

Shutesbury Select Board Meeting Minutes  
October 20, 2015 Shutesbury Town Hall

Select Board members present: April Stein/Chair, Mike Vinskey, and Michael DeChiara  
Staff: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Stein calls the meeting to order at 6:32pm

Guests: James McNaughton, Paul Vlach, Susie Mosher, Leslie Bracebridge, Paul Lyons, Allen Hanson, Kate Cell, Dan Hayes, Jim Walton, George Arvanitis, Gary Hirshfield, Tom Williams, Tim Hunting, and Ken Holmberg.

Agenda Review: DeChiara suggests postponing approval of the 9.29.15 Select Board minutes to the next meeting and asks for time on the agenda for the Highway Department communication matter.

Public Comment Period: no attendance

Topics:

1. Dog Hearing Update: Torres forwarded letter from Shauna Smyth/dog owner to the Select Board in which she explained what she would do to restrain her dog and suggests scheduling a date to return to the dog hearing. All Board members agree to schedule the dog hearing for 11.4.15.
2. Planning for Heroin/Opioid Crisis Discussion: The Select Board acknowledges receipt of the 10.14.15 email from Mary Anne Antonellis/Pelham Hill Road regarding the heroin epidemic. DeChiara acknowledges that the Board has heard from the Police and Fire Departments and asks what the Board wants to do about the issue. Stein: there are free trainings available that provide Narcan and instructions for its use. DeChiara: the existence of an epidemic is widely acknowledged; if Shutesbury wants to have Narcan treatment available, our EMTs could administer the medication nasally. Stein: this is a discussion and decision we need to make with the Police, Fire, and maybe school officials present. Torres: now that the flu clinic is over, the Board of Health (BOH) may have time to consider the issue. DeChiara: if we decide to have Narcan available, the procedures for doing so are regulated and defined. Stein: our BOH does need to be involved; our EMTs could be trained and Narcan is not difficult to administer and is life saving; if administered at the right time, the individual will go into withdrawal. DeChiara: if the Select Board feels this is important enough, we could ask the BOH, Fire and Police Departments to come up with an implementation plan. Vinskey: Tibbetts/Fire Chief and Harding/Police Chief are not particularly on board with having Narcan available; they have noted the cost and shelf life of Narcan as concerns. James McNaughton/408 Montague Road: Narcan can be life saving; what about the exposure to liability if the Town does not have treatment available? DeChiara moves that the Select Board ask Police Chief Harding, Fire Chief Tibbetts, and the BOH to develop a Narcan implementation plan for the beginning of December. Vinskey seconds the motion.

There is no further discussion and all members of the Select Board agree to ask Harding, Tibbetts and the BOH to develop a Narcan implementation plan for the beginning of December.

3. Select Board Response to Emails: DeChiara: the Select Board needs to agree on how to respond to emails and suggests that the Chair be the one to respond initially. Stein: how do members respond to emails without violating open meeting law? DeChiara: the Chair acknowledges receipt of the email and informs the sender that their inquiry will be responded to at the next Select Board meeting. Vinskey agrees to DeChiara's suggestion; he will bring the matter to the next meeting. Stein also agrees. No further deliberation.

### All Boards Meeting

#### Topics: Interconnectivity of Committees and Public Access to Information

Stein's opening and introduction: appreciates all who are present and invites those present to introduce themselves and the Boards/Committees they represent; volunteer and employee work of those in attendance is acknowledged. This meeting is an opportunity to share plans and thoughts. After six years on the Select Board, she has observed that each configuration change and re-formation brings new ideas and energy. The Select Board has put forth some priorities for themselves; communication keeps coming up - how different committees are connected and how we rely upon one another to make the Town work, how do we include the public in our work? We are here for the community - how are you, as board members, listening to one another and the community - how are we making ourselves accessible to other boards and the community in general -do you have the tools that you need? The meeting is time limited to two hours.

DeChiara: wants to focus on a subset of communication - the Select Board looked at Web Committee recommendations to improve town communication; the Web Committee recommends that each committee have an email address and that one committee member agrees to have this email forwarded to their personal email address and to ensure all committee members receive communications; also, for each committee to figure out how emails will be responded to, i.e. acknowledging receipt of the email and letting the addressee know what the next step will be. The Select Board is looking to the Web Committee assessment of the Town website and it seems that most folks are interested in agendas, minutes, and relevant documents.

Paul Vlach/Web Committee: a number of entities are actively using their assigned email addresses while others are not; with the new focus from the Select Board, the Committee will re-activate this work. We are now using Gmail which has a good filtering system; the committee address, along with a listed name and phone number, will be on the contact page of the town website. Some committees have email forwarded, others forward on their own; we have a limit of 50 email addresses; to meet open meeting law requirements, one is not exposing a personal address if all responses are coming from a committee email address. Vlach appreciates that the Select Board has set up a plan for acknowledging incoming emails. DeChiara: as a town government, we are accountable to folks seeking information about where to go for a particular matter. Vinskey notes need for transparency and accountability. DeChiara: the most important part is acknowledging receipt of an email. Vinskey: is this something that requires deliberation or is it a piece of information that needs to be added to a webpage? Paul Lyons/Water Resources

Committee asks if this is a Select Board requirement noting that he anticipates problems and imagines being tied up by some of the questions coming in that a committee does not see as priorities. DeChiara: the issue is acknowledgement, not to encourage online deliberation or information exchange. Lyons: we have always encouraged attendance at meetings. Stein: we are trying something new and will need feedback about what is working or not. Lyons anticipates resistance. Vlach asks Lyons if individual committee members are being approached. Lyons: yes. Vlach notes the benefit of residents being able to approach individual members of committees. Tom Williams/Zoning Board of Appeals asks if there are pages for each committee and frequently asked questions (FAQs) for each on the website. Kate Cell/Library Board of Trustees: the public knows the library director, folks ask her questions, and she funnels questions to the Trustees; this system works for them; the Trustees will deliberate this matter. DeChiara: each body needs to have an “electronic front door” and one person needs to manage it. Dan Hayes/School Committee: how will a constituent contact him via email? Vlach: the person could call him or send an email to the School Committee addressed to Hayes. Hayes: because the School Committee is dealing with parents and children, parents are most likely to contact an individual. Vlach notes the School Committee’s need for privacy and confidentiality in these matters. DeChiara: because each Select Board member has an email and there is a Select Board (as a whole) email, a person can email an individual member or all members. Vlach: the school and library have their own websites which do not necessarily comply with the Select Board’s website policy primarily in regard to the allowance of outside links. Susie Mosher/Town Clerk notes that this is an experiment and folks will learn how to articulate responses. Mosher reads the definition of deliberation relative to emails from the “Open Meeting Law Guide 3.18.15”: “an oral or written communication through any medium, including electronic email, between or among a quorum of a public body on any public business within its jurisdiction...Note that the expression of an opinion on matters within the body’s jurisdiction to a quorum is a deliberation, even if no other public body member responds.” Mosher: there will be a learning curve for how to respond to the public as the representative of a committee; volunteers are learning how to deal with folks coming into meetings and altering the agenda. Stein notes the need to err on the side of caution. Vinskey: what matters is that an individual sending an email is responded to and receives acknowledgement. Torres: in reference to Lyon’s concerns, the main reason this is being addressed is that there have been a number of emails sent to town email addresses that were not answered. Torres: if emails are not related to a particular committee’s work, these inquiries may need to be re-directed. DeChiara: we need to leave it to individual committees on how they deal with this matter. Stein: when do we expect this to go into effect? Vlach: there were a number of addresses given out though some have never been followed through with; let the Web Committee know if you have an entity that needs an address; notes need to include Mosher’s excerpt as an educational/advisory piece. Vlach: we need to be aware of responses that may lead to deliberation. Leslie Bracebridge/Historical Commission states that she has had a problem with responding to emails; on the contact page, there could be a statement similar to what Mosher read. Hayes: the School Committee would like a town webpage with a listing of their email addresses. Vinskey: who will be responsible for answering the emails? Hayes notes the need for the Committee to regulate itself. Stein: committee members may email any

questions to the Select Board. Ken Holmberg/Administrative Assessor: in the past, to contact the Select Board, he would talk to Torres/Town Administrator or write her a memo. Holmberg: should he be doing something else? Stein: Torres communicates relative matters to the Select Board. Vlach: it has been explained that email sent to “selectboard@shutesbury.org” goes to four people.

DeChiara: a classified page for town volunteer opportunities will be a work in progress on the town website; also, the Web Committee will be looking at how to deal with agendas and minutes; not every committee has a webpage; the redesign of the website may occur in the next year or so. Vlach: if anyone using the system has any issues, they can attend the next Web Committee meeting or email “web@shutesbury.org.” Vlach: some groups actively maintain their pages; for those who don’t, the Web Committee will help create the page, plug in the committee’s content, and make updates as requested. Stein: Fire Chief Walter Tibbetts is in Pennsylvania seeing the new fire truck; Gabe Voelker/Treasurer and Gail Weiss/Accountant are working on a deadline.

Torres reports on last week’s department/staff meeting regarding the recent malware attack on the Accountant’s computer. Per Torres, the ransom was not paid and significant data was lost; Weiss has assistance with the data rebuild and insufficient security has been upgraded to a top security system and backups will be done a consistent basis.

Torres: she and the staff are working with IT consultant Hank Allen who is very responsive; we are now on a manual backup system; in the future, we will move to a cloud system. Bracebridge: is there any concern about using personal computers for town work? Vlach: the interaction is with a provider who is maintaining data elsewhere so it is not a problem.

Hayes appreciates update about cyber attack. On behalf of the School Committee, Hayes reports that the elementary school has a great principal who is doing a lot with the curriculum, creative learning communities, and providing meaningful field trips; Shutesbury Elementary School (SES) is in great shape and has a very positive climate. Hayes: the new Union 28 superintendent and director of finance are working with each school, looking at ways to collaborate and understand each school and their individual principals, and are looking at security issues for the central office building. Hayes: the Region is looking at merging the middle and high school, neither the Director of Finance or the Superintendent attended the listening session, there may be a lot already in motion as they are looking at remodeling or tearing down certain schools, the idea of regionalization continues to percolate; encourages folks to stay informed. Hayes: also serves as the Shutesbury representative to the Collaborative for Educational Services that provides educational opportunities for students, training for teachers, as well as, working on how legislators can do more to serve the needs of communities. Hayes notes the benefits of banding together. Stein: do you feel the community is engaged with what the School Committee is doing? Hayes: no; has been on the School Committee for 13 years and over time, you begin to move things in particular directions, such as, showing legislators data; the community is interested but doesn’t know what to do about particular questions. DeChiara: does Hayes feel folks can access the School Committee? Hayes: people are invited to meetings; notes the sometimes-burdensome requirements of certain grant processes; the exciting part is that there are avenues to address concerns. Vlach asks Hayes how the School Committee reaches out to the community and notes that he found out about the listening session via Nextdoor Shutesbury; encourages use of the “town

announce” system. Vlach notes the benefit of two-way communication via Nextdoor Shutesbury, which you must be a verified Shutesbury resident to use. DeChiara: information exchange is essential for the vitality of the town. Vlach notes the need to strive for consistency in how information is shared.

Tim Hunting/Highway Department Superintendent: we are a small, understaffed department that needs to focus on roads and not responding to email. Hunting requests tech evaluation of the department’s computer. Hunting: in the spring, the department chip-sealed a couple of roads, joined Amherst in the reclaiming and paving of Highpoint, crack filling will be done to preserve Leverett/Cooleyville/Prescott pavement, work with Clark on the first steep incline on Montague Road to reduce the steepness is almost complete; otherwise, the department is getting ready for winter and wants to create a structure over the sand bin; new employee Doug Smith has begun work and Steve Sullivan is back after an injury; the department is happy with the new mower. Stein appreciates Hunting’s assistance on Bulky Waste Day. Vinskey appreciates Hunting’s willingness to do email; notes need for better communication to give the town a heads up that crews are on the road and when work is going to happen. Hayes: it is important to know when there are road closures; info should be in the “Roadtown News” (SES weekly newsletter); appreciates Hunting’s helpfulness and responsiveness when called and that he provided a radio for the Principal to communicate with the Highway Department. Hunting: crack filling would have been easy to communicate, though, because they are weather dependent, paving dates can get changed. Hunting: what is the protocol for noticing the residents? Vinskey: any notice is helpful. Mosher: the Highway Department doesn’t have a webpage; Hunting and his crew need to be out on the road; perhaps someone else could send out notices for him. George Arvanitis/Finance Committee: there is a standard that needs to be set on how many announcements are sent out; acknowledges that there needs to be a lot of thought put into Hunting responding to emails. DeChiara suggests a webpage for people to access that has sufficient information. Arvanitis notes the need to encourage regular use of the town website and the need for more volunteers. Bracebridge suggests use of the “What’s New” section on the home page. Torres notes the need for organization of information. Stein: this is a good way to get the conversation going.

Lyons acknowledges Vlach’s knowledge of what is going on, his helpful contributions, and how well Nextdoor Shutesbury is working. Bracebridge: Nextdoor Shutesbury is not a municipal site. Hayes: committees need to have a place to send their information. Cell: last night’s Trustees’ meeting focused on communication, everybody gets interested in the library at certain points and lots of people use the library; the kayak loan program, a library use that is away from the library, has increased the use of the library. Cell: the Trustees are excited about use of the Bill Elliott Memorial Garden, a collaboration with another committee; the Library Director’s use of a Facebook page and the reposting that is done gets information to different groups; the Trustees are working more closely than previously with the Friends of the Library; the Trustees will cater the Friends annual meeting and honor the volunteers; the Trustees are ensuring that they are talking to people; two to three interested folks regularly attend the Trustee meetings; we are not planning another grant round in 2017 as we are not ready and are not in a hurry; conversations need to happen - the long range planning survey received 300 responses - there are folks in favor of a new library, those not in favor are still as passionate and then

there are those that want a new library though need the process to be handled better; there is a need for dissent to be involved earlier rather than later. Jim Walton/Finance Committee: for those in the middle, what do they mean by “do it better next time”? Cell: a lot felt that the proposed library was too expensive for our town; we may be able to design a smaller library by cutting costs and space to accommodate the core of folks who will use the library, some people were not comfortable with the illustrative design, we need to think about what people want their library to look like, and we have to do something different if we want a new library.

Lyons: where are we at with the visioning process? Torres: the Planning Board is immersed with the proposed solar project; currently, there are about ten volunteers for the visioning committee. Lyons: do allocated funds need to be spent this fiscal year?

Torres: no, they are not a line item.

Lyons: the Water Resources Committee has their monitoring wells in place.

Mosher thanks all for their patience while she learns her new job as Town Clerk; she is sympathetic to volunteers and their efforts to post meetings; committees need to plan three weekdays to allow for posting; committees are often waiting for attendance confirmations before posting; the caveat for unanticipated business is real as we cannot know everything ahead of time; as Town Clerk, does not feel comfortable posting with less than 48 hours notice. Mosher is working to get all the 2015 meeting minutes current; some committees have all their minutes in; she is receiving positive response to her requests for minutes and emphasizes her need for hard copies. Mosher notes that she is learning to respond to all the inquiries she receives; her role is to help the town run well and she welcomes hearing from people. DeChiara asks about special municipal employee designation. Mosher: information about special municipal employee designation is available on the Ethics Commission website; this designation applies only to part-time staff and volunteers. DeChiara: as a volunteer, one is technically a town employee; special municipal employee status loosens some of the conflict of interest criteria; the town’s list of special municipal employee positions has been updated with the state.

Vlach notes the need to find pertinent documents and information; asks if the Conservation Commission has out of town members. Torres: the Select Board can allow out of town committee members; the ConCom has been having difficulty with finding members, Darci Maresca moved out of town, and Barry Field remains a property owner in Shutesbury.

Holmberg: folks come in when they are unhappy with their taxes; he informs the Board of Assessors about taxes to be collected and also works with the Tax Collector, Treasurer, and Select Board; using the fiscal budget, they review sales in order to come up with fair, equitable values for all properties in town; they are now starting the FY16 recap when arm’s length values are submitted to the Department of Revenue (DOR); they are not planning any town-wide readjustments this year and try to have the tax rate set in November; typically, we’ve never had a separate commercial, residential, or industrial tax rate. Holmberg: there are usually three members on the Board, Amanda Alix retired and he is having difficulty filling her position, even with the use of many media modes, and is having difficulty meeting quorum. Holmberg has been training the new Assessors’ Clerk, Leslie Bracebridge, as Lynda Grybko left after seventeen years in the position. Holmberg: as for communication, he uses the phone a lot, email, mail, and fax; if there were a communication issue, it was last year’s re-evaluation which was addressed by

doing what was legally required which a lot of people felt was insufficient and could have been publicized better; for the next re-valuation, in two years, will probably do a longer disclosure period so people will have a say. Holmberg: typically, folks with questions, call him.

Vlach is the sole moderator for Nextdoor Shutesbury; non-resident staff can have access to Nextdoor Shutesbury. DeChiara: it is worth exploring how to increase interaction between Nextdoor and the announce list. Cell: Nextdoor could be monetized at any point. Gary Hirschfield/Finance Committee: we do have an opening; FinCom is currently setting up budget appointments for all boards and committees and are working on taking all the annual town meeting financial information and shortening it to two pages for folks to more easily see and understand.

Allen Hanson/Community Preservation Committee (CPC): the revised CPC plan and application forms are on the website; if thinking about a project, consider CPC funding. Bracebridge: the Historical Commission has three associate members needing appointment; since its inception in 1974, the Commission has grown in assets and programs. Bracebridge reads the Historical Commission charge into the record; the Commission has representation from the Cemetery Commission, is associated with regional groups, and is housed in an heirloom building; the Commission has had two CPC projects: the West Schoolhouse and the Hearse House and will be doing more to inform about the work of the Historical Commission. Bracebridge: this Saturday, they will be hiking down to an area of Quabbin and this coming year, the Historical Commission will be working on the cemetery project.

McNaughton: as a non-committee member, he attended tonight wanting to see who makes the town work; appreciates Holmberg's transparency; had his hackles up about a situation though felt he was heard; acknowledges that it is hard to get information out; wants to know that he matters as a citizen; there are issues that require going to the next level of communication, beyond the letter of the law, such as the recent road situation, when he found his driveway would be involved, the issue was very important to him; appreciates the focus on communication this evening. DeChiara: it is our responsibility as town government to do the communication. Vinskey notes the need for early and often communication. Stein: appreciates all for coming and their hard work. Vinskey: will information from the meeting be shared? Stein: yes. The All Boards meeting ends.

#### Issues Not Anticipated by the Chair:

1. DeChiara requests the Board talk about the Montague Road work and communication issue; the whole situation could have been handled better if information was gotten out. Stein: folks came to a Select Board meeting to talk about the situation. Vinskey: Hunting was asked and said he was working on a plan; folks got two days notice that the road was going to be closed. DeChiara: giving early notice lets folks know in advance that work is anticipated. Vinskey: if we had received word, we could have worked out the issues ahead of time; people are asking to receive information early; the date of the actual work can be changed; gets the feeling that there is still resistance from Torres and Hunting to share information; appreciates Hunting's willingness to have a web address; we need to address concerns people have and may need to hire a Highway secretary if it is verified that answering the phone and emails is overtaxing; people need to have information that work is being done on their roads. DeChiara: the conundrum is figuring out who does

what and to not micromanage; Torres is not their boss, she advises; looking at flow chart, the Select Board is the only body overseeing, we can start changing the direction; Torres can step in and engage people; doesn't see it as micro-managing the interface between departments and the public. Vinskey notes that information is needed for collaboration and best practices; doesn't see how communication in advance makes more work than an emergency meeting on a Friday afternoon. DeChiara: for public relations and information's sake, there is a need for abutter notices in particular situations. Torres: the impact Nextdoor had on the Montague Road situation is not being addressed; during the meeting on Friday, another party engaged in the discussion and brought up extraneous issues; the meeting was helpful, Dennis Clark provided information on how the project would proceed; we have a hands-on highway department and the Clarks who have been working on the roads for years versus folks wanting engineered plans. Torres: McNaughton called her two to three times over a couple of months about this project; we (the town) cannot engage on Nextdoor; requests Select Board members to give her a heads up on issues coming up on Nextdoor. Torres: Hunting did describe, at an earlier Select Board meeting, about the plan to bring down the top of the slope. Torres: when the conversation finished on Friday, concerned parties seemed generally at ease with project. DeChiara: it is helpful if we can provide information when things come up and people have different opinions. Torres: it may be helpful if we can get a Highway page with a list of projects.

2. Stein notes need to notify folks about movie detour. Torres: regarding the movie, the church said no to being the lunch venue; the Select Board could approve use of Town Hall. Stein suggests a \$500 fee for use. Torres: the lunch crew will clean up; Police Chief Harding is working the detail for the detour. Vinskey: do we want to set up a plan for supervision of the space? Torres: it would be helpful; will ask the Fire Chief to come and Harding will be around; will ask MacNicol/Town Counsel for guidance about a disclaimer and arranging a contract for \$500. Motion to allow Commander Softpants to use town hall as the site for the crew's lunch for \$500 is moved, seconded and all Select Board members agree.

3. Vinskey: Council on Aging (COA) use policy – the Select Board can use the table and chairs, the table and chairs are not to leave the building, and any non-COA supported group must see Torres for permission to use the Senior Lounge.

#### Administrative Actions Considered:

1. Select Board 9.29.15 meeting minutes carried over to the next meeting.
2. Vendor warrants totaling \$545,249.11 are signed.
3. Payroll warrants totaling \$88,425.73 are signed.
4. Personnel Action Form (PAF) to hire Lee Elder as a Fire Department firefighter at \$17.81/hour: a motion to sign this PAF is moved and seconded and all Select Board members agree.

#### Future Meetings:

Wednesday, November 4, 2015 6:30pm Shutesbury Town Hall

During the week of 11.16.15, DeChiara will review the payroll and vendor warrants.



Documents and other Items Used at the Meeting

1. 10.14.15 email from Mary Anne Antonellis
2. 8.25.15 "Possible Select Board 2015-16 Priorities" by Michael DeChiara
3. 10.20.15 email from Stephen Hartmann/Commander Softpants
4. 10.20.15 email to Hartmann from Police Chief Harding
5. PAF for Lee Elder/Fire Department

All Select Board members agree to adjourn the meeting at 9:56pm.

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary