

Shutesbury Select Board Meeting Minutes  
January 10, 2017 Shutesbury Town Hall

Select Board members present: Mike Vinskey/Chair, Michael DeChiara, and Melissa Makepeace-O'Neil

Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Susan Rice and Penny Kim/Positive Presence, Emergency Management Director Walter Tibbetts, and Jeff Lacy; Finance Committee members: George Arvanitis, Jim Walton, Bob Groves, Weezie Houle, Jim Hemingway, Eric Stocker, and Elaine Puleo

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

Agenda review: Items received in the mail will be attended to at the end of the meeting.

Public comment: None offered.

**Discussion Topics:**

1. Internet Topics: The “Town of Shutesbury Subscribed Email Announcement List Policy” and “Town of Shutesbury Website Policy” draft documents are reviewed. These policies will continue to be listed on the website under “Town Policies”. DeChiara moves to approve the “Town of Shutesbury Website Policy”; Makepeace-O'Neil seconds the motion that passes unanimously. DeChiara moves to approve “Town of Shutesbury Subscribed Email Announcement List Policy”; Makepeace-O'Neil seconds the motion that passes unanimously. DeChiara reviews the draft “Digital Communications Working Group” document, specifically, the proposed role/responsibilities of group. The Web Committee will remain in existence until there is a solution that replaces it; the Select Board will form the Digital Communications Working Group (DCWG) of twelve - fifteen members; subcommittee members will come from the DCWG though non-DCWG members may be needed to complete the required work. Revisions are made to the document. Vinskey recommends this topic be continued to the 1.24.17 meeting; DeChiara and Makepeace agree.
2. 1.7.17 Four Town Meeting Review: Vinskey appreciates those who attended the 1.7.17 meeting. The outcome of the meeting is considered; Pelham, Shutesbury, and Amherst agreed to the 15% method for FY18. Arvanitis: Sean Mangano/Business Director Amherst Regional Schools, via email, communicated that the Assessment Working Group will be revived. Puleo: Mangano and Michael Morris/Interim Superintendent Amherst Regional Schools are aware of the need for a small group to work on the assessment method; a possible bottom line could be that 50% of budget will be paid for by the alternative method rolling average and 50% paid by statutory method. Stocker: in the long run there has to be a compromise. Lacy: last year, if negotiations proceeded as desired, we would be at the 50/50 point this year. Arvanitis: the progress is positive as we are transitioning away from the alternative method. Vinskey: the ongoing problem is

that we established our bottom line for 1.7.17 and now there is wavering as to what that bottom line is; we are looking for a method that has the ability to pay characteristics of the statutory method with the stability of the alternative method; expects the Assessment Working Group to put forth a recommendation that has Shutesbury's bottom line in mind. DeChiara: prediction is difficult because there are four other parties (three towns and the Region) participating in the working group. The difference between 10% and 15% is ~ \$43,000. Arvanitis: the goal is to identify the best method for the long run. Stocker and Arvanitis support the 50/50 method. Puleo: if we are cogent in our communication about the 50/50 method, we will be able to convince Pelham and Amherst who will then convince Leverett. Groves: Shutesbury offered a five-year transition to allow stability in the budget. Torres: the written agreement is necessary to confirm that there will be progress going forward. DeChiara reads draft "Statement of Principle for Regional Assessment Method FY18 or FY19" into the record and notes that if this document can be signed in advance of town meeting, it will serve as a values statement. Puleo recommends that implementation be ready for FY19; Arvanitis agrees. Vinskey: we need a FY19 plan for this year's town meeting. Puleo: there may not be time to achieve that goal in time for this year's town meeting; a methodology plan could be taken to a Fall 2017 special town meeting. DeChiara: there is a good chance for success if the Select Board and FinCom explain their support for a method. Houle: therefore, we anticipate that the town will support what the Select Board and FinCom recommend. Puleo: be clear that this is still an alternative method that has to be voted upon each year. Arvanitis emphasizes the need for objective numbers compiled by an independent organization. Torres: Lacy's 1.10.17 "Community Comparisons" document indicates, via three different sets of numbers, that Shutesbury is less wealthy than the other towns. Torres suggests DeChiara and Arvanitis work with the other towns in the Assessment Group to craft the draft statement of principle. Vinskey: does the timeframe in the letter need to be more specific? DeChiara suggests "ratification during FY18 for implementation in FY19". Torres emphasizes the need for Regional School Committee support. Stocker emphasizes the need to be clear about Shutesbury's bottom line. Groves: the heart of the matter is determining an equitable way to pay the costs. Puleo reminds that there was a time when the statutory method was hurtful for Shutesbury hence the need for a 50/50 compromise; there are four towns with changing demographics; emphasizes the importance of good schools. Arvanitis agrees; we need a method that is best for the region in the long run. Houle: if the budget decreases, the school quality diminishes. Puleo: in 1993, only eight people voted to regionalize the elementary school. Lacy: statutory with a five year rolling average is the best method; the "roll out" implementation over 4-5 years is the way to go - this was the Shutesbury Summer Regional Assessment Study Committee's recommendation. Vinskey: the two current options are the 50/50 method and the statutory with a five-year rolling average implemented over 4-5 years. Groves: we have the right to demand the statutory method. When meetings resume, Arvanitis and DeChiara will continue with the Assessment Working Group and will work on language for the statement and negotiate Shutesbury's position on the statutory method with

five-year rolling average. Arvanitis states he will emphasize that the statutory with five-year rolling average is best for region; 50/50 will be a compromise. Puleo recommends Arvanitis and DeChiara meet with Regional administration prior to the working group meeting. Houle emphasizes the need for clarity of language in describing methods. Arvanitis: the regional assessment is 60% statutory method including the ability to pay and 40% based on current enrollment; Shutesbury want 60% of the assessment to be based on the ability to pay and the remaining 40% to be based upon the five-year rolling average of enrollment. Ability to pay is based upon income and property tax data provided by the State.

3. Draft Budget Review with FinCom: This item is carried over to the 1.24.17 Select Board meeting.
4. Mid-term Review of Select Board Goals: Vinskey: his focus is sharing information with residents via the Town website, NextDoor, and Facebook; is concerned that there is a need for more information. Makepeace-O'Neil: the Select Board has not fully stepped-up to the goal of communicating information; suggests beginning by announcing Select Board meetings. DeChiara notes that implementation is a challenge. Finalization of the Select Board manual is on the 1.24.17 agenda. Vinskey notes the progress made on the town website and the importance of the employee reviews. Makepeace-O'Neil suggests that the Digital Communications Working Group be tasked with the process for archiving former Select Board members' email.
5. Pratt Corner Road Update: DeChiara: the goal was to determine where the public/private line is on the road; per Bob Dean/FRCOG Director of Regional Services, it is how land is acquired; the road was last "improved" in 1812; if there is a taking, the town owns the land; the last documentation references "damages" which assumes there was a taking though this is not certain; as of 1959, Pratt Corner was still a county road; per Attorney Michael Pill, if fee taking cannot be proved, there is an easement. DeChiara continues: last week, approximately ten people were served "notice of a trespass" from the Franklin County Sheriff's office; this occurrence emphasizes the need to know the boundaries of one's property in relation to the road and where public property ends/begins. Torres: the solution is to survey the road. DeChiara suggests an interim step: ask Dean to confirm whether 1812 is the most current reference. Torres confirms that this is the same information she researched with Dean. DeChiara: another interim step would be to ask Attorney Donna MacNicol/Town Counsel what she would recommend. Makepeace-O'Neil: since 1812 there has been a lot of development on the road and property surveys would include the distance to the road. Kim: Bill Randall did extensive work on classifying roads. Torres requests clarity on what DeChiara would like to achieve; MacNicol concurred with Pill's point and would also look at the FRCOG records with Dean. Vinskey: a survey is the only way to confirm the public/private boundaries. DeChiara: if there is no proof of a taking, there is an easement giving permission to cross. Torres: the easement is 50' wide;

to be certain, the original deeds and pins need to be located and surveys conducted. DeChiara: initially, this topic was relative to the “no trespass” postings along the Pratt Corner Road; the reason for the recent “notice of a trespass” is unclear. Vinskey: to be equitable, all the roads in town would need to be surveyed; further research does not seem to be productive.

6. Police Update: Item will be carried over to a future meeting.
7. Select Board Meeting Reports:
  - a. Emergency Management Team: Vinskey provides notes from the 12.19.17 meeting.
  - b. Personnel Board: Makepeace-O’Neil: five job descriptions are being reviewed for grade reclassification.
  - c. Web Committee: DeChiara: an installation of Drupal 8 was trialed; some time in the near future, the website will be moved to this version.
8. Town Administrator Updates:
  - A. Animal Control Officer: Makepeace-O’Neil moves and DeChiara seconds the motion to appoint Nancy Long as Animal Control Officer for 2017; motion passes unanimously. Torres needs to confirm whether Denise Chiminiello is available before she is appointed to the shared position of Animal Control Officer. Vinskey signs the Mass. Animal Fund/Mass. Department of Agricultural Resources (MDAR) form. Per Torres, MDAR oversees and contacts Animal Control Officers for situations needing attention and provides training for the officers.
  - B. Town Hall Generator: Until the replacement transfer switch/contact crossbar assembly arrives, the generator is offline; in the case of an emergency, the generator can be turned on manually.
  - C. Department of Ecological Restoration Grant: Torres will apply for funds to assist with the engineering costs related to culvert replacement specifically the Locks Pond Road/Sawmill River culvert from the dam.
  - D. District Local Technical Assistance (DLTA) Funds: Per Linda Dunlavy/FRCOG Executive Director, completing the “2017 Local Technical Assistance Request Form” is the first step in the Community Compact application; Shutesbury’s focus will be on specific financial management best practices. Select Board members support Torres in pursuing the application. The climate change survey will be resent to the Select Board for their input.
  - E. Public Record Request: Cinda Jones has requested documentation received by the town regarding Native American concerns and Cows property; Mosher/Town Clerk is managing the request. Five staff members have attended Public Record Law trainings.
  - F. Upcoming Mass Municipal Association (MMA) Conference: In order to vote on behalf of the Select Board at the MMA conference, Torres needs a letter of permission from the Select Board. DeChiara moves and Makepeace-O’Neil seconds the motion to grant Torres permission to vote on behalf of the Select Board at the 2017 annual MMA conference; motion passes unanimously.

Currently, no member of the Select Board member is interested in being nominated to serve on the Mass Interlocal Insurance Association (MIIA) board. Torres will attend the 1.12.17 FRCOG “Municipal Actions on Marijuana Legalization” workshop.

G. Future Agenda Items: As per Vinskey’s pre-meeting notes.

Administrative Actions:

1. Vendor Warrants totaling \$140,283.80 will be signed.
2. Payroll Warrants totaling \$98,116.92 will be signed.
3. Select Board Meeting Minutes: DeChiara moves and Makepeace-O’Neil seconds the motion to approve the 12.13.16 meeting minutes; motion passes unanimously. DeChiara moves and Makepeace seconds the motion to approve the 6.29.16 meeting minutes; DeChiara and Vinskey approve the minutes as amended; Makepeace-O’Neil abstains.
4. Annual Report to ABCC: DeChiara moves to approve the “Town of Shutesbury Annual Liquor License Report for the 2016 Calendar Year” to the ABCC; Makepeace-O’Neil seconds the motion that passes unanimously.
5. Rename Web Committee: Makepeace-O’Neil moves the Select Board change the name of the Web Committee to Web/Communications Committee; DeChiara seconds the motion that passes unanimously. DeChiara moves the Select Board remove the “Bulk Email Reviewers” and “Webmaster” titles from the appointment list; Makepeace-O’Neil seconds the motion that passes unanimously.
6. LWAC Appointments: This topic will be carried over to a future meeting.
7. Select Board Dinner at the SAC: pending March dates are considered. Scott explains that the Council on Aging would like to sponsor a “bingo night” after the Select Board dinner; all agree to collaborate on possible dates.
8. Our Town Newsletter Article: Draft article by Makepeace-O’Neil is reviewed and revised.
9. Community Preservation Committee (CPC) Resignation: The Select Board accepts the resignation of Donald Fletcher from the CPC; a letter of appreciation is signed and will be mailed to Fletcher. The need for new at-large CPC member is acknowledged.

Unanticipated Items:

1. Emergency Management Plan: Emergency Management Director Walter Tibbetts provides each Select Board member with a copy of the Emergency Management Plan; members’ signatures acknowledge receipt.
2. Status of Lake Wyola Dam: Torres: Morris Root/Root Engineering will provide the Office of Dam Safety with an updated report on the status of the dam.

At 9:53pm, Vinskey asks for a motion to discuss strategy with respect to litigation/salt issue and not to resume open session; DeChiara moves and Makepeace-O’Neil seconds the motion. Vinskey: aye, DeChiara: aye, and Makepeace-O’Neil: aye.

Documents and Other Items Used at the Meeting:

1. Town of Shutesbury Web Site Policy
2. Town of Shutesbury Subscribed Email Announcement List Policy
3. Draft Digital Communications Working Group document
4. Statement of Principle for Regional Assessment Method FY18 or FY19
5. Lacy's 1.10.17 "Community Comparisons"
6. DeChiara's 9.11.16 and Dean's 9.16.16 emails re: "additional land research request"
7. Vinskey's 12.19.16 Emergency Management Team meeting notes
8. Massachusetts Animal Fund Animal Control Officer Designation 2017
9. FRCOG 12.29.16 DLTA fund letter and 2017 LTA Request Form
10. Vinskey's 1.10.17 pre-meeting notes
11. Town of Shutesbury Annual Liquor License Report for the 2016 Calendar Year
12. DeChiara's 12.27.16 email "other minor votes" on behalf of the Web Committee
13. 1.5.17 CPC resignation letter from Donald Fletcher

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary