

Shutesbury Board of Selectmen

January 31, 2012 Meeting Minutes – Approved as written on 2/28/2012

Members present: Chairwoman Elaine Puleo and members Al Springer and April Stein.

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording.

Meeting opened at 6:40 P.M. at the Shutesbury Town Hall

Appointments

Police Chief Harding reported that Highway Superintendent Hunting was not able to be present:

- Montague Road (specifically) and all unimproved roads (generally) - winter driving conditions:
 - During recent storms calls have been made to Dispatch reporting people “stranded in cars” on Montague Road.
 - State police have thought these to be “rescue operations.” If the town were to be called in it would be at the town’s expense.
 - In one Montague Road situation Dispatch reported to the Highway Superintendent and Police Chief that 4 cars were off the road.
 - In reality 2 cars had pulled off the road because the inexperienced drivers were unable to get up the hill during typical gravel road rain on ice conditions.
 - Rescue resources should not have been brought in; rather tow trucks should have been brought in.
 - A similar situation happened in the October snowstorm.
 - To the question of how a Dispatcher determines what resources should be called, Chief Harding indicated that it’s all in what the caller reports.
 - Chief Harding:
 - Had hoped Highway Superintendent Hunting could have attended this meeting to help to resolve how to manage future similar events.
 - “The degree of sanding of the gravel roads should be settled by the Highway Superintendent.”
 - Suggested posting large seasonal warning signs at both ends of Montague Road, similar to the mud season warning sign that gets posted on Leonard Road.
 - Has requested of Dispatchers to start their prescribed call to the State Police Barracks and to then also call Police Chief Harding, who will try to get to the scene for evaluation of the need to additionally bring in a full rescue team.
 - Certain winter conditions that include rain make dirt roads impassable within a few minutes of being sanded.
 - The sign would serve as a reminder/warning, so people know that the road could be icy.
 - (Concern was raised that a folding free-standing sign might disappear and therefore, a permanently mounted sign would be a better choice.)
 - Request sign wording from Highway Superintendent Hunting.
 - Chief Harding will write a notice for the town-wide mailing warning all residents of certain icy conditions unique to gravel roads.
- At the request of Chief Harding, **Selectmen unanimously voted to sign an EMS Service Zone Plan with Amherst, Leverett, Pelham, Hadley and Hampshire College.** The agreement is exactly the same as had previously been in effect except the new one has no end date on it.
- Review of officer scheduling.

- No other issues reported; reference made to the police log available to everyone on the town website.

Topics

1. **Report on Massachusetts Municipal Association (MMA) Conference:** Sharing the “Patrick-Murray Administration FY 13 Local Budget Proposal” received at the Massachusetts Municipal Association’s January 20 & 21 annual conference in Boston, Becky reported highlights of the information that she received at the conference including:
 - Both the Speaker of the House and the Governor agreed:
 - Revenues are up 4%, which will be used up in fixed cost increases such as contractual obligations.
 - Their mutual commitment to increasing Chapter 70 will only go to communities below “foundation.”
 - Unrestricted aid to cities and towns is identical to FY 2012.
 - A projected 2% Chapter 70 increase, used as the basis for the budget presented at the January 7 4-town Amherst-Pelham Regional Schools meeting was wrong. The loss is \$182,000 to be spread region wide. No increase to Chapter 70 will have an impact on the elementary school budget also.
 - What could change is if positive revenue projections previously made by economic estimators materialize in the third and fourth quarters of FY 2012, it might give pause to legislators of strength in growth, and there might then be higher Chapter 70 projections made in the House and Senate budgets.
 - Municipalities are also hoping for higher unrestricted aid. This year \$65 million in unrestricted aid came late in October, so it was put into free cash. It’s more money, about \$13,000 for Shutesbury.
 - To the question of what the Finance Committee projected for FY 13, the answer of level funding was followed by: neither school gave them zero, a number of capital items were requested by the Fire Department, the Fire Department is over budget in calls, more is needed for “OPEB” (Other Post Employment Benefits.) The Finance Committee is struggling with how to fit in free cash and a strategy going forward.
 - The Finance Committee will come back to the Select Board the first week in March.
 - Al: Representative Kulik predicts 3-4 years before we’ll see a change. We’ll never get back to where it used to be.
 - Becky: We’ve gone through dramatic changes over the years. This is the first year that is solid. This is the first year that we can count on Chapter 70 to be level funded. The Governor is committed to:
 - Release 500 prisoners saving millions of dollars and keeping first time offenders out of prison.
 - The new candy tax because medical data shows candy contributes to overweight, increasing healthcare costs.
 - April: The cigarette tax is up \$.50/pack because health issues become our medical bills.
 - A cut of health care administrative costs by 10%.
 - Overall: It looks like we’re trying to work with what we have – there are a lot of pressures. We’ll go back to the schools. The Finance Committee will meet a couple more times. We have Police Union contract negotiations. The Personnel Board is meeting to discuss other area contracts to understand the context of what’s happening locally, before negotiations.
 - It was a good conference.
 - The Governor didn’t go.

- Senator Scott Brown spoke with Congressman Edward J. Markey.
 1. They both presented very different descriptions of Capital Hill;
 - a. The Senate and the House are in very different environments.
 - b. They gave very different answers.
 2. Lots of town administrators were present, talking about grants.
- 2. **Select Board Letter to request recommendations for appointment to the Board of Registrars:**
 - Selectmen received copies of MGL 51§15 which speaks to the appointment of Registrars.
 - As Town Clerk Leslie reviewed:
 - Previous years' Registrars appointments and reappointments have been made without responses to Select Board letters to the two leading parties requesting lists of people to select from.
 - The current balance of political parties is 1 to 1 versus a proportional basis, with the Town Clerk as un-enrolled and one other Registrar as un-enrolled.
 - The current year's involvement by Shutesbury's two major political parties in the selection of Registrars and election officials, including local Democrat Joanne Sunshower's recent inquiry to the Town Clerk about the soon to expire term of Registrar Todrin, who is not enrolled in a political party.
 - Careful reading of MGL 51§15, especially the sentence, "Every such appointment shall be made in a town by the Selectmen or the appointing authority from a list to be submitted to them by the town committee of the political party from the members of which the position is to be filled, containing the names of three enrolled members of such party resident in the town,...." Suggests that if there is interest from the Democratic Town Committee for the un-enrolled Registrar to be replaced by a Democrat at the end of the term, there is a statutory basis for doing so.
 - Discussion of proportion of Registrars to proportion of voters enrolled in each party versus even distribution of party membership on the Board of Registrars.
 - Leslie and Becky will contact state and town counsel to confirm the interpretation (versus staying with a one-to-one plus one un-enrolled and report back to the Board.
- 3. **Update on fire station clean-up:**
 - Becky has not heard anything from the UMass officials. Elaine will ask Derek Lovley if Steve Goodwin has contacted him.
 - Lot O-32: We have more tests to do.
 - The junk pile needs to be inventoried and checked with Environmental Consultant Alan Weiss, who will try to get the work done under reasonable weather conditions.
 - More tests have not yet been taken under where the barrel was removed.
 - Consultant Weiss is back from vacation.
- 4. **Discussion on interaction/communication of Highway, Dispatch and Police –local and state regarding weather related road conditions:** See discussion with Police Chief Harding under appointments above.

Select Board Action Items

1. **Selectmen unanimously voted to sign the report of alcoholic beverage licenses issued in 2011.**
2. **Selectmen unanimously voted to sign the March 6, 2012 Presidential Preference Primary Election Warrant.**
3. **Change two positions on the 2012 election warrant:** As Town Clerk, Leslie reminded the Select Board of the **need to add a position of Library Trustee for one year to the 2012 town election warrant** as a result of the interim appointment voted under MGL 41§11 at the May 24, 2011 Select Board/Library Trustees meeting. Leslie reported the potential need for a 1 year School Committee

position based on an emailed resignation from member Kristen Luschen. Leslie received Select Board permission to **add an additional 1 year School Committee position to the annual election warrant** assuming Kristen sends in a signed resignation.

4. **Selectmen signed vendor warrants totaling \$127,509.79.**
5. **Selectmen signed payroll warrants totaling \$85,175.85.**
6. **Minutes of the January 18, 2012 meeting were accepted with a change** of the last phrase under “Topics not reasonably anticipated...” to say ...it was actually the full committee.”
7. Minutes of the December 27, 2011 Select Board meeting were accepted as written.
8. Selectmen unanimously voted to sign a Department of Environmental Protection Sustainable Materials Recovery Program Grant for up to \$500 for a targeted Small Scale Initiative which will be used to order new recycle bins.

Topics the Chairman Could Not Reasonably Have Anticipated

1. Resident Susie Mosher came to talk about process in Shutesbury:

- Thought we’d be talking about a resolved issue, but it is not resolved.
- Looked to resolution through the Master Plan survey: 50.9% of respondents felt an expanded library was important, but only 36.9 % were willing to have taxes raised for a new expanded library in June 2004. “The numbers are very clear.” The survey had 331 respondents (26%) of the town. Susie realized that information was not analyzed in the text of the Master Plan report.
- Talked with Peggy Sloane of FRCOG planning Department: If people want something but not pay for it, there needs to be an active effort of the planning committee to talk about funding.
- Planning funding wasn’t done as an important second stream of the program.
- The people on the building planning committee thought about the grant as a funding source. They were also committed to fund-raising. It was not laid out how the timing goes for fund-raising.
- In other valley communities planning funding has been an important element.
- That’s an element for consideration in future projects.
- The Finance Committee may or may not have had an understanding to lay aside money for a library. Not sure of history. It could be that some towns specifically lay aside specific funds for a project.
 - Becky: There is a capital library account. The Trustees asked for \$10,000 to be set aside per year; it was cut to \$2500. In 2007 and 2008 we were funding the budget with free cash. What was left was a \$2500 commitment paid in for 5 or 6 years. The Trustees attempted to plan for the future, but given the economic conditions, their request was minimized.
 - Concerns about the Fire Station gasoline clean-up kept any use of large amounts of free cash from happening.
 - At the same time, the debt exclusion was chosen to be able to keep other capital items funded as well as the library, going forward.
 - Elaine: Wendell had 10 years of putting funds in. They had a dedicated line in their budget.
 - Becky: Pretty sure that Wendell was immune. Their first big chunk of money went to the new town hall and the library. It wasn’t so much years of fund-raising as the big chunk.
 - Becky: The idea of saving ahead is wonderful, but we are coming out (hopefully) of 2 down cycles that started in 2001.
 - Elaine: Even \$10,000/year, in 10 years would only have been \$100,000.
 - Susie: The PR would have helped. It would have been helpful to say that the town started setting aside the \$2500/year 5 years ago.
 - Becky: It was brought up every time they talked about the Library. That and the Barr Ashcroft dedicated money for the Library for capital improvements, \$13,000.

- Becky keeps struggling with what Susie is trying to put together. Is it process or participation that went wrong?
- Peggy Sloane says 26% of surveys is a reasonable sample to project the information.
- Susie is learning that how to communicate about the process is the same as learning how to communicate.
- Networks of information have sprung up. They weren't there at the level that they are now.
- Still figuring out what it means: Advertise that there will be survey night at the Athletic Club? Information and discussion generated becomes a better part of the process.
- Elaine: There has been a change in that there has always been an opposition to building projects in this town, but it wasn't an organized enough opposition, or large enough for people to feel empowered to move things. A lot of people felt disenfranchised and out-numbered. The majority of people who spoke, favored it, causing disinterest. Many did not vote. Looks to the renovation of the high school and elementary school as previous experiences. Feels this library vote activity was huge.
- There is communication and a line of net-working that we have not seen before. On a large scale it is similar to the "Occupy Movement." Unfortunately it happened after the fact. It happened after the scope of the project was voted on at the 2010 Annual Town Meeting.
- If it had happened before writing the grant; if the group had organized and been right there, if they had participated during the process, it could have come out differently.
- Once we were in a proscribed process like the MBLC grant application, it can't change as much in the final steps.
- It doesn't happen very often. Everybody was a novice. The MBLC (Massachusetts Board of Library Commissioners) advisor hadn't been down this road. People didn't understand when we got locked in. You have to figure out how you can see this ahead of time.
- It's important to diffuse some of the baggage. Feels it's very important not to log into the idea of finger-pointing blame. It had never been done before. We're only volunteers.
- Excited by the idea of understanding that a committee can have a background:
 - Post meetings at the Athletic Club because that's where stuff happens; that's where people talk. It could also be the post office. That's the importance of the library. (The Master Plan?) surveys are gone: It needs to be a social activity.
 - At the point of not getting input, you have to weigh the level of interest. Get people in their living rooms. Input is the beginning of the survey. It becomes a question of the community.
 - Figure out where others are, by looking at how people are connected. We need to learn that from this process. If we want information.
- Elaine: Survey research: The Master plan was a thorough analysis of the municipal plan.
 - There are ways to incentivize people to send their surveys back and get a much more representative sampling. The simplest way is to donate a prize:
 1. You get a survey and a postcard. You send them both back. We then know who was included and target the ones not included to get their surveys in and then award the prize.
 2. You do a thorough job of analyzing the information. You could look at this information and predict: You're going to be split 50/50.
- Becky: 50% is being paid through a grant; you're already sharing the expense. I read the survey to say people want other funding sources, not just fund the library through taxation. The Master Plan was done 10 years ago.
- Susie: It's more about how you get people and discussion going. We believed if a committee meets the subject gets well-sorted. We need to figure out other channels of communication. That's the beginning of discussion.

- Elaine: There's very limited bright light but one of the bright light things is that people have been communicating.
 - The pro's and the anti's were sitting in living rooms.
 - We need to know how people organized on both sides so that when issues come up, we can start that early. This communication started when there was very little that could be changed.
 - Doesn't know if there is anything in the whole MBLC process that allows for change.
 - I feel everyone did the best they could do.
 - What could we change to make this the kind of discussion people would want?
 - That's exactly what the state grant wants.
- Becky: a lot of the people picked a specific point to engage, at the end.
- Susie: I think there's a way to start engagement in small parts.
- April: We've done engagement the way we've always done it. It was an open process.
- Susie: That's not the only way for success. There was another group of dedicated people they pulled it off. Learning not to do the same thing again is important.
- Every town relies on dedicated volunteers to do the 67 meetings.
- We need to figure out if it's the confluence of a bad economy. You're just up against things.
- If it happened twice, we need to look at how to change the process. With some thought we could figure out what some of the aspects are that we could re-organize.
- April: The divide is huge and people are strident. We don't have control. This is our town, our neighbors. You're absolutely right to hold onto what good has come out of this. The 25% survey nailed the outcome.
- Maybe we need to evolve another survey. 34% wanted a new library. Becky: You had to go for a grant. The 50/50 was the message to apply for grant money and do fundraising. It's not just grant money. It's the fund-raising piece. Not faulting the library plan.
- We can look at that in a more aggressive way.
 - If four years ago we said wow, we can get a state grant for 60%, that's a big help.
 - We're going to start fund-raising now.
 - You have a long period of fund-raising and excitement.
 - Being out there about it is important in any project. People can start more in discussion.
- April: How do you get people together to do that?
- Elaine: This is where we are right now with the question of K-12 Regionalization. In 1993, we spent one to 2 nights/week in meetings with people from Amherst, Pelham and Leverett. We spent hours working, planning, configuring talking about regionalization. At town meeting 11 people voted for it. What a waste of our time. We needed to take the pulse of the town.
- We will learn in February if we get funding to do a comprehensive assessment of regionalization.
- What Elaine needs right now is people from both sides of the library issue who have the networks set up to come to a room to start the network, the foundation for regionalization discussion. When you empower people and that costs money, the people have an investment in it, they see the why and where for it.
- With the library it was a more after the fact that it was going to cost my personal bank account.
- We can use the networks that come into play here to depend on for our town to move forward in any way.
- Best way to come together to talk about an issue that is not the library but has an impact of our town.
- Al: This could be very expensive.

- Leslie: How do people say no? Gave example of concern about an individual who has voiced opposition to the regionalization effort.
- Susie: You don't want to start until the project is set enough.
- How can it be framed that this is a discussion about something.
- That there would be a library came up in 1995.
 - It had elements that there would be a library change.
 - At the point that a decision is made to have a library the discussion becomes how to pay, what will its elements be? How do you get people to be interested?
 - The town got started down the road in an ad hoc way.
 - There will be people in opposition to any plan. Everyone will not be supporting every plan.
 - Years ago, people stood up not wanting to fund expenses for the library. It's fine as it is we don't need anymore. Then an increase was voted in. It was OK.
 - It got to a point where people could still say no, but more people will say, I can live with it.
- Elaine: In order to move forward we need to ask what is it that you need to move forward.
 - I know I'm not going to get this, what can I get? Negotiate.
 - We still have a plan that says, we want a library, now, how do we do that?
 - How do we get the people adamant?
- Susie: We're stuck because we are in a process which doesn't allow negotiation.
- The issue around raising people's taxes got brought along to a situation, if you lose your job, what do you do? It's not easy to solve. It's a valid thing to discuss and work on.
- Elaine: Knowing people who work upstairs know it. Others do not know how many people are in that situation.
- Susie: If there's a problem, what's the size of it? What other systems are available to help? People found they could fund-raise separately for people in that situation. If people say, no, I don't want this. There's a process for answer.
- It's about the pieces that arose to the top: Property taxes and we're committed to fund-raising.
- April: It got to a point that people couldn't look at it.
- Susie: Beyond the town meeting there is no space for obvious flexibility. If we get that grant, we do not have to spend the entire budget.
- Becky: The cost of the construction could increase, we don't know in advance and that's why we had to build in healthy contingencies. We could have built it for a lot less if it had not been pulled off the floor the last time in 2001.
- April: It could have happened over anything. Susie: This is monumental; bigger than anything.
- In the old days some old guy bought your library and his stocks ran it.
- To the state's credit, Massachusetts helps fund libraries. Everyone deserves credit.
- This is not similar to other towns so far.
- This is a different time, a big undertaking and a shift in what a library is.
 - That piece is not clear to everyone. Some people are not ready for this concept.
 - Culturally, libraries are moving to be a community hub for a resource.
 - These are all big shifts: Who pays for it, what it does for the community, it's a spatial shift.
 - It won't show up in other projects.
- April: This conversation is the beginning: how do we take out what is good, bring the 2 sides together? "Shutesbury: I'm one of the 522. That's something to capture. "Get Mom and Dad to talk."
- Susie: The next step whether approved or not is to look at next steps to move forward: This is the best time to be working on this. Once it gets to May: Town Meeting, right now the budget starts to pick up. Once it gets to June school gets out. July is the "dead zone." Get going in

September and then the holidays arrive. The second week in January to the middle week in April is the time to work.

- What will the group request of the MBLC for an extension of expiration date? June 30, to allow legal process to work its way out.
 - Elaine requests Susie stay engaged in thinking about process.
 - Susie: Town government depends on meetings of people and general trust of people. It would be great for people to have good faith in each other. Aside from that there is the benefit of many heads. Get people communicating outside to get input for the committees for a better process.
 - Thanked Susie for her input.
 - Elaine: It is interesting to think about. It's important to devote time at every meeting to thinking this through to heal. Either way this could have gone we need to devote time to thinking about it.
- 2. Library Director Mary Anne Antonellis appeared before the Select Board to ask if they had any questions of her. She confirmed:**
- Some Library Trustees will meet with the Massachusetts Board of Library Commissioners (MBLC) Thursday (2/2/12) at 10 AM to request an extension of the granting of the award to June 30, 2012.
 - The new Shutesbury Library Capital Fundraising Committee just met. Three new people came to the meeting and there is more enthusiasm than ever.
 - Becky added that she will also be attending the MBLC meeting with Trustees: Karen Traub and Dale Houle.

The February 28 Select board meeting will start at 7:30 PM instead of 6:30 PM.

The Select Board **adjourned at 9:10 P.M.**

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary