

Shutesbury Select Board Meeting Minutes  
May 18, 2016 Shutesbury Town Hall

Select Board members present: April Stein/Chair, Mike Vinskey, and Michael DeChiara  
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Zenya Wild; Steve Schmidt, Ayers Hall, and Gayle Huntress/Broadband Committee members, Melissa Makepeace-O'Neil/Select Board member-elect; Tim Hunting/Highway Department Superintendent

Stein calls the meeting to order at 6:33pm and welcomes Select Board member-elect Melissa Makepeace-O'Neil.

Agenda Review: no changes

Public Comment: Wild: a group of Montague residents are concerned about last fall's work on Task Hill/Montague Road and are requesting a breakdown of the project costs, the reason for the work, as well as, the study that was done. Torres: the subcontractor/W.W. Clark Excavating's invoice was for ~\$5,000. Torres: bringing the top of the hill down lessened the steepness and improved the safety on this part of the road. Wild: this past winter, some logging trucks could not get up that part of the road. Stein, as a Montague Road resident for 30 years, states she drives that way at least once a week and that this portion of the road seemed better this year; Task Hill is a hard part of the road. Wild: to her eye, not much has changed. Stein asks if Wild is willing to talk with Hunting. Wild agrees though needs facts/figures. DeChiara: a written plan would provide a basis for discussion.

**Discussion Topics:**

1. Broadband Update: DeChiara refers to his 5.10.16 email report on the 5.10.16 meeting with the Governor and names those present: for the most part communities are ready and waiting for money, Middlefield wants to do a wireless pilot, WiredWest (WW) was not mentioned; it is clear the Governor heard the need for criteria and guidance. DeChiara, referring to the 5.12.16 "Last Mile Program Update" sent by Katie Stoico on behalf of Peter Larkin/Special Advisor to the Secretary and MBI Board Chair: Deputy Secretary Kirk was very practical - she stated that the criteria are available however work needs to be done to make them accessible and that MBI will do the design work and build; Larkin will be submitting quarterly reports to the Governor who is asking for accountability; overall, the meeting was good. Vinskey asks what happens in the meantime. DeChiara refers to the "Last Mile Update" email: there are four steps including an objective checklist to assess towns' readiness. DeChiara connected Shutesbury's Broadband Co-chairs Huntress and Strazzero-Wild with Bill Ennen. Huntress: thus far, Ennen has been responsive to communications; Strazzero-Wild and I will pull together Shutesbury's financial history, bond and vote history, the number of Broadband Committee volunteer hours, a bio of the cohesive Broadband Committee team, the pole survey will be included as well; the Broadband

Committee is still committed to WW as a regional solution – we are focusing on demonstrating our readiness and hoping MBI will understand they can start to build out the ready towns. DeChiara: there are towns that are still debating the technology; we are certain we want fiber. Huntress: we absolutely need ubiquitous fiber coverage in Shutesbury. Stein: was WW still on the table? Hall: WW is the elephant in the room; the idea is for towns to build individually then become regional; a careful protocol of steps is needed. Schmidt: MBI has issues about WW's insistence towns own their infrastructure and how a town can withdraw from WW; his other concern is that if WW solves these issues, MBI will come up with another issue because they do not like WW. Stein: the towns like WW and we have come up with 2/3 of the money. Schmidt: the 5.10.16 PowerPoint presentation clearly excluded WW. Huntress: MBI is all about determining readiness – how do you determine that 25 towns are ready; we will demonstrate our readiness – let's get built out; we will not necessarily be losing the benefit of WW; we are going to be a hub whether alone or as a network. Huntress: Sephton is moving forward with the RFP; if we have a privately done design, we can compare it to the MBI design; as leadership, the Select Board needs to know there will be a decision point in 3-4 months – the design could cost \$35,000-\$40,000; this cost may or may not be reimbursed by MBI. Schmidt: when we get to this stage, the Broadband Committee will need to meet with the FinCom and Select Board then a special town meeting will need to be held. DeChiara states he is hopeful Shutesbury can move forward with planning a build then back into a regional structure. Schmidt: whether we are part of WW, alone, or in some other configuration, we will still want to have a regional connection to give us some redundancy; we are fortunate to have Sephton working on this – he has pointed out that the additional cost for redundancy is minimal. Hall: because MBI is paying salaries and doing a wireless study, the 1/3 the State has to offer the towns is getting smaller. Vinskey: at what point is the RFP executed? Huntress: Sephton writes the RFP, it is sent out, the bids are received - one is chosen and the design gets done. Vinskey: how will we compare this design with MBI's? Huntress: we will have to wait and see whether MBI is willing to accept our input, after all, we are paying 2/3rds. Timing for a potential special town meeting is considered. Vinskey: a special town meeting will be needed for the solar project PILOT. Huntress: maybe August/September in terms of MBI readiness. Torres: we usually have our free cash certified by October - a better time for a special town meeting. DeChiara acknowledges that Ennen will be impressed with the work done by Shutesbury's Broadband Committee and our readiness. Huntress: we need to show them we are ready and can demonstrate tangibles; would like to be an anchor town and have MBI use Shutesbury as a regional test case. Stein: how do we weave WW into this? Hall: from an operational perspective, WW makes sense; the latest news from WW is a build in 2020; MBI's need to control is concerning.

2. Upcoming Road Projects/Chapter 90 Request: Stein and Torres explain the request for documentation as to why the work on Task Hill/Montague Road was done. Hunting: work was done to reduce the steepness of the grade. DeChiara: a

packet of documents would be helpful. Wild lists information requested: how it was decided work was to be done, cost, why did a one-day project turn into a week, was water drainage thought of? Hunting: the project took two days; Clark was there for 1.5 days. Wild: it was actually a week. Torres recommends, Stein agrees, and Hunting is requested to put together a packet of information relative to the Task Hill project.

Hunting reports on pending work: West Pelham Road: the plan is to chip seal 11,380 feet – refers to Chapter 90 project request description; a 20% rubberized chip seal, which is a very good product, will be used to seal the road up tight; this is a good alternative to paving. Vinskey: is this oil and stone? Hunting: yes; the same day, a sweeper cleans up the loose stone. Vinskey: durability? Hunting: regular chip seal lasts 7 years; the better the shape the road is in, the longer the chip seal will last; it has at been at least 10 years since we last chipped sealed West Pelham Road. Hunting: shimming is done first, then, a different company does the chip seal. DeChiara notes the need for residents to have adequate notice - a week if possible. Torres: yes, we can give people notice a week ahead with the awareness that postponement may occur if there is a rain event. Vinskey: how does the payment work for the estimate of \$139,540? Hunting: Shutesbury's new Chapter 90 apportionment is \$135,622 plus the remaining funds in our current Chapter 90 account. Vinskey: what other work will need to be done? Hunting: paving Locks Pond Road from Great Pines Road to the Lakeview Road intersection, Baker Road from Pelham Hill Road to where it turns to dirt, ~620 feet, there is an issue with the puddle at the Pelham Hill Road end of Baker - to alleviate this problem, the road has to be raised – the present owner does not want any runoff onto the property so the proposal is to put curbing along that stretch and let the water flow down the road. Vinskey: at the 5.14.16 Lake Wyola Advisory Committee (LWAC) meeting, there was discussion about the culvert below the dam being too small; questions the plan to pave this area when culvert work may be pending. Torres: culvert repair will need to be talked about before paving is done. Hunting: today, he talked with Tibbetts/Emergency Management Director about timing – it could be five years before the culvert is done; when the dam repair was done, a few holes were noticed in the bottom of the culvert – there is a method to line the bottom of an existing culvert; the estimate to do this is in the order of \$80,000; now that there is evidence the culvert is too small and may need to be replaced, it is good we did not reline the bottom; has yet to examine the culvert this year. Torres: wetland permitting will be needed. Hunting: dewatering provisions will have to be implemented; Morris Root will evaluate the size. Vinskey: is Hazard Mitigation funding possible? Torres: grant criteria will need to be review; permitting needs to be started. Hunting: before paving is done in this area, he will be in touch with Torres and LWAC; the paving project could stop short of the culvert area; if it is going to be as long as five years before the culvert is done, he will pave the entire area. Vinskey asks that Hunting report the results of his culvert inspection to LWAC.

Hunting's Chapter 90 Final Report: the \$3,448.32 overage was to finish the road; if MassDOT does not reimburse the full amount (original estimate \$45,000), he will use another fund; an overage percentage is allowed; Chapter 90 can pay for

paving, crack filling, guard rails, and engineering; paving usually takes up most of our Chapter 90 money. Vinskey: is Chapter 90 enough for the paved roads?

Hunting: yes, unless we have a big project; towns are allowed to bank money over several years in order to save for a large project - DOT needs to be notified of such a plan – has never needed to ask town meeting for paving funds. Torres: the Leverett Cooleyville Prescott project used \$3.5 million of federal and state money; this is why the Massachusetts Municipal Association (MMA) is pushing for more Chapter 90 funding. Vinskey: chip seal is about \$70,000 per mile; what is the cost of paving/mile? Hunting: it depends on the road – rutting requires a leveling course of about 1.5” – the road moves around and reflective cracking occurs; the rule of thumb was that paving was twice the cost of chip seal, at this point, paving is a bit more than ½ the cost of chip seal.

DeChiara moves and Vinskey seconds the motion for the Select Board to approve and sign the Chapter 90 Final Report and Reimbursement Request for crack filling along Leverett/Cooleyville/Prescott Roads; motion passes unanimously.

DeChiara moves and Vinskey seconds the motion for the Select Board to approve and sign the Chapter 90 Project Request to shim and chip seal 11,380 feet of West Pelham Road; motion passes unanimously.

Hunting: the Highway Department has removed the stone and gravel from the Watkins area that was previously lawn – loam has been spread and will be seeded; it is okay with the Watkins to leave the remaining stone/gravel for access; an improved access road to the Lot O32 test well was also built. Stein appreciates the clearing that the Department did in front of Lot O32. Hunting: this was done to remove two dead trees that might have fallen on Leverett Road; the culvert headwall at the bottom of Kellogg Hill will be rebuilt – this project has been cleared through ConCom, hay bales have been installed, and flat stones for the rebuild are being collected; a drywell near the Ross residence on Montague Road will be rebuilt to increase volume so it does not overflow - the hole may be lined with geotextile to keep siltation from going in from the edges; at the intersection of Locks Pond and Wendell, the homeowner objects to the large puddle that naturally runs down into this corner – recommends a block structured drywell with a cover that may have a pipe somewhere near the top, below the frost line – pending the presence of ledge – if present, a consultant may be needed. Torres: this project will be in the right of way. Hunting: it may need to come out onto the black top; stonewalls are usually an indicator of the road edge; it is a surveyed right of way – each road has its own right of way – the stone markers locating the edge of the right of way are randomly located. Vinskey asks Hunting what resources he uses. Hunting: Franklin Regional Council of Government (FRCOG) used to have an engineer to consult – does not know if there is one at present; Nick Reitzel/97 West Pelham Road is available and willing to consult. DeChiara asks Hunting if it would be beneficial to have funds available for a consultant, if needed. Hunting: yes; there is an engineering plan for Montague Road; no one was willing to let drainage water run onto their property. Vinskey: this plan is based upon paving the road. DeChiara: the Select Board may want to introduce the idea of consulting funds to the FinCom. Vinskey agrees. Hunting: the Department will be putting cement into the cavity (cistern) in back of the

boathouse on Randall Road; calculations for how much cement is needed and truck access will be determined. DeChiara: how did pick-up plowing at the school work this winter? Hunting: it worked well – the plan was to use Tibbetts whenever possible, otherwise, Chuck Moore does it. Hunting: Moore comes in for any plowable storm and does the intersections for Sullivan with an angled plow and some of the smaller roads, the town hall, library, fire station and can assist in keeping the school open; in a big storm, the plowing slows right down; we now have a plan for handling school delayed openings; it was hard to find someone to only plow the school. Stein appreciates the work done by the Highway Department.

3. Road Maintenance Equipment: Vinskey: we have been invited to Cummington to look at their surplus equipment. Hunting states that he would be interested in having a spare truck – a rear sander could function adequately. Torres: surplus equipment is brought in through the Fire Department.
4. Town Meeting Review: All agree town meeting went smoothly. Vinskey identifies the need for town meeting documents to be prepared and professional, noting that it took several times to get the FinCom report correct – the final revision was handed out at town meeting. Vinskey: MacNicol/Town Counsel did a revision to Article 6 subsequent to DeChiara’s reading of the motion. Torres: MacNicol gave me the language for the article and approved the warrant. Vinskey notes his concern about how this was perceived. Vinskey: the Capital Planning document, available at town meeting, was supposed to be approved by the Select Board and FinCom according to the Capital Planning bylaw; this document may have been different if it had been reviewed. Vinskey: the regional planning group will be asking for a more refined capital plan – expanded out to include the whole infrastructure of the town. DeChiara: we need to demonstrate why we have free cash. Vinskey: we need to have consistent information especially in light of the upcoming four town meetings; suggests meeting with the appropriate parties to work on capital planning; the regional capital planning group meets on 6.8.16 and DeChiara’s group meets on 5.24.16. DeChiara and Stein appreciate the new town meeting seating arrangement. Stein appreciates Lacy’s public apology and feels people were heard.
5. PILOT Consultant Update: Torres: before soliciting bids and the Select Board selects a consultant, a full scope of services articulating the needs of the Select Board is required; for best practices, she will ask for pricing from three sources. Vinskey: Holmberg/Administrative Assessor should know what information is needed. Torres: as the receivers of the consultant’s information, what will you want? DeChiara: receipt of a report in advance of an oral presentation with, perhaps, a second meeting; there is a need for comparables, and the basis for these comparables, to other MA towns. Vinskey: the point of the exercise is to determine the value of the Wheelock project including the value of the equipment. Torres: to date, the type of panels is being withheld. DeChiara: the “value added” is where the money is made. Torres: one of the two methods is based on revenue

generation. Vinskey: we need to have Holmberg help us with the list of what the consultant will do. All Select Board members agree to meet with Holmberg, during the 5.31.16 meeting, to create the scope of services for the consultant.

6. Shared Chief Inquiry: Torres reports speaking with Sunderland's new Town Administrator, Sherry Patch, former Town Administrator in Hardwick where they are in the first year of a shared police chief arrangement, about a police services study; Sunderland is currently in the process of hiring a police chief - Chief Harding is one of the finalists; Sunderland is interested in a shared chief however their main question is whether Shutesbury will still be interested if Sunderland does not select Harding; under current law, a police chief cannot be laid off; there has to be at least a one-year notice. Torres: it is interesting to look at whether Shutesbury and Sunderland are a good fit for working together; Leverett is not interested in sharing a police chief though could be added subsequently – their chief retires in two years. DeChiara and Vinskey agree that it is the concept not the person. Torres: there would not be time to do a study. DeChiara: since Sunderland is larger, we will be the remote office. Vinskey: the shared chief would have two offices – if we were to do this, I would expect the chief to be here on certain days of the week. Stein: how much could be done electronically from either location; Sunderland's police department has five full-time and three part-time staff and an annual budget of \$346,380. Torres: our police budget is similar to Leverett's. Vinskey: the time to initiate the process is when chiefs are retiring; if Sunderland hires a new chief, the current opportunity is lost. DeChiara: if Sunderland does not offer Harding the job, we will have our chief and they will have their new chief; what are New Salem and Wendell doing about chiefs? Torres: their level of training and philosophy is very different from Shutesbury's. Torres: at this point, Patch was only getting a sense from the individual Sunderland Selectmen. Stein: if we are interested in the concept, let's see what happens. Vinskey: what studies can FRCOG assist with? Torres cites the "South County Police Services Study: Towns of Deerfield, Sunderland, and Whately, Massachusetts" study, dated 9.16.15, as an example. Vinskey: should we consider a study? Torres: Patch spoke with FRCOG and Sunderland may have a funding source to begin a study right away. Vinskey: at this point, we are waiting to see if Sunderland hires a chief and if there are funds for a study. Stein: we are interested in the concept. DeChiara: have we thought about obtaining services from Amherst – if Sunderland does not work out, we might look at other surrounding towns. Torres: we receive ambulance and hazardous waste program services from Amherst; most of our training comes from FRCOG. Torres: Harding would need to give a two-month notice if hired by Sunderland.
7. Select Board Committee Reports: DeChiara: a Web Committee meeting date is pending. Vinskey, referring to his 5.14.16 LWAC meeting notes, emphasizes the need for coordination, i.e. Locks Pond Road paving. Torres: Hunting would be the primary leader for the Locks Pond culvert project. Vinskey notes the need for more communication; the more the Select Board is able to get feedback from departments the better. Vinskey, referring to his 5.16.16 Emergency Management

Team (EMT) meeting notes, identifies the need for long range planning – EMT ideas need to get passed around to others.

8. Town Administrator Update: Torres: per Tibbetts, Harding cannot find the title nor the vehicle identification number to reapply for the boat numbers; originally, the boat was a gift from the State Police; the Town Clerk is completing the final certified copies of the resolution to the Governor. Stein appreciates the Volunteer Picnic held on 5.14.16 and the work done by Torres; a nice age mix of about forty people attended; there was good food and volleyball. Torres: the ants in the kitchen were treated with Borax; due to problems with previous water cooler, a new one was purchased. Torres: Home Depot will replace the back door and the Building Committee will solve the elevator leak. Torres reports that she is missing tonight's WiredWest (WW) Executive Committee; there will be a WW strategy session on 5.20.16 to review and give feedback on the new report; the date for the WW meeting with Ennen/MBI has yet to be set; on 5.21.16 in New Salem, a vote on the WW plan addressing MBI's required changes will be taken; not all of the WW towns will want all the changes demanded by MBI – A2 is a concept by which the equipment is owned by the individual towns and facilitates connecting between other towns. Staff updates: some "end of the fiscal year" vacations have been scheduled.

#### **Administrative Actions:**

1. Common Victualler's License: DeChiara moves and Vinskey seconds the motion for the Select Board to approve and sign the 2016 Common Victualler's License for William K. Mick doing business as "Bobby's" only at Lake Wyola State Park; motion passes unanimously.
2. 9.10.14 and 10.7.14 Select Board Minutes: Torres: after 6.30.16, none of the minutes from prior to 6.30.15 can be approved; Bracebridge will work on other of these minutes and they will go unapproved into the file. Vinskey: a record of these unapproved minutes needs to be created. Stein asks for a motion to approve the 9.10.14 and 10.7.14 meeting minutes; DeChiara moves and Vinskey seconds the motion; Stein and Vinskey: aye; DeChiara: abstains.
3. Thank You Letters: Appreciation letters to Susan Steenstrup and Janice Stone/Open Space Committee and Paul Vlach/E911 Coordinator are signed.
4. CPC Appointment: DeChiara moves and Vinskey seconds the motion for the Select Board to appoint Al Hanson as the FinCom representative to the Community Preservation Committee (CPC). Torres: the FinCom asked Hanson to represent the FinCom on the CPC. The motion passes unanimously.
5. Upcoming Select Board Schedule: DeChiara: 5.31.16 – Town Administrator review, talk about Select Board expectations for a joint meeting regarding Native American concerns, meet with Holmberg/Administrative Assessor – PILOT consultant scope of services, and review the appointed officials list. Torres: Broadband Committee feedback is pending – she filled the role of official MBI representative; typically, the Select Board decides the primary MBI contact – DeChiara identified Huntress and Strazzero-Wild to be the contacts. DeChiara states that he identified the Broadband Committee as the primary contacts.

Vinskey agrees with this decision. Stein points out Torres' role. DeChiara moves the Co-chairs of the Broadband Committee be the primary MBI contacts; Vinskey seconds the motion and it passes unanimously. Work on the Select Board policy manual will continue on 6.30.16 at 6:30pm. It is noted that there may need to be an emergency meeting regarding the status of the police chief. The need for a Narcan update with the police and fire chiefs is noted. Torres will implement gender-neutral bathroom signs; no further action needed. Torres: the FY17 warrant schedule is pending

6. 5.4.16 and 4.26.16 Select Board Minutes: DeChiara moves and Vinskey seconds the motion to approve the 4.26.16 meeting minutes as amended; motion passes unanimously. DeChiara moves and Vinskey seconds the motion to approve the 5.4.16 meeting minutes as presented; motion passes unanimously.
7. Vendor warrants totaling \$99,356.97 are signed.
8. Payroll warrants totaling \$88,880.49 are signed.
9. The town common will be used 5.28.16 from 9am to 2pm for the Friends of the Library tag sale.

A motion is made, seconded, and approved to adjourn the meeting at 9:55pm.

Documents and Other Items Used at the Meeting:

1. DeChiara's 5.10.16 "Report of May 10 meeting with the Gov." email
2. MBI "Last Mile Program Update May 10, 2016"
3. Stoico's "Last Mile Program Update" 5.12.16 email
4. 4.1.16 letter from State Representative Stephen Kulik regarding Chapter 90 funding
5. Hunting's 5.17.16 Chapter 90 Final Report and Reimbursement Request
6. Hunting's 5.17.16 Chapter 90 Project Request
7. "South County Police Services Study" dated 9.16.15
8. Vinskey's 5.14.16 LWAC meeting notes
9. Vinskey's 5.16.16 EMT meeting notes
10. Common Victualler's License and related documents
11. Town Common Use request form: 5.1.8.16 Friends of the Library Tag Sale

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary