

**Town of Lanesborough, Massachusetts**  
**Minutes of the Special Town Meeting**  
**January 22, 2022**  
**Fiscal Year 2022**

The Special Town Meeting was held on January 22, 2022 at the Lanesborough Elementary School. Moderator, Chris Dodig called the meeting to order at 12:01 pm. Fran Kelly and Shirley Zurrin checked in registered voters. There were 51 registered voters in attendance.

Electronic voting devices were dispensed at check in. The Moderator gave instructions along with a trial run. The devices failed, and the Moderator announced he will call for hand votes.

**ARTICLE 1.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of up to **\$100,000.00** to replace carpets, install energy efficient windows, power wash and paint interior and exterior of Town Hall, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Motion made and seconded to amend Article 1 by adding address air quality.

Vote: Ayes have it.

**ARTICLE 2.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$355,000.00** for removal and replacement of sidewalk and curb on Summer Street from Route 7 to Lanesborough School, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 3.** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$125,000.00** for milling and repaving a little over the width of one travel lane on Summer St. from Old Cheshire Road to Old State Road and the section on Old State Road heading north where the contractor installed a new water line (total length is approximately 1.6 miles), including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 4:** To see if the Town will vote to accept a deed in lieu of foreclosure from Terence J. Chiaretto, Doreen M. Galliher and Carl A. Chiaretto, or from the then current owner(s), pursuant to the provisions of G.L. Chapter 60, Section 77C, to a parcel of land identified as Assessors Map 223, Lot 27, said property described in a deed recorded with the Berkshire North County Registry of Deeds in Book 667, Page 510, located at Silver Street, which is subject to tax takings held by the Treasurer/Collector for unpaid real estate taxes, said parcel to be under the care, custody, control and management of the Board of Selectmen for general purposes and for the purposes of conveyance, and to authorize the Board of Selectmen to accept and record the deed and convey said parcel, provided the Board of Selectmen determines that the deed and the acceptance shall comply with the provisions of G.L. Chapter 60, Section 77C, 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 and transfer from Free Cash for the operation of the Library the sum of **\$430.56** for salaries and expenses for the Library Director and the sum of **\$193.05** for salaries and expenses for the Library staff; or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow **\$38,865.57** to replace and/or purchase and/or lease purchase for a term up to or in excess of three years, a vehicle for the Police Department, including equipment and all other incidental and related costs, or take any action related thereto.

Motion made and seconded that **the Town transfer \$14,545.07 from Free Cash** for payment for the first-year purchase of a police cruiser.

Vote: Ayes have it.

**ARTICLE 7:** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$210** for a timer to be used at the Annual Town meeting, Special Meeting, or related meeting or session requiring limiting the public comment portion, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 8:** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$1,008.65** to the Berkshire Regional Planning Commission for storm water management services, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 9:** To see if the Town will vote to transfer **\$6,000.00** from the Tax Title Treasurer expense account to pay Community Paradigm Associates, LLC. for town administrator search services.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 10:** To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, to allow firefighting personnel to work beyond their statutorily mandated retirement, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approve amendments to the bill before enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition: or take any other action relative thereto.

**AN ACT AUTHORIZING THE TOWN OF LANESBOROUGH TO CONTINUE THE EMPLOYMENT OF DANIEL BOLOGNIA, CHARLES GARRITY, PETER PANNESCO PETER OAKLEY, DAVID ROLLE, DONALD WHALEN AND MICHAEL WOOLIVER**

**SECTION 1.** Notwithstanding any general or special law to the contrary, town of Lanesborough fire fighters Daniel Bologna, Charles Garrity, Peter Oakley, Peter Pannesco, David Rolle, Donald Whalen, and Michael Wooliver may continue in such position until the age of 70; provided, however, that they are mentally and physically capable of performing the duties of such position. The Select Board may, at the expense of the fire chief, require them to be examined by an impartial physician designated by the Select Board to determine such capability. The fire fighters' employment shall continue until they reach the age of 70, or their non-reappointment or termination, whichever occurs first, provided that they are mentally and physically capable of performing the duties of the office.

**SECTION 2.** No further deductions shall be made from the regular compensation of fire fighters Daniel Bologna, Charles Garrity, Peter Oakley, Peter Pannesco, David Rolle, Donald Whalen, and Michael Wooliver under chapter 32 of the General Laws for any service performed subsequent to reaching age 65. Upon the retirement from the office of fire fighter Daniel Bologna, Charles Garrity, Peter Oakley, Peter Pannesco, David Rolle, Donald Whalen, and Michael Wooliver shall receive a superannuation retirement allowance equal to that to which they would have been entitled had they retired upon reaching age 65, if any.

**SECTION 3.** The provisions of this act shall not entitle Daniel Bologna, Charles Garrity, Peter Oakley, Peter Pannesco, David Rolle, Donald Whalen, and Michael Wooliver to remain in service to the

town of Lanesborough if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations.

**SECTION 4.** This act shall take effect upon its passage.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 11:** To see if the Town will vote to appropriate and transfer from the Ambulance Enterprise Fund the sum of **\$101,000.00** towards the previously approved ambulance vehicle, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Vote: Ayes have it.

**ARTICLE 12:** To see if the Town will vote to appropriate and transfer from Free Cash the sum of **\$2,895.00** for a 10-year warranty for two generators for the fire company, including all costs incidental and related thereto, or take any other action relative thereto.

Motion made and seconded.

Motion made and seconded to amend the Article by changing fire company to Lanesborough Volunteer Fire Department.

Amendment was withdrawn and seconded.

Vote: Ayes have it.

**ARTICLE 13:** To see if the Town will vote to amend the Town of Lanesborough General Bylaws, Chapter 1: Town Meeting, A., as follows, by removing the stricken words and adding in place thereof the words in bold, or take any other action relative thereto.

“Annual town meeting shall be held on the ~~second Tuesday~~ **third Saturday** of May at 12:00 p.m. of each year.”

Explanation” To allow for greater attendance/participation by Lanesborough voters.

Motion made and seconded.

Motion made and seconded to indefinitely postpone until the Annual Town Meeting in June.

Vote: Nays have it.

Motion made and seconded to eliminate 12:00 pm from the Article.

Vote: Ayes have it.

**ARTICLE 14:** To see if the Town will vote to amend the Lanesborough Zoning Bylaw by deleting the existing The Lanesborough Zoning Bylaw § 165-44(A) Applicability and replacing with the following;

APPLICABILITY. To assist in assuring compliance with the Zoning Bylaw, any development proposal to Site Plan Approval shall be established, expanded, erected or externally altered only in conformity with a Site Plan approved by the Planning Board or other Special Permit Granting Authority (SPGA). The SPGA having jurisdiction in the event of a combined Site Plan Approval and Special Permit hearing shall conduct the Site Plan Approval Site Plan Approval is required for the following activity occurring under a single building permit.

- a) New construction, including extensions to existing buildings.
- b) Aesthetic modifications to the street facing façade of an existing building.
- c) Creation of, or substantial modification to, a parking lot of more than 5 spaces.
- d) Agricultural and One and Two Family residential uses are exempt from Site Plan Approval.

Motion made and seconded.

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

**ARTICLE 15:** To see if the Town will vote to amend The Lanesborough Zoning Bylaw § 165-10. Table of Permitted Uses by adding the bold and underlined language to the following use category;

Places of business of plumbers, painters, electricians, carpenters, building & construction contractors and similar uses compatible with the uses above mentioned. **This shall include office space, storage of materials and equipment including vehicles, necessary for the operation of the practiced trade. Within the Limited Business Zoning District all equipment and materials shall be stored within buildings or screened from view of neighboring properties and the public way.**

Motion made and seconded.

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

The meeting adjourned at 1:25 pm.

Respectfully submitted,

Ruth A. Knysh  
Town Clerk