

Shutesbury Select Board Meeting Minutes  
December 29, 2015 Shutesbury Town Hall

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

Guests: Police Chief Tom Harding, Susie Mosher/Town Clerk, Fire Chief Walter Tibbetts, Miriam DeFant and Robert Kibler/74 Pratt Corner Road; Elaine Puleo/129 Baker Road.

Stein calls the meeting to order at 6:33 pm.

Agenda Review: no changes.

Public Comment Period:

1. Receive 12.28.15 Warrant Article Petition “Proposed Zoning Bylaw Changes for Ground-Mounted Solar Electric Installations: Torres: Mosher/Town Clerk received the petition yesterday and petition signatures were certified today; per Donna MacNicol/Town Counsel, the Select Board receives the petition tonight and has fourteen days to move the petition to the Planning Board. Miriam DeFant: because the first solar bylaw warrant article public hearing was closed, it will not go to town meeting (because time has expired); the petitioners have addressed concerns and done research; confirms that there are substantive differences from the original bylaw; it is a solar bylaw regarding solar production and contains regulations. Vinskey confirms that warrant article petition process starts all over again. DeFant: their preference is that petition be passed to the Planning Board tonight given that they have a meeting on Monday, January 4, 2016. DeChiara affirms this recommendation noting that Select Board does not have jurisdiction over the petition. Vinskey states that he prefers to read and review the petition prior to passing it on to the Planning Board; agrees to be prepared do so during the 1.5.16 Select Board meeting. DeFant and Kibler leave the meeting.
2. Police Chief Tom Harding & Fire Chief Walter Tibbetts: Harding requests time to talk with the Select Board about the town-owned boat. Per Harding, the boat is a good public relations tool however we don't have the funds to designate a part-time person for the boat. Tibbetts: we have used the boat for training however it is not efficient for rescue; it is quicker to drive a rescue vehicle down to the lake and use someone's boat; our boat hasn't been used in two years; it has been maintained by the fire department. Harding: the boat was purchased at a Mass State Police auction using funds from a community policing grant and is owned by the town; no town funds have been used for maintenance. Torres: the town has been insuring the boat. Tibbetts: to sell town property, it is declared surplus property and put out to bid or given away; we would get a higher return on eBay, etc. Harding: the 17-foot Boston Whaler with a trailer may be worth \$1,000; the hull without anything added to

it was \$500. Tibbetts: the title is in the town's name; typically the sale funds would go to free cash however we are asking if they could be returned to public safety. Vinskey supports the proceeds going to the Fire/Police Departments. Torres: if municipal assets are sold, the funds are returned to the municipality via the general fund. Harding and Tibbetts suggest the town sell the boat as surplus and donate the funds to the Shutesbury Firefighter Association (not a town entity). Harding notes that the police department receives a lot of free training. Stein: a lot of energy has been put into maintaining the boat however it is town property. Torres: reaffirms need to confer with Weiss/Accountant and Voelker/Treasurer; once the boat is declared surplus, it has to be put out to bid; the issue is the value. Harding: tonight's goal was to update the Select Board on the status of a boat that is costing more time to maintain than it is being used. Vinskey: the precedent is to put surplus equipment out to bid and put the money from the sale into the general fund; we are looking at doing it differently for this particular situation. Stein and Vinskey agree that this is an exception because the Fire Department has the Firefighter Association. Harding: hoping there is an exception because the funds to purchase the boat did not come from town taxpayers; requests Select Board support. Stein, Vinskey, and DeChiara agree to let go of the boat. Vinskey: Torres will confer with Weiss and Voelker and, if needed, MacNicol/Town Counsel. At 7:12pm, Harding and Tibbetts leave the meeting.

#### Discussion Topics:

1. Four Town Meeting/Regional Assessment: Stein: there was a meeting this morning with Jeff Lacy, Becky Torres, Gary Hirshfield and George Arvanitis to prepare for the afternoon meeting during which we considered Sean Mangano's/ARPS Director of Finance proposal based on the towns' ability to pay. Stein: we were prepared to use this new proposal as a means for compromise; an hour before the meeting, Leverett informed the group that they were not willing to come to the meeting stating that Shutesbury must settle the matter on their town meeting floor; all other expected members attended and the meeting was productive and collaborative. Torres: one member stated that it was unfortunate that Shutesbury would want to further debilitate Leverett's financial status. Torres: after reviewing the formula today, there will be almost no impact on Amherst; when we met this morning and again prior to the meeting, we reviewed the calculations and planned to come in with at least 20%; at the meeting, Hirshfield and Arvanitis became comfortable with 10%. Stein: we left it that 10% is not a done deal with Shutesbury; there is a need for 15-20% to be looked at; Shutesbury has to convince their townspeople. Torres states she told Geryk/ARPS Superintendent that Shutesbury needs 15% at a minimum, 25% would be better. Stein: Shutesbury has contributed a lot of extra money over the years. Torres: per Arvanitis, if we could focus on the ability to pay, more change could come; this is a one-year deal. Torres: there are two methods, the first, 25% statutory would save us \$64,000; Mangano's 10% "Ability to Pay" would save us \$27,000. DeChiara: if the FinCom says a lower amount is okay but the Select Board wants a higher amount, what happens? Stein: we will have to talk it out.

Torres: Hirshfield and Arvanitis were speaking for themselves during the meeting; they do not have full support of the FinCom on this method. Torres: there was potential for people to work together at today's meeting. Vinskey: was expecting there to be a push for 25% for four years to attain 100% Statutory. Torres: the 25% "Ability to Pay" method Mangano put together would give us savings almost identical to 25% Statutory. Stein: Mangano found a way to satisfy both sides. Torres: he took out the income analysis; income has much less impact than property values; during the meeting, there was starting to be buy-in for the ability to pay. Vinskey: Mangano's method will get us close to statutory? Stein and Torres: yes. Vinskey: this is a one-year plan, then what? Stein: we will need to develop a new plan. DeChiara: moving to ability to pay is a big paradigm shift; we may want to create a Memorandum of Understanding between towns agreeing to the pace for change; the FinCom and Select Board need to weigh in as bodies; sounds like Lacy is integral to this process, however, he isn't on either the FinCom or Select Board so can only contribute as an individual because the Summer Study Committee is disbanded. Vinskey: a group of civic-minded individuals are getting together to work on assessment and they will make recommendations to their towns. DeChiara: at a future meeting, there will need to be a recommendation for a warrant article. Torres: we are getting close to a method. Stein: the agreement on the ability to pay is huge; the next meeting is January 8<sup>th</sup>. Puleo: in order for all the towns to buy-in to Mangano's "Alternative 2" method, there will need to be a lot of public education.

2. Town Clerk/Use of Bulletin Board for Public Information: Referring to her proposal, Mosher observes that town hall doesn't have a community news bulletin board and suggests that the bulletin board on the left as you walk in the front door could be used for this; the one straight ahead is more official news. Mosher states her willingness to maintain the community news bulletin board. DeChiara: supports engaging people with information; isn't outside more acceptable. Mosher: there are ideas for the outside boards, i.e. art installation, maps. The Select Board supports Mosher's proposal for a community news bulletin board.
3. Dog Issues:
  - A. Locks Pond Road: Torres: no updates on this issue.
  - B. Leonard Road: Torres, this is the first notice for the dog at 93 Leonard Road, there was no bite, and the recommendation to the new residents/owner is to license the dog with the Town Clerk. Board reviews Sgt. Masiuk's report. No further action at this time.
4. WiredWest and MBI Updates: Torres: it is recommended that every town send in the letter expressing their intent to participate in the "MBI Regional fiber-to-the-home network." Torres notes that Shutesbury's intention has been previously expressed. Vinskey: this is in response to the requirement to comply with the MBI Last Mile Broadband Policy (dated 7.30.15) and to ensure all the proper steps are taken. Torres: the question is how will MBI respond when they receive these letters; our Broadband Committee included the statement "Additionally, 55% of Shutesbury households have presubscribed for the WiredWest service..." A motion is made and seconded for the Select Board to approve and sign the 12.29.15 letter to MBI; Select Board members unanimously agree. Torres: more

exploration is needed regarding the indefeasible rights of use (IRUs); different electronic components will need different IRUs; there is a new WiredWest risk analysis committee and a new WiredWest communication committee. DeChiara: is there any discussion of going without MBI's money? Torres: there is some. Vinskey: regarding giving up state money, WiredWest will be a start-up and there will be a lot of risk; \$800,000 can float you for quite awhile as a financial buffer; we need to keep in mind that this is a business. DeChiara: there could be other financial resources. Torres: there could be federal monies; MBI's timing was deliberate relative to towns signing the WiredWest agreement; if the agreement had been signed, MBI would have had to listen to WiredWest; the question is more if we want people with some business experience or the bureaucracy? Torres: a meeting is scheduled on 1.5.16 with Senator Rosenberg in Boston. Vinskey: status of operating agreement? Torres: it was approved on 12.22.15 and Koppelman and Page edits are being added. Vinskey: will it be released soon? Torres: once it is sent out, there will be a 30-day comment period for the towns. Stein: we will be looking to sign in early February? Torres: the Municipal Light Plant will sign the document. Torres: there is an editorial in today's *Greenfield Recorder* about Wendell's position. Puleo: what is our Broadband Committee thinking? Vinskey: has the impression that they are looking at all the angles of the situation; they are very much in agreement that WiredWest is the best option. Torres: Huntress/Broadband Committee has volunteered to be on the WiredWest communications committee.

5. Town Administrator Update: Torres reports on her email response from Voelker/Town Treasurer: the sale of the boat has to go to free cash; there could be a town meeting warrant article to give the funds to the Fire Department; will follow-up further on Weiss and Voelker's input. Weiss and Voelker have finished reconciling through June and will start providing financial reports by mid-month.

Administrative Actions:

1. The 11.10.15 Select Board meeting minutes are unanimously approved as edited.
2. Clark Auto Wrecking Class III Permit: the Select Board signatures are completed on page 3 of the "Application for a license to buy, sell, exchange, or assemble second hand motor vehicles of parts thereof" that was approved on 12.15.15.
3. FRCOG Local Technical Assistance (LTA) Survey Request: DeChiara: have we signed up for the Community Compact? Torres: the application is in process. DeChiara: suggests listing "develop cooperatively owned regional broadband." All Board members agree to write this in. Torres reviews form with Board and items of interest are prioritized.
4. Bike Race Inquiry: Torres: these requests are given to Harding so that he and his officers are aware.
5. Volunteer Resignations/Thank You Letters: The Select Board acknowledges the resignations of Allen Hanson from the FinCom and Community Preservation Committee, Tim Boudreau from the Broadband Committee, and Andrew Webster from the Town Buildings Committee. A motion is made and seconded to approve and sign thank you letters to Hanson, Boudreau, and Webster.

6. DEP RDP Grant Duplicate: Torres: the Town was awarded \$1200 in Recycling Dividend Program (RDP) payments and a \$500 Small-Scale Initiatives Grant; Gary Bernhard/Recycling Coordinator submitted the grant application; for the first time, funds can be used to purchase trash bags; document needs to be signed and overnighted to DEP. A motion is made and seconded to approve acceptance of RDP grant funds and sign the contract.
7. Vendor and payroll warrants: Torres: due to a death in the Accountant's family, the warrants will be ready for signing on Thursday morning.

Issues Not Anticipated by the Chair:

1. Resign ABCC Form 43: Scott: the original Form 43 was returned by the ABCC, as it was not typed. Board members sign the typed Form 43 for resubmission with the entire packet to ABCC.
2. DeChiara has scanned and created a master hard copy of the "Shutesbury Bylaws."

Documents and Other Items Used at the Meeting:

1. 12.28.15 Warrant Article Petition: Proposed Zoning Bylaw Changes for Ground-Mounted Solar Electric Installations
2. Mosher's Community Bulletin Board proposal
3. 12.26.15 Dog Officer Control Form
4. 12.29.15 letter to MBI
5. 12.4.15 FRCOG LTA Survey
6. 11.15.15 Road Race inquiry letter
7. DEP RDP Grant contract

Future Select Board Meetings:

January 5, 2016 Tuesday 6:00pm Shutesbury Town Hall – DeChiara: school budget then regionalization and assessment; warrant article

January 12, 2016 Tuesday 6:30pm Shutesbury Town Hall

Open meeting is closed at 8:47pm

At 8:47pm pm, a motion is made and seconded to go into Executive Session for reason #3: Stein, aye Vinskey aye, and DeChiara aye.

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary