

**Town of Lanesborough, Massachusetts**  
**Minutes of the Annual Town Meeting**  
**June 12, 2018**  
**Fiscal Year 2019**

The Annual Town Meeting was held on June 12, 2018, at the Lanesborough Elementary School. Moderator, Robert A. Reilly called the meeting to order at 6:00 p.m. The head table was introduced which consisted of the Board of Selectmen, the Town Manager, Finance Committee members, the Town Clerk, the Town Secretary and Town Counsel and the Pledge of Allegiance was said. Fran Kelly and Shirley Zurrin checked in registered voters. There were 90 registered voters in attendance.

Mr. Reilly asked for a moment of silence for Town residents who have passed.

Mr. Reilly, Moderator, moved for non-registered voters to be able to speak. No objection, so moved.

**MOTIONS ON ARTICLES**

**ARTICLE 1.** To elect the necessary Town Officers on one ballot;  
One Selectman for three years;  
Two Finance Committee members for three years;  
One Lanesborough Elementary School Committee member for three years;  
One Planning Board member for five years;  
One Planning Board member for two years;  
One Library Trustee for three years;  
One Moderator for one year;

**ARTICLE 2.** To fix the compensation of all elected Town Officers as provided by M.G.L. c. 41, s. 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.

Finance Committee Chair Ray Jones moved to fix the compensation of all elected Town Officials as provided by G.L. c. 41, s108 as amended and to hear the Fiscal Year 2019 budget, act thereon and raise and appropriate \$10,739,493 to defray charges and expenses of the Town for the ensuing year as printed in the Annual Report, seconded.

Moderator Reilly went through the Operating Budget line numbers. Lines numbers held were as follows:

123 – Town Manager

Michelle Johnson asked why the budget line increase by approximately \$20,000. Town Manager Paul Sieloff stated that the Fiscal Year has not ended and more salaries will come out of this with the overlapping with the new Town Manager.

141 – Assessor

Don Dermeyer asked if there was a breakdown of salaries. Town Manager Sieloff stated that the Assessor's salary is \$26,292.00, the part-time Assistant Assessor's salary is \$8,860.00, and the Assessor's Clerk is \$20,106.00.

151 – Law Account

Michelle Johnson asked why there was such a large increase in this budget line. Town Manager Sieloff explained the line item. Select Board Chair John Goerlach stated that the Selectmen have restricted the number of people who can contact Town Counsel to just the Town Manager to cut back on legal fees.

161 – Town Clerk

Michelle Johnson asked why there was such a large increase in this budget line. Town Manager Sieloff stated that the Assistant Town Clerk's salary of \$3,900.00 was added to this line item.

330 – Mount Greylock Regional Expenses

School Committee member Regina DiLego made a motion to increase the budget line to \$5,753,310 which is the amount voted on by the School Committee, second.

School Committee Chair Joe Bergeron stated that this number represented the shift in the budget from the Lanesborough Elementary School and the difference in what was recommended by the Finance Committee and what was voted on by the School Committee with respect to New Ashford tuition. Finance Committee member Ron Tinkham and Finance Committee Chair Ray Jones opposed the increase. Finance Committee member Steven Wentworth supported the increase.

Vote: Ayes have it (43 to 27).

420 – Public Works

Tim O'Brien asked about the increase to the budget. Town Manager Sieloff stated that it was increased to fix roads before they deteriorate more which will ultimately cost more money. He also stated that the DPW hired two new employees as EMTs which has been very successful. Don Dermeyer asked who receives the revenue generated by the ambulance service. Mr. Sieloff stated that it goes to the ambulance fund which pays for the costs associated with the ambulance service and potentially a new ambulance.

541 – Council on Aging

Finance Committee member Rebecca Flood made a motion on behalf of Ray Jones to increase the Council on Aging budget \$20,000 to increase weekly meals from 2 times per week to 3 or 4 times, to have home health and wellness visits, and to hire more staff to come up with programs and services for seniors, seconded.

Vote: Ayes have it.

543 – Veterans Services

Michelle Johnson asked why this number decreased. Mr. Sieloff stated that the Town joined services with North Adams and there are less veterans receiving services in Lanesborough.

630 – Recreation Programs

Michelle Johnson stated that she no longer had questions about this budget line item.

680 – Pontoosuc Cleans Lakes Program

Michelle Johnson asked for an explanation on this budget line item. Mr. Sieloff stated that services are shared with Pittsfield for treatment of the lake and the contract came in slightly higher than last Fiscal Year.

Motion made to fix the compensation of all elected Town Officials as provided by G.L. c. 41, s108 as amended and to hear the Fiscal Year 2019 budget, act thereon and raise and appropriate \$10,871,493 to defray charges and expenses of the Town for the ensuing year, seconded.

Vote: Ayes have it.

**ARTICLE 3.** To see if the Town will vote to appropriate for the operation of the Ambulance Enterprise **\$37,110.00** for salaries and expenses, to be raised as follows: Departmental Receipts - **\$37,110.00**; or take any other action relative thereto.

Motion made to move Article 3 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 4.** To see if the Town will vote to appropriate for the operation of the Sewer Enterprise **\$45,302.00** for expenses and budgeted surplus and that **\$45,302.00** be raised from user fees, or take any other action relative thereto.

Finance Committee member Ron Tinkham moved Article 4 as printed in the Warrant, seconded by Don Dermeyer.

Vote: Ayes have it.

**ARTICLE 5.** To see if the Town will vote to appropriate and transfer from funds to be received from the Baker Hill Road District, the sum not to exceed **\$241,525.00** to the Baker Hill Road District Police Salaries and Expenses Account for Fiscal Year 2019 pursuant to the provisions of M.G.L. Chapter 44, Section 53E, or take any other action relative thereto.\

Finance Committee member Ron Tinkham moved Article 5 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 6.** To see if the Town will vote to appropriate and transfer **\$50,000.00** from Free Cash into the Stabilization Fund, or take any other action relative thereto.

Don Dermeyer made a motion to move Article 6 and Article 10 to the end of the meeting, seconded.

Don Dermeyer made a motion to reduce Article 6 to \$25,000, seconded. Town Manager Sieloff stated that the Department of Revenue suggests that the Town place money in the Stabilization Fund annually and that this money cannot be accessed without a Town Meeting with a 2/3 vote.

(\*See Article 10)

Vote: Nays have it.

Finance Committee member Ron Tinkham moved Article 6 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 7.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$50,000.00**, or any other sum, to pay the Town's contribution to the Other Post Employment Benefits Liability Trust Fund, or take any other action relative thereto.

Regina DiLego moved that the Town appropriate and transfer from Free Cash \$50,000 to pay the Town's contribution to the Other Post-Employment Benefits Liability Trust Fund, seconded.

Vote: Ayes have it.

**ARTICLE 8.** To see if the Town will vote to appropriate the sum of **\$46,000.00** for the purchase and equipping of a Police Vehicle, with or without a trade, and further to transfer from the Baker Hill Road District Fund the sum of **\$23,000.00** and transfer from Free Cash **\$23,000.00** for said appropriation; or take any other action relative thereto.

Motion made to move Article 8 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 9.** 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 carry over of the funds from year to year until expended, or take any other action relative thereto.

Finance Committee member Ron Tinkham moved Article 9 as printed in the Warrant, seconded by Barbara Hassan.

Vote: Ayes have it.

**ARTICLE 10.** To see if the Town will vote to appropriate and transfer from Free Cash **\$45,000.00** to be used by the Assessor to reduce the tax rate for Fiscal Year 2019, or take any other action relative thereto.

Don Dermeyer made a motion to move Article 6 and Article 10 to the end of the meeting, seconded.

Vote: Ayes have it.

(\*See Article 6)

Don Dermeyer made a motion to reduce Article 6 by \$25,000 and add to Article 10 to reduce the tax rate. Moderator Reilly reported that Town Counsel stated that this cannot be done.

Vote: Nays have it.

Finance Committee member Ron Tinkham moved Article 10 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 11.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$5,000.00** for repair, design and professional services and any costs incidental thereto for the improvement of roads around and near Pontoosuc Lake, or take any other action relative thereto.

Finance Committee member Ron Tinkham moved Article 11 as printed in the Warrant, seconded by Don Dermeyer.

Vote: Ayes have it.

**ARTICLE 12.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$8,000.00** for General Code Publishing for professional services and any costs incidental thereto for the organization and updating of the Town's Bylaws, or take any other action relative thereto.

Finance Committee member Ron Tinkham moved Article 12 as printed in the Warrant, seconded by Don Dermeyer.

Ron Tinkham stated that he is opposed to hiring this company to perform this service. Mr. Sieloff stated that this will update the bylaws and also make it an accurate and searchable document. Mr. Sieloff stated that if the Town approves there would be an annual maintenance fee to keep it up to date.

Vote: Ayes have it.

**ARTICLE 13.** To see if the Town will vote to declare **Lanesborough to be a Pollinator-Friendly Community.**

**Resolution Declaring Lanesborough to be a Pollinator-Friendly Community**

The purpose of this advisory, non-binding resolution is to encourage awareness, education and voluntary action in support of pollinators. Bees, butterflies, and other pollinators are vital parts of our ecosystem, provide essential services for valued crops, and thus contribute to our local agricultural economy.

Whereas, bees, and other pollinators are an essential component of a healthy ecosystem and a vital link in our food system, providing pollination to grow vegetables, herbs, and fruits;

Whereas, locally grown crops such as apples, blueberries, strawberries, squash, and tomatoes depend on pollinators and thus are at risk; and

Whereas, pollinator populations are in sharp decline due to human land use practices that are causing ongoing habitat loss and fragmentation, the expansion of pesticide use by consumers and professionals, and the spread of pathogens and parasites; and

Whereas, extensive research has documented that neonicotinoids and other systemic pesticides have been correlated with illness and death to bees, butterflies, moths, and other beneficial pollinators, and

Whereas, guidelines for Integrated Pest Management practices are available which allow residents, businesses, farms, and towns to manage their land in ways that dramatically increase pollinator forage and nest sites while decreasing maintenance costs; and

Whereas, the monetary and social costs of maintaining pollinator-friendly landscapes can be less expensive than costs associated with maintaining chemically-treated mono-crop landscapes;

Now, Therefore, Be It Resolved by the Town Meeting of the Town of Lanesborough that the Town of Lanesborough is hereby declared a Pollinator-Friendly Community and that the Town encourages the adoption of policies and practices that support pollinator health by minimizing the use and sale of pesticides and encouraging property owners, residents, town departments, and business owners to adopt pollinator-friendly best practices including:

- Delaying the mowing of fields to allow fall-blooming asters and goldenrods to bloom to provide an important food resource for pollinators getting ready to over-winter.
- Avoiding the planting of flowering plants which are treated with systemic insecticides and avoiding the use of seeds coated with systemic neonicotinoids.
- Planting diverse grass mixes for lawns that include low flowering ground covers such as clover while welcoming the presence of naturally occurring, low-growing wildflowers.
- Reducing lawn mowing schedules so as to allow these flowering ground covers to bloom to provide an important food resource for pollinators throughout the seasons and to reduce overall maintenance costs.
- Avoiding homeowner applications of pesticides that require a neighbor notification flag by the state of Massachusetts about the risks to children and animals, and avoiding non-agricultural homeowner usage of glyphosate products (e.g. RoundUp).
- Where possible, replacing portions of grassed areas with low maintenance flowering perennial shrubs, wildflower corridors, and trees.
- Allowing fallen leaves to remain along property borders under trees and shrubs as overwintering sites for insects (and birds).

The Town Clerk is requested to send copies of this resolution to Governor Charles Baker, Massachusetts Department of Agricultural Resources Commissioner John Lebeaux, State Senator Adam Hinds, and State Representative John Barrett, or to take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved Article 13 as printed in the Warrant, seconded.

Agricultural Commission Chair Darlene Newton stated that Lanesborough would be joining other towns that have already adopted this. Ms. Newton also stated that there is no enforcement attached to this adoption and it is a non-binding resolution.

Vote: Ayes have it.

**ARTICLE 14.** To see if the Town will vote to appropriate the sum of **\$49,000.00** for the purchase and equipping of a Highway Pick-up Truck and related equipment, with or without a trade, and to meet this appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of **\$49,000.00** under applicable sections of Chapter 44 of the General Laws, and to issue bonds and notes therefor, or take any other action relative thereto.

*( $\frac{2}{3}$  vote required)*

Finance Committee Chair Ron Tinkham moved Article 14 as printed in the Warrant, seconded.

Michelle Johnson asked why this vehicle needed to be purchased and how old the vehicle was it would be replacing. DPW Director William Decelles stated that it is a new vehicle that will be used by the new DPW employees who were hired as EMTs to respond to calls.

Vote: Ayes have it (by 2/3 vote).

**ARTICLE 15.** To see if the Town will vote to amend the Zoning Bylaw by amending the "Zoning Map of Lanesborough, Massachusetts," dated November 13, 2012 as follows;

Rezoning the "Limited Business" district on both sides of North Main Street (US ROUTE 7) running from Parcel 102-3 (495 North Main St) to Parcel 217-88 (120 Williamstown Rd) to "Business".

A copy of the Amended Map is on file with the Town Clerk, or take any other action relative thereto.

*(2/3 vote required)*

Finance Committee member Ron Tinkham moved Article 15 as printed in the Warrant, seconded.

Planning Board member Joseph Trybus gave a brief presentation of the areas depicted in Articles 15, 24 and 25. Economic Development Committee Chair Barbara Hassan stated that the Economic Development Committee supported all three changes.

Vote: Ayes have it (by 2/3 vote).

**ARTICLE 16.** To see if the Town will vote to amend the Zoning Bylaw, amending SECTION VIII – SPECIAL PROVISIONS, B. PARKING REQUIREMENTS by changing the parking requirements for 5. to read as follows;

One space for each ~~200~~350 square feet or fraction thereof of any retail, wholesale, or service establishment.

or take any other action relative thereto.

*(2/3 vote required)*

Finance Committee member Ron Tinkham moved Article 16 as printed in the Warrant, seconded.

Planning Board Chair Jamie Szczepaniak stated that the Planning Board held a Public Hearing on June 11, 2018 with respect to this Article.

Vote: Ayes have it (by 2/3 vote)

**ARTICLE 17.** To see if the Town will vote to amend the Zoning Bylaw, by amending SECTION IX - PERMITS, D. ZONING BOARD OF APPEALS, 2. DIMENSIONAL VARIANCES, by adding the underlined language to the existing text;

Dimensional variances shall comply with the review procedures of Section IX-B.3 and shall only be granted upon the written finding that each of the following statutory requirements contained in GL c. 40A, s. 10 as amended, have been met by the applicant, as follows:

or take any other action relative thereto.

*(2/3 vote required)*

Finance Committee member Ron Tinkham moved Article 17 as printed in the Warrant, seconded by Don Dermeyer.

Planning Board Chair Jamie Szczepaniak stated that the Planning Board held a Public Hearing on June 11, 2018 with respect to this Article.

Vote: Ayes have it (by 2/3 vote)

**ARTICLE 18. REPEAL GENERAL BYLAW #27.** To see if the Town will vote to amend the Town's General Bylaws by deleting Chapter 27, entitled "Revolving Funds", in its entirety.

Finance Committee Member Ron Tinkham moved Article 18 as printed in the Warrant, seconded by Don Dermeyer.

Don Dermeyer asked for an explanation for this Article. Town Manager Sieloff stated that this Bylaw is not needed due to the Municipal Modernization Act. Town Counsel Jeffrey Blake explained this to attendees.

Vote: Ayes have it.

**ARTICLE 19. CREATE LOCAL ACCESS TELEVISION ENTERPRISE FUND.** To see if the Town will vote to create a Local Access Television Enterprise Fund per M.G.L. 44 53 F ½, which establishes an enterprise fund for cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of cable franchise agreement(s), the fund to begin operation for fiscal year 2019, which begins on July 1, 2018, and further to transfer existing funds from the Cable TV Revolving Account into said Local Access Television Enterprise Fund, or take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved that the Town create a Local Access Television Enterprise Fund per M.G.L. 44 53 F ½, which establishes an enterprise fund for cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of cable franchise agreement(s), the fund to begin operation for fiscal year 2019, which begins on July 1, 2018, and further to transfer the remaining existing funds as of June 30, 2018 from the Cable TV Revolving Account into said Local Access Television Enterprise Fund, seconded.

Vote: Ayes have it.

**ARTICLE 20. ACCEPTANCE OF EVELYN AVENUE.** To see if the Town will vote to accept as a public way the roadway known as Evelyn Avenue, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Survey of Land in Lanesborough, Massachusetts Prepared for Town of Lanesborough for the Purpose of Taking Easements 'Evelyn Avenue'," dated April 25, 2018, prepared by Taconic Land Consultants, and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to and/or easements in Evelyn Avenue for all purposes for which public ways are used in the Town of Lanesborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plan, or take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved Article 20 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 21. ACCEPTANCE OF ORCHARD STREET.** To see if the Town will vote to accept as a public way the roadway known as Orchard Street, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Survey of Land in Lanesborough, Massachusetts Prepared for Town of Lanesborough for the Purpose of Taking Easements 'Orchard Street'," dated April 5, 2018, prepared by Taconic Land Consultants, and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to and/or easements in Orchard Street for all purposes for which public ways are used in the Town of Lanesborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plan, or take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved Article 21 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 22. ACCEPTANCE OF GLASSWORKS ROAD (PORTION).** To see if the Town will vote to accept as a public way the roadway known as Glassworks Road (Portion), as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled “Survey of Land in Lanesborough, Massachusetts Prepared for Town of Lanesborough for the Purpose of Taking Easements ‘Glassworks Road’,” dated April 10, 2018, prepared by Taconic Land Consultants, and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to and/or easements in Glassworks Road (Portion) for all purposes for which public ways are used in the Town of Lanesborough, and any drainage, utility, access, and/or other easements related thereto, all as shown on the plan, or take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved Article 22 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 23.** To see if the Town will vote to appropriate for the operation of the Local Access Television Enterprise Fund **\$15,000.00** for salaries and expenses, to be raised as follows: Departmental Receipts - **\$15,000.00**; or take any other action relative thereto.

Finance Committee Chair Ron Tinkham moved Article 23 as printed in the Warrant, seconded.

Vote: Ayes have it.

**ARTICLE 24.** To see if the Town will vote to amend the Zoning Bylaw by amending the "Zoning Map of Lanesborough, Massachusetts," dated November 13, 2012 as follows;

Rezoning the “Limited Business” district on the western side of North Main Street (US ROUTE 7) from Parcel 105-58 (The Olde Forge Restaurant) to Parcel 104-2 (First set of power lines) and the eastern side of Town Brook to “Business”.

A copy of the Amended Map is on file with the Town Clerk, or take any other action relative thereto.

*( $\frac{2}{3}$  vote required)*

Finance Committee member Ron Tinkham moved Article 24 as printed in the Warrant, seconded.

Planning Board member Joseph Trybus gave a brief presentation of the areas depicted in Articles 15, 24 and 25. Economic Development Committee Chair Barbara Hassan stated that the Economic Development Committee supported all three changes.

Vote: Ayes have it (by  $\frac{2}{3}$  vote).

**ARTICLE 25.** To see if the Town will vote to amend the Zoning Bylaw by amending the "Zoning Map of Lanesborough, Massachusetts," dated November 13, 2012 as follows;

Rezoning the “Limited Business” district on Parcels 242-9 through 11 and Parcels 235 - 17 through 19 to “Business”.

A copy of the Amended Map is on file with the Town Clerk, or take any other action relative thereto.

*( $\frac{2}{3}$  vote required)*

Finance Committee member Ron Tinkham moved Article 25 as printed in the Warrant, seconded.

Planning Board member Joseph Trybus gave a brief presentation of the areas depicted in Articles 15, 24 and 25. Economic Development Committee Chair Barbara Hassan stated that the Economic Development Committee supported all three changes.

Vote: Ayes have it (by  $\frac{2}{3}$  vote).



**ARTICLE 26.** To see if the Town will vote to amend its General Bylaws by adding the following new Section 31 as follows:

The number of Recreational Marijuana Retailers permissible to be located in the Town shall be limited to two (2), which number is more than twenty percent (20%) of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold pursuant to G.L. c.138 §15.

Finance Committee member Ron Tinkham moved Article 26 as printed in the Warrant, seconded.

Vote: Ayes have it.

The election, or action on Article 1, will take place on Tuesday, June 19, 2018, and the polls will be open at noon and close at 8:00 P.M.

Adjournment

A motion was made and seconded to adjourn meeting. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Ruth A. Knysh  
Town Clerk