

## Shutesbury Board of Selectmen Tuesday March 12, 2013 Meeting Minutes

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

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording. Anna and Jim Aaron through the school discussion.

Chairman Puleo opened the meeting at 6:30 P.M. at the Shutesbury Town Hall

### Appointments

**Police Chief Harding introduced part time police officer candidate Wendy Masiuk to Selectmen:**

Question: To the effect of how extensive college law enforcement translates into municipal:

- Calls for service are similar, such as domestic calls, problem solving.
- Started in Amherst and moved to Syracuse in order to go to school inexpensively.
- Desires to get back into community service in a small town. Not interested in city policing environment.

Question: To the effect of managing barking dog complaints:

- Barking dogs goes along with loud stereos; explain both sides and eventually the students move on.

Follow-up question: Students move on; how would Wendy deal with close neighbors with barking dogs when the neighbors won't be moving on?

- Wendy: Negotiate with the neighbors, not necessarily a citation right away, but talk with both parties and make everyone understand where both parties are coming from.

Comment from Al: Good to have a lady officer to address lady arguments and problems:

- Wendy: It's a misconception that female officers can best deal with female complainants. Though, often a female officer is best for sexual assaults on females. A female officer may be better suited for some calls. Sometimes female officers want to talk more than be quick to react or throw someone against a wall. Female officers also have to be able to become physical with suspects if necessary and Wendy has done so. Wendy works out, trains for triathlons and frequently defended herself against her big brother as a child. Wendy is a RAD (Rape Aggression Defense) instructor and often falls back on RAD.

Question concerning under-age drinking parties when no adults are home:

- Wendy has walked into parties of 300 to 400 students: You turn on the lights to see who's there and make calls to parents to come and get their kids. Don't let kids drive away. Parents may inflict stiffer punishment than the courts. Highly intoxicated children may need an ambulance ride. The home-owners would be responsible.

Question concerning community building - working with schools and parents:

- Wendy goes through residence halls and gets familiar with students and residence directors.
- Community policing is the same whether on campus or in the community.
- Wendy took pride that students had no problem calling her and talking to her. When Wendy worked in Amherst, she started out on foot patrol.
- If you don't get out of the car and talk, people don't feel comfortable.
- Wendy grew up in Granby and as a kid, got to know the Granby officers. That's how she got interested in policing.
- It's important to get out and let people know who you are and let them know they can talk to you.

Selectmen asked for Chief Harding's input:

- The staffing problem has come to the forefront in the last few weeks. The resources have been more than stressed.
- Wendy speaks for herself, as does her résumé and experience.

- The Department used to do learning partners at the elementary school and run RAD courses. Some of these things that have been falling by the wayside could be started again. Participation with Learning Partners in the past has come back to pay for itself in his experience.

Selectmen requested Wendy's feedback:

- What Wendy enjoys the most is in the car, going around and solving problems.
- The most rewarding part of law enforcement is being out there patrolling.
- Wendy considers this a win-win for all parties involved. Wendy is interested in becoming a small town Police Chief, someday. She has managed 15 officers and \$1.3 million budget for the state. Ideally Wendy's goal is to get back into municipal law enforcement.

Chief Harding:

- Municipal police departments have been hit hard with no grants. He doesn't need a grant for the Learning Partners and RAD. The instructors donate their time. It's a pay-back and forth thing.
- There's a lot of down time in Shutesbury, which is very useful. Wendy would not just be driving around in the car writing tickets. Wendy's administrative skills would help with payroll; Chief Harding barely got the payroll warrant done in time this week.
- "Some days it feels like we're drowning." We also rely on state police, but there's no substitute having someone in-house. Wendy is a part time Sgt. at Amherst College (and a full time Chief at Springfield Technical Community College. – from resume.)

Selectmen asked Wendy if she has questions for them:

Wendy: What is your expectation for a police officer; any specific goals?

April: Favors more involvement with the school and RAD.

- Would like someone who would be here for a period of time and who might like to go full time.

Al: Where are you going to find someone better?

Elaine: Likes diversity on the Department. To get a quality trained female is challenging. Elaine questions: how the Police Chief at Springfield Technical Community College would have flexibility to work part time in Shutesbury:

Wendy: Has a flexible schedule and can make it work for Shutesbury.

Chief Harding: Given the (union) contract, he can't order people to come in. Half of his people have commitments in other towns. Chief Harding likes Wendy's flexibility, but adds that this is not just about filling shifts. Elaine: Likes the continuity.

Chief Harding: State troopers are short-handed and they are not allowed to work overtime. When assistance was needed recently, there was no one working in Leverett. A state trooper came in from another part of the state. He didn't know his way around the area. Chief Harding doesn't mind long days, but there is no substitute for continuity and he doesn't get that with a state trooper. There wasn't anyone else for him to call. There's nothing like someone who knows people in the community. The people we have can offer that. Even to have Wendy helping for half a day would be huge at times. My job is having a negative effect on the family: Chief Harding needs someone to help do things.

April: Thinks Wendy would like working with and helping Officer Soto grow on the job when he returns from the Academy.

Wendy is "thrilled." Always enjoyed working with Chief Harding at Amherst College. The most rewarding part of her job is "just doing."

**Selectmen unanimously voted to sign a PAF to hire Wendy Masiuk as a part time Shutesbury police officer.**

**Selectmen unanimously voted to hire Jesse Ritter (previously interviewed) contingent upon the Chief's making arrangements to hire him as a part time Shutesbury Police Officer.**

## **Topics**

### **1. Report on Regionalization Decision:**

Elaine: After a 4-hour (Becky added: “and 40 minutes”) meeting, Elaine concluded that even though all 3 Shutesbury representatives were in favor of going forward, the best way to keep the process going forward was for Shutesbury to pull out, because it sounded as if a large contingent of Shutesbury people were against it.

- Pelham is in a desperate financial situation so their residents favor regionalization. Leverett is lagging not far behind Pelham’s situation and will need to reconsider their financial situation soon. Shutesbury is not yet in that financial position so residents were strongly opposed to regionalization (at the 2/27/13) forum at the elementary school.
- Chairman Andy Steinberg got back to Elaine and told her that Shutesbury members are more than allowed to stay on the Regionalization Study Board and can help craft the regional agreement.
- Elaine: It is only a matter of time before we will want to join the region, because once Leverett leaves Union 28, Union 28 will cost Shutesbury more. If we regionalize, we will get a lot more money for busses. There comes a point where you have to sit back and say let’s see what happens.
- The regional board has been more than accommodating to us so far and is willing to craft a plan so that Shutesbury can join in the future, when desired.

Al: Pelham gets \$320,000 in school choice. In 2016 the school choice might not pay for the school so to keep going they might have to use taxpayer money to pay for the schools.

April: Wouldn’t that include an override?

Elaine: Half of their school is school choice. So far, our school committee is reticent to fund our schools on the backs of other towns. We have 7 children in Pelham. If we regionalize school choice will not be considered within the member communities.

Al: One taxpayer at the Pelham forum said he would glad to start paying taxes for the school.

Elaine: responded that Pelham is paying 3% for administration costs while Leverett and Shutesbury pay 6-8% for administrative fees.

April: Many people didn’t understand that this would stop the process. If Leverett withdraws, Union 28 expenses will go up.

Elaine: On Thursday night we will have a meeting where Becky can present some of that information. There is also the possibility with Leverett leaving Union 28, that there would be no Union 28 and we would have to stand alone and contract out for a superintendent. It could be Amherst or Hadley.

Becky: There’s a lot of feedback. Becky has had 15 to 20 emails from folks expressing concern and surprise that the process has stopped.

- The forum was a review of the consultants’ reports and not a discussion of reasons to regionalize.
- Sees Union 28 as being “vulnerable.”
- Maria Geryk (Amherst’s Superintendent) didn’t come to the forum as did Joan Wickman (Union 28’s Superintendent) so there was a body of questions that didn’t get answered.
- We didn’t outline the financial implications if we stayed out and Leverett went in.
- The group that voted on Saturday does not have numbers on a region with only 3 towns are in; what was voted was not in the consultant’s report.
- We were not unanimous but the priorities and concerns were shared.
- What struck Becky was that each town was split in the final vote.
- It was a very important discussion.
- Becky questioned not moving forward at this point in light of the amount of work done thus far.

April: Disagrees with the decision made (on Saturday) though she also understands that we don’t want to “muck it up” for everyone else.

Becky: Is still “in deep need of resolution.” She is sorry PK-12 is off the table because it might have been wanted.

Elaine: It’s too bad they didn’t have grant money beyond the end of June deadline. This has to be a very fast process with the attorneys. We don’t have the time to look at the other options. If we had the money we could have gone through October. We have to get a contract written by the end of June. Eventually, if Shutesbury decides to join the Region, it will cost money, because we will have to hire an attorney to craft the new language. The Board will make an effort to craft the agreement with another block ready. Elaine feels that there is no other way to leave the school intact financially than to regionalize.

Al: Others couldn’t speak on Thursday but then Emily could.

Elaine: It came back as a public letter to the Select Board that the forum should have been an open discussion between parties. Elaine thought the forum was so that the Regionalization Study Committee could “take a pulse of the community.” A back and forth discussion wouldn’t have helped her.

Al: Is not sure that approval of regionalization is a “slam-dunk” for Leverett.

Becky: Is getting strong feedback that there is more support in Leverett and concludes: We’re just hearing from different people.

April: The meeting showed how well the group worked together for the whole; that’s the spirit of regionalization. Each member was really aware of each other’s town’s needs.

Al: Alisa (Amherst’s Selectwoman and member of the 4-town Regional School District Planning board Alisa Brewer) asked, “What’s in it for Amherst?”

Becky: Every town asks the same question. If it’s a complete negative for any town there’s no point in looking into it.

Elaine: If Amherst ever came to the point where Wildwood or Fort River needed major renovations, instead of building another school they might spread their kids out in a different way to other towns. We’re at 135, we used to be 250. Leverett has 105 without school choice. In the event we all get smaller there may be no need for 6 schools which could be a very big savings for Amherst.

Al: Put the middle school in the high school and let the elementary school children use the middle school.

Multiple responses: Amherst can’t do that because the middle school belongs to the region.

Becky: That is a reason to have a PK-12 region. All of these possibilities emerge if you have a K-12 region structure, but they don’t have it now. A PK-12 region leaves decisions open for future generations.

Becky: Addressed the issue of the process of when meetings are open to public comment and when they are not: When committees are struggling with the more controversial subjects, they adopt another method: School committees open meetings to public comment and then they close it. This Board (Select Board) has been much more open and it has thrown people. In Amherst, they even limit the amount of time that people can speak. It’s thrown people off; they think we are acting as control freaks. Sometimes committees have to do that in order to be able to have conversations. Sometimes you have to do that. My tendency is to draw people in. You have to acknowledge different situations. The way we do it is not how everybody does it.

Elaine: Agrees and struggles sometimes being true to open meeting law, which makes everything an open meeting when you are a quorum. When Elaine is struggling with a decision she needs to sound it out with the others. She can’t call Becky or Michael as it would make a quorum. If we open the discussion to the public, I’m not just hearing the people that I am making the decision with. I need to hear what my fellow people are thinking, without getting others involved.

Becky: Saturday was convoluted enough with the 12 people; we’d still be there if it was open to public input. Because we are restricted by open meeting law a lot of thinking happens right during the meeting. I can’t call Michael or Elaine up and bounce ideas. I can’t say this is a real problem for me. I can’t discover what you are thinking until I get to the meeting. When the stakes are high it is difficult to focus. I can understand why meetings are closed to public input. Open Meeting restrictions make it a harder dynamic. It’s hard to think together as a board when you are getting input from other places.

Elaine: When talking about the hybrid, I hadn't been thinking about it until I was "on the spot." I needed a sounding-board and that's not possible until I'm in an open meeting. I need to have those connections and be able to talk. I would have had trouble thinking about the hybrid if I had been listening to other people.

April: The problem is the other people feel muzzled. Is there a way to balance that?

Becky: Part is an education process where you communicate why you are setting up the meeting the way that you do, and also have a public comment time before and/or after.

April: How does a committee garner the trust of the community if it feels like it's a done deal or a hidden agenda? It can feel that way if the 3 people are talking and everyone else has to sit on their hands.

Becky: We're repeating ourselves. A lot of this is caused by Open Meeting Law. We ask for public comment at some time. That was an extreme situation where it had to happen due to confusion.

Anna Aaron: If you say we're going to limit your questions to 2 minutes and only take 1 question, it may not be enough. At the Saturday Consultants reports forum: The Consultants reports were long and the question time was severely limited. Time ran out. The format was for questions only on paper. People were ready to ask questions and went away feeling it didn't feel right.

Elaine: We could have gone on for 2 or 3 hours answering questions.

Anna: People are going to say something; only a small percentage want to take a meeting over or ask deliberately insulting questions.

Elaine: Has come across it at a regional school committee meeting; a meeting could be totally overrun. I'd hate to see that opportunity (opportunity to speak) go away in any form. It's quite a unique opportunity.

Jim Aaron: Congratulates Becky on recommendations for public input before the meeting; before or after, "Excellent idea." It may take longer to accommodate everybody but to have some intake from the floor.

It's inhibiting but it is the nature of it.

Al: Just says what he wants to say.

Elaine: Has a real concern of offending people either judging them, or making them think my mind is closed off. I want to represent what everyone is feeling. I would much prefer to make everybody happy.

Is there a way I can compromise and have the things I think are necessary and needed and let everybody at the table feel like they've won? When Becky, Michael and Elaine didn't all agree, Elaine found that to be extremely hard. You can like a person as a person and when you have different viewpoints it's hard to not offend someone saying I don't like your idea without saying, I don't like you.

April: Described herself as "in the middle."

## 2. **Response from Sierra Club regarding DEP, Holyoke Coal Plant:**

- The Select Board received a letter from the Department of Environmental Protection and the Sierra Club speaking about different understandings of the use of scrubbers. It is likely that only someone in the plant would know if the scrubbers are used.
- Becky: The Sierra Club is monitoring the results of emissions.
- Elaine: But they're not capturing and testing the emissions. Unless they capture and test the water in the emissions we can't really tell. Is this an issue for us? It's a little out of our realm.
- Al: Signed the letter because, if they have the scrubbers they should use them Al doesn't want to put 10 people out of work due to his letter.
- April: If this power plant was in our town it would be different.
- Al: Now they want to shut down Northfield Mountain because it may cause erosion. If they shut down all of these things what are they going to do for energy? There's not enough solar out there.
- Selectmen agree that the Holyoke coal plant is out of their realm.

## **Select Board Action Items**

1. **The Select Board unanimously approved the minutes for 2/26/13 as written:** Registrar applicants were not available for this meeting and hope they can come to the March 26<sup>th</sup> Select Board meeting.
  - a. How do people want to respond to the interview with Jeff Lacy? Carry on as we are going?

- b. Al: We can't predict what will happen with the weather:
  - c. Elaine: Knows there is value to always consider the best way to keep our roads safe and to stay environmentally sound. Elaine does not feel that our road crew takes advantage of overtime. They stay within their budget and do the job that we ask them to do. Elaine has read these things (information sheets on alternative highway treatment methods) and they are interesting. Elaine assumes that Highway Superintendent Tim Hunting has also read them. Elaine assumes that Highway Superintendent Hunting applies his knowledge and knows what does and doesn't work on our specific roads. You can tell people that if the roads are slippery they will drive more slowly. Jeff said if you make the roads safer, they will drive faster. Still concerned if one kid runs into the road, or if any less skilled driver, or someone with a more affordable car still has to get somewhere. Someone added: "or all the cars that go through town that don't live here and don't know the "S-curves."
  - d. April: You went through every process that was caring and respectful.
  - e. Elaine: Cares about the effect on the Highway Department. The letter questioned Tim's ethics. Elaine is interested in responding to Tim. Selectmen agreed that Tim needs a letter from the Board of Selectmen, stating that they are 100% behind the guy; keep up the good work. Selectmen unanimously agreed to have Becky prepare such a letter for them to sign and to put a copy in Tim's personnel file.
  - f. April: doesn't want a meeting at the end of season to review Tim's job.
  - g. Becky: If you do a civic engagement process for all Boards, that is appropriate.
  - h. Elaine requests that Becky ask Susie Mosher if she is willing to get involved in civic engagement. Susie is helpful in this area.
2. **Select Board signed Payroll Warrants totaling \$85,994.30.**
  3. **Select men signed Vendor warrants totaling \$114,171.49.**
  4. **(Annual) FRCOG Fuel Bid (cooperative bids participation preliminary survey):**
    - We still have some of last year's fuel oil left. One year's supply of fuel oil lasted 2 years following insulation of the Town Hall so Becky is not yet sure how much to contract for in the coming year.
    - Completed surveys are to be returned by March 22.
    - For now, Selectmen agreed to check off the three fuel types: fuel oil, gasoline and diesel.
    - We will probably use 2500 gallons of fuel oil in the coming year.
    - This is also the first year the school has their new insulation.
    - Becky looked at the Hampshire group cooperative bid option last year. It's a gamble either way. Eventually prices even out. The school does theirs through Union 28.

**Selectmen unanimously voted to go out to bid for fuel for the coming year through the Franklin Regional Council of Governments cooperative bid process.**

5. **Selectmen unanimously voted to appoint resident physicist Ben Brau to the Energy Committee.**
6. **The Select Board unanimously voted to appoint all members of the Emergency Management Team: Fire Chief, Police Chief, Select Board members, Town Administrator, Highway Superintendent, Board of Health Chairman, School Principal, and E-911 Coordinator to the Hazard Mitigation Planning Committee on the chance that there is a legal need to have a uniquely named "Hazard Mitigation Planning Committee" since Becky has not yet heard back from Franklin Regional Council of Governments Land Use Planner Patricia Smith as to whether there needs to be a formal, separate committee or if the Emergency Management Team can serve the purpose.**

The Select Board **adjourned at 8:24 P.M.**

Respectfully submitted,

Leslie Bracebridge, Administrative Secretary