

Town of Lanesborough, Massachusetts
Minutes of the Annual Town Meeting
June 8, 2021
Fiscal Year 2022

The Annual Town Meeting was held on June 8, 2021 at the Lanesborough Elementary School. Moderator, Christopher Dodig called the meeting to order at 6:03 p.m. Fran Kelly, Betsy Bean and Shirley Zurrin checked in registered voters. There were 92 registered voters in attendance.

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

The head table was introduced which consisted of Select Board Members John Goerlach, Michael Murphy, Gordon Hubbard, the Town Manager Kelli A. Robbins, Town Clerk Ruth Knysh, Town Secretary Diane Stevens and Town Counsel Jeffrey Blake. Finance Committee members Jodi Szczepaniak-Locke, Stephen Wentworth, Ron Tinkham 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.

It was voted unanimously to waive the reading of the warrant.

A motion was made and seconded to postpone the meeting until June 22, 2021. Vote – Nays have it.

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
Moderator, one, three-year term
Planning Board one, five-year term

No action necessary.

ARTICLE 2. To fix the compensation of all elected Town Officials and raise and appropriate \$10,123,561.00 to defray charges and expenses of the Town for Fiscal Year 2022 as shown in the handout “Town of Lanesborough FY2022 Operating Budget.”

Budget line items holds as follows:

#132 Motion made and seconded to reduce from \$40,000 to \$20,000. Vote – Nays have it.
#141 No change.
#145 No change.
#153 No change.
#191 No change.
#196 No change.
#210 Motion made and seconded to increase from \$18,100 to \$28,000 Vote – Nays have it.
Motion made and seconded to decrease from \$18,100 to \$8,000 Vote – Nays have it.
#330 No change.
#422 Motion made and seconded to reduce to zero. Vote – Nays have it.
#630 Motion made and seconded to increase by \$25,000. Vote – Ayes have it.
#710 No change.
#819 No change.

Motion made to amend the budget total from \$10,123,561.00 to \$10,148,561.00

Vote: Ayes have it.

ARTICLE 3. To see if the Town will vote, in accordance with G.L. c. 41, § 110A, to authorize the Town Clerk’s office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office or take any other action relative thereto.

Submitted by Town Clerk

Explanation: Acceptance of this G.L. essentially allows the Town Clerk's Office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers.

Motion made and seconded.

Vote: Ayes have it.

ARTICLE 4. 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: Ayes have it.

ARTICLE 5. To see if the Town will vote to **appropriate** for the operation of the Ambulance Enterprise **\$70,000.00** for salaries and expenses, to be raised as follows: Departmental Receipts **\$70,000.00** or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

ARTICLE 6. To see if the Town will **transfer** from Ambulance Enterprise Surplus the amount of **\$20,000.00** to cover unforeseen costs of FY 2021 or take any other action relative thereto.

Motion made and seconded.

Motion made and seconded to change transfer to appropriate. Vote: Ayes have it.

Motion made and seconded to amend Article 6 with change. Vote: Ayes have it.

ARTICLE 7. To see if the Town will vote to purchase and outfit a new Ambulance with or without trade, by **transferring** from Retained Earnings the amount of **\$49,000.00** and to authorize the Treasurer, with the approval of the Board of Selectmen, to **borrow** the sum of **\$251,000.00** for said appropriation under and pursuant to G.L. c. 44, §§7, 8 or to any other enabling authority, and to issue bonds or notes of the Town therefor and the incurred debt to be repaid out of user fees, , and premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount or take any other action

Motion made and seconded. Vote: Ayes have it by a 2/3 vote.

ARTICLE 8. To see if the Town will vote to transfer **\$30,000.00** from **Sewer Enterprise** Retained to fund the repairs of the Town's sewer system and bring the Town's sewer system into compliance with Department of Environmental Protection requirements and to authorize the Treasurer, with the approval of the Board of Selectmen, to **borrow** the sum of **\$43,000.00** for said appropriation under and pursuant to G.L. c. 44, §§7, 8 or to any other enabling authority, and to issue bonds or notes of the Town therefor and the incurred debt to be repaid out of user fees, and premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount or take any other action relative thereto.

Motion made and seconded that the Town appropriate \$73,000 to repair the Town's sewer system and bring the system into compliance with the Department of Environmental Protection requirement and to fund said appropriation as printed in the warrant.

Vote: Ayes have it by a 2/3 vote.

ARTICLE 9. To see if the Town will vote to **transfer \$20,000.00** from **Sewer Enterprise** Retained Earnings to the Reserve Fund of FY21 to return funds transferred to cover FY21 costs toward bringing the current sewer system into compliance.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 10. 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: Ayes have it.

ARTICLE 11. 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.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 12. To see if the Town will **transfer** from Cable Enterprise Surplus the amount of \$7,850.43 to cover unforeseen costs of FY 2021 or take any other action relative thereto.

Motion and seconded. Vote: Ayes have it.

ARTICLE 13. 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 \$242,109.00 to the Baker Hill Road District Police Salaries and Expenses Account for Fiscal Year 2022 pursuant to the provisions of G.L. Chapter 44, Section 53E, or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 14. To see if the Town will vote to **appropriate and transfer** from **Free Cash** the sum of \$50,526.33 to pay Police Chief for unused sick leave and vacation upon retirement in accordance with the terms of the employment agreement between the Town and the Police Chief, or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 15. To see if the Town will vote to **appropriate and transfer** from **Free Cash** the sum of \$3,750.00 for 5% matching grant funds to purchase a compressor for air bottle maintenance or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 16. To see if the Town will vote to **appropriate and transfer** from **Free Cash** the sum of \$50,000.00 for matching grant funds to construct a gazebo/bandstand and seating to be located at Laston Park or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 17. To see if the Town will vote to **transfer** from **Free Cash** the amount of 50,000.00 for the upcoming cyclic property revaluation, or take any other action relative thereto.

Motion made and seconded.

Motion made and seconded to change to **appropriate and transfer** from Free Cash.

Vote: Ayes have it

Motion made and seconded with amendment. Vote: Ayes have it.

ARTICLE 18. To see if the Town will vote to **appropriate and transfer** from Free Cash the sum of \$10,000.00 for the repair, design and other professional services and any costs incidental thereto for the improvement of roads around and near Pontoosuc Lake, or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 19. 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: Ayes have it.

ARTICLE 20. To see if the Town will vote to **appropriate and transfer** from Free Cash the sum of

\$108,000.00, to the Stabilization Account for the purpose of building a future Police Station, or take any other action relative thereto.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 21. To see if the town will **transfer** remaining funds from Recreation Committee expense budget for FY21 in the amount of **\$4,259.20** to be used to install a basketball court at Laston Field, or take any other action relative thereto

Motion made and seconded. Vote: Ayes have it.

BYLAW CHANGES

ARTICLE 22. To see if the Town shall accept the renumbering and revision of the various bylaws of the Town from their original numbering or their numbering in the General Bylaws, as amended through the November 7, 2020, Town Meeting, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General Bylaws as set forth in the Final Draft of the Code of the Town of Lanesborough, dated April 2021, said codification having been done under the direction of the Select Board of Selectmen and said Code being a compilation and comprehensive revision of the present bylaws of the Town. All bylaws of a general and permanent nature, as amended, heretofore in force and not included in the Code shall be repealed, except that such repeal shall not apply to or affect any bylaw, order or article heretofore adopted accepting or adopting the provisions of any statute of the commonwealth. These bylaws shall be referred to as the "Bylaws and Regulations of the Town of Lanesborough, Massachusetts." A copy of the amended bylaws with all revisions and deletions is on file with the Town Clerk as Exhibit A.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 23. To see if the Town shall accept the renumbering and revision of the Zoning Bylaw of the Town from its original numbering, as amended through November 7, 2020, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Lanesborough, dated April 2021, said codification of the Zoning Bylaw having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning Bylaw, including amendments thereto. All Zoning Bylaws, as amended, heretofore in force, shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law. The Zoning Bylaw shall be codified as Chapter 165 of the "Bylaws and Regulations of the Town of Lanesborough, Massachusetts." A copy of the amended bylaws with all revisions and deletions is on file with the Town Clerk as Exhibit B.

Motion made and seconded. Vote: Ayes have it by a 2/3 vote.

ARTICLE 24. To see if the Town will vote to amend the General Bylaws Chapter 21 Boards Commissions and Committees, Article 1. Finance Committee, § 21-1 Powers, duties and authority, paragraph E, with the following changes:

E. The various Town boards, officers and committees charged with expenditure of Town money shall, ~~not later than the 15th of January of each year~~, prepare detailed estimates of the amounts deemed by them necessary for the administration of their respective offices or departments for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also prepare estimates of all probable ~~items of~~ income which may be received by them during the ensuing year in connection with the administration of their departments or offices, and a statement of the amount of appropriation requested by them for the ensuing year. ~~Such estimates and statements shall be filed with the Town Accountant, who shall at once transmit the same to the Finance Committee.~~

By striking E. in its entirety and inserting in place thereof:

~~**F. The Committee shall prepare the fiscal year budget line items for the Town Report/Annual Meeting. Inputs may be received from Town departments, but the presentation of said budget to the Town is the responsibility of the Finance Committee.**~~

F. Such estimates shall be submitted to the Town Manager who shall evaluate and prepare a proposed budget. This budget along with transfer requests and financial warrant articles shall be referred by the Select Board to the Finance Committee for its consideration at a mutually accepted date. Said committee shall, after due consideration of the subject matter of such articles and proposed budget, report thereon to the town meeting, in writing, such recommendations as it deems best for the interests of the town and its citizens.

Submitted by Finance Committee

Motion made and seconded. Vote: Ayes have it.

ARTICLE 25. To see if the Town will vote to amend the General Bylaws Chapter 21 Boards Commissions and Committees, Article 1. Finance Committee, § 21-2, Membership; Officers, paragraph B. with the following changes:

B. The Finance Committee shall elect a Chairperson and a ~~Secretary~~ **Vice Chairperson** at the first meeting held after the Annual Town Election. The officers shall serve until ~~the next Annual Town Election~~ **new officers are elected** at the next meeting after the Annual Town Election.

By striking B (2) and inserting in place thereof:

~~(2) Secretary. The Secretary shall keep detailed records of the Committee's proceedings (including attendance) and conduct all correspondence required by the Committee and maintain necessary files and records.~~

(2) The members of the Finance Committee (excluding the Chairperson) will rotate the duty of recording the minutes of the meetings or elect a secretary. The minutes will be typed and distributed to the entire committee at least one week prior to the next scheduled meeting. The minutes, once approved by the committee will be forwarded to the town secretary within ten days of last meeting.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 26. To see if the Town will vote to amend the General Bylaws, Stormwater Management bylaw adding the language in red on the attached document and further allow nonsubstantive changes to the lettering and numbering of the General Bylaws of the Town of Lanesborough to be consistent. Change required per EPA a copy of the Stormwater Management bylaw is on file with the Town Clerk and attached hereto as Exhibit A.

Motion made and seconded. Vote: Ayes have it.

ARTICLE 27. To see if the Town will vote to amend the Zoning Bylaw by amending the "Zoning Map of Lanesborough, Massachusetts," dated November 13, 2012, and the Lanesborough Zoning Bylaw as shown on the attached Exhibit B to this warrant and further to allow non-substantive changes to the lettering and numbering of the Zoning Bylaws of the Town of Lanesborough by the Town Clerk to be consistent with the existing Zoning Bylaws.
Submitted by Planning Board

Motion made and seconded. Vote: Ayes have it.

CITIZEN PETITIONS (1)

ARTICLE 28. To see if the Town will vote on the Citizen's Petition attached to this warrant as Exhibit C.

Motion made and seconded.

Motion made and seconded to pass over Article. Vote: Ayes have it.

The meeting adjourned at 9:45 pm.

Respectfully submitted,

Ruth A. Knysh
Town Clerk