

Shutesbury Select Board Meeting Minutes
December 11, 2018 Shutesbury Town Hall

Select Board members present: Melissa Makepeace-O'Neil/Chair, Elaine Puleo, and April Stein
Staff members present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Joe Shea/Hampshire County Group Insurance Trust Director, Joan Hanson/Women of Positive Presence, Police Chief Dan Fernandes and Ryan Mailloux/Treasurer

Makepeace-O'Neil calls the meeting to order at 7:01pm.

Agenda Review: Puleo requests the addition of a topic regarding the use of Town vehicles for non-town activities. Torres requests the signing of the remaining FY19 Personnel Action Forms be postponed to a future meeting.

Public Comment: None offered.

Discussion Topics:

1. Hampshire County Group Insurance Trust (HCGIT): Director Joe Shea, referring to his handout, explains that the HCGIT is actually the insurance company, assumes the risk and hires Blue Cross and Blue Shield to process the claims; page two represents the most recently audited financials of the "Hampshire Council of Governments Propriety Fund" – the HCOG is not allowed to touch these funds - during the past 1-1.5 years, claims have stabilized; page three is a comparison to other insurance providers and the initial proposed changes; page four is the rationale for the proposed changes. Shea supports the prescription copay deductible because 23% of all claims are pharmaceutical; last year's union "noise" resulted in the delay in implementation of the benefit changes; we expect to vote next month on whether there will be changes and what the changes will be. Shea will continue to recommend changes noting that there have been no benefit changes in almost twenty years. Torres: an active Mass Teachers Association (MTA) union representative came to the Select Board last year; at that time, the Select Board voted in support of the union and did not entertain Chapter 32B Sections 21-22; we now have a new Treasurer and two new Select Board members. Shea advocates for the adoption of Sections 21-22 because these sections allow Select Boards and Towns to make benefit changes; the proposed changes would save about 5% on the premium increase; legal guidance is that adoption is the preferred way to go, however, the MTA does not like this. Torres: the Town's labor attorney, Brian Maser, recommends adoption of Sections 21-22 for the Town's protection. Ryan Mailloux/Treasurer: what would the premium look like if changes are voted? Shea: in January, we will begin setting rates; we ask the BCBS actuaries to review the data and recommend a rate. Puleo asks about the process. Shea: the Town will notify bargaining units that the Select Board is going to discuss and vote on whether to adopt Chapter 32B Section 21 and 22. Shea to Stein's question: hopefully, by the end of January, the Trust will set the rate. Select Board members will consider whether to adopt Chapter 32B Section 21-22 during the month of January.

2. Police Department Update: Chief Fernandes reviews his “12.11.18 Police Department Update”: 1. Body cameras are significantly less expensive than a cruiser camera and body cameras can act, to some extent, as a cruiser camera, everyone in the department is in support of body cameras and a specified computer will be used for downloading events. Per Fernandes, Officer Shoemaker finds body cameras to be very helpful in his role as Police Chief in Warwick; the body camera records passively and is activated when an event is occurring. Puleo: would you, as Chief, review recorded interactions and use them as a teaching opportunity? Fernandes: yes, that is something he would do with the officer present. 2. All members of the department were present for the interviews with three applicants on 12.9.18; he will probably have all three candidates come back - two could be full-time and one candidate, with part-time academy, who would like to work full-time and comes highly recommended; background checks are in process – all three seem to be solid individuals at this point. Fernandes states that he has a deep passion to have someone “good” work here; second interviews with a panel are the next step – the panel will include himself, a Select Board member, Torres, and a few members of the community so he can observe the interviewees interactions with the interviewers. Torres: the final interview will be with the Select Board. Fernandes: impressions from the panel interview will help him decide who to bring before the Select Board; emphasizes that we want the right people for the town; the candidate with part-time academy is willing to pay the full-time academy tuition; the town would have to pay the salary while the officer is in the academy; the state grants waivers based on a department’s needs so there could be time to see if the person is a good fit before academy attendance is considered. The panel interview is scheduled for 12.17.18 at 2pm; Puleo will represent the Select Board. 3. Increased patrols on Leverett Road have decreased complaints about speeding; may be able to have some help from UMass about speeding college students. 4. The Department is working on scheduling a “shred day” in the spring that may have a prescription drop-off box. Weekly meetings between the Chief and a Select Board member continue.
3. Amherst Region Four-Town Meeting Review: Puleo notes that Shutesbury had a full delegation present. Stein notes that Shutesbury brought up important issues. Torres refers to the 12.11.18 email from Sean Mangano/Director of Finance: Mangano inviting one elected official to represent Shutesbury at a meeting with the Superintendent, Regional School Committee Chair and an elected official for each of the three other member towns. Puleo, as the Select Board liaison to the School Committee, is willing to be the representative; Stein and Makepeace-O’Neil support and appreciate her willingness. Torres: we could object and state that our choice is for George Arvanitis/FinCom Co-chair to be present. Puleo: based on the invite and that the FinCom is not elected, we could have two representatives, herself and Arvanitis. Torres suggests and all agree for Puleo to attend the first meeting and, if a working group is going to be formed, Arvanitis will attend. Makepeace-O’Neil notes that Amherst, as a city with a town council, does not currently have finance committee and this may change how things are handled.
4. Assistant Town Clerk Job Description: Torres: the Assistant Town Clerk job description has been reviewed and accepted by the Personnel Board. Stein moves the Select Board accept the job description as written; Puleo seconds the motion. The position will be advertised as soon as possible. Motion passes unanimously.

5. MLP Manager/Broadband Employee Job Description: Torres: the job description has yet to be finalized by the Personnel Board; much of the discussion focused on whether the position will be as a contractor or as an employee; labor attorney Brian Maser/KP Law is clear this position is not eligible to be a 1099 contractor and recommends employee status. Torres continues: the next issue is whether it can be a minimum wage position; per Maser, in order to do so, a Memorandum of Agreement will be needed; the MOA will state that the position is temporary, the person agrees to minimum wage and a reference is made to the personnel manual; Gayle Huntress/MLP Manager is aware of this requirement. Stein emphasizes the need for the process to follow procedure. Torres is waiting to hear from Huntress then the Personnel Board will follow-up; it is necessary to ensure Huntress understands the entire situation. Per Torres, it seems important that the MLP Manager not be an elected member of the MLP; both MacNicol and Maser advise against this as well. Stein notes that the make-ready work has resumed.
6. Broadband HG&E IGA Contract: Per Torres, review of the document by the Select Board is pending review by Town Counsel MacNicol
7. Town Administrator Updates:
 - a. The hut site preparations are underway.
 - b. Well drilling at the Fire Department site occurred 12.11.18; they hit the first water, 3 gallons/minute at 340'; the plan is continue drilling 12.12.18 - the goal is to get 10-12 gals/min. Torres reports that she is still working with the directional boring company; a plan for trenching of the water line is yet to be resolved.
 - c. Does not yet have confirmation that the owner of the dog at 323 Locks Pond Road has returned; there have been no further complaints; the dog hearing is planned is for 12.18.18.
 - d. Confirmation has been received that Shutesbury's Small Bridges grant proposal is being considered.
 - e. The 11.21.18 DEP letter regarding the "Small Town Environmental Partnership" will be considered at a future meeting.
 - f. A cyber security workshop was held 12.5.18; the local Police have more tools now than previously; it seems that the significant number of people working on the problem are now being coordinated by the Governor's office; coordination and centralization of information is essential as this is one of the most active crime areas.
 - g. Puleo requests Select Board receipt of the monthly Fire Chief's report for the 12.18.18 meeting.

Unanticipated Topic:

Puleo notes that those who attended enjoyed the 12.9.18 events sponsored by the Shutesbury Church, however, not everyone is Christian and some objected to Santa arriving on the Town Fire Truck; the Select Board told Pastor Ellis that we approved the event provided it was without Town involvement. Torres reports learning about use of the fire truck from Police Chief Fernandes; she subsequently spoke with Pastor Ellis who did not know how use of the fire truck came about; the Footits were in charge of the event. Puleo reports hearing from townspeople who were offended; we need to have a policy for the departments that have vehicles stating that the

vehicles are for town use only unless approved by the Select Board. Makepeace-O'Neil notes that when she was a child and the party was at Town Hall, Santa arrived on the Fire Truck. Stein notes the need to use Special Event forms. Torres suggests the form be amended to include use of equipment.

8. Committee Updates: none offered.
9. Prior/Future Action Items: plan time during the 12.18.18 meeting to review executive session minutes and consider whether to adopt Chapter 32B Sections 21-22.

Administrative Actions:

1. Select Board members sign vendor warrants totaling \$180,421.43.
2. Select Board members sign payroll warrants totaling \$102,590.68.
3. Select Board members sign Broadband warrants totaling \$43,436.06.
4. Makepeace-O'Neil moves and Puleo seconds a motion to approve the 11.27.18 meeting minutes as written; motion passes unanimously.

At 8:52pm, Puleo moves and Stein seconds a motion to adjourn the meeting; motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. Hampshire County Group Insurance Trust document
2. Police Department Update 12/11/18
3. Assistant Town Clerk Job Description

Respectfully submitted,
Linda Avis Scott
Administrative Secretary