

Select Board Meeting Minutes
July 20, 2021 Virtual Meeting Platform

Select Board member present: Rita Farrell/Chair and Eric Stocker

Select Board member absent: Melissa Makepeace-O'Neil

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

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

Other Staff present: OIC Sergeant Kristin Burgess, Mary David/LWAC & Conservation Commission, Miriam DeFant/Conservation Commission Chair; Mary Anne Antonellis/Library Director

Guests: Mary Lou Conca, Michael DeChiara, Mike Vinskey, Penny Kim, Gail Fleischaker, Jane Plaza, Robert Seletsky, Renee Moss and other unidentified participants.

Farrell calls the meeting to order at 5:34pm.

Public Comment: None offered.

Agenda Review: Farrell reviews the items; the abutter status update from Makepeace-O'Neil will be postponed.

1. Police Union Contract Extension:

Torres, noting that Makepeace-O'Neil is the Select Board representative on the Police Union contract negotiation team: negotiations slowed due to questions about the POST system; while the team waits for new guidance, the Union representative recommended an extension of the contract currently in place; negotiations are expected to be complete in about one month.

- Stocker moves and Farrell seconds a motion to approve the "Extension Agreement By & Between the Town of Shutesbury Police, Teamsters Local Union 404 and the Town of Shutesbury" to 8.31.21. The document stating that the agreement is in effect until 7.30.21 will be amended to reflect the change in end date to 8.31.21. Roll call vote: Farrell: aye and Stocker: aye; the motion carries.

2. Police Chief Update: Officer in Charge Sergeant Kristin Burgess reads a letter into the record from Ride-Along intern Sohan Tyner who is currently attending Army National Guard bootcamp. Burgess appreciates the opportunity to show Tyner how policing is done in Shutesbury and that he was an excellent intern. Per Burgess, earlier 7.20.21 the Department picked up two bicycles, along with two parts bikes, donated by the Springfield Police Department through Commissioner Cheryl Clapprod; officers will use the bikes to patrol around Lake Wyola and along trails. Farrell and Stocker express appreciation for the generosity of the Springfield Police Department; on behalf of the Select Board, Farrell will draft a thank you letter.

3. Select Board Member Abutter Status: Per Torres, Makepeace-O'Neil has an appraiser and expects to have a resolution by the next Select Board meeting.

4. PFA's Update: Torres: approximately twenty households have received letters from the Department of Environmental Protection (DEP) asking permission to test their water for

PFAs; the Fire and Highway Departments' water will also be tested; the results from this round of testing are expected in mid-August. Per Torres, research on grant sources for those who need assistance with the cost of filters is in progress; testing will be done on portions of Leverett Road from the Fire Department towards Pelham Hill Road and near Old Orchard Road; DEP will be sending a file of the households to be tested which Torres will have for the 8.3.21 meeting. Farrell will attend State Senator Jo Comerford's upcoming webinar on the topic; interested folks may email Farrell's Select Board email for follow-up information.

5. Meeting Minutes:

- Stocker moves and Farrell seconds a motion to approve the 7.6.21 meeting minutes. Roll call vote: Farrell: aye and Stocker: aye; the 7.6.21 minutes are approved as written.
- Approval of the 6.29.21 minutes remains pending: Makepeace-O'Neil is absent and Stocker, not yet a Select Board member on 6.29.21, cannot vote on these minutes.

6. Lake Wyola Advisory Committee: Scott confirms that Mary David was appointed to the Lake Wyola Advisory Committee (LWAC) during the 6.22.21 meeting when Conservation Commission Chair Miriam DeFant reported David's willingness to serve as the Commission representative to the LWAC.

Stocker, the new Select Board representative to the LWAC, forwarded documents that the LWAC wishes to talk about with the Select Board and notes the delayed Select Board response to letters from the LWAC (12.5.20 & 5.18.21). Stocker continues: there is the potential for the State to do and pay for work on the boat ramp and the possibility of the Department of Fish and Game paying for and doing mitigation work on the silt in the North Cove; given that the lake roads are private, how much can the Town do is a question.

Torres: Town Counsel Donna MacNicol reviewed the LWAC letter suggesting the creation of a committee to address stormwater; there is concern about Town involvement with private responsibilities; a verbal response was provided to the LWAC by April Stein, former Select Board LWAC representative; regarding the North Cove, members of the Lake Wyola Association received a Community Preservation Committee grant to assist with engineering costs though there has been no follow-up since receipt of this grant.

Miriam DeFant/Conservation Commission Chair: the Commission has received input and complaints from yearlong residents about stormwater runoff affecting their property and the lake; one resident shared troubling video footage about the problem; the Town has an interest in helping residents manage private road issues because they have an effect on public roads therefore, she supports having a committee to address these issues. Farrell: there are legal limits on what the Town can do and what responsibility it has regarding private roads. Torres notes the need for the Lake Wyola Association, as the owner of the roads, to develop a management plan for roads around the lake rather than having individual property owners take responsibility for repairing the roads; after the recent storm, a private individual filled in town drainage ditches near Carver Road; the Highway Department works with private road owners.

Mary David, Conservation Commissioner and new LWAC member: there have been a lot of stopgap solutions; the cause needs to be fixed and a committee will help with this; any grants the Association or LWAC apply for will need Town support; the lake is being affected; a group comprised of representatives from the Select Board, LWAC and the Association is needed to figure out a resolution. Select Board members agree to invite the LWAC, Conservation Commission and other relevant boards to a future meeting.

7. Town Administrator Updates:

- a. The arrival of the Police Department bicycles earlier today was exciting; there are photos on the Department's Facebook page.
- b. The Administrative Assessor is only in the office for a limited number of hours each work. Torres is in contact with Assessors' Clerk and things seem to be going smoothly.
- c. While Tim Hunting/Highway Superintendent is on limited work duty, Steve Sullivan has taken leadership on what post-storm work needs to be done.
- d. Regarding the reopening of Town Hall, it will be a challenge to manage hybrid meetings which will require technology that may not be cost effective. Farrell: Amherst has chosen to do either remote or in person meetings; the relevant contact information has been given to Town Clerk Grace Bannasch. Torres notes the need to monitor vaccinations and how the Delta variant may impact reopening. Michael DeChiara: we have previously talked about informing and engaging the public therefore, it is worthwhile to consider how to manage hybrid meetings. Farrell: research on how to manage hybrid meetings will continue.

8. Library Site Selection: Mary Anne Antonellis/Library Director: to apply for the Small Library Pilot project, a site needs to be selected by 9.30.21; Lot O-32 continues to be considered however, demolition of the garage and cleanup need to be done along with more testing, including targeted soil sampling, to see if it is a viable site. Antonellis walked the land behind Town Hall with knowledgeable volunteers who identified a good site that will need two percolation tests and a Phase One environmental screening by a site professional.

Torres: thus far, DEP has not found anything of concern on Lot O-32; no contamination has been reported and there is a contact person if anything new is found. Antonellis: for townspeople to be satisfied, targeted soil sampling needs to be done. Torres: to do targeted sampling, particular areas need to be determined. Farrell: it needs to be known if there are problems.

Antonellis: the Town budgeted funds for demolition and cleanup; the percolation tests, Phase I analysis and targeted soil sampling are part of library planning and will satisfy resident concerns. Stocker agrees with Antonellis' concerns about Lot O-32 and the need to be proactive to allay resident concerns. Antonellis to Farrell's question: Al Werner/Water Resources Committee is being contacted about testing the water in the test wells on Lot O-32 and behind Town Hall; both sites have enough land for potential well sites. Farrell confirms: the Town Hall site will have percolation tests, a Phase 1 environmental analysis and water testing; after demolition and debris removal, Lot 0-32 will have targeted soil testing and the well water tested. Antonellis will check with the

Board of Health to see if the 2010 Lot O-32 percolation test is satisfactory. Stocker supports this plan.

DeChiara supports Antonellis' request as this (the Small Library Pilot application) is the best chance to get a new library; proactive testing will take concerns off the table; per the Conway School of Landscape Design study, there is a lot of land to access on Lot O-32.

Torres: to do targeted soil testing, the target needs to be determined; DEP will be contacted regarding any concerns that occur during the demolition and cleanup steps; these concerns will be evaluated by DEP who will require any necessary mitigation. Antonellis welcomes DEP's guidance; the targeted areas would be where debris is located.

Mary Lou Conca asks for clarity about what is to be demolished and what would be suspicious. Farrell: the existing garage is to be demolished. Torres: formerly, the garage was an auto repair shop; prior to demolition, the building was inspected for asbestos and a trace amount was found in the caulk around the windows; this will be remediated by a professional firm on 7.26.21. Torres continues: to prepare for demolition, five feet around the building is being weed whacked; as soon as Clark Excavating can get equipment on site work will most likely begin within the first two weeks of August. Antonellis: in about two weeks, quotes for percolation tests and the environmental screening will be obtained. Antonellis has funds available to cover the testing costs.

- Stocker moves the Select Board give the M.N. Spear Memorial Library permission to move forward with site investigation work on Town property behind Town Hall and Lot O-32; Farrell seconds the motion. Roll call vote: Farrell: aye and Stocker: aye; the motion carries.

9. Year End Transfers: Torres reviews the "Town of Shutesbury Schedule of Proposed Budget Transfers – Fiscal 2021" via screenshare: \$20,000 "Principal-Highway Truck" was not included on the debt schedule for the final year; "Fire Department Training Salaries" reflects the need to find a balance between response and training salaries. Torres: line to line transfers require a joint vote by the Finance Committee and Select Board; "Finance Reserve Fund" transfers are voted on by the FinCom. Torres continues to review: "Buildings Electricity" reflects the increase in electricity use by the minisplits because some heat costs are now via electricity rather than fuel oil; the "Building Supplies" increase is for costs related to the painting of Town Hall indoor trim by the Custodian; a Highway Department employee did some cruiser maintenance which is why the transfer to "Cruiser Maintenance Wages" is from "Police Wages". Torres to Farrell's question: the overage in "HW Wages" is related to a part-time position using more hours and the hiring of a new full-time employee which allowed the Highway Department, who had been understaffed, to catch up and stay caught up. Stocker has no questions about the transfers the Select Board will vote on.

Next Meeting Date: It is confirmed that the next meeting date is 8.3.21, the same day as the 1pm meeting with the Mass Board of Library Commissioners; Stocker will not attend the 8.17.21 meeting and Scott is not available on 8.31.21; the schedule will be revised as needed.

A break in the meeting begins at 6:48pm; the meeting resumes at 7:00pm.

Walton calls the Finance Committee to order at 7:01pm.

Continue Year End Transfers w/Finance Committee: Torres resumes screen sharing “Town of Shutesbury Schedule of Proposed Budget Transfers – Fiscal 2021”. Farrell reviews the need for a joint vote on the line to line transfers with the balance of the transfers coming from “Finance Reserves”. The line to line transfers are reviewed. Groves is concerned about the \$20,000 for the Highway truck principal. Torres was notified by Town Accountant Gail Weiss in June 2021 that the \$20,000 was omitted from the debt schedule, an error caused during the changeover between treasurers, and current Treasurer Ryan Mailloux not being aware it was coming due; Torres notified the FinCom Chair about the matter. Groves asks why the Highway Department wage overage was not brought before the FinCom before it was a fate accompli. Torres: the Department’s negative wage status, occurring for three months, was noted when monthly expenses were reviewed; the increase in Fire Department training salaries reflects an increase in regular training attendance and a sign that the Department is healthy; “Office equipment” is related to “IT Support”. Groves suggests “Buildings/Telephone” be changed to a line to line transfer to the underspent line “Equipment Maintenance”. Torres confirms this qualifies as a line to line transfer.

- Stocker moves the Select Board approve the line to line transfers totaling \$6,453.14; Farrell seconds the motion. Roll call vote: Farrell: aye and Stocker: aye; the motion carries.
- Mosher moves the Finance Committee approve the line to line transfers totaling \$6,453.14; Arvanitis seconds the motion. Roll call vote: Mosher: aye, Arvanitis: aye, Hemingway: aye, Groves: aye, Chartier: aye and Walton: aye; the motion carries.
- Arvanitis moves the Finance Committee approve Finance Reserve Fund transfers of \$38,260.27; Mosher seconds the motion. Mike Vinskey asks for clarification of “Cruiser Maintenance Wages”. Torres: \$52.13 for the whole fiscal year; Tim Hunting/Highway Superintendent is in the process of determining whether purchase of a lift is cost effective; the prior chief used different vendors for cruiser maintenance. Roll call vote: Mosher: aye, Arvanitis: aye, Hemingway: aye, Groves: aye, Chartier: aye and Walton: aye; the motion carries.

Select Board members will sign VW 22-3 vendor warrants totaling \$568,224.83.

Select Board members will sign PR 22-3 payroll warrants totaling \$95,512.05.

At 7:22pm, Stocker moves and Farrell seconds a motion to adjourn the meeting. Roll call vote: Farrell: aye and Stocker: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. “Extension Agreement By & Between the Town of Shutesbury Police, Teamsters Local Union 404 and the Town of Shutesbury”
2. Letter from Sohan Tyner to the Shutesbury Police Department
3. 12.5.2020 and 5.18.21 letters from the Lake Wyola Advisory Committee
4. “Town of Shutesbury Schedule of Proposed Budget Transfers – Fiscal 2021”

Respectfully submitted,
Linda Avis Scott
Administrative Secretary