

Shutesbury Historical Commission
December 28, 2020
(Virtual Meeting)
Approved 1/27/21

Meeting start: 5:01 pm

Commissioners Present: Henry Geddes (Chair), Greg Caulton, Mary Lou Conca, Miriam DeFant, Janice Stone, John Walter

Commissioners Absent: Karen Czerwonka

Visitors Present: Leslie Bracebridge

General Discussion about Minutes: Walter asked for new item on agenda to discuss the SHC minute taking. He would like to see shorter minutes. Walter shared information from the State OML Guide. General discussion about the OML statutory requirements. Minutes do not need to be full transcripts but should include enough detail for someone to understand the deliberations if not present, including date, members present, summary of discussion, decisions, etc. DeFant agrees to work on making minutes more concise. Discussed use of Zoom and recording functions. All town meetings are being recorded with video. DeFant: Chat functions are not supposed to be used per Town Clerk.

Update on CPA Proposals: CPC willing to extend deadline for new applications, especially for digitization. Walter and Caulton hope to work on a digitization/archiving proposal in the future, but are waiting until they can visit the Old Town Hall. OTH is closed due to pandemic. Decisions need to be made regarding the scope of the project and technology to use. Discussion about CPA eligibility criteria. Walter unsure that initial scope-planning is eligible and supports postponing project for present. DeFant recommended use of the Roving Archivist Program, a free state program that assists towns in planning digitization projects. The Town has used this program in the past for Town Records. DeFant offered to contact program to find out when it will reopen.

Note: Conca reported that she had called Commissioner Czerwonka who will be trying to join the meeting by phone.

Approval of 12/15/20 Minutes: Minor grammatical corrections suggested by Stone. DeFant notes that she learned after the meeting that the discussion about the consultant hire should have been in an Executive Session. **Motion by Geddes: Approve minutes as amended. Second: Walter. Roll Call: Geddes: aye; Caulton: aye; Conca: aye; DeFant: aye; Walter: aye. Stone: abstains as she was absent.**

Discussion about Executive Session: Discussion about need to go into Executive Session to discuss details of consultant agreement for 1/5/21 meeting. Geddes proposed tabling discussion of consulting agreement until the next meeting on January 5, 2021. Chair needs guidance from Town Clerk regarding how to handle Zoom with Executive Sessions. Meeting needs to be posted with statutory reason noted. **DeFant called for a motion to postpone the ES. No second was called for and motion was passed over.**

New Business: Walter raised issue about 12/28/20 email from James Schilling-Cachat, a former Commissioner. Walter asked the Commission to consider the email and formulate a response. Geddes expressed opinion that the writer is bringing up concerns late in the process of selecting a consultant, and writer has not been attending the Open Meetings in order to participate. Geddes noted that the SHC has time pressures upon it, and that the proposed consultant has skills and temperament needed to complete projects involving the Planning Board, including working well with several THPOs. Geddes noted that the public is always welcome to engage with the SHC through public meetings and that there will be many future opportunities for others, including the email's author, to get involved. Walter expressed opinion that the SHC needs to reach out to Schilling-Cachat and speak with him in order to resolve his concerns and reestablish equanimity among all parties. He expressed concern about the SHC being accused of being biased or bigoted in its approach. Geddes noted that he thinks highly of the email's author. DeFant: email author's spouse was invited to SHC meetings when author was a Commissioner. DeFant: Schilling-Cachat and his spouse are still welcome to join meetings. DeFant suggested that Geddes respond to the email and invite the writer to a SHC meeting to talk about his concerns. Geddes: the email author and his spouse are not the right people to be hired consultants for the SHC at this time. Geddes will reach out to the author to discuss concerns. Geddes noted that he reached out to the email author's spouse a few months ago

and asked for input about how to protect Ceremonial Stone Landscapes. He did not get a response to his questions.

DeFant noted that the proposed consultant is not a substitute for Native expertise. Both the SHC and the consultant have been in strong agreement only Indigenous people have the authority to name CSLs. For this reason, the SHC has been discussing how to partner with Indigenous experts, including Tribal Historic Preservation Officers (THPOs.) Commission discussed general qualifications needed for the SHC consultant role.

Walter would like to see the SHC reach out to the names suggested in the email. DeFant and Geddes wondered if academicians would be appropriate for clerical tasks. Caulton suggested that the proposed consultant could act as a liaison for the Commission to develop contacts with experts. Walter expressed reservations about moving forward if the email author's concerns have not been addressed. DeFant noted that the proposed consultant has been relying upon the SHC's 12/15/20 approval to hire her. Pursuant to this decision, Lis McLoughlin has been getting liability insurance quotes and legal advice. McLoughlin has already assisted the SHC in establishing communication with multiple Tribal offices. DeFant is concerned about putting this agreement on hold.

The SHC discussed briefly other efforts to seek out Indigenous expertise, including the THPO office of the Wampanoag of Gay Head (Aquinnah.) The Commission is awaiting feedback from two state-recognized Native Tribes who indicated they might work together if involved. The Commission discussed the differences between state recognition and federal recognition of tribes, including the fact that governmental recognition does not determine Native identity. There was brief discussion amongst Commissioners about their various ethnic identities and the definition of "white privilege."

Geddes noted that one byproduct of colonization has been the fragmenting of Native communities such that different communities feel protective of their identities and are in competition with one another for political survival. He noted that this is a sad reality of what it means to be Native in this country. DeFant clarified that the discussion about talking to a federally-recognized Tribe was primarily important if there was a federal undertaking that might trigger Section 106 of the National Historic Preservation Act. Being a federally-recognized Tribe makes it somewhat easier to ensure the right to consult on these undertakings. State Tribes do not have quite the same status according to the regulations involved with this federal law, but they can get involved.

DeFant expressed view that the SHC should try to engage with multiple Indigenous/Tribal entities if possible.

Stone noted that the email author is not a resident of Shutesbury, but they have good background knowledge. They should be involved as much as they are willing and able. She further noted that there is a long, difficult history of these individuals with the town, and the issues are not going to get resolved with one email. Stone agreed that the SHC should remain open and ask for their input, but not allow them to stop the process.

General discussion about how the SHC can move forward with projects and also address the complaints raised by the email. Geddes reaffirmed that he will be contacting the author but emphasized the need for interested parties to attend Commission meetings. Walter emphasized the need to have a thorough discussion with him rather than just writing an email response. Walter noted that he believes the email author does not understand what the Commission is doing. He believes the author will back off if he understands what the Commission knows.

DeFant asked if Walter wished to make a motion. Brief discussion among Commissioners regarding how to word the motion for clarity.

Walter: Move that the SHC postpone contract negotiations until the concerns stated in the 12/28/20 email from James Schilling-Cachat have been determined by the Commission to be satisfactorily resolved.

Conca: Seconds motion.

Roll Call: Geddes: nay; Caulton: nay; Conca: aye; DeFant: nay; Stone: nay; Walter: aye.

DeFant commented on the degree of disagreement among Commissioners. She noted that it was unfortunate as there appears to be considerable agreement on common values and goals. Conca noted she felt the Commission was engaging in a healthy discussion and is not in conflict. She stated she appreciated DeFant's patience. DeFant thanked her for the comment. Geddes expressed appreciation for the Commission.

Walter and Caulton will start doing research on digitization. DeFant has received a consulting agreement from Mark Andrews, Deputy THPO of the Wampanoag of Gay Head (Aquinnah). SHC can review it in Executive Session.

Motion to Adjourn: Stone; Second: Geddes; Geddes: aye; DeFant: aye; Caulton: aye; Stone: aye; Walter: aye

Adjourn at 6:43 p.m.

Items for Next Meeting, Tuesday, January 5, 2021 @ 7pm

Update on THPO communications-DeFant
Review of Signs Proposal-Caulton and Conca
Executive Session: Consulting Agreements

Documents Used:

1. Agenda for this meeting.
2. Draft minutes of 12/15/20 meeting.
3. Email from James Schilling-Cachat to SHC, 12/28/20

Respectfully submitted by Miriam DeFant, Historical Commission Secretary, 2/22/21