

Shutesbury Select Board Meeting Minutes
November 24, 2020 Virtual Meeting Platform

Select Board members present: Melissa Makepeace-O'Neil/Chair, April Stein, and Rita Farrell
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary
Guests: Elaine Puleo and B. Z. Reily/Recreation Committee, Town Counsel Donna MacNicol, Kevin Rudden/Administrative Assessor, Grace Bannasch/Town Clerk, Jennifer Donnelly and Tom Siefert/Shutesbury Athletic Club

Makepeace-O'Neil calls the meeting to order at 5:33pm.

Agenda Review: Scott notes the need to include Cultural Council appointments and that because the Shutesbury Athletic Club annual Certificate of Inspection seems to remain pending, their license renewal may need to be postponed.

Public Comment: Elaine Puleo summarizes her 11.23.20 "Safety on our roads" email to the Select Board, Police Chief Dan Fernandes and Highway Superintendent Tim Hunting: there are two properties on Pelham Hill Road that have fenced off areas right next to the road that prevent those who bike ride, walk, and run from being able to get off the road; recently, a logging truck caused her to jump off the road and, relievedly, she was in between these two properties. Puleo continues: the situation is worse in winter and has been an ongoing problem; past Select Board member Al Springer tried to resolve the problem however was unsuccessful; these fences are on town property and are a hazard; Hunting supports Puleo's effort to resolve the situation as it is a problem for the Highway Department as well. Torres will contact Puleo to explain the current approach to handling the situation. Puleo leaves the meeting at 5:39pm and will return after the executive session.

Executive session procedures are reviewed. Recording paused at 5:40pm.

At 5:40 pm, Stein moves and Farrell seconds a motion to enter executive session for reason #3, Pill/Watkins land swap, 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 or the chair so declares and to resume open session. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Open session resumes at 6:24pm

Discussion Topics:

1. Recreation Committee/Public Garden Concept: B.Z. Reily/Recreation Committee: the Committee is interested in developing community garden plots next spring; out of the 15 Survey Monkey responses, 12 people were definitely interested with 3 "maybes"; the plan is to continue the survey. Puleo/Recreation Committee: the survey was announced in the recent issue of *Our Town* newsletter. Torres agrees to put a link to the survey on the Town website. Reily: based on the response, we are encouraged to move forward. Puleo identifies the four sites: behind town hall, behind the Fire Department, Lot O32, and at the elementary school; the Committee does have a preferred site; however, the respondents were most interested in a site behind town hall; behind the Fire Department

site was second. Puleo: the Committee is planning to submit an application to the Community Preservation Committee for \$15,000 for fencing, tilling, building up the soil, and installing a water supply. Torres: authorization for use of Town owned land will need to come from the Select Board. Makepeace-O'Neil supports the idea for a community garden. Reily: other towns have community gardens; many Shutesbury homes are in the woods with little sun; this is a way for people to come together; there is parking at town hall though access to the back area may be needed; the school site has limited access and there was no interest in Lot O32. Torres emphasizes the need to carefully consider the choice of sites, i.e., concern about driving access to the back of the town hall site, the town hall parking lot is often overstressed and that the gardens could curtail other development. Farrell notes that the gardens would not be permanent structures. Torres identifies septic system and drainage as potential issues at the town hall site and the presence of a swamp, the new Town well and solar panels at the Fire Department site; locations need to be examined for potential hidden costs and to ensure the site usable, i.e., consulting a soil specialist. Puleo confirms for Farrell that the plan is to construct raised garden beds and to use the town hall water supply. Torres encourages the Committee to identify concerns in advance; i.e., a water supply. Puleo suggests the Committee consider requesting CPC funding for an initial site development phase.

2. Reopen Classification Hearing: At 6:41pm, Farrell moves and Stein seconds a motion to reopen the Classification Hearing. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries. Kevin Rudden/Administrative Assessor explains that the Department of Revenue online system malfunctioned 11.18-19.20; when the relevant documents were input, Shutesbury's re-evaluation document was questioned resulting in an addition to the valuation and a reduction in the tax rate. Per Rudden, the new tax rate is \$22.61/per \$1,000 valuation, a \$1.43 decrease from the current tax rate; this change requires the Select Board to revote the 11.17.20 motions.
 1. Rudden recommends Makepeace-O'Neil ask for a motion for a single tax rate. Farrell moves and Stein seconds a motion that the Select Board approve a single tax rate for Fiscal Year 2021. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O'Neil: aye; the motion carries.
 2. Rudden recommends not to adopt an Open Space discount for FY21. Farrell moves and Stein seconds a motion that the Select Board not adopt an Open Space Discount for FY21. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O'Neil: aye; the motion carries.
 3. Rudden recommends not to adopt a Residential Exemption for FY21. Stein moves and Farrell seconds a motion that the Select Board not adopt a Residential Exemption for FY21. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O'Neil: aye; the motion carries.
 4. Rudden recommends the Select Board not adopt a Small Commercial Exemption for FY21. Farrell moves and Stein seconds a motion that the Select Board not adopt a Small Commercial Exemption. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

At 6:44pm, Stein moves and Farrell seconds a motion to close the Classification Hearing. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries. Town Clerk Grace Bannasch was present to witness the Select Board votes.

3. Shutesbury Athletic Club Alcoholic Beverages Club License Renewal: Tom Siefert/Manager and Jennifer Donnelly/Secretary are present to represent the Shutesbury Athletic Club (SAC). Scott: Donnelly prepared the ABCC renewal documents in a timely manner and paid the ABCC \$200 renewal fee, Laurie Doubleday/Treasurer provided the Department of Revenue Certificate of Good Standing and Department of Unemployment Assistance Certificate of Compliance; because the SAC has been closed and will be closed for the foreseeable future, the liquor liability and workers compensation insurance requirements are waived per ABCC; the annual local licenses for pool table use and live entertainment will be renewed prior to reopening; as per the 11.10.20 Select Board vote, the Local Licensing Authority fee of \$450 has been waived for 2021; as of now, however, the SAC's annual Certificate of Inspection from the Franklin County Cooperative Inspection Program (FFCIP) remains pending. Siefert: Building Commissioner James Hawkins conducted an inspection on 11.12.20 and the check has cleared however issuance of the certificate remains pending. Siefert agrees to follow through with FCCIP. The ABCC renewal guidelines required the licensee to sign the renewal documents before 11.30.20; this requirement has been satisfied. The Select Board/Local Licensing Authority, Donnelly, and Siefert agree to continue the Alcoholic Beverages License renewal process, as the first agenda item, on 12.8.20. Torres will send Siefert and Donnelly the Memorandum of Agreement for their review prior to 12.8.20.
4. Designer Selection Procedures: Torres explains that she is working with FRCOG's Chief Procurement Officer Andrea Woods on the process for selecting a designer for the Shutesbury Elementary School (SES) roofing project; Matt Foster/SES Head Custodian has provided the building documents; the goal is to have a design for capital improvement funding at annual town meeting. Torres to Farrell's question: because of its unusual flat roof, a designer is needed specifically for the gym area where the special parquet floor needs protecting; the remaining roof does not need redesigning, however, the way the roof interfaces with the cement walls needs to be reconfigured; a critical design component will be how runoff is moved away from the building under the driveway into the grassy area. Torres explains that the purpose of the Request for Quote (RFQ), the designer selection process, is to establish a limit on cost and chose the designer based on qualifications and criteria; it would be ideal if a special town meeting is not needed to fund designer services. Per Torres: the building renovation fund's current balance of \$22,000 could be used, along with help from SES, to pay for design services; it is expected that quotes may range from \$25,000 to \$30,000; the goal of \$22,000 could be realistic. Torres appreciates the Select Board and School Committee's support; once a designer is selected, the Select Board will sign the contract; the RFQ process was approved by the Board during their 10.15.20 meeting.
5. Town Administrator Updates:
 - A. Town Hall Reopening: Torres is glad that Town hall remains closed to the public; when needed, the Senior Lounge is being used for staff members to meet with residents one on one; trash bag distribution will take place, one family at a time, on Monday afternoons in the Senior Lounge.
 - B. CARES Act Broadband Projects: the Municipal Lighting Plant Board continues to work on projects funded by the CARES Act.

- C. FY22 Budgets: In preparation for the 12.5.20 four-town meeting, it is noted that the agenda allows one hour for the entire meeting and that Shutesbury representatives need to be clear about their strategy and have designated spokespersons. Torres: per Doug Slaughter/Regional Finance Director, the Region has very little information at this point and may not have materials available ahead of the 12.5.20 meeting; Slaughter will look into the use of breakout rooms; towns will be asked to present their current financial situations and the FinCom will take the lead on this. Torres notes that Slaughter could be asked to prepare a range of assessment method percentages up to 60%. Torres reports meeting with Jim Walton/FinCom Chair earlier 11.24.20 to review where the FinCom is in consensus about the long-term statutory goal and plan to listen to the other towns' reports during the 12.5.20 meeting. Makepeace-O'Neil: so much is unknown. Torres: her conversation with Slaughter reinforced this. The plan is for Shutesbury's representatives to meet for a half hour before the four-town meeting. Per Torres, the FinCom will be working on their presentation during their 12.1.20 meeting. Stein: the end goal is the same, however, this is an extraordinary year. Makepeace-O'Neil: Shutesbury does not rely on tourism and the presence of students as Amherst does. Torres: Shutesbury's unemployment rate is 6.5%; none of the four towns' rates is over 7%. Farrell recommends Stein speak for the Select Board; members plan to listen to the FinCom 12.5.20 plans during next their 12.1.20 meeting.
 - D. Vacation/Sick Time: Torres: to clarify an inquiry from Tim Hunting/Highway Superintendent, Ryan Mailloux/Treasurer is the Human Resources person for Town employees; Mailloux will provide Hunting with a chart to track his staff's vacation/sick time.
 - E. Mask Guidance: Per Torres, the "Application of Face Mask Mandate to Municipal Employees in City/Town Halls" guidance came from the Department of Public Health. Torres to Farrell's question: based on the new guidance from the Governor, Shutesbury police officers are wearing masks during interactions with the public. Torres reports that she spoke with the member of the public who reported a police officer not wearing a mask during an interaction with her. Torres offered for the individual to meet with Torres, Police Chief Fernandes and Makepeace-O'Neil; the individual refused the offer stating that her point had been made.
 - F. Personnel Board: Torres reports that the Personnel Board met 11.19.20; Ralph Armstrong will serve as chairperson, Peg Ross will serve as secretary, and Melody Chartier is the new Finance Committee representative.
6. Cultural Council Appointments: Farrell moves and Stein seconds a motion to appoint Elizabeth Pangburn and David Leach to the Cultural Council. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Administrative Actions:

1. Select Board members will sign vendor warrants totaling \$50,968.56.
2. Select Board members will sign payroll warrants totaling \$103,652.08.
3. Farrell moves and Stein seconds a motion to approve the 11.10.20 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 11.10.20 meeting minutes are approved as presented.

4. Farrell moves and Stein seconds a motion to approve the 11.17.20 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 11.17.20 meeting minutes are approved as presented.

At 7:38 pm, Stein moves and Farrell seconds a motion to adjourn the meeting. Roll call vote: Stein: aye and Makepeace-O'Neil: aye. Farrell leaves the meeting just prior to adjournment. The motion carries.

Documents and Other Items Used at the Meeting:

1. 11.23.20 "Safety on our roads" email from Elaine Puleo
2. MGL Chapter 7C Section 44 Relating to Procurement and Quality of Design Services
3. "Application of Face Mask Mandate to Municipal Employees in City/Town Halls"

Respectfully submitted,
Linda Avis Scott
Administrative Secretary