

Shutesbury Select Board Meeting Minutes
May 4, 2016 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: Penny Kim/Town Moderator

Stein calls the meeting to order at 6:34pm.

Agenda Review: no changes

Public Comment Period: no attendees

Discussion Topics:

1. Chapter 61/Notice of Intention to Convert: The Select Board receives the W. D. Cows 4.28.16 “Chapter 61/Notice of Intention to Convert” - the formal request to remove 37.142 acres from Chapter 61 and to release the Town’s option to purchase the property; the acreage is a portion of Parcel ZG-2. DeChiara: in order for the solar project work to be done, the land must come out of Chapter 61? Torres: to change from forestry to commercial use requires the land be removed from Chapter 61 status; Cows/owner will have to pay a percentage of back taxes. Torres: if they were selling the land, the Town would have the right of first refusal at fair market value; because this is a change of use, the Town has an option to buy; the Assessors, Planning Board, and Conservation Commission also received the documents. The Select Board agrees to wait for feedback from these boards.
2. Annual Town Meeting Warrant Motions and Presentations: Vinskey agrees to read Article 2 in full. Kim suggests and the Board agrees to have the Broadband Committee give their report after the resolution is read. Torres: Attorney Donna MacNicol/Town Counsel will advise whether Article 3 will read “adopt” or “amend”. Vinskey: as this article may be contentious, a paper ballot may be appropriate. Torres: Mosher/Town Clerk is prepared to do a ballot vote if needed. Kim: one of the citizens submitting the citizen petition warrant articles needs to initiate the withdrawal of the articles; she has spoken with one of the petitioners about the process. DeChiara explains that he suggested the order of the solar bylaw articles so that once Article 3 is passed, it is clear that the will of the town is to withdraw Article 4 and 5. Kim: during Article 3, people are going to want to talk about the conditions for the solar project special permit. Stein suggests Kim make clear, along with the Planning Board, the limits of the discussion. Kim: a woman from New Salem would like to speak about Native American burial grounds; it seems this will be specific to the special permit conditions. Torres: Miriam DeFant indicated she will let her know the limits of the discussion. Vinskey: the focus of the discussion is the bylaw though many folks will not have background on the subject; suggests Kim make clear, by laying the ground rules, what discussion will be allowed. Kim: if the discussion goes into special permit

conditions, she will emphasize that the focus is on the bylaw; the Planning Board will be available to provide pertinent information/clarity. Kim: she will determine by the tenor of the discussion whether a ballot vote is needed. Vinskey: members of the Alliance for Appropriate Development are very adamant in their speech therefore judging the tone of the conversation may not be enough as some folks may be too timid to respond to powerful rhetoric. DeChiara anticipates that those who have been opposed to the solar project are in support of the bylaw. Vinskey: if we start to go in the direction of amendments, a ballot vote is needed. All Select Board members and Kim agree. Stein: MacNicol will speak to Article 6. Kim: school reports will be given during Article 7. Torres: Amherst Pelham Regional Schools (APRS) Superintendent Maria Geryk is expected to be present for Article 8; Arvanitis/FinCom will also speak to the article and, if needed, Sean Mangano/Finance Director APRS will be available. Kim requests Vinskey's anticipated amendment to Article 10 be submitted in writing. Stein: we need to be very clear that Vinskey is offering this amendment as a citizen not a Select Board member. Kim: guidance from MacNicol will be needed regarding the procedure for an amendment to raise less money from taxes. Torres: Vinskey's amendment will be to change a funding source; it will not change the total amount of the budget. Vinskey acknowledges Kim's role as Moderator in maintaining civility; what resources are available if more is needed? Torres: the Constable and Police Chief. Stein acknowledges Kim's calm affect and its effect on town meeting participants. Torres: regarding, Article 12, the FinCom is meeting 5.5.16 to vote on the funding source for the dump truck; Vinskey will have an amendment to this article; funds cannot be borrowed for the purchase of a surplus vehicle. Torres: the FinCom will also be updating their FY17 Budget Report for town meeting. DeChiara asks if Article 21 is precedent setting. Torres: no, Chief Harding will speak to the article if needed.

3. Town Administrator Update: Torres: today's plumbing problem required Whittier Plumbing & Heating's assistance to solve; there was a blockage between the cleanout and the women's room and the kitchen sink; the soap has been changed to eliminate caking problem in the men's room; notes the need to update the plumbing plans and do further investigation by evaluating the run from the septic to the west side of the building – these pipes are about 3' underground; will confer with the Building Committee for further assistance; need to determine if problems are being caused by behavior or structural problems. After town meeting, several matters will need attention. The plan will be to have the FY17 Appointed Officials list ready for 5.31.16. Torres: there have been some staffing changes at MBI; Elizabeth Copeland is returning to Massachusetts Technology Collaborative as legal counsel. Stein: New England Public Radio is planning to do a report on the Last Mile and the problems small towns are confronting; they are seeking a response from Shutesbury within the next day or two – the Broadband Committee, Town Administrator, and Select Board are versed in the matter – having it come from the Chair of the Select Board may give it weight. Torres: the Broadband Committee is meeting 5.5.16. Vinskey and DeChiara acknowledge

that Huntress/Broadband Committee Co-chair has the information easily at hand. Stein will follow up with Huntress and either she or Huntress will be interviewed. Vinskey: the 5.5.16 appointment to view the surplus vehicle is cancelled. Torres: on recommendation from Geoff Rogers, she accompanied the Highway Department on a 5.3.16 visit to the Northampton DPW; they have one running surplus vehicle that is used regularly by the tree department and, when needed, for snow plowing; rust has been a problem with their surplus vehicles though the main concern is the meshing of the plow and dump systems; Northampton has five mechanics taking care of 163 pieces of equipment. Vinskey: Bernie Forgea/Cummington has invited us to visit and see how the surplus equipment program works for them. Stein asks about the safety of surplus equipment. Torres: bus heaters and insulation need to be installed; another concern is the issue of shipping parts for surplus equipment as the suppliers are not local. Stein acknowledges the breadth of what Torres deals with.

The FY15 Annual Report is presented to the Select Board.

Administrative Actions:

1. Vendor warrants totaling \$118,923.26 are signed.
2. Payroll warrants totaling \$88,408.80 are signed.

Documents and Other Items Used during the Meeting:

1. 4.28.16 W.D. Cows Chapter 61/Notice of Intent to Convert
2. 5.7.16 Annual Town Meeting Warrant
3. 2016 Annual Town Meeting Warrant Motions
4. Annual Report Town of Shutesbury For the Year Ending June 30, 2015

At 8:18pm, DeChiara moves and Vinskey seconds the motion to go into Executive Session for Reason #3/Salt Issue and not to return to public session: Vinskey: aye, DeChiara: aye, and Stein: aye.

Respectfully submitted,
Linda Avis Scott
Administrative Secretary