

Shutesbury Select Board Meeting Minutes
February 23, 2021 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: Police Chief Dan Fernandes, Miriam DeFant, Susan Rice, Mary Jo Johnson, Susie Mosher, Ezell Floranina, Mary Lou Conca, Allen Hanson, and Kate McConnell; other unidentified parties were present.

Makepeace-O'Neil calls the meeting to order at 5:31pm.

Agenda Review: No changes are made.

Public Comment: Mary Jo Johnson has looked into the job of policing in rural areas; justice.gov and ojp.gov have information about issues rural communities face regarding policing. Following up on her email about the possibility of hiring a consultant, Johnson recommends a review of police policies and job descriptions and that the Select Board request a series of reports provide transparency to the public; is there a way to look at the values and needs of the community and the kinds of concerns we want to be informed about, i.e., elder justice, domestic violence, and/or whatever specific concerns there are in our community. Johnson notes the need to be proactive.

Discussion Topics:

1. SES Roof Designer Contract: Torres: subsequent to Town Counsel Donna MacNicol's review of the contract, there will be a slight reduction in the insurance requirements; Steven Habeeb will note this difference when he signs the contract. Torres continues: the project timeline is covered in the contract for design services; the Town had a contract with FRCOG's Andera Woods to develop the RFQ (request for quote) which included defining the scope of the project, compiling the history of the leaks and what remediation has been done; the designers responding to the bid had the opportunity to review this information; the RFQ was put out to bid for a three week period and six bids were received. Torres reviewed the bids with Michael Broad/builder and Jeff Quakenbush/ retired UMass architect; both of them knew some of the architects on the list of bidders; initially, the proposals were reviewed to see how they matched the project; the top three were then each interviewed for an hour; they all had outstanding reputations and the interviews provided an opportunity to discuss the specific project and timeline; the goal of the design work is the gym roof and its interface with the main shingle roof. Per Torres, Habeeb was very responsive and their proposal allowed more time for the investigation stage therefore they were selected; the goal was not to exceed \$28,000; Habeeb's bid, after reviewing the project, was \$27,500 plus an additional \$1,200 for the shingle roof investigation which was not part of the original scope of work. Torres reports that per Bruce Turner/Union 28 Finance Director, who has worked on building projects for all four Union 28 schools as well as other school buildings, this is a good price for what is needed; the contract is ready for review by the Select Board; the goal is to have an estimate by mid-May allowing time to go out for a construction bid that is as specific as possible and ready for annual town meeting; once the Board votes, members will be free to sign the contract that has been approved and signed by Habeeb. Makepeace-O'Neil moves the Select Board approve and sign the Habeeb and Associates of Norwell Mass contract for "Shutesbury Elementary School Gymnasium Roof Replacement Designer Services" dated

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

2. Select Board Representation Contract/Salary: Torres: the Town Administrator and Highway Superintendent contracts expire 6.30.21; the Highway Superintendent is not quite ready to renew his contract; as well, a letter has been received from a staff member requesting a wage review. Torres continues: per the Personnel Board, the wage review will be considered by the full Personnel Board along with a representative from the Select Board and FinCom; this request could be handled as an individual case or, because it involves a member of the finance group, could be considered across the board, hence the need for a deep review of the request. Stein volunteers to be the Select Board representative for both the contract negotiations and wage review. Makepeace-O'Neil and Farrell appreciate Stein's willingness to serve. Contract negotiations include a member of the Personnel Board, FinCom and Select Board.
3. Police Discussion: Makepeace-O'Neil notes that due to time constraints, the discussion will need to end by 6:55pm. Stein thanks Farrell for developing the initial draft and emphasizes the need for police involvement as part of the committee. Farrell: during the 2.9.21 meeting, the Select Board agreed that to start the conversation, she would draft a proposal which was sent to Stein, Makepeace-O'Neil, and Torres; individual comments were sent to Torres who compiled the draft to be reviewed at this time. The document "Draft 1: Policing in Shutesbury 2021" is screen shared and reviewed by Farrell: the document includes a list of questions the working group will be responsible for studying; a schedule and an ambitious timeline are needed. Stein: in the interim, an OIC/officer in charge will be appointed to keep the current police force functioning. Torres: Officer Marcus Johansson, recent academy graduate, returned to full-time work on 2.22.21. Stein: we need to keep what we have going, hence the need for timeline. Makepeace-O'Neil agrees to the need to maintain continuity of services in the interim. Stein appreciates the willingness of town residents to participate in the process and notes the need to be clear that the Black Lives Matter banner on Town Hall does not mean the Select Board does not support the police. Farrell suggests the group complete their work in time for closure of the warrant in case an annual town meeting article is needed or complete work by mid-May in order to report at annual town meeting. Torres: there will be more time for the group to complete their work if they are preparing a report rather than a warrant article. Farrell suggests setting mid-May as a goal that may need to be extended. Makepeace-O'Neil: if a continuance is needed, the group can provide a summary at annual town meeting. Torres to Farrell's question: the past study took six months; the first step is to understand how the Department works now in order to inform the public; communication about what the Police Department is addressing is not being provided; there is a need to inform in a way that is understandable and does not breach confidentiality; the group will need to explore with the Department to see if there are different ways of doing things, i.e., cost efficiencies. To Stein's question about whether the group will look at elder abuse and if the police dovetail with LifePath, it is noted that these questions/topics will be considered in questions #1 and #7. Fernandes response to Torres' question: the Department has reacted to issues concerning elders, specifically IRS scams, and do work with other agencies to report situations as well as provide education about not falling for scams. Torres appreciates the Department's hands on communication with residents. Stein knows of someone who found the Department's assistance with a potential scam very helpful. Fernandes notes that he has yet to read through the draft and states that if he were a resident, he would want to ensure that a solid police department is available to me and that the officer

is someone he can trust; the Shutesbury Police Department has earned trust in the community; a Department that is vested in the community is needed; “community policing” is a catch phrase, doing community police work is the tough part; Officers Johansson and Burgess are two of the best people to doing this work; Burgess used her ability to talk with people to solve situations at the State beach and Johansson was able to handle a tense situation with a parent and child; these officers need to have a secure feeling about their futures. Torres: representation from the Police Department on the working group does not always have to be the same person. Fernandes sees no problem with scheduling time for either himself or one of the officers to attend the group’s meetings. Stein and Makepeace-O’Neil like the idea of hearing from both officers. Makepeace-O’Neil recommends, as noted by Fire Chief Walter Tibbetts during the 2.9.21 meeting, the need to define “shared chief” so the working group has a basis for use of the term. Farrell adds the need to define “community policing” and “contracting” so members are all working from the same place. Makepeace-O’Neil suggests the study group comprise one rotating police officer, a member each from the Select Board, Personnel Board and Finance Committee and three community-at-large members; the Town Administrator will serve in an ex officio capacity. To Stein’s question, Makepeace-O’Neil suggests asking for letters of interest as has been done for other groups. Torres notes the need for a cross section of the community representing different demographic groups and different points of view. Farrell notes that participants need to ensure their availability for the time required. Torres: the meetings will be posted and held on Zoom so other interested parties can attend; perhaps two surveys will be needed as this is broad subject matter and there are different interests, i.e., financial, the quality of policing, how the Department functions, the urgency to ensure the traditional model is available when it is needed. Farrell: surveys are a good way to obtain input from a broad section of the community. Makepeace-O’Neil: the document (“Draft 1: Policing in Shutesbury February 2021) will serve as the charge for the study group.

Public questions/comments are invited. Susie Mosher: the Select Board is on the right track, however, the process will take longer than until annual town meeting to complete; the expectation is that the group will meet frequently and have a time limit for each meeting – this commitment that may make it harder for some groups, i.e., working parents to participate thus making the survey(s) important; in the “pr” it will be important to note that the final decision will be made by the Select Board. Miriam DeFant: professionally, she used to do police departments trainings such as “trauma informed policing” and “helping people in crisis”; it is important to think about what kinds of training are needed and that departments can seek out trainings beyond those offered at the academy and those that may not be specific to police. Johnson suggests the announcement for at-large members include who the Select Board is looking for, i.e., racial diversity, experience in human services, and encourage people “out of the woodwork”. Makepeace-O’Neil thanks those who offered comments; drafting an announcement and establishing a timeline for letters of interest are next steps. The Board plans to review a draft Town Announcement during the 3.2.21 meeting. The Select Board agrees to rotate their membership on the committee. Farrell moves and Stein seconds a motion to approve the charge for the “Policing in Shutesbury Study Group” and to announce to the community the creation of this seven person committee. Torres notes the need to be mindful in reviewing the announcement to, as Johnson suggested, key in on the diversity requested. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

Administrative Actions:

1. Stein moves and Farrell seconds a motion to approve the 2.2.21 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 2.2.21 minutes are approved as presented.
2. Farrell moves and Stein seconds a motion to approve the 2.16.21 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 2.16.21 minutes are approved as presented.

Unanticipated Topic:

Makepeace-O'Neil suggests the Board consider an unanticipated topic: the 2.23.21 email from Police Chief Dan Fernandes, "Full Time Officer". Torres, per Fernandes' email, Officer Kristin Burgess attended the part-time police academy and it is uncertain what will happen after 7.1.21 when the POST (Police Officers Standard and Training) certification system begins; Fernandes is recommending the Select Board seriously consider supporting Burgess attending the full-time academy as soon as possible; dates for academy are in flux; Fernandes wants to ensure the stability of the department. Torres: costs for attendance at the academy include the officer's salary and the academy fee of \$3,000; prior to attending the academy, the officer needs to sign an agreement to work for the Shutesbury Police Department for five years; if they leave sooner, they are required to repay a prorated portion of the \$3,000. Stein: this has come up a number of times during her terms on the Select Board; small towns end up being a way for people to enter the policing field; the topic needs more consideration. Torres: Fernandes want to ensure the Select Board will consider his request. Farrell recommends this topic be added to an upcoming agenda prior to further discussion. Torres: the topic will be on the 3.2.21 agenda; Fernandes is Chief until the 3.6.21.

Town Administrator Updates:

1. Progress is being made on the renovation/repair of the Town Administrator's office. Torres expects to be able to move back in by April. During an attic inspection, contractor Nancy Matthews cleared away the insulation around the chimney so any water from the roof leak will drip directly straight down into a container and not affect the ceiling; when the snow melts, the roofer will make the repair.

At 6:40pm, Farrell moves and Stein seconds a motion to adjourn the meeting. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. Habeeb and Associates of Norwell Mass contract for "Shutesbury Elementary School Gymnasium Roof Replacement Designer Services" dated 2.23.21
2. "Draft 1: Policing in Shutesbury February 2021"
3. 2.23.21 "Full Time Officer" email from Police Chief Dan Fernandes

Respectfully submitted,
Linda Avis Scott
Administrative Secretary