

Shutesbury Select Board Meeting Minutes
June 29, 2018 Shutesbury Town Hall

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

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

Guests: Police Sergeant Wendy Masiuk

DeChiara calls the meeting to order at 7:00am. Agenda review is completed.

At 7:02am, DeChiara moves to enter executive session for reason #3, to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair declares so, solely for the purpose of approving minutes and to return to open session; Puleo seconds the motion. Roll call vote: DeChiara: aye, Makepeace-O'Neil: aye and Puleo: aye.

Open session resumes at 7:04am.

Discussion Topics:

1. Review Draft FY19 List of Appointed Officials: Amendments: Benjamin Drake/Firefighter has been terminated by Fire Chief Walter Tibbetts; James Schilling-Cachat has resigned from the Historical Commission. The Select Board notes the need to honor the Historical Commission's decision to continue the Associate member position. DeChiara moves the Select Board approve the FY19 Appointed Officials List as amended; Puleo seconds the motion that passes unanimously.
2. Appoint Police Officer in Charge: Puleo moves the Select Board appoint Sergeant Wendy Masiuk to be the Police Officer in Charge beginning 7.1.18 and until a new police chief is appointed; Makepeace-O'Neil seconds the motion that passes unanimously. Sergeant Masiuk accepts the position of Officer in Charge. Masiuk states her concern regarding issues with payroll being completed in and timely matter and that the current Officer in Charge David Shoemaker has not worked shifts for the past two weeks; she therefore asks to have her appointment as Officer in Charge take effect immediately. Torres states that she has been in touch with Harding and Shoemaker; typically, Harding ramps up staffing around and during the July 4th holiday; per Harding, Shoemaker left a July schedule. Masiuk confirms that staff are aware of this schedule and notes that she will be the only officer on duty 7.1.18 because Fernandes is off and Golan is away; Newcomb will be on detail at Lake Wyola State Park/DCR so that will be covered; we are making maximum use of the officers available. Masiuk is concerned that Shoemaker will not be in on duty 1-9pm on 6.30.18; she does not have the authority to change the schedule, approve overtime or order someone in. Torres: at this point, Chief Harding is available via email; Harding is a "strong chief" so the Select Board only has appointing authority. Masiuk states she is thinking about the good of the town and is concerned Officer Shoemaker will not be responding. Torres: Shoemaker's last payroll was all sick time; she made Harding aware that Shoemaker has not been working shifts. Puleo moves that

under the present circumstances, even though it is against the strong chief concept, the Select Board appoint Sergeant Masiuk Officer in Charge as of 8am today, 6.29.18; Makepeace-O'Neil seconds the motion that passes unanimously. Masiuk will ensure someone is on duty and will check in at the Lake and with Shoemaker about his availability. Masiuk informs the Select Board about the need to notify Shelburne Dispatch; the authority to notify Control about a change in Officer in Charge is given by the Chief however the Select Board can issue this. Puleo moves the Select Board notify Dispatch/Shelburne Control that Sergeant Masiuk will be the Officer in Charge as of 8:00 am 6.29.18; Makepeace-O'Neil seconds the motion that passes unanimously. A statement to this effect is signed by the Select Board.

3. Police Chief Search Update/Appointment: Torres: the background check is yet to be completed as it is taking time to research past work and any related legal matters; each applicant needs to be treated the same. DeChiara notes that a thorough process has been conducted thus far. Torres reaffirms the importance of waiting until the background check is complete. Masiuk: there is no need to rush the decision as there will be an Officer in Charge. DeChiara: although his term is ending 6.30.18, he supports Sergeant Masiuk for the new Police Chief position; she knows and understands the town, is aware of small town finances; has demonstrated her dedication for five years; is engaged and communicative and plans to retire here.
4. Schedule Fire Chief Contract Negotiations: Pending participant availability, the Select Board will meet with the Negotiating Team at 6pm 7.10.18. DeChiara states his willingness to continue to represent the Select Board on the Negotiating Team. Makepeace-O'Neil notes that going forward the Select Board and Negotiating Team will participate in the negotiations. Puleo moves DeChiara remain the Select Board representative to the Negotiating Team; Makepeace-O'Neil seconds the motion; Puleo and Makepeace-O'Neil vote in favor of the motion and DeChiara abstains; motion passes.
5. MassDEP Workplace Charging Program Award: Torres: the town has just been awarded \$2,321 to acquire an electric vehicle charging station under the Mass Electric Vehicles Incentive Program; the grant is for about one-half the cost of the charger; installation will be ~\$4,000. Makepeace-O'Neil moves the Select Board sign the grant from MassDEP for the acquisition of one duo electric vehicle charging station; Puleo seconds the motion that passes unanimously.
6. Town Administrator Updates:
 - a. Torres requests the Select Board approve the list of FY19 personnel salaries that will be used to complete the FY19 Personnel Action Forms (PAFs); the list indicates the 2.5% increase and contract amounts for personnel; the police union and fire chief contracts are not complete and, when negotiated, these contracts will be retroactive to 7.1.18; there will be a note on Fire Chief's PAF that contract negotiations are incomplete; there will be a new contract with the new Police Chief. DeChiara moves the Select Board approve the FY19 salary list as amended and projected; Makepeace-O'Neil seconds the motion that passes unanimously.

- b. Torres reports being asked to explain herself to the Building Committee for the installation of the new Town Hall boiler because she did not follow Groves' recommendation not to replace something that is not broken; Groves is also questioning the plan for a new Town Hall roof; the Building Committee has developed a relationship with Mike Vinskey who will be working on a CPC application for Old Town Hall.

Unanticipated Business:

Puleo asks who is answering the questions asked by the public during the 6.26.18 open session and notes that she received a call from a resident asking what will happen at a special town meeting and why isn't the contract settled by annual town meeting; she provided answers that were subsequently relayed by the resident on NextDoor. Makepeace-O'Neil recommends posting the questions on the town website including a note that the Select Board is researching what information can be shared. DeChiara offers, as a member of the Web Communications Committee, to prepare the webpage. Makepeace-O'Neil suggests "these are the questions that have been asked and they will be answered as information/research is available". DeChiara: as per Open Meeting Law, Torres can consult with Attorney Maser for guidance and then answer the questions; we need to get information out about the limits of what can be voted at a special town meeting as folks are still coming in and asking for the petition which is not available at town hall. The Select Board and Town Administrator do not know what the citizen petition for a special town meeting states. Makepeace-O'Neil: as we answer the questions, information will become available to the public. Torres was asked by the *Daily Hampshire Gazette* reporter for background as to why we have a full-time fire chief; she sent him the 2004 minutes when the decision was made.

Administrative Actions:

1. Select Board members will sign FY18 vendor warrants totaling \$110,866.23.
2. Select Board members will sign FY19 vendor warrants totaling \$210,119.88.
3. Select Board members will sign FY19 payroll warrants totaling \$94,665.89.
4. Select Board members will sign Broadband warrants totaling \$335.31.
5. Puleo moves and Makepeace-O'Neil seconds a motion to approve the 6.13.18 Select Board meeting minutes; the minutes are unanimously approved as presented.
6. The 6.18.18 letter from David Dann/COA requesting the dissolution of the Aging in Place Task Force is received by the Select Board; the work of the Task Force is complete now that Village Neighbors, Inc. is an independent organization.
7. The letters of resignation from Police Chief Tom Harding, effective midnight 6.30.18, Police Officer David Shoemaker, effective 6.30.18, and Historical Commission member James Namatassis Schilling-Cachat are received by the Select Board and individual acknowledgement thank-you letters signed.

Torres and Makepeace-O'Neil appreciate Michael DeChiara's presence and work.

DeChiara moves and Makepeace-O'Neil seconds a motion to adjourn at the meeting 7:48am; motion is unanimously passed.

Documents and Other Items Used at the Meeting:

1. Draft FY19 Appointed Officials list
2. 6.29.18 memo to Shelburne Control
3. MassDEP Workplace Charging Program award documents
4. FY19 Personnel Salary List
5. 6.18.18 letter from David Dann/Aging in Place Task Force
6. Letters of resignation from Police Chief Tom Harding, Police Officer David Shoemaker and Historical Commission member James Namatassis Schilling-Cachat

Respectfully submitted,
Linda Avis Scott
Administrative Secretary