

Shutesbury Select Board Meeting Minutes
April 28, 2020 Zoom Virtual Platform

Makepeace-O'Neil calls the virtual meeting to order at 5:30pm.

Select Board members present: Makepeace-O'Neil/Chair, Elaine Puleo, and April Stein

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

Guests: Paul Lyons/Town Moderator, Michael Vinskey, Rita Farrell/FinCom and Police Chief Dan Fernandes

Agenda Review: Per Torres, final review of the Lodestar PILOT will be considered at a future meeting.

Public Comment: Mike Vinskey appreciates the ability to attend the Select Board's virtual meeting and requests online access to documents prior to the meeting. Vinskey expresses disappointment that during the 4.21.20 FinCom meeting, there was no discussion about the Town's financial situation related to COVID-19, i.e. high unemployment rates, loss of retirement/investment funds. Vinskey understands FinCom member Bob Groves brought these concerns to the Select Board and acknowledges that a letter from Groves went into the record for the 4.21.20 FinCom meeting. Vinskey: the Select Board is in a position of leadership and needs to exercise that leadership to reduce spending for the rest of FY20 and for FY21; we know that Shutesbury pulls together in times of crisis and we need you (the Select Board) to pull us together in the right direction. Puleo appreciates Vinskey's comments and notes she attended the 4.21.20 FinCom meeting and that the FinCom will be addressing the Town's financial status during their 5.5.20 meeting. Vinskey notes that he processed his tax payment before receiving word that the Select Board voted to extend the payment due date to 6.1.20 and that better publicity was needed, i.e. a reverse 911 call. Torres to Vinskey's question: hopefully, the April unemployment numbers will be available for the 5.5.20 Finance Committee meeting.

Discussion Topics:

1. Annual Town Meeting/COVID-19 Updates: Torres refers to Town Moderator Paul Lyon's 4.23.20 email regarding concerns for how annual town meeting will take place, i.e., should the warrant be minimized to reflect the current conditions and the particulars for how to hold the annual town meeting. Earlier 4.28.20, Torres held a departmental meeting during which one of the topics focused on supplies for the annual election. Lyons: even though annual town meeting is two months away, there may be a need for significant planning; even though the possible options will not be known until the date gets closer, it will be helpful to put some pieces in place; social distancing will be needed and the State of Emergency may still be in effect. Lyons recommends convening a meeting of those who will have a role in planning, i.e. the Board of Health, Police and Fire Department; whatever we choose to do, we need to ensure townspeople feel comfortable enough to participate in an option that is supportive and user friendly. Puleo supports convening a planning meeting sooner rather than later and to include the Town Administrator and Finance Committee and, because it may be early June before we have a final decision, suggests creating a list of scenarios with effectiveness dates. Stein appreciates the rank ordering of solutions approach. Puleo: the worst-case scenario will be the need to pass a 1/12 budget. Lyons agrees with Puleo and Stein's points; the posting

of the warrant is the critical point because, once that occurs, the moderator makes the decisions about annual town meeting; how the warrant is structured is a significant consideration; other towns are putting off articles that can wait for a subsequent special town meeting. The annual town meeting planning session is tentatively scheduled for 5.7.20 at 5:30pm; Torres will confer with the other participants. Rita Farrell: the CPC has standard articles that need to be passed. Puleo: State Representative Natalie Blais and State Senator Jo Comerford are considering whether annual town meetings could be held out of town. Lyons notes the need for good communication with residents about annual town meeting plans and allowing plenty of lead time to prepare. Makepeace-O'Neil suggests placing a note on the Town's home page stating that how annual town meeting will be held is in process.

2. Web Communications Committee Appointment: Stein moves and Puleo seconds a motion to appoint Jill Buchanan to the Web Communications Committee. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries.
3. MLP Drop Construction Project Contract: Torres, noting that the Select Board approved the "Drop Cost Assistance Request Application" letter for \$312,000 during their 4.14.20 meeting, reports that the Last Mile Contingency Fund contract was received by Gayle Huntress/MLP Manager and, to expedite its processing, Makepeace-O'Neil signed the relative documents. Stein moves and Puleo seconds a motion to approve the signed Standard Contract Form and Drop Cost Contract Amendment – Attachment C. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries.
4. Town Administrator Updates:
 - a. Chapter 90: Torres: Highway Superintendent Tim Hunting has submitted a Chapter 90 Project Request for \$80,000 to cover the cost of paving a 3,270 feet section of Locks Pond Road, between Footit Hill and Lakeview Drive, with leveling coat and topcoat. Stein moves and Puleo seconds a motion to approve and sign the Chapter 90 Project Request for \$80,000 to pave a section of Locks Pond Road. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries.
 - b. Farmers Market: Torres, referring to MDAR (Mass. Department of Agricultural Resources) "Farmers' Markets, Farm Stands, & CSAs Guidance Memo #5" and the "Order of the Commissioner of Public Health for Farmers Markets, Farm Stands and CSAs", reports being in touch with prior Shutesbury Market vendors who feel opening is doable. Per Torres, the MDAR and DPH guidance provides very specific procedures and the Board of Health will be considering market instructions during their 4.29.20 meeting. Makepeace-O'Neil recommends a one-way walk through using cones and caution tape, offering hand sanitizer and that customers not use their own bags. Both Puleo and Stein urge for mask wearing to be required. Torres notes that the DPH guidance requires masks and suggests waiting for more input from the Board of Health.
 - c. Solar PILOT: Per Torres, Lodestar has submitted a counter proposal to which Town Counsel Donna MacNicol made one change by striking the last sentence of Section 13 because, per MGL Chapter 59, solar installations are exempt until such time as legislation specifies "residential"; Lodestar response to this change is pending.

- d. Department Head Meeting: Torres held a meeting with relevant department heads to facilitate communication about personal protective equipment (PPE); Town Clerk Susie Mosher is working on a flow for the annual municipal election and has chosen to use protective face shields for election workers rather than plexiglass barriers; the Board of Health has received a grant for tracking that is not being used because the State is performing contact tracing and Board of Health member Arlene Read is monitoring MAVEN (Mass. Virtual Epidemiological Network) without expense. Torres explains that other grant funds will be needed to pay for postage costs associated with early/absentee voting and asks whether the Select Board wants the Town to provide a stamp on the ballot return envelope. Puleo moves the Select Board approve providing a stamp on the early/absentee ballot return envelopes; Stein seconds the motion. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries.
- Puleo: another town used some of their emergency funds to purchase gloves, masks and thermometers for households in need; could Shutesbury use some funds to purchase these supplies for residents in need? Torres suggests Puleo bring this idea to the Board of Health's 4.29.20 meeting; Board of Health member Noreen Pease may need funds for potential distribution of a future vaccine. Torres continues: during the department head meeting, there was a conversation about requiring the wearing of face masks and enforcement; Police Chief Dan Fernandes is concerned about enforcement therefore is focused on education; regarding a gathering on the beach over the weekend education, the Police Department's focus was on education. Puleo would like to offer masks to those who do not have access. Torres: election workers will be using disposable masks and voters cannot come into the building without a mask, however, if they are not wearing a mask, they may have the ability to vote outside; the goal is to avoid negative experiences; two hundred disposable masks have been ordered. Puleo: more substantial fabric masks cost about \$2 to make and there are people who can sew them; thermometers are also needed. Stein: how do we identify the need? Torres: the Town Hall thermometer has come in and will be used at the election; the thermometer will beep if an individual's temperature is over 100.1 degrees.
- e. Town Hall: Per Torres, activity at Town Hall has been calm and quiet; Police and Fire Department activity has been low. Governor Baker's reopening task force will be headed by Lt. Governor Polito and has a broad spectrum of membership; MMA is also a resource for reopening support; Sean Cronin/Division of Local Services will meet with STAM members next week. Other news: State aid figures should remain where they are because the FY20 budget will be held harmless; there is uncertainty about FY21, however, there may be adjustments based on reimbursement from the Federal government.
- f. Highway Department Personnel Action Form (PAF): Torres: because a new hire would be making the same as Steve Sullivan/Equipment Operator, Hunting is recommending a pay increase for Sullivan from Step 2 to Step 5 (\$20.24/hour to \$22.12/hour); Sullivan has been working very hard particularly because the Department has been short staffed; the new rate will be close to that of the Leverett Highway Department. Torres notes that Hunting only requests pay increases in rare circumstances. Puleo moves the Select Board approve the 4.29.20 PAF for Steve

Sullivan; Stein seconds the motion. Roll call vote: Puleo: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

5. Police Department Staffing Update: Police Chief Dan Fernandes joins the meeting at 6:44pm and provides a staffing update: part-time Officer Kristen Burgess is able to work 32 hours/week which will partially fill the full-time vacancy. Fernandes to Stein's question: yes, Burgess, who has the part-time academy, would fill a part-time benefited position at 32 hours. Fernandes notes that neither one of the final two applicants was a good fit for the department. Torres asks if Fernandes is ready to make Burgess' appointment formal. Per Fernandes: Burgess is interested in the position. Makepeace-O'Neil suggests Fernandes confirm Burgess' availability. Torres suggests the Select Board vote contingent upon Burgess accepting the position. Fernandes states his approval of Torres' suggestion and notes that Burgess is a great fit with the department, works well with Officer Johansson and is very community oriented. Torres: during the last couple of weeks, Burgess worked for 32 hours providing Fernandes with more opportunity to evaluate her performance. Fernandes: there will be no change in Burgess' pay rate and notes that in his presence, Burgess handled a rollover accident very well and, on her own, contacted the person involved the next day. Fernandes notes that the 4.25.20 "Greeting" parade was a very good thing and appreciates Shutesbury's community involvement. Puleo moves the Select Board approve the Personnel Action Form to change Kristen Burgess' status from a part-time to a benefitted part-time officer contingent upon her acceptance of the position; Stein seconds the motion. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries. Puleo confirms with Fernandes that the Lake Wyola State park remains closed. Per Torres, the Police Department is keeping an eye on the Lake area and the Board of Health is not requiring a policy change for the boat ramp and Elliot Park.

Administrative Actions:

1. On behalf of the Select Board, Makepeace-O'Neil will sign vendor warrants totaling \$43,170.35.
2. On behalf of the Select Board, Makepeace-O'Neil will sign payroll warrants totaling \$94,175.99.
3. On behalf of the Select Board, Makepeace-O'Neil will sign broadband warrants totaling \$ 1,599.71.
4. Puleo moves and Stein seconds a motion to approve the 4.14.20 meeting minutes. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the 4.14.20 minutes are approved as presented.
5. Stein moves and Puleo seconds a motion to approve the 4.17.20 meeting minutes. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the 4.17.20 minutes are approved as presented.

At 6:58pm, Puleo moves and Stein seconds a motion to adjourn the meeting. Roll call vote: Stein: aye, Puleo: aye, and Makepeace-O'Neil: aye; the motion carries.

Documents and Other Items Used at the Meeting

1. 4.23.20 email from Paul Lyons “A few thoughts on ATM”
2. Standard Contract Form and Drop Cost Contract Amendment – Attachment C
3. Chapter 90 Project Request for Locks Pond Road paving
4. MDAR Farmers’ Markets, Farm Stands, & CSAs Guidance Memo #5
5. Order of the Commissioner of Public Health for Farmers Markets, Farm Stands and CSAs
6. Amended and Restated Agreement for Payment in Lieu of Taxes for Personal Property Between LSDP 12, LLC and the Town of Shutesbury dated as of February 18, 2020
7. Personnel Action Forms for Steve Sullivan and Kristen Burgess.

Respectfully submitted,
Linda Avis Scott
Administrative Secretary