

Shutesbury Select Board Meeting Minutes  
June 22, 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  
Other staff present: Mary Anne Antonellis/Library Director, Sergeant Kristin Burgess, Eric Stocker/Select Board member elect, Miriam DeFant/Conservation Commission  
Guests: Mary Lou Conca, Robert Seletsky, Don Wakoluk, Carlos Fontes, Leslie Bracebridge; other unidentified participants may have been present

At 5:37pm, Makepeace-O'Neil calls the meeting to order.

Agenda Review: An unanticipated topic is added after public comment.

Public Comment: None is offered.

Unanticipated Topic:

1. MLBC Letter of Intent: Mary Anne Antonellis/Library Director requests the Select Board approve the M. N. Spear Memorial Library "Letter of Intent for the Massachusetts Board of Library Commissioners Small Library Pilot Project"; the Town is the applicant therefore a Select Board signature is required.
  - Stein moves and Farrell seconds a motion to approve and have the Select Board Chair sign the letter of intent for the MLBC Massachusetts Public Library Construction Program Small Library Pilot Project. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O'Neil: aye; the motion carries.

**Discussion Topics:**

1. Annual Appointments: Torres screenshares the draft "Town of Shutesbury, Massachusetts Appointed Officials" to begin 7.1.21; the document is reviewed and updated. Linda Avis Scott will continue to serve as the Conservation Commission representative to the Community Preservation Committee until such time as a Commissioner is willing to serve. Miriam DeFant confirms that the Historical Commission voted to allow Janice Stone, who has moved out of town, to continue to serve on the Commission. Per DeFant, Mary David will serve as the Conservation Commission representative to the Lake Wyola Advisory Committee (LWAC). Eric Stocker, Select Board member elect will serve as the Select Board representative to the LWAC and Water Resources Committee. Farrell will serve as the alternate Franklin County Regional Council of Government's representative. Mary Lou Conca asks if the Native American Preservation Working Group could be reactivated by consideration on a future Select Board agenda. Torres: the Select Board could reconsider however the group was never formed. Conca asks the Select Board to reconsider forming the group for the purpose of studying ceremonial landscapes and notes that letters of intent were submitted though never acted upon. Conca is asked to submit her interest in the Native American Preservation Working Group in writing to the Select Board. Conca agrees to do so. Stein has offered to serve on the Personnel Board and reports being appointed by Town Moderator Paul Lyons; Stein will fill Anna Aaron's vacant term. Scott will research whether the United States Department of the Interior Trail Stewardship Council is still active. Scott reports that Herb Gilmore, Zoning Board of Appeals Alternate, is considering serving as a full member; full member Andy Berg will not be renewing his term; Chuck DiMare, ZBA

Chair for twenty-six years, plans to serve as chairperson for one more year then will serve for another year either as a full or alternate member.

- Farrell moves the Select Board approve the amended “Town of Shutesbury, Massachusetts Appointed Officials” effective 7.1.21; Stein seconds the motion. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

2. Personnel Action Forms:

- Farrell moves and Stein seconds a motion to approve the Personnel Action Forms for FY22 as per the spreadsheet compiled by Torres. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

3. Assessor Office Staffing: Per Torres, the Personnel Board is meeting 6.24.21 to review the proposed Assessors’ office job descriptions and staffing to ensure the department’s work needs will be met; the Personnel Board would like to meet with the Select Board on 6.29.21 to review the proposal. All Select Board members agree with this plan.

4. Police Policies: Sergeant Kristin Burgess: portions of the “Shutesbury Police Department Policies & Procedures Manual” have been updated as required by the Commonwealth to be compliant with the POST (Police Officer Standards and Training) system by 7.1.21. Burgess reviews the updated policies:

- Use of Force (#1.05) and Use of Force Reporting (#1.06): the choke hold should not be used; de-escalation tactics are defined to ensure the language is clear; officers are mandated reporters and have a duty to intervene regardless of the command of the officer on the scene; there is an anti-retaliation portion in the policy; definition language has been added so there is little question.
- Handling Juveniles (#1.31): the handling of juveniles has been updated; the age range for criminal responsibility is now 12-18 instead of 7-18 for criminal responsibility.
- Extreme Risk Prevention Orders (#1.39): this section was added; the law became effective in 2018.
- Bias Free Policing (#2.17): this section was called “Bias Crimes”; officers will receive yearly education about what bias is and how to act appropriately.

Per Burgess, once the updated policies are voted on by the Select Board, they will be made available to the public on the Department’s website; more policy updating will be done. Stein notes the need to treat police officer trauma. Burgess to Farrell’s question: the MTC (Municipal Police Training Committee) will be stepping up their training, including training on the use of force, and adding education and certification programs to meet the POST requirements. Burgess has become an instructor in Bias Free Policing and is licensed to train Shutesbury’s officers. Per Burgess: the head of the Department is responsible for ensuring officers understand the policies.

- Farrell moves and Stein seconds a motion for the Select Board to approve the reviewed policies of the “Shutesbury Police Department Policies & Procedures Manual”. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

5. Town Administrator Updates:

- a. PFAs: Torres received an email 6.22.21 from DEP regarding PFAs; further follow-up to obtain clarity on next steps will be done 6.23.21.
- b. Thank You Notes: Select Board members will sign thank you notes for Liam Cregan/Conservation Commission, Andy Berg/Zoning Board of Appeals, Frank Citino/Broadband Committee and Tessa Dowling/Land Use Clerk.

Select Board members agree to allow a brief public comment period.

Don Wakoluk to Sergeant Kristin Burgess: he heard from a friend that a number of goslings were shot during the day at Lake Wyola; a goose addling permit was applied for; the shooter did this during the day in front of children and within 100 feet of an active eagle nest; the Conservation Commission was not made aware that shooting would take place during the daylight hours. Burgess reports speaking with other parties that had similar concerns; the Police Department knew that the agency involved would be out on the lake. Burgess recognizes Wakoluk's concerns and notes that better communication will happen in the future; this procedure has happened for the last four years. Torres notes and Burgess confirms that the shooting was done by a Federal agency licensed by the Department of Conservation and Recreation and that Burgess spoke with DCR officials about the matter.

Mary Lou Conca asks for clarity. Burgess: the removal of goslings by shooting has happened for the past four years; she understands the alarming nature of the timing of the action however this is the first time concerns have been raised; she will follow-up on how the removal will be done in the future.

Administrative Actions:

1. Select Board members will sign the 21-26 vendor warrants totaling \$136,581.08.
2. Select Board members will sign the 21-26 payroll warrants totaling \$124,866.49.
3. Select Board members will sign the 22-1 vendor warrants totaling \$193,694.58.
4. Stein moves and Farrell seconds a motion to approve the 5.25.21 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 5.25.21 minutes are approved as presented.
5. Farrell moves and Stein seconds a motion to approve the 6.8.21 meeting minutes. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the 6.8.21 minutes are approved as presented.

At 6:38pm, 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. "Letter of Intent for the MLBC Massachusetts Public Library Construction Program Small Library Pilot Project"
2. "Town of Shutesbury, Massachusetts Appointed Officials"
3. Personnel Action Form spreadsheet compiled by Town Administrator Torres
4. Updated portions of the "Shutesbury Police Department Policies & Procedures Manual"

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary