

Shutesbury Select Board Meeting Minutes
October 1, 2019 Shutesbury Town Hall

Select Board members present: Melissa Makepeace-O'Neil/Chair and April Stein

Select Board member absent: Elaine Puleo

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

Guest: Ralph Armstrong

Makepeace-O'Neil calls the meeting to order at 6:30pm.

Agenda Review: No changes are made.

Public Comment: None offered.

Discussion Topics:

1. HG&E Contract Addendum: Stein moves and Makepeace-O'Neil seconds a motion to approve and sign the HG&E "Change Order #2 under Inter-Governmental Services Agreement dated December 13, 2018"; motion passes unanimously.
2. Letter to Bill Ennen/Executive Office of Housing & Economic Development (EOHED) Liaison: Stein moves and Makepeace-O'Neil seconds a motion to approve and sign the letter to William Ennen/Last Mile Liaison EOHED formalizing Shutesbury's request for an additional contribution from the Last Mile Contingency Fund of \$164,216; the motion passes unanimously.
3. Police Academy Agreement: Select Board members review the draft agreement for Police Officer Marcus Johannsson's attendance at the Police Academy. Torres suggests and the Select Board members agree that the officer remain employed by the Shutesbury Police Department for five rather than three years after completing Academy training. Stein reflects on the challenges with supporting an officer through the Academy, i.e. the cost to the Town and requirement for the officer to remain employed by the Department for a specified period of time after graduation. Makepeace-O'Neil recognizes that the Academy decision will be about the individual officer. Stein recognizes what Chief Fernandes is seeking to accomplish with the Department. Makepeace-O'Neil: the agreement will emphasize Johannsson's commitment. Stein appreciates how Johannsson interacted with the public during Celebrate Shutesbury. Makepeace-O'Neil acknowledges his ability to interact with children. Torres: he receives high marks from school staff.
4. Anti-Discrimination Workshop: Makepeace-O'Neil found the sessions very interesting; the presenter touched on all aspects of the topic and it appeared that folks wanted to be present. Torres: the afternoon session was well attended. Stein: the presenter clearly knew her material and was not thrown by a difficult question. Torres: several individuals were disappointed to miss the event and asked about planning for a future session. Torres and the Board consider planning an event focused on implicit bias.
5. Special Municipal Employees: Torres requests a review of the "2019 Town of Shutesbury Special Municipal Employee List" with additions and corrections marked in red. Torres reads an explanation of "special municipal employee" status from "Special Municipal Employees: An explanation of how the conflict of interest law applies to 'Special Municipal Employee' positions". Torres notes that the Municipal Lighting Plant Manager position may not qualify

because it terminates at the end of 2019. Because the Town is no longer a member of WiredWest, all agree to remove the WiredWest Delegate and Alternate Delegate positions from the list.

6. Accept Resignations and Personnel Action Form:

Stein moves and Makepeace-O'Neil seconds a motion to accept the resignation of Benjamin Caulton from the Shutesbury Fire Department; the motion passes unanimously.

Stein moves and Makepeace-O'Neil seconds a motion to re-appointment India Meyer as Shutesbury Firefighter; the motion passes unanimously.

Stein moves and Makepeace-O'Neil seconds a motion to accept the resignation of Tim Cook from the Water Resources Committee; the motion passes unanimously.

Stein moves and Makepeace-O'Neil seconds a motion to accept the resignation of Elizabeth Fernandez O'Brien from the Recreation Committee; the motion passes unanimously.

Stein moves and Makepeace-O'Neil seconds a motion to accept the resignation of Sue Essig from the Open Space Committee and Community Preservation Committee; the motion passes unanimously.

Ralph Armstrong joins the meeting briefly to ask for confirmation about the date/time of the Broadband TV presentation.

7. Town Administrator Updates:

a. Hampshire Power Agreement for Town Hall: Stein moves and Makepeace-O'Neil seconds a motion to approve the Hampshire Power "Renewable Energy Certificates Purchase Agreement"; the motion passes unanimously.

b. Town Hall broadband has been installed, however, because the fire wall is limiting the speed, an improved fire wall and some boosters are being considered; Matt Crocker/Crocker Communications is recommending separate ONTs (optical network terminals) for each router so there is no interface between the Town Hall guest and secure lines. G Data security is being updated on Town Hall computers; setting up Carbonite will be done next.

c. The last farmers' market is this coming Saturday, 10.5.19.

d. Nelson Tree has completed their work on Pratt Corner Road; the Stanley crane crew will return in late October and late November.

e. KPLaw update: Non-union members are now required to pay the union the costs associated with processing a grievance or arbitration carried out by the union on behalf of the non-union member. Before the amendment, the union was required to represent non-union members without compensation.

f. The Broadband Committee are allowing new sign-ups to take place until November 1st; a mailing went out to all the addresses that have yet to sign up; unless a network change is necessary, the fee remains at \$200.

g. Massachusetts joined a national opioid class action suit; Shutesbury received a litigation packet providing an option to opt out of this suit. The Select Board requests that the Town participate in the suit.

8. Committee Updates:

- a. Lake Wyola Advisory Committee (LWAC): per Stein, the Committee would like to meet with the Select Board, Police and Fire Chiefs, and DCR to discuss overcrowding at Lake Wyola State Park. Torres explains that she and Police Chief Fernandes are planning to meet with DCR. The Board agrees to a plan for Torres, Fernandes and a DCR staff person to meet then assess whether a broader meeting is needed. Issues of concern are parking, pedestrian traffic, overcrowding on the beach, and the need to close the facilities due to septic system limits. Stein will follow-up with the LWAC.

9. Prior and Future Action Items: Torres will follow-up on Shutesbury's compliance with the UN Treaty on the Prohibition of Nuclear Weapons. Torres will also develop a "prior/future action items" spreadsheet.

At 8:29pm, Makepeace-O'Neil moves and Stein seconds a motion to enter into executive session for reason #3, to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the government's litigation, salt contamination lawsuit/Watkins, to be followed by an executive session for reason #3, regarding dog issue, before returning to open session. Roll call vote: Makepeace-O'Neil: aye and Stein: aye.

Open session resumes at 9:15pm.

Administrative Actions:

1. Select Board members sign vendor warrants totaling \$212,854.70.
2. Select Board members sign payroll warrants totaling \$110,227.77.
3. Stein moves and Makepeace-O'Neil seconds a motion to approve the 9.17.19 meeting minutes; the minutes are unanimously approved as presented. Makepeace-O'Neil appreciates Scott and Torres for the quality of the minutes.

At 9:17pm, Stein moves and Makepeace-O'Neil seconds a motion to adjourn the meeting; the motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. HG&E "Change Order #2 under Inter-Governmental Services Agreement dated December 13, 2018"
2. 9.17.19 Select Board and MLP letter to William Ennen/Last Mile Liaison EOHED
3. Draft Police Academy "Agreement"
4. "2019 Town of Shutesbury Special Municipal Employee List" and "Special Municipal Employees: An explanation of how the conflict of interest law applies to 'Special Municipal Employee' positions"
5. Hampshire Power "Renewable Energy Certificates Purchase Agreement".
6. National Prescription Opioid Litigation "Class Action Notice and Frequently Asked Questions" from U.S. District Court/Northern District of Ohio

Respectfully submitted,
Linda Avis Scott
Administrative Secretary