

Shutesbury Select Board Meeting Minutes
June 27, 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: Susie Mosher, Penny Kim, Susan Rice, Joan Hanson, Sally Fairfield, Susan Millinger/Positive Presence, Allen Hanson and Jeff Lacy/Master Plan Working Group, Tim Logan/Select Board member-elect, April Stein and Ralph Armstrong/Personnel Board, Joanne Plaza/Historical Commission, Police Sergeant Wendy Masiuk, Robert and Sharon Raymond.

Vinskey calls the meeting to order at 6:31pm.

Agenda Review: no changes

Public Comment Period: Guests appreciate Mike Vinskey for his service as a member of the Select Board.

Discussion Topics:

1. Annual Review – Town Administrator: Vinskey explains the purpose of the review and asks Torres for her perspective on the last year. Torres notes that this has been a dynamic Select Board and explains that she works to support the Board, as a whole, as well as the FinCom. Torres supports the Broadband Committee/Municipal Lighting Plant Board with education on process, money flow, and ensuring that critical documents are stored in town hall. Torres recognizes that the Personnel Board has been struggling to meet regularly this past year. Vinskey: during last year's review, we talked about communication and the number of projects and activities Torres was focusing on; in the past year, Torres was pulled back from WiredWest as a primary player. Vinskey feels that decision went well as it is now a good combination with Torres acting as a support person for the Broadband Committee. Vinskey notes the existence of a power struggle between the Select Board and the Town Administrator (TA) particularly during the "budget fiasco", i.e. to be told by Torres that the budget was not a Select Board responsibility took away the Board's authority and leadership capability. Vinskey: the TA's role is to be supportive of the Select Board. Vinskey acknowledges Torres knowledge of how town government operates; at the same time, the Select Board looks for support from the TA in the directions they want to take. Makepeace-O'Neil states that she somewhat agrees with Vinskey regarding Torres' pushback on the budget. Makepeace-O'Neil notes that, at times, email responses to requests for information took longer than reasonable; townspeople expressed concern about the tone of email responses – improvement in this area is appreciated. DeChiara acknowledges the TA's coordination role and that Torres coordinates much that the Select Board does not

see and has a lot to juggle. DeChiara found it confusing that the FinCom has taken the lead on the Select Board idea to work with Joe Markarian/FRCOG. DeChiara notes that we all gravitate to areas we are comfortable with and that the Select Board does not have the capacity to drive the priority for transparency therefore asks Torres for ideas/opportunities on how to improve in this area, i.e. restarting the TA weekly report. DeChiara: the TA can proactively identify priority areas needing attention; asks Torres where she may need support/resources with all she is responsible for, i.e. departments, residents, coordination and liaison roles - is there something she needs from the Select Board. Torres: juggling priorities will always be part of the job; her role is to help empower committees – with strong people in place, she is able to delegate tasks, i.e. the Personnel Board used to take care of their paperwork, however, that work has shifted to the TA; the Record Storage Advisory Committee will need attention as it gets started. Vinskey asks for clarification on the TA's role relative to the work of the Record Storage Advisory Committee to do research and come up with recommendations. Torres: her role will be to provide information and support. Vinskey, identifying the TA's role in keeping the Board informed about committees/boards needing support, asks the Board for specifics to be worked on in the coming year. Torres: the FY18 budget process was difficult for her as well; she was trying to bridge what she understood as common practice in town with what Vinskey and Makepeace-O'Neil were learning was possible and wanted to ensure the Board was communicating with the FinCom; the number of joint meetings FinCom/Select Board meetings held this year is noted. Torres: although the Select Board supervises her, she is the TA and represents all the committees. Vinskey asks Torres to do more to stay in touch with the Select Board so they will have increased awareness of her challenges in keeping the town running. DeChiara appreciates how well the agendas are working out and notes that the Select Board and TA can disagree, however, does not feel the Board needs to push uphill against the TA. Vinskey: the TA needs to let the Select Board do what they feel is important and give the Board more room to make their own mistakes. Vinskey asks Torres for her flexibility. Makepeace-O'Neil suggests a weekly email from Torres about what she is working on. DeChiara appreciates Torres for all of the work she does. Vinskey: the goal is to make the process easier for Torres and the Select Board. DeChiara acknowledges Torres' achievement in obtaining a new copier and wants Torres to let the Board know of infrastructure changes that will make her job easier. Vinskey appreciates Torres' work.

2. Master Plan Working Group/Vision Statement: Vinskey: the Select Board was going to identify five areas for further study. DeChiara shares documents titled "What Would You Change pages 36-37" and "Themes (3+ votes) pages 96-104". DeChiara: the top three "What Would You Change" topics identified in the vision statement and the ones he would choose include: 1. More/better civic spaces, 2. Better communication/conflict resolution, and 3. More local businesses in town. Per DeChiara, reducing the use of cars is a larger social issue and increasing the number of volunteers is a current issue needing constant attention. The common themes DeChiara picked to focus on include a walkable town center/sidewalks, a

new library, affordable housing, and municipal solar. DeChiara explains that he heeded Mandell's point about listening to what participants said therefore he looked at those topics with higher response rates. Vinskey: the Planning Board recommended the MPWG be reconfigured and meet for a while longer to do an in-depth study. Vinskey reads his "Charge for the MPWG regarding the 2027 Community Vision Report" into the record. Per Vinskey, the MPWG would go back into the document itself and come up with a plan to move forward using path #2 "Directly Implement the Vision". Makepeace-O'Neil explains that she was unable to connect with Mandell and suggests that the MPWG bring forth more ideas from the data group, i.e. let's find out where the opposite poles on taxes could come together. Makepeace-O'Neil would like a plan to result from the MPWG's hard work. DeChiara: his point is that the vision is disconnected from the data; if there is common ground to be found, it will be in the data. Makepeace-O'Neil: the data can be used to build recommendations. Vinskey, acknowledging the amount of data, asks DeChiara what he is asking of the group? DeChiara: to dig deeper into the data – how do we get clear about why one person is okay with the tax rate and someone else wants the tax rate reduced – what is underneath these perspectives. Lacy: the data was reviewed by Harriman Group, Nancy Dill, and Mandell as well as the group; more affordable housing, lower property taxes, and explore different revenue sources add up to 11% - the Committee came up with the "finance" theme was because of this data. Per Lacy, Mandell could not attend tonight's meeting - her hope is that the Select Board will accept the vision in that the Board will endorse step #2; she recommends the MPWG be reappointed for ~ three months to come up with ideas for the Select Board to consider. DeChiara states that he has not changed his mind about the vision statement; if the MPWG continues, they will need to look at what makes sense, more meetings with residents may be needed; he would rather move forward and not get stuck on whether to endorse the vision statement. Vinskey: perhaps the MPWG work will be more generalized than what is described in his draft. Makepeace-O'Neil: the public needs to have a larger role in the process and be asked for more perspective on their thoughts. Lacy: there are members of the MPWG who are willing to commit to work for three more months. Vinskey: what are we asking the group to do? DeChiara: refine and augment the existing data for further understanding/clarity on diametrically opposed issues and make recommendations for achievable possibilities. Lacy: the MPWG does not want to do the project over; we can reasonably answer Select Board questions about the data; the Group, per option 2, "could define a series of topics to be addressed through focused studies, community engagement, and recommendations leading to actions". Lacy: in October, the MPWG could help the Select Board identify the areas for further study. Vinskey: this would give the Select Board something concrete to work with. DeChiara: the MPWG would clarify how to deal with diametrically opposed issues, look at the themes/consolidated issues, and map out the connections between the data and themes. Lacy: we can certainly relook at the data; themes that stand out are a new senior center/library, walking in town center, and renewable energy. A. Hanson: it is not reasonable for the MPWG to resolve the financial issues – this is a policy matter. DeChiara: the groupings will

help. Hanson states that he does not see the difficulty with letting differences exist and dealing with them on a case-by-case basis. DeChiara moves the Select Board ask the MPWG, for the next few months, to “define a series of topics to be addressed through focused studies, community engagement, and recommendations leading to actions”. Makepeace-O’Neil seconds the motion that passes unanimously. The Select Board will hold off on reappointing the MPWG until it is decided who is available to continue. Hanson notes the need for Select Board representation on the group. Robert Raymond recommends “a” of Vinskey’s draft charge be incorporated as a priority in the visioning process. DeChiara: if the MPWG does as requested, civil communication will be a priority. Vinskey: as we have experienced in the recent past, tools for civil discussion are an absolute prerequisite. DeChiara notes that the All Chairs meeting suggestion for committee chair training is a practical, doable step that would feed into “a”.

