

Shutesbury Select Board Meeting Minutes
November 9, 2021 Virtual Meeting Platform

Select Board members present: Rita Farrell/Chair, Melissa Makepeace-O'Neil and Eric Stocker

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

Library Board of Trustees: Kate Cell and Michelle Regan-Ladd/Co-chairs, Savanna Ouellette, Bradley Foster, and Tim Logan

Other Staff present: Acting Police Chief Kristin Burgess, Police Officers Taylor Beaudry, Linda Newcomb and Zachary Warner; Miriam DeFant/Conservation Commission, Town Clerk Grace Bannasch, Town Collector Ellen McKay, Town Treasurer Ryan Mailloux, Library Director Mary Ann Antonellis, Henry Geddes/Historical Commission and Michael DeChiara/Planning Board

Guests: Police Office Candidate Nathaniel Masse, Matteo Pangallo, Carlos Fontes, Jim Hemingway, Penny Kim, Meryl Mandell, Marianne Connor, Gail Fleischaker, Doc Pruyne/*The Reminder*, Joan Hanson, Mike Vinsky and other unidentified guests

At 5:35pm, Farrell calls the meeting to order.

Public Comment: Doc Pruyne from *The Reminder* newspaper introduces himself.

Agenda Review: The scheduled executive session has been postponed.

Discussion Topics:

1. Police Study Group Update: Per Makepeace-O'Neil, the Police Study group has held several meetings; a draft survey to collect data and information from the public is in process; the group is working on a glossary of terms so that everyone has the same understanding. Makepeace-O'Neil is concerned that the work of the study group and the questions being asked of the Police Department are causing officers to feel unsettled and experience low morale; the Select Board needs to be aware because this feeling may be growing and may be weakening the foundation of the Department; in part, an officer left because of the group. Torres reports that the online spreadsheet of data logs is current except for May and August of 2021. Acting Police Chief Kristin Burgess: it is not that the officers do not want the Town to look into what they need to; the way questions are being posed is hitting the officers hard and she does not want to lose any more staff. Farrell, also a member of the Study Group: the goal is to wrap up as soon as possible while accomplishing the charge; the process is helping members learn about the department and community policing; taking a look can only make us stronger.
2. Police Department Staffing: Acting Chief Burgess: since losing Officer Marcus Johansson, she has been seeking staff that will be good for the Department and fill the gap in coverage; Nathaniel Masse sought out Shutesbury because he is looking for a small department; he has part-time academy training and will be eligible for the Bridge Academy in year two; he has experience with community policing and she is impressed with his knowledge and eagerness. Nathaniel Masse explains that concerns he experienced working for a larger city department caused him to take a step back and find a way to enact the "old school" beat patrol, i.e., talking to citizens and businesses in order to get to know the community, find out concerns and how he may be of help; he would like to experience the opportunity to "go deeper" into a small town community. Burgess, for the record, notes that unfortunately attendees can only hear and are unable to see Masse. Makepeace-O'Neil met Masse during the Fire Department Halloween celebration and observed him having very good interactions with townspeople. Burgess: part-timers work under 20 hours/week; the current part-time officers have been

assisting with coverage while she and Officer Beaudry work full-time; Masse's appointment will remedy the situation until the Study Group concludes.

- Makepeace-O'Neil moves and Stocker seconds a motion to appoint Nathaniel Masse as a part-time police officer. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

3. Energy Committee: The "Revised Energy Committee Charge Draft, 11/9/21" by Farrell is screen shared. Farrell reviews the draft charge recommending the Energy Committee be reconfigured to become the Energy and Climate Action Committee whose purpose is to study and make "recommendations to the Select Board on ways for the Town to meet its climate mitigation and resilience goals as detailed in the Town's 2020 Municipal Vulnerability Plan (MVP) and 2021 Hazard Mitigation Plan (HMP)". Farrell recognizes that this is a large order for one committee and suggests taking time for Makepeace-O'Neil and Stocker to review the draft; the proposed committee will work with relevant boards/committees and recommend where we, as a community, want to go regarding energy efficiency and conservation. Farrell continues: the current Energy Committee has three members and has been relatively inactive; the new committee will have seven members appointed by the Select Board. Makepeace-O'Neil acknowledges that the proposal is a good idea though she needs time to review the draft fully. Stocker notes the big solar issue to be faced in the future and that, in general, folks want to do things to mitigate climate change; a committee to address this is a great idea. Miriam DeFant/Conservation Commission: a climate action/resilience committee is a great idea; it may overlap with the Water Resources Committee that is also inactive; asks if the Select Board would consider representation from the Planning Board, Conservation Commission and Lake Wyola Advisory Committee. Farrell: comments will be noted and there will be more discussion before the charge is finalized. Michael DeChiara/Planning Board notes that he wrote the MVP grant on behalf of the Select Board and recommends broad community/committee representation on the new committee; we have a roadmap for climate mitigation strategies that has been sitting on the shelf and the new committee would be the coordinators; as a former member of the Select Board, he has been frustrated with the inaction of the Energy Committee. DeChiara states his support for refreshing the committee with a broader more urgent scope. Farrell notes that the 2018 update to the Energy Committee charge is incorporated into the draft. Meryl Mandell suggests including seeking grant opportunities to assist in implementing the goals of the committee. Marianne Connor applauds the connection to climate action and bringing the work together in a more holistic way; with her background in regenerative design, she would like to be a member of the committee and suggests including reversal of climate change in the charge. Farrell requests that suggestions be sent to Torres who will distribute them to the Select Board; thanks Connor for volunteering and notes that appointments will be considered in the future. Carlos Fontes recommends including in the charge that the committee stay abreast of current climate science, especially relative to Massachusetts, to inform projects. Select Board members agree to discuss revisions to the Energy Committee during the 11.23.21 meeting and consider funding for the committee during the budget process. Torres: the State just approved the Hazard Mitigation Plan and it will come before Select Board during the 11.23.21 meeting.
4. Upper Pioneer Valley Veterans' District Contract: Torres: the Upper Pioneer Valley Veterans District contract for the next three years of service is due 4.1.22 providing time to review its contents; Shutesbury is one of 26 member towns. Torres suggests the Select Board

request Al Springer/Upper Pioneer Valley Veterans District Representative to review the contract and attend an upcoming meeting to add any concerns.

5. Land Use Clerk: Torres: contacting and receiving responses from references for candidate Adrienne Wallace is in process; completion is expected by the 11.17.21 meeting; the Conservation Commission, Planning Board and Zoning Board of Appeals chairpersons met with the candidate. Miriam DeFant/Conservation Commission feels Wallace is a good candidate. Michael DeChiara/Planning Board: the Planning Board will appreciate having a Land Use Clerk.
6. PFA's Update: Torres: information is slowing down; there have been no new positive tests in over one month; DEP is doing a thorough job and is now reviewing the data; it is known that the well locations close to the Fire Department were contaminated with flame retardant spray used during training; it is not clear what the source of contamination is for the concentration of impacted homes in the Old Orchard Road area; DEP will be researching the causes and potential mitigation measures. Torres continues: in addition to the Fire and Highway Departments, the Town is also responsible for two homes; one of these homes continues to receive delivered bottled water and is waiting for a third test; all other structures have been tested a second time and the filters are affective; one random home on Pelham Hill Road is also being investigated.
7. Resignation and Appointments:
 - Makepeace-O'Neil moves and Stocker seconds a motion to accept Ezzell Floranina's (Celinda Ezzell) resignation as the Historical Commission representative to the Community Preservation Committee (CPC) due to scheduling conflicts. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
 - Per Farrell, the CPC unanimously supports the appointment of Henry Geddes as the Historical Commission representative to the CPC. Makepeace-O'Neil moves and Stocker seconds a motion to appoint Henry Geddes as the Historical Commission representative to the Community Preservation Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
 - Per Farrell, Matteo Pangallo is a qualified applicant and has unanimous endorsement by the CPC to be its At-large community representative. Pangallo is an associate professor of English and believes service to the community is important and becoming a member of the CPC is an ideal opportunity; has prior experience working for cultural institutions. Makepeace-O'Neil moves and Stocker seconds a motion to appoint Matteo Pangallo as the At-Large community representative to the Community Preservation Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
 - Scott: Cultural Council Chair Rory Valentine needs to be re-appointed retroactive to 8.7.21; re-appointment of Val Gilman and Becca Wheeler remains pending their response. Makepeace-O'Neil moves and Stocker seconds a motion to re-appoint Rory Valentine to the Cultural Council retroactive to 8.7.21. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

Per Torres, the appointment of Ann Brigham to the Recreation Committee is on hold pending the potential need to vote an increase in the number of the members serving on the Committee.

In light of the retirement of Fire Chief Walter Tibbetts on 6.30.22, a Future Fire Department Study Committee is being formed to consider the structure of the Fire Department going forward; the membership of the committee will be limited to facilitate the ability to move quickly before budget season. DeChiara asks about the rationale for Tibbetts membership on the committee; his presence may not create an opening for re-imagining the department. Makepeace-O'Neil: Tibbetts holds the information and understands fire better than any other member of the committee; Acting Chief Burgess is a member of the Police Study Group; they can inform the committees; having Tibbetts as a member is respectful of his many years of experience. Farrell: Tibbetts' presence will not preclude imagining how the Fire Department is structured.

- Stocker moves and Makepeