

Shutesbury Select Board Meeting Minutes
March 7, 2017 Shutesbury Town Hall

Select Board members present: Mike Vinskey/Chair, Michael DeChiara, and Melissa Makepeace-O'Neil

Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Gayle Huntress and Craig Martin/Broadband Committee, Susan Millinger/Positive Presence, and Gail Weiss/Town Accountant

Vinskey calls the meeting to order at 7:37pm.

Agenda Review: Vinskey explains that the dog hearing scheduled for this meeting has been postponed because Ron Meck/complainant, unable to be present tonight, must be in attendance.

Public Comment Period: none offered

Discussion Topics:

1. Accountant Review: Vinskey explains the purpose of the review. When asked to do so, Weiss explains the procedure for creating the warrants. Weiss: the departmental account numbers need to be easy to transfer into Schedule A; the labeling of account numbers can be as simple or as detailed as desired; the Town uses SoftRight software that is much less expensive however a little more limited than other available software. The general ledger report is the primary report used by Weiss. Weiss affirms that the software and computer system are up to date; routine backups are completed weekly. Torres is in the process of setting up Carbonite off site storage. Vinskey asks if the Town is fully utilizing Weiss's talents and if other supports are needed. Weiss appreciates the compatibility of the financial team and ease of working with Torres; no additional support is needed. Torres acknowledges that Weiss keeps up to date on changes in the law; i.e. how revenue and expenses are treated. Weiss: currently, changes are anticipated in how revolving funds are handled. In her absence, staff from a nearby town may be able to assist. Torres and Weiss note that Joan Hanson provides reliable, capable backup support for the financial staff.

Unanticipated Items:

- A. 3.6.17 MBI Letter: Huntress states her concern about the reliability of MBI's offer; last year Princeton was encouraged to bring the Charter question to residents and, even though the town was set to build out on their own, the residents voted for Charter to build out to 100% of their households. Huntress suggests that Shutesbury say no, again, to MBI's offer to contract with Charter. Vinskey, affirming that the Town wants 100% coverage and fiber versus cable technology, states that he is not in support of MBI's offer. DeChiara: the only reason MBI is paying attention is that Shutesbury said no - we have agreed to

100% coverage; with Charter we would have less technology and less control. Huntress: Charter would deliver a fiber-cable hybrid. Vinskey: the expectation is that our Broadband Committee (BBC) has been empowered to make critical decisions. Huntress: the BBC does not have the necessary information to consult town residents; Shutesbury could pay as much as 20% of the total build-out cost to cover the remaining 4% of premises in order to achieve 100% coverage. DeChiara: the town wants 100% fiber coverage. Martin: in Princeton, even though the decision was made a while ago, contracts with Charter have yet to be signed. Vinskey: how do we respond to MBI's 3.24.17 deadline? Huntress: we could say "no" or we could ask to receive the necessary information by 3.16.17 - something Charter will not be able to deliver. DeChiara recommends a straightforward "no". Vinskey: at some point we are going to run out of options. Huntress: MBI has indicated that towns choosing "grant only" will receive their funds; New Salem received the same letter from MBI; Egremont is very interested in going with Charter. Vinskey suggests the town say no to MBI's Charter offer. Draft response letter to MBI is reviewed, edited and prepared for Select Board signatures. DeChiara moves to approve the 3.7.17 letter to Peter Larkin/Chair MBI Board of Directors and reads the letter into the record; Makepeace-O'Neil seconds the motion that passes unanimously.

- B. Historical Commission Resignations: The Select Board considers the status of the resignations by Commission members Leslie Bracebridge, Joanna Hayes, Barbara Goodhind and Julie Taylor. This topic is carried over to the 3.21.16 meeting.

Discussion Topics (continued):

2. Broadband Timeline Special Town Meeting/Elections Review: Torres conferred with Attorney Donna MacNicol/Town Counsel and Town Clerk Susie Mosher who consulted the State Election Board: an election for the Municipal Lighting Plant (MLP) Board cannot be done from the town meeting floor; election of officials is done by statute; originally, the town voted the entirety of Chapter 164 and, at a Select Board meeting, the Board appointed itself as the MLP Board. Per MacNicol, adoption of MGL Chapter 41 Section 21 would give the Select Board the authority to vote its members to be the MLP Board; the question is, per current law, can a MLP, without an elected MLP Board, hold private business meetings and contract directly with another MLP without procurement requirements. Torres: MacNicol questions whether the Select Board had the authority to appoint themselves as the MLP Board and suggests that the Board must reverse this decision in order for the town to subsequently elect a MLP Board. Currently, the Select Board is acting as the MLP and the ability for MLP Manager to sign contracts would need to be verified. Torres: the election process must be by statute; there is not adequate time to complete the necessary process prior to May annual town meeting, however, a special election could be held. DeChiara: the method for electing a MLP needs to be determined. Torres: before a MLP Board is elected, the town could use procurement with signoff by the Select Board. DeChiara moves to request the Town Clerk to begin the process for the election of a five person MLP Board for the Town of Shutesbury as soon as

possible; Vinskey seconds the motion. Huntress: if new information becomes available, are we “locked into” an election? Torres: once announced, the election must be held. The Select Board has a meeting with the FinCom on 3.9.17 and could consider the Town Clerk’s information at that time. Motion passes unanimously.

Huntress: the BBC will meet 3.14.17 to determine strategies for how to obtain the necessary funds.

3. Regional Assessment Four Town Agreement: DeChiara: emailed Sean Mangano/ ARPS Finance Director, after the 2.21.17 Select Board meeting, about Shutesbury’s agreement to sign the “Statement of Principle”; subsequently, substantive edits were made to the statement which Shutesbury did not agree with, then, further agreeable revisions were made. DeChiara reads the final changes to the letter into the record; Mangano’s goal is a final document with all the signatures. DeChiara suggests the Board vote on the revised statement and empower Vinskey to sign the document. Makepeace-O’Neil moves to accept the amended “Statement of Principle and Agreement Among Amherst, Leverett, Pelham, and Shutesbury Regarding Amendment of Regional Assessment”; DeChiara seconds the motion that passes unanimously.
4. Finance/Select Board Meeting Topic: This item will be covered during the Select Board 3.9.17 meeting with the FinCom.
5. Select Board Policy/Procedure Manual: The document is reviewed and edited. DeChiara moves to approve the “Policies and Procedures of the Town of Shutesbury Select Board” pages 1-19 as amended and to be formatted by Makepeace-O’Neil; motion is seconded by Vinskey and passed unanimously.
6. Select Board Committee Meetings Attended: This agenda item is carried over to a future Select Board meeting
7. Town Administrator Updates:
 - A. With assistance from Al Werner/Board of Health, water tests from the Town Hall kitchen and wellhead were taken; the Board of Health will review the test results during their next meeting. Vinskey: when will the test results be released to the public? Torres: Ken Rotondi/Board of Health Chair wants the Board, who requested the tests, to review the results prior to interpretation by the public; once the Board of Health receives them, the results can be made public. DeChiara: the Board of Health cannot take a position until they have had an opportunity to review the results as a Board; receipt of the report can be acknowledged with the explanation that they will be reviewed during the next Board of Health meeting.
 - B. Funding the Broadband build out may present a reason for a special town meeting.
 - C. Vinskey requests Torres to find out the process for seeking payment of Lori Saleem’s unpaid dog fines.

D. MMA update topics: funding may be available to spray for mosquitos, concern about the loss of federal funding for healthcare and education, and the need to find ways to replace these losses, and the income potential from recreational marijuana sales.

8. Annual Town Meeting Resolutions: Item will be carried over to a future meeting.
9. Future Agenda Items: Town meeting warrant review will begin during the 3.21.17 meeting. The pre-town meeting informational session will be part of the 5.3.17 Select Board meeting. The Select Board will begin getting the word out about the 3.24.17 Select Board dinner. DeChiara requests the Board hold a discussion about immigration policy and, as a separate topic, consider what banking institutions the town uses.

Administrative Actions:

1. Vendor warrants totaling \$51,759.77 will be signed by the Select Board.
2. Payroll warrants totaling \$91,743.19 will be signed by the Select Board.
3. Fire Department Resignations: Makepeace-O'Neil moves the Select Board accept the resignations of Lawrence Reynolds and Chris Hasbrouck from the Fire Department; motion is seconded by DeChiara and is passed unanimously. Personnel Action Forms and thank-you letters are signed.
4. Select Board Meeting Minutes: Makepeace-O'Neil moves and DeChiara seconds the motion to approve the 2.21.17 meeting minutes; the minutes are unanimously approved as amended.

At 10:27pm, DeChiara moves and Makepeace-O'Neil seconds the motion to adjourn the meeting; motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. Vinskey's 3.7.17 Pre-meeting notes
2. 3.2.17 MBI letter to Vinskey
3. 3.7.17 Select Board/MLP Board to MBI Board of Directors Chair Peter Larkin
4. Revised "Statement of Principle and Agreement Among Amherst, Leverett, Pelham, and Shutesbury Regarding Amendment of Regional Assessment"
5. "Policies and Procedures of the Town of Shutesbury Select Board"
6. Personnel Action Forms: Christopher Hasbrouck and Lawrence Reynolds

Respectfully submitted,
Linda Avis Scott
Administrative Secretary