3. Preservation of Native American Sites on Town-owned Land: Vinskey refers to the 6.27.17 email from RG Cachat “Upcoming Meeting and Suggestions” and notes that information on the Native American sites is available; the next step is for Rolf Cachat and Jim Schilling-Cachat to verify ownership of the land where Native American sites are located – this step remains pending; given their inability to attend this meeting, Vinskey is unsure the Select Board can move forward at this time. DeChiara: forming a working group was off the table, however, at the last meeting, Schilling-Cachat stated a working group was a good idea and the 6.27.17 email states a working group is preferable; before moving forward, the Board will need feedback from Town Counsel MacNicol as to whether a working group is okay. Makepeace-O’Neil: the more global approach offered by Cachat may be a result of the 6.17.17 Nolumbeka conference. Vinskey wants to move forward as a town. DeChiara asks Torres to follow-up with Cachat and Schilling-Cachat about ownership of the land where sites are located. DeChiara notes that Shutesbury is within the Sacred Hill Ceremonial Site radius therefore any town owned land within this radius would be covered; the town could make a declaration to protect the sites. Torres confirms that most of the town falls within the radius. Vinskey: Torres will ask MacNicol if we can move forward with a working group and if the town can make a declaration and will ask the Cachats to confirm ownership of land and ensure their attendance for the next discussion. Makepeace-O’Neil: Doug Harris/Deputy THPO presented during the Nolumbeka conference which was informative about what other towns have done, the time the process can take, identifying town owned land, what is required on the federal level; towns were encouraged to work with tribe; there is new technology facilitates the location of sites in the glacial silt plane. Plan: obtain additional information in advance of the next meeting.
4. Town Obligations/Dangerous Dog: Vinskey reports that Torres has confirmed the appropriate insurance is in place and will have the change of address noted. DeChiara: does the dog come to Shutesbury rated as a “dangerous dog”? Torres: Town Counsel Donna MacNicol is also Town Counsel for Bernardston; the order to euthanize was stepped back and conditions were added; the new owner called

Torres and the town has the necessary information. DeChiara; in this case, would you go through the “dangerous dog” process? Torres will verify the process. DeChiara acknowledges the proactive receipt of information. Torres: the conditions are listed in the court order and will be enforced by the Police; this is the owner’s understanding as well. The four conditions are reviewed. Vinskey confirms that the Select Board has no say on whether the dog can come to town. Torres forwarded the conditions to the Police Department and Dog Officer and will review the situation with Chief Harding and Sgt. Masiuk; the property is ~8acres and wooded; Town Counsel MacNicol’s advice was to welcome them to town; Harding will stop by to welcome the new residents. Vinskey: is there any obligation to notify abutters and, in doing so, would it be a violation of the owners’ privacy? Susan Rice: is it appropriate to ask the owner to notify their abutters; perhaps Harding could do so. Torres will ask MacNicol for guidance on the abutter question.

5. United Materials Management of Holyoke/Solid Waste Disposal Contract: The Select Board has received the revised version of the contract with the correct quantity, contact information and the addition change of exhibit B. Torres: the whole consortium has the same rates. Vinskey confirms that UMMH will take the Town residents’ bulky waste as well. Torres: Alternative Recycling Systems will provide, in writing, that they have the same level of insurance. Vinskey: the residents need to be informed about what they cannot put in their bags. Torres will follow-up with Gary Bernhard/Recycling Coordinator. Vinskey moves the Select Board approve the “Solid Waste Disposal Agreement” between United Material Management of Holyoke, Inc. and the Community of Shutesbury to begin July 1st 2017 and end June 30th 2020; Makepeace-O’Neil seconds the motion that passes unanimously.
6. Annual Appointments: DeChiara recommends the Select Board make appointments with the exception of the MPWG, as their membership decision is pending. Vinskey moves the Select Board appoint/re-appoint all those individuals whose terms expire 6.30.17 not to include the Master Plan Working Group; the motion, seconded by Makepeace-O’Neil, passes unanimously.
7. Transparency: Makepeace-O’Neil, while doing research for the work with Joe Markarian, looked at other town websites and asks if town meeting financial documents, approved budgets, end of month expense reports, for example, could be available on the town website. DeChiara: the Web/Communication Committee’s goal is to make it easier to add documents to the site and easier for the public to find documents and other items; anticipates a document section, including finances, could be available in early fall 2017.
8. Procedure for Police Officer Training at the Academy: Vinskey acknowledges Torres’ draft and that there is disinclination toward police officer training at the academy, however, if that should change it would be good to have a procedure in place. Torres: the town can only require reimbursement for the cost of the

training; having a procedure in the Select Board manual will be helpful. DeChiara moves to approve the “Policy for Police Officer Training at the Academy”; Vinskey seconds the motion that passes unanimously. Makepeace-O’Neil and DeChiara will confer how to maintain the digital version of the Select Board Procedures and Policies Manual.

9. Finance Committee/Police Coverage Study: Vinskey: it has been suggested that a working group be formed to study call volume and the time needed for other department activities; there is a need to know how adequate coverage is defined, i.e. looking at how much policing we need rather than how much money is needed; at a minimum, the group would include Police Chief Harding and representation from the Select Board and FinCom. Logan: is a search being conducted? Vinskey: before hiring, we need to know whether it is necessary to have three full-time staff. Logan is concerned about the time frame for conducting a study and that the department is already overburdened. DeChiara found Harding’s 6.13.17 responses to questions about staffing confusing and unclear; is concerned about having two staff covering the work previously done by three. Logan suggests a special Select Board meeting with Chief Harding and the FinCom to make a decision on the manpower needed; is concerned that a study could be a drawn-out process. Makepeace-O’Neil: Harding mentioned a permanent part-time position. Sgt. Masiuk: Harding is looking at hiring a current staff person to work 20-30hours/week. Torres: per Harding, three full-time and a few part-timers is the staffing level that works for the department. Torres: the line was adequately funded for the staff the department had at the time the budget was constructed, however, there are potentially not enough funds to hire an experienced full-timer. Vinskey: the key is talking with Harding. Logan: the solution needs to be approached quickly. Plan: meet with Harding during the 7.11.17 Select Board meeting. Logan: we are fortunate to have Sgt. Masiuk and Chief Harding. DeChiara suggests Logan meet with Harding in advance of the 7.11.17 meeting. Masiuk: when Harding is away, she is the officer in charge; this past week, there were no part-timers available and they cannot be ordered in; it is her understanding that the permanent part-timer will take up some of the slack; if the Chief is not available, she is the only person who can be ordered in. Vinskey: if a Shutesbury officer is not on duty, the State Police cover the town. Masiuk: the officer in charge must respond if something serious happens, i.e. homicide, unattended death, or weather emergency. Masiuk: if a call comes through 911, an officer needs to be dispatched. Vinskey: what situations can go without a response? Masiuk: a large part of what we do is act as a deterrent. Logan: police presence is a deterrent; it is difficult to determine how much police presence prevents crime. Torres: the amount of coverage we have now is based on public input. Logan will talk with Harding about ideal coverage based upon his experience with what coverage should be and what kinds of mishaps happen in town. Makepeace-O’Neil: there is a need to factor in the unpredictable. Masiuk asks to be included in the meeting with Logan and Harding as her perspective is different; notes the need to factor in officer safety concerns – with three full-time staff, there was overlap. Torres will be included in the meeting as well. Vinskey:

it is critical we identify our needs and what we can afford. Masiuk states that she has devoted herself to our community; she needs to ensure that her safety and financial concerns are considered. DeChiara: we need to ensure the people who are in place are supported; we need to be mindful that how things are said and how they are heard is important.

10. Board of Health/Health Agent Status: Vinskey, subsequent to receipt of the email from Phoebe Walker/FRCOG, he spoke with Catherine Hilton/Board of Health. Per Hilton, the Board of Health is not interested in the FRCOG Cooperative Public Health Service; the Board of Health is already in the process of hiring a new health agent. Torres: the Board of Health, as part of the Eastern Franklin County Health District, works with Erving and Northfield; they have hired a temporary replacement, for the month of June, for the recently retired staff of Hillside Environmental; the EFCHD is working out the logistics for hiring a new entity. Voelker is the Financial Manager for the District.
11. Lake Wyola Dam/Signage Complaint: The Select Board acknowledges receipt of the 5.23.17 letter from Glenn Stockton/61 Lakeview Road stating his concern about the location of signs at the Lake Wyola Dam. Vinskey's draft response to Stockton, inviting him to meet with the Emergency Management Team on 7.17.17, is reviewed and edited.
12. All Chairs Meeting Review: Vinskey appreciates the opportunity to learn useful information. Makepeace-O'Neil: more representation would have been helpful. DeChiara: the meeting was crisp and informative. Torres suggests scheduling All Boards meetings earlier in the year. The efficacy of calling the meeting "All Boards" or "All Chairs" is considered. Early in FY17, the Select Board decided that meetings would be held in the fall/Select Board focuses, issues, and plans and in the spring/what happened during the year; the need for a focused agenda is identified.
13. OTO/DEP 6.30.17 Meeting: Per Vinskey, the goal of the meeting is to receive DEP guidance regarding what the Town needs to do to move into the "temporary solution" phase; OTO, as our consultant, will complete the paperwork and required testing; expects to receive results from the recent water tests and the last round of injections. Torres: once the written OTO report with the chemical and lab results is received, it will be forwarded to the Board.
14. FY17 Annual Report: DeChiara will write the Select Board's FY17 report.
15. Committee Reports:
 - A. Regional Assessment Working Group: Per DeChiara, the Group is hiring Mark Abrams to consult on the formula process; at some point, this summer, the FinCom and Select Board will be engaged in the process.
 - B. Council on Aging: Per Makepeace-O'Neil, the next issue of the newsletter will go out later in the week, monthly potluck luncheons will continue

excepting July, and the Aging in Place Task Force is working with their \$15,000 grant.

- C. Web/Communications Committee: Per DeChiara, the Committee met 6.26.17, upgrades to the website continue; next meeting will be in mid-July.

16. Town Administrator Update:

- A. Harold L. Eaton & Associates completed the survey on Lots B27 and B28 on 6.23.17 and 6.26.17; the FinCom agreed to cover up to \$2,500 of the cost of the survey. The Legislators requested the actual deeds for the lots however because tax title properties do not have deeds, the decrees were located.
- B. Nitsch Engineering will inspect the Locks Pond Road culvert on 6.28.17. This is a critical piece of the Small Bridges grant that will be paid for with \$5,000/Highway Department funds and \$3,000/Chp. 90 funds. Nitsch will assist with the grant application at no charge; the application is due 6.30.17. Hunting will begin work on the Ames/North Brook culvert Notice of Intent in the next week; the target is to complete the replacement of the culvert this year.
- C. DeChiara moves the Select Board create a Record Storage Advisory Committee with the charge as laid out 6.27.17; Makepeace-O'Neil seconds the motion that passes unanimously. The need for one community-at-large position will be posted on the town hall bulletin board and on Town Announce.
- D. DeChiara: Susie Mosher/Town Clerk explained the Board of Registrars situation and tradition; the process was not fully understood this year and will be instituted next year so the Select Board receives recommendations for open seats from both the Democrat and Republican committee chairs as per MGL.
- E. Torres: Lori Saleem has yet to respond to her messages. Vinskey: Saleem received another citation; Ron Meck/neighbor is aware of this and has asked when the dog hearing will be held; if the dog is classified as a service dog, does that place it in a different category? Torres suggests the Select Board send Saleem a letter; a dog hearing can be held in absentia – legally, Saleem does not have to be present; verification of service dog status is pending; Saleem has yet to obtain her FY18 dog tag. DeChiara: could a behavioral assessment be required? Next steps: determine service dog status and plan for a dog hearing; Police Chief Harding could deliver the meeting notice to Saleem.
- F. Future Agenda Items: If responses to questions/information are received, the “Preservation of Native American sites on Town owned land” will be included on the 7.11.17 agenda.

Administrative Actions:

1. The Select Board will sign vendor warrants totaling \$187,749.37 (FY17) and \$299,057.99 (FY18)
2. The Select Board will sign payroll warrants totaling \$87,074.90 (FY18)

3. FY18 Personnel Action Forms (PAFs): Per Torres: Voelker/Treasurer and Weiss/Accountant have reviewed the list of employee salaries; the PAFs, after sign-off by department heads, will be ready for the 7.11.17 Select Board meeting.
4. Select Board Meeting Minutes:
 - a. Vinskey moves to approve the minutes for 6.13.17 meeting; DeChiara seconds the motion; minutes are unanimously approved as amended.
 - b. Vinskey moves to approve the minutes for the 6.21.17 meeting; DeChiara seconds the motion; minutes are unanimously approved as amended.

At 10:32pm, DeChiara moves to adjourn the meeting; Makepeace-O'Neil seconds the motion that passes unanimously.

Documents and Other Items Used at the Meeting:

1. 1.Vinskey's 6.26.17 Draft "Charge for the MPWG regarding the 2017 Community Vision Report"
2. DeChiara's charts: "What Would You Change" and "Themes"
3. 6.27.17 RG Cachat email: "Upcoming Meeting and Suggestions"
4. 6.14.17 RG Cachat email: "Suggestions for Equalizing Historic Preservation"
5. Relevant documents regarding "dangerous dog" notification
6. "Solid Waste Disposal Agreement" between United Material Management of Holyoke, Inc. and the Community of Shutesbury
7. 6.9.17 Draft Appointed Officials for July 1, 2017 – June 30, 2018
8. 6.2.17 "Procedure for Police Officer Training at the Academy"
9. 6.14.17 Phoebe Walker/FRCOG email "Reaching out re: health inspection"
10. 5.23.17 Glenn Stockton letter; 6.27.17 draft response
11. Record Storage Advisory Committee Charge
12. List of employees/salaries

Respectfully submitted,
Linda Avis Scott
Administrative Secretary