

Town of Lanesborough, Massachusetts
Minutes of the Annual Town Meeting
May 21, 2022
Fiscal Year 2023

The Annual Town Meeting was held on May 21, 2022 at the Lanesborough Elementary School. Fran Kelly, Betsy Bean and Shirley Zurrin checked in registered voters. There were 89 registered voters in attendance.

Moderator, Chris Dodig called the meeting to order at 12:01 p.m.

The head table was introduced which consisted of Select Board Members John Goerlach, Michael Murphy, Gordon Hubbard, Town Administrator Josh Lang, Town Clerk Ruth Knysh, Town Assistant Makayla Zonfrilli and Town Counsel Tim Zessin. Finance Committee members Jodi Szczepaniak-Locke, Stephen Wentworth, Ron Tinkham, Rob Reilly and Kevin Towle.

Moderator Dodig noted a quorum was met and the warrant properly posted.

It was voted unanimously to allow nonresidents to speak at the meeting.

Electronic voting devices were dispensed at check in and will be used for all votes. The Moderator gave instructions along with a trial run.

ARTICLE 1. To elect the necessary Town Officers on one ballot;
Board of Selectmen, one, three-year term
Finance Committee, two, three-year terms
Library Trustee, one, three-year term
Planning Board, one, five-year term
Planning Board, one, four-year term
Northern Berkshire Vocational Regional School District, one, three-year term

ARTICLE 2. To fix the compensation of all elected Town Officers as provided by G.L. c. 41, § 108, as amended, and to hear the budget, act thereon and raise and appropriate, borrow or transfer from available funds a sum or sums of money to defray charges and expenses of the Town for the ensuing year, or take any other action relative thereto.

Motion made and seconded to raise and appropriate \$10,403,243 to defray charges and expenses of the Town for the fiscal year beginning July 1, 2022 as shown on the hand out entitled Town of Lanesborough FY2023 Operating Budget.

Motion made and seconded to withdraw.

Motion made and seconded to amend as follows: To fix the compensation of all Town Officers as provided by G.L. c. Section 41, Sec. 108 as amended, and to hear the budget, act thereon and raise and appropriate the sum of \$10,315,647.00 to defray charges and expenses of the Town for the ensuing year, or take any other action relative thereto.

Vote: 54- yes, 18 – no. Passes.

Budget line item holds as follows:

141 Assessors - motion made and seconded to reduce the expenses line item by \$63,000 making it \$7,740.00, and move to increase the salary line item to \$70,000 making the total amount to \$77,740.00.

Vote: 60 – yes, 9 – no. Passes.

146 Town Collector - no change.

153 Technology Services – no change.

161 Town Clerk – motion made and seconded to increase salary line item from \$41,108 to \$47,554.

Vote: 45 – yes, 27 - no. Passes.

171 Conservation Commission – motion made and seconded to amend total to \$617.00

Motion made and seconded to withdraw.

Motion made and seconded to amend the expenses to \$15,857.00. Vote: 48 – yes, 28 – no Passes.

191 Town Hall – no change.

210 Police Department – motion made and seconded to reduce salary line item by \$1,829.97 to \$413,090.03. Vote: 49 – yes, 12 – no. Passes.

240 Inspectors – no change.

490 Stormwater Management – no change.

541 Council on Aging – Motion made and seconded to increase salary line item to \$42,000. Vote: 44 – yes, 36 – no. Fails.

650 Park Maintenance – no change.

914 Life and Health Insurance –no change.

Motion made and seconded to amend total Budget to \$10,342,263.03.

Vote: 59 – yes, 7 – no. Passes.

ARTICLE 3: To see if the Town will vote to authorize the Treasurer to make expenditures from the Transportation Bond Bill for the repair and maintenance of roadways in Lanesborough in anticipation of revenue and allow for the carryover of the funds from year to year until expended, or take any other action relative thereto.

Motion made and seconded.

Vote: 68 – yes. Passes.

ARTICLE 4. To see if the Town will vote to **appropriate** for the operation of the Ambulance Enterprise **\$183,100.00**, to be raised as follows: raise and appropriate **\$77,100.00** and **\$106,000.00** to be raised from user fees, or take any other action relative thereto.

Motion made and seconded. Vote: 63 – yes, 8 – no. Passes.

ARTICLE 5. To see if the Town will vote to appropriate **\$132,000.000** for the Ambulance Enterprise for the purpose of hiring ambulance staffing, to be raised as follows: raise and appropriate **\$132,000.000**; or take any other action relative thereto.

Motion made and seconded. Vote: 61- yes, 9 – no. Passes.

ARTICLE 6. To see if the Town will **transfer and expend** from Ambulance Enterprise retained earnings the amount of **\$15,000.00** to cover unforeseen costs for Ambulance Enterprise for FY22, or take any other action relative thereto.

Motion made and seconded. Vote: 64- yes, 3 – no. Passes.

ARTICLE 7. To see if the Town will vote to **appropriate** for the operation of the Sewer Enterprise **\$66,860.00**, for expenses and budgeted surplus, to be raised as follows: Departmental Receipts- **\$66,860.00** - or take any other action relative thereto.

Motion made and seconded. Vote: 59 – yes, 7 – no. Passes.

ARTICLE 8. To see if the Town will vote to **appropriate** for the operation of the Local Access Television Enterprise Fund **\$16,700.00** to be raised as follows: raise and appropriate **\$1,700.00** to record Planning Board meetings and **15,000.00** to be raised from user fees, or take any other action relative thereto.

Motion made and seconded. Vote: 56 – yes, 8 – no. Passes.

ARTICLE 9. To see if the Town will vote to **appropriate and transfer** from funds to be received from the Baker Hill Road District, the sum of **\$247,177.00** to the Baker Hill Road District Police Salaries and Expenses Account for Fiscal Year 2023 pursuant to the provisions of G.L. Chapter 44, Section 53E, or take any other action relative thereto.

Motion made and seconded. Vote: 57 – yes, 8 – no. Passes.

ARTICLE 10. To see if the Town will vote to **appropriate and transfer** from Free Cash the sum of **\$47,823.45** to pay the Department of Public Works Director for unused sick leave and vacation upon retirement in accordance with the terms of the employment agreement between the Town and the Department of Public Works Director, or take any other action relative thereto.

Motion made and seconded. Vote: 62 – yes, 3 – no. Passes.

ARTICLE 11. To see if the Town will vote to adopt and accept the provisions of Section 20 of Chapter 32B of the *Massachusetts General Laws*, as amended by Section 15 of Chapter 218 of the Acts of 2016, establishing an Other Post-Employment Benefits Liability Trust Fund; to authorize the Treasurer to execute a declaration of trust creating an expendable trust for the purpose of holding monies appropriated to such fund; to designate the Treasurer as the trustee of such trust; to authorize the transfer of any and all monies currently held for the purpose of paying retiree health and life benefits to such trust; and to authorize the trustee to invest and reinvest the monies in such fund accordance with the Prudent Investor Rule established under Chapter 203C of the *Massachusetts General Laws*.

Motion made and seconded. Vote: 58 – yes, 3 – no. Passes.

ARTICLE 12. To see if the Town will vote to **appropriate and transfer** from Free Cash the sum of **\$50,000.00** to pay the Town’s contribution to the Other Post-Employment Benefits Liability Trust Fund, or take any other action relative thereto.

Motion made and seconded. Vote: 56 – yes, 6 – no. Passes.

ARTICLE 13. To see if the Town will vote to **appropriate and transfer** from Free Cash the sum of **\$43,000.00** to pay for costs associated with a Sewer Compliance Study that was completed in FY22, or take any other action relative thereto.

Motion made and seconded. Vote: 44 – yes, 15 – no. Passes.

ARTICLE 14. To see if the Town will vote to transfer from the Baker Hill Road District Fund the sum of **\$30,000.00** for the purchase and equipping of a police vehicle in the amount of **\$30,000.00** with or without a trade; or take any other action relative thereto.

Motion made and seconded. Vote: yes – 56, no – 5

ARTICLE 15. To see if the Town will authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action in relation thereto.

An Act Relative to the Select Board of the Town of Lanesborough:

SECTION 1. Notwithstanding any general or special law to the contrary, the executive body of the town of Lanesborough, previously known as the Board of Selectmen, shall be known as the Select Board and shall have the powers and authority of a Board of Selectmen under any general or special law; provided, that the members of the Select Board, previously known as Selectmen, shall be known as Select Board members

SECTION 2. Notwithstanding sections 21 and 32 of chapter 40 of the General Laws, section 5 of chapter 40A of the General Laws or any general or special law to the contrary, the select board of the town of Lanesborough may amend the general by-laws and zoning by-laws of the town by majority vote to revise all references to the board of selectmen and its members to select board and select board member, respectively, in accordance with section 1.”.

SECTION 3. This act shall take effect upon its passage.

Motion made and seconded. Vote: yes – 58, no – 4. Passes.

ARTICLE 16. To see if the Town will vote to adjust the exemption amount and eligibility factors for the property tax exemption for senior citizens pursuant to Massachusetts General Laws Chapter 59, Section 5, Clause 41C, by reducing the age of eligibility from 70 years to 65 years and by increasing the current amount of the exemption from \$500.00 to \$1,000.00, to be effective for the fiscal year beginning July 1, 2022, or take any other action relative thereto.

Motion made and seconded. Vote: yes – 45, no – 6. Passes.

ARTICLE 17. To see if the Town will submit a letter to the State Legislature and Members of Congress urging them to support local communities financial efforts for fire departments, ambulance, and emergency management services.

Motion made and seconded. Vote: yes – 55, no – 1

ARTICLE 18: To see if the Town will vote to transfer property at North Main Street (Parcel 105, Lot

60), containing 19 acres, more or less, described in a deed recorded with the Berkshire North Registry of Deeds in Book 1281, Page 385, from the Board of Selectmen held for the purpose of a Town Senior/Community Center to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate, and, further, to authorize the Board of Selectmen to convey said property and to execute such documents and instruments necessary or convenient in furtherance of this article, or take any other action relative thereto.

Motion made and seconded.

Motion made and seconded to amend by adding: to authorize the Board of Selectmen with the concurrence of the Finance Committee.

Motion made and seconded. Vote: yes – 32, no – 14

Motion made and seconded to amend the Article as follows: To see if the Town will vote to transfer property at North Main Street (Parcel 105, Lot 60), containing 19 acres, more or less, described in a deed recorded with the Berkshire North Registry of Deeds in Book 1281, Page 385, from the Board of Selectmen held for the purpose of a Town Senior/Community Center to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate, and, further, to authorize the Board of Selectmen with the concurrence of the Finance Committee to convey said property and to execute such documents and instruments necessary or convenient in furtherance of this article, or take any other action relative thereto.

Vote: yes – 48, no – 5. Article passes with amendment by a 2/3 vote.

CITIZEN PETITIONS (1)

ARTICLE 19. To see if the Town will vote on the Citizen's Petition attached to this warrant as Exhibit A.

Motion made and seconded.

Motion made and seconded to amend Article 19 with the revised document handed out by the petitioner.

Motion made and seconded to amend Section 1 by removing involuntary commitment to a mental health facility. Vote: 33 – yes, 19 – no. Passes.

Motion made and seconded to amend Section 2 by changing 100 registered voters to 5% of the registered voters. Vote: 42 – yes, 9 – no. Passes.

Motion made and seconded to amend Section 2 by changing majority of the votes to 2/3 of the votes. Vote: 36 – yes, 15 – no. Passes.

Motion made and seconded to table. Vote: 25 – yes, 24 – no. Passes.

Meeting adjourned at 3:17 pm.

Respectfully submitted,

Ruth A. Knysh
Town Clerk