

Shutesbury Select Board Meeting Minutes  
May 18, 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

Finance Committee members present: Jim Walton/Chair, George Arvanitis, Susie Mosher, Jim Hemingway, Melody Chartier, and Ajay Khashu; member Bob Groves is absent.

Personnel Board members present: Melissa Makepeace-O'Neil, George Arvanitis, and Melody Chartier

Other Town Officials present: Town Moderator Paul Lyons and Administrative Assessor Kevin Rudden

Guests: Mike Vinskey, Jane Plaza, Miriam DeFant, and Leslie Bracebridge; other unidentified participants may have been present.

At 5:01pm, Makepeace-O'Neil calls the meeting to order.

At 5:01pm the Finance Committee is already in order.

**Discussion Topic with Finance Committee and Personnel Board:**

1. Consider COVID COLA Adjustment: Torres: the Select Board action to increase the COLA by .25% became confused with the COLA policy voted on and approved by the Select Board, Personnel Board and FinCom. George Arvanitis: the FinCom understood that the Select Board increased the COLA to 2% from the approved 1.75%; the policy does state that if something extraordinary happened, there could be an increase; he and Chartier spoke with the Personnel Board; Torres was requested by the FinCom to create a "Covid bonus line" of \$1,850 in lieu of increasing the COLA. Makepeace-O'Neil explains that she brought idea to the Select Board and reads into the record the 4.27.21 minutes relative to the Select Board decision; this was in addition to the 1.75% and did not change the policy; it was meant to acknowledge the challenges of the past year. Arvanitis: the policy states if the three boards meet and agree, we can make a change. Stein: the intent was not to go outside the agreement, it was to support employees in extraordinary circumstances. Farrell: it makes a difference that the \$1,850 cost for the .25% be separate from rather than an addition to salaries. Jim Walton: the FinCom's concern is that .25% would be added to salaries which is why the Covid bonus is being proposed. Arvanitis: the other concern about the .25% is the differential between employees based on their salaries. Referring to Michael Vinskey's 5.17.21 letter, Arvanitis recommends dividing the amount equally between the employees. Makepeace-O'Neil: the question is a percentage vs. a lump sum; some employees worked 40 hours/week and put themselves at risk; should the benefit be equal when there are some who work fewer hours and were at less risk. Arvanitis: those who work less, would receive less at .25% or we could create categories. Michael Vinskey: doing that would result in some getting the short end of the stick; does not see how giving some more than others would encourage team spirit; suggests considering that all employees are working together and should get the same thank you. Stein suggests a tiered system by hours/week and appreciates Vinskey's observation that this is for the team. Farrell recommends a split between part-time employees who work 20 or fewer hours/week and those who work 21 hours or more/week. It is noted that Select Board members are stipend

employees so are included in the total number of 42 employees. Select Board members suggest they be removed from the group. Arvanitis suggests \$30 and \$50 respectively. Jim Hemingway suggests that giving gift cards instead of cash may be a more thoughtful approach. Susie Mosher: it was the Select Board's choice to give a bonus so they should decide what is fair. Arvanitis: the Treasurer may have something to say about gift cards. Walton: the FinCom's contribution was to build \$1,850 into the budget for this purpose (Line 175). Farrell and Makepeace-O'Neil support the giving of gift cards. Arvanitis: \$100 is the IRS limit; supports gift cards. It is confirmed that a check would need to go through payroll and be taxed; gift cards will be simpler. Farrell suggests the gift cards total \$1,850. Melody Chartier suggests also offering time-off. Torres: doing so would be prorated per hours/week. Stein observes that the decision is starting to get complicated. Hemingway: gift cards are the way to go. Makepeace-O'Neil recommends \$30/20 hours/week and under and \$50/20 hours/week plus. Torres works on the numbers and suggests the Select Board make an adjustment during the budget review agenda item. If additional funds are needed, Arvanitis and Mosher suggest the FinCom cover the balance under FinCom reserves. Stein notes that Select Board funds could also be used.

The FinCom adjourns their meeting.

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

Agenda Review: Unexpected items include the fuel bid and an Open Meeting Law complaint.

Public Comment: Makepeace-O'Neil allocates six minutes for public comment; none is offered.

**Discussion Topics:**

1. Budget Review with Finance Committee: The plan was to review the FY22 budget with the FinCom however they are not present. Torres: the FinCom voted to unanimously support the budget during their 5.17.21 meeting; the larger transfers to stabilization are within the Warrant.

Torres reviews "Projected Revenues" and "Expenditures": the FinCom's goal is to keep the tax rate as low as possible; the projected estimate is \$23.37/\$1,000 valuation; per Governor Baker, Cherry sheets came in fully funded at \$707,000; estimated receipts have increased slightly and total revenue balances with total expenses. Per the FinCom, the library building fund is being funded by free cash allowing a reduction in funding through the levy; there is an increase of \$15,000 in the health insurance line, the Treasurer asked for more however there was a decrease in premiums; and a \$12,000 increase in Line 162, "Retirement County"; these are the largest increases. Torres: in order to balance, the budget is funded with \$28,000 from free cash; the current tax rate is \$22.61. Kevin Rudden/Administrative Assessor notes that property values are expected to increase. It is noted that the property tax rate will increase by \$0.76 to \$23.37. Torres: the average house valued at \$250,000 will see an increase of \$190. Torres: other highlights include a 5% increase in the Town Administrator's salary; the 15% increase in the Treasurer's salary is due to an increase in hours/week; the Assistant Town Collector sees a carry forward of \$4,400 from this year totaling \$6,600 for the final budget line; the Assistant Town Clerk position has been removed; the Land Use Clerk rate adjustment

reflects a staff change; adjustments in heating and electricity represent a reallocation to more appropriate lines, i.e., use of the mini-splits results in less fuel and more electricity use. Torres continues: the police wage line was reduced per former Chief Dan Fernandes; the elementary school budget increase is \$44,000, however there is a net decrease in “Total Education” due to the change in the regional assessment formula; this allows the Town to recover from the free cash used last year; there is an increase in “Library Expenses”; the active Open Space Committee asked for an increase so that, along with the \$8,500 received in grants, they will be able to finish their work. Per Torres, there were a lot of compromises by the FinCom to make this happen; the area most talked about was debt capacity; the FinCom is recommending funds for Locks Pond culvert replacement project. Torres to Farrell’s question: there is ~ \$1.4 million if free cash; \$507,897.44 in capital stabilization and \$319,880.26 in regular stabilization.

2. Town Meeting Warrant Review with Town Moderator: Paul Lyons/Town Moderator suggests the grouping of consent agendas in order to speed the process.  
Article #1: Farrell moves and Stein seconds a motion to approve Article #1. Because the meeting will be held outdoors, Torres will ask committees to submit reports to Lyons in advance of the meeting. Lyons will read the general reports unless a committee has something important to convey. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #2: Farrell moves and Stein seconds a motion to approve Article #2. Torres will find out if representatives from the Regional School are planning to attend. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #3: Stein moves and Farrell seconds a motion to approve Article #3. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #4: Farrell moves and Stein seconds a motion to approve Article #4. Torres notes that the \$28,410 transfer from free cash is included in this article. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #5: Stein moves and Farrell seconds a motion to approve Article #5. Torres to Farrell’s question: only \$250,000 will be transferred from capital stabilization; a couple FinCom members did not want any borrowing to occur until all reserves have been spent leaving only \$350,000 which is 5% of budget; the Town policy is to maintain 10% which is \$700,00; all parties were present when the policy was adopted. Lyons to Stein’s question: Jim Walton/FinCom Chair did not know of any plans for a minority report; minority reports are allowed if they are voted on by the FinCom. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #6: Stein moves and Farrell seconds a motion to approve Article #6. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #7: Stein moves and Farrell seconds a motion to approve Article #7. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #8: Farrell moves and Stein seconds a motion to approve Article #8. Torres to Farrell’s question: there are a number of projects that may need to move forward in FY23 and the transfer to capital stabilization will help finance these upcoming projects. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.  
Article #9: Farrell moves and Stein seconds a motion to approve Article #9. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

Articles #10 and #11: Lyons suggests these articles be considered together and confirms the Select Board can vote on both articles with the same motion. Stein moves and Farrell seconds a motion to approve Articles #10 and #11. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #12: Stein moves and Farrell seconds a motion to approve Article #12. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #13: Stein moves and Farrell seconds a motion to approve Article #13. Farrell: this area is also being talked about as a potential site for a new library. Torres suggests substituting the word "open" for "unused". Farrell moves to amend Article #13 substituting the word "open" for the word "unused"; Stein seconds the motion. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #14: Farrell moves and Stein seconds a motion to approve Article #14. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #15: Stein moves and Farrell seconds a motion to approve Article #15. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #16: Stein moves and Farrell seconds a motion to approve Article #16. Torres notes two corrections: the MLP Manager did not receive a COLA in the prior year so it has been added and "Employment Overhead" is reduced because the Manager is longer receiving health insurance. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #17: Farrell moves and Stein seconds a motion to approve Article #17. Torres: all retained earnings are being applied to debt. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #18: Stein moves and Farrell seconds a motion to approve Article #18. Administrative Assessor Kevin Rudden: the FinCom unanimously recommended the article; the amount of the property tax exemption is tagged to the Senior Circuit Breaker and is based on a sliding scale of \$575 – \$2,300; those receiving the Town's senior exemption are also eligible. Rudden will explain the "Means Tested Senior Citizen Property Tax Exemption" at annual town meeting and will schedule two public zoom meetings to explain the program, prior to 6.12.21, to be posted on Town Announce; an explanation will also be posted on the Assessor's webpage. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Articles #19-22: Lyons recommends Articles #19-22 be considered for a consent agenda. Stein moves and Farrell seconds a motion to approve Articles #19-22. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #23: Farrell moves and Stein seconds a motion to approve Article #23. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #24: Rudden: due to the COVID pandemic, two new Assessors never received their first year stipends. Farrell moves and Stein seconds a motion to approve Article #24. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #25: Stein moves and Farrell seconds a motion to approve Article #25. Torres: this prior year bill from Mirabito Energy Products was not received until after close of fiscal year FY20. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Article #26: Farrell moves and Stein seconds a motion to approve Article #26. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries. Torres: a

new article from the FinCom will become Article #26 and the current Article #26 will become Article #27; the new article will be to see if the Town will vote to approve to recommend the use of \$200,000 to upgrade the Shutesbury Elementary School HVAC system contingent upon grant funds not being available for this purpose. Stein moves and Farrell seconds a motion to approve the new Article #26. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

3. Review Employee Covid Policy: The draft "COVID-19 Quarantine, Use of accumulated sick time" policy is screen shared and edited by the Select Board. The second paragraph is revised: "Starting May 18, 2021, unvaccinated employees identified as needing to quarantine and any unvaccinated employee waiting for negative test results will need to their personal accumulated sick time during these period".

Torres: the purpose of the policy is to create an incentive to be vaccinated. The last paragraph is clarified: "Employees who have received the vaccine are not required to quarantine or be tested; if a vaccinated employee becomes positive, they are not required to use personal sick time. The Town will follow CDC guidelines."

- Stein moves the Select Board accept the "COVID-19 Quarantine, Use of Accumulated Sick Time" policy; Farrell seconds the motion. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries. All aye. Makepeace-O'Neil will finalize the document and send it to Torres.

#### Unanticipated Items:

1. Open Meeting Law Complaint: Torres reports on the guidance received from Town Counsel Donna MacNicol regarding the Open Meeting Law complaint filed by Michael DeChiara 5.17.21: the Select Board will write an explanation that there was a posting error in not including a public session prior to the 4.30.21 executive session; the 4.30.21 executive session was posted to be held in town hall, however, a Zoom link could have been included for the open meeting portion. Torres will write a draft of the corrections to be made that will ensure that the Select Board will meet in open session prior to entering a format for executive session; the draft will be reviewed by MacNicol. Makepeace-O'Neil: this meeting was unique in that it was only an executive session. Torres: the Select Board's response is sent to the complainant and the Attorney General's office. Makepeace-O'Neil: the Select Board will follow the formal process and will review the response letter during the 5.25.21 meeting.
2. Fuel Bid: Torres: the only gasoline bid is from Dennis K. Burke at \$2.92 gallon; Burke has been reliable and highly responsive over the years; fixed diesel bids include: Dennis K. Burke \$2.75/gallon, Mirabito \$2.85/gallon, Sandri \$2.66/gallon and Roberts \$3.14/gallon. Torres: if the gasoline bid is not accepted, the Town would have to use market pricing; the fuel oil bid is not used because the Town has made out better with market pricing.
  - Farrell moves and Stein seconds to accept the Dennis K. Burke gasoline fuel bid of \$2.92/gallon. Roll call vote: Farrell: aye, Stein: aye and Makepeace: O'Neil: aye; the motion carries.
  - Farrell moves and Stein seconds a motion to accept the Sandri bid of \$2.66/gallon diesel fuel. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

4. Consider COVID COLA Adjustment Continued: Torres: 14 employees work 20 hours/week or more; 31 employees work less than 20 hours/week; per Town Treasurer Ryan Mailloux, ethics law prohibits receipt of gifts of \$50 or more. Farrell: the ethics law pertains to gifts from outside not from the employer. Stein notes that longevity bonuses are received. Torres agrees with Farrell's logic and will verify this with Town Counsel. It is calculated that \$1,850 will cover the cost of gift cards: 14 @ \$50 and 31 @ \$30 plus the \$1.50 fee per card. Makepeace-O'Neil and Torres will research fees at different vendors. Farrell verifies that the Select Board is not included in the calculation.

Additional Unanticipated Item:

Annual Town Election Warrant: Stein moves the Select Board approve the 6.12.21 election warrant. Farrell seconds the motion. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

At 7:08pm, 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.

During the 5.25.21 meeting, the reopening of Town Hall will be considered.

Documents and Other Items Used at the Meeting:

1. Excerpt from the 4.27.21 Select Board minutes: "COLA Review"
2. 5.17.21 email letter from Michael Vinskey
3. 6.12.21 Annual Town Meeting Warrant
4. FY22 Budget
5. Draft "COVID-19 Quarantine, Use of accumulated sick time"
6. 5.17.21 email from Michael DeChiara: "Open Meeting complain (sic)" and Open Meeting Law Complaint Form dated 5.17.21
7. FRCOG fuel bid documents
8. 6.12.21 Annual Town Election Warrant

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary