a first offense, the Police shall issue a written notice and direct the violator to remove the items immediately. The notice shall include notification that the property owner will be charged for the cost of removal if the non-hazardous materials are not removed within two weeks from receipt of the written notice.
- b. If materials are not removed within the two week period after notification, a fine of \$25.00 in addition to all costs of disposal, including waste removal and disposal costs, Shutesbury departmental, administrative and hired staff time to handle the disposal, and any other relevant costs incurred, shall be charged to the violator.
- c. If the originator of the non-hazardous waste cannot be identified, the Town Administrator shall determine how vendors will be paid.

(Sponsored by the Recycling Committee) Selectboard Recommends

Article 20. 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, 2014, 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.

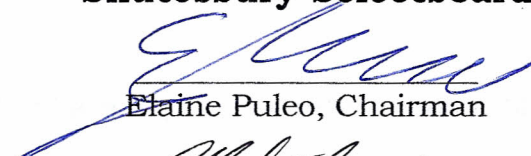
(Sponsor: Select Board) Finance Committee Recommends

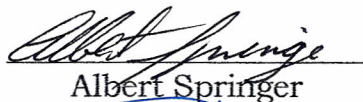
Revolving fund	Authorized to spend	Revenue source	Use of fund	FY2015 spending	Surplus column cap
Dog license and care	Town Clerk and Dog Officer	Licenses, fines and donations	Supplies and animal care	\$1,000	\$1,000
Recycling	Recycling Coordinator and Town Administrator	MIRF, grants, bulky waste, garbage bags, recycling containers	Expenses, stipends and equipment	\$25,000	\$5,000
Fire Inspection	Selectboard	Fire inspection fees	Pay Fire Inspector assistant	\$3,000	\$1,000
Electrical Inspections	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 & Dog	Library Board of Trustees	Grants, fines, sales, dog licenses, bequests		\$10,000	\$7,500
Conservation	Commissioners	Local Wetland Protection Permit Fees	Education, out and maintenance property	\$1,000	\$1,000
Flu Vaccine	Board of Health	Reimbursements for Flu shots & grants	Flu Clinic Expense	\$1,500	\$1,500
SRECS Solar Renewable Energy Credits	Selectboard	Contract payments for Solar PV Production	Renewable & Conservation 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 16th day of April two thousand and fourteen.

Shutesbury Selectboard


Elaine Puleo, Chairman


Albert Springer


April Stein

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.

(TOWN SEAL)

Constable Marilyn E. Tibbets

Date 4/24/14