

Shutesbury Select Board Meeting Minutes  
October 26, 2021 Virtual Meeting Platform

Select Board members present: Melissa Makepeace-O'Neil/Vice -chair, and Eric Stocker

Select Board member absent: Rita Farrell

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

Other Staff present: Acting Police Chief Kristin Burgess, Police Officer Taylor Beaudry and Miriam DeFant/Conservation Commission

Guests: Michael DeChiara, Mary Lou Conca, Zachary Warner, Don Wakoluk, Johanna Hall, Leslie Cerier, and Paul Vlach

In the absence of the Chair, Makepeace-O'Neil/Vice-chair calls the meeting to order at 5:32pm.

Public Comment:

1. To Michael DeChiara's inquiry, Torres explains that given Farrell's absence the discussion about the Energy Committee will take place at a future meeting.

2. Mary Lou Conca asks for an explanation of the "Covels Land Swap Easement Update" agenda item. Torres: one option to obtain additional land for a well to deal with salt contamination was to swap three small Town owned parcels at Lake Wyola for about ten acres of the Mary Clark lot on Leverett Road; Legislative approval and town meeting authorization are in place. Makepeace-O'Neil asks Conca to wait for the agenda item to ask additional questions.

Agenda Review: Energy Committee discussion will be carried over to a future meeting; consideration of the DOT extension letter and an update on the boat ramp/parking lot will be added to the agenda.

**Discussion Topics:**

1. Police Department Staffing: Acting Chief Kristin Burgess: with the departure of Officer Marcus Johansson, the department lost the equivalent of about three part-time officers. To enhance coverage, Burgess requests the Select Board appoint Officer Taylor Beaudry to a 32 hour/week permanent part-time position. Torres acknowledges that Officer Beaudry has been stepping up to assist in meeting the department's needs.
  - Stocker moves and Makepeace-O'Neil seconds a motion to appoint Police Officer Taylor Beaudry to a 32 hour/week permanent part-time position. Roll call vote: Stocker: aye and Makepeace-O'Neil aye; the motion carries.

An unidentified caller is removed from the meeting. Burgess: Zachary Warner, a police officer with the New Salem Police Department, has offered to assist the Shutesbury Department with staffing needs. Burgess notes that she has witnessed Warner's call work and that he is an experienced officer who also previously worked in Leyden. Per Warner, he was a military police officer, enjoys helping people, is excited to assist the Shutesbury Police Department and already has a relationship with Burgess and Beaudry. Burgess consulted with New Salem's chief; hiring Warner will fortify Shutesbury's relationship with the New Salem Police Department. Burgess to Stocker: once the Peace Officer Standards and Training (POST) is complete, the goal will be to bring the department back to three full-time officers with part-time support staff.

- Stocker moves and Makepeace-O'Neil seconds a motion to hire Zachary Warner as a part-time Police Officer. Burgess to Conca's question about public access to police

logs: the activity logs are printed out, scanned and uploaded to the Police Department website. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

2. PFAs Update: Torres: all of the sites impacted by prior Fire Department activity have had carbon filters installed and have been retested; one household is continuing to receive PFAs free water from Berkshire Springs; the other households whose PFAs source is unknown have had to pay for their own filters.
3. Redistricting: Torres: despite the letter writing to State Representative Natalie Blais and the chairs of the Redistricting Committee, Shutesbury's situation has not changed; along with New Salem, Wendell and Petersham, we have been moved from the Franklin District 1 to Hampden District 7 that includes Ludlow and Belchertown; Representative Blais appreciated the acknowledgement of her work on the Town's behalf. DeChiara notes that he spoke with State Representative Jacob Oliveira (7<sup>th</sup> Hampden District) who is on the Rural Advisory Committee; it may make sense to invite him to attend a Select Board meeting and orient him to our community.
4. Cowls Land Swap Easement Update: Torres: Cowls has decided not to pursue an easement across the Highway Department yard as requested by the Select Board; Cowls is now proposing the easement only cross the Mary Clark lot.
  - Stocker moves and Makepeace-O'Neil seconds a motion to change the easement to reflect Cowls' request that it traverse only through the Mary Clark lot. Conca asks if the land swap is related to any solar projects. Stocker: no. Torres: when the easement is complete, Cowls will traverse through Town property on the Mary Clark lot via the new easement; the Town is trading the small parcels at Lake Wyola for land that could be used for a future well; also, a Highway Department shed, 8 feet on the Clark parcel, can now be left in place; Cowls access via the easement will be for forest cutting. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries. Torres will inform Shane Bajnoci/Cowls, Inc, and Town Counsel MacNicol.

Paul Vlach, the previously unidentified caller, joins the meeting. Makepeace-O'Neil explains that Zoom bombs occurred at prior meetings and to prevent further occurrences, individuals who do not identify themselves are removed. Vlach understands this position however individuals cannot be removed without cause. Makepeace-O'Neil: with identification, the individual is allowed to attend. Vlach states he did not understand he needed to identify himself; during in-person public meetings, one does not have to identify and signing in is optional. Makepeace-O'Neil: during in-person meetings, one would be asked to sign-in by the secretary; those present at in-person meetings are normally listed as attendees; virtual attendee identification procedures will be reviewed at a future meeting. Vlach asks why he did not receive an acknowledgment of his letter to the Police Study Group. Torres: Farrell is working to bring responses current.

5. FRCOG Radio MOA Addendum: Torres: the Addendum from FRCOG codifies what was previously reviewed by Fire Chief Walter Tibbetts and acknowledges receipt of equipment, terms of payment and reimbursement.
  - Stocker moves and Makepeace-O'Neil seconds a motion to approve the Addendum to the Memorandum of Agreement by and between the Franklin County Regional Council of Governments, other parties, and the Town of Shutesbury effective 5.28.21. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

6. Capeway Roofing Extension: Torres screenshares the document and explains that Capeway Roofing has requested a time extension to 4.22.22; the extension is due to a delay in the procurement of materials; there will be no change to the contract cost; if weather permits, Capeway will try to complete the project during the school holiday vacation.
  - Stocker moves and Makepeace-O’Neil seconds a motion to accept the time extension request from Capeway Roofing. Roll call vote: Stocker: aye and Makepeace-O’Neil: aye; the motion carries.
  
7. Town Administrator Updates:
  - A. Classification Hearing: Per Administrative Assessor Kevin Rudden, if the Department of Revenue approves the values, the classification hearing will be held 11.9.21; pending finalization, the change in values from \$225 million to \$242 million will have an impact toward lowering the tax rate.
  - B. Library Site Testing: the Pilot application has been completed; the next step is selection of a site either behind Town Hall or Lot O-32. The Licensed Site Professional, O’Reilly, Talbot and Okun (OTO), conducted soil bore tests from the well forward on Lot O-32 and there is no concern of contamination in these areas; testing around the site of the Air Force cement pad identified a “hot spot” between 8 and 15 feet down into the soil; this result was reported to the Department of Environmental Protection; OTO discovered that the Army Corps of Engineers has a report indicating that the area was leased to the Air Force from 1957-1967 as a telecommunications tower remote site; per OTO, the Army Corps is listed as the party who will have significant responsibility for the remaining contamination that appears to be gasoline and may be from an underground tank removed around 1993; 100 tons of soil was previously removed from the site.

Unanticipated Items:

1. Boat Ramp/Parking Lot Site Visit: Miriam DeFant/Conservation Commission Chair: Mary David, Mark Rivers, and another Lake Wyola Advisory Committee member attended the site visit to the boat ramp/parking lot along with herself and Doug Cameron/Division of Fish and Wildlife (DFW). Per DeFant, Cameron provided an overview and DFW would assume responsibility for capital improvements to the parking lot and ramp with restrictions on the area’s use/parking and posting of the area on DFW’s website. DeFant continues: wetlands are on all sides of the area; the group discussed how some space could be allocated for non-boat use; enforcement would be a joint effort between the Shutesbury Police Department and the Environmental Police. It is noted that the Community Preservation project to assess, improve and map trails in the South Brook Conservation Area may attract more users. Cameron will rough out a design and present it to Conservation Commission; maintenance of Randall Road would be a cost share with the Town who will also be responsible for any non-boating parking areas; designated trail parking could be a future Community Preservation project. Stocker is concerned that the location being on the DFW website will result in more use. It is noted that Cameron will also provide an estimate for upgrading the boat launch that will improve storm water management. Further discussion will occur during future meetings.
  
2. Locks Pond Culvert Contract Extension: Torres screenshares the 10.25.21 “Request for Extension” letter to Mass Department of Transportation/Small Bridge Program Locks Pond Road Culvert and explains that Nitsch Engineering is asking the Department of Transportation for an extension to complete the Locks Pond culvert project by 12.31.2022; National Grid’s failure to take timely action to move a utility pole is the reason for the delay.

Per Torres, pressure on National Grid will be maintained until the pole is moved. DeFant: the Conservation Commission will need to be informed about the extension and work schedule; the work will need to be completed before the Order of Conditions expires.

- Stocker moves and Makepeace-O'Neil seconds a motion to approve the 10.25.21 "Request for Extension" letter to Mass Department of Transportation/Small Bridge Program Locks Pond Road Culvert. Torres to Stocker's question about detour signage: the signs will be covered and some adjustments to signage may be made. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

Administrative Actions:

1. Select Board members will sign vendor warrants #22-10 totaling \$605,982.39.
2. Select Board members will sign payroll warrants #22-10 totaling \$109,854.73.
3. Stocker moves and Makepeace seconds a motion to approve the 10.7.21 meeting minutes. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the 10.7.21 minutes are approved as presented.
4. Stocker moves and Makepeace-O'Neil seconds a motion to approve the 10.12.21 meeting minutes. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the 10.12.21 minutes are approved as presented.

At 6:47pm, Stocker moves and Makepeace-O'Neil seconds a motion to adjourn the meeting. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. Resume for Zachary Warner, part-time police officer candidate
2. Addendum to the Memorandum of Agreement by and between the Franklin County Regional Counsel of Governments, other parties, and the Town of Shutesbury effective 5.28.21.
3. Capeway Roofing time extension agreement
4. 10.25.21 "Request for Extension" letter to Mass Department of Transportation/Small Bridge Program Locks Pond Road Culvert

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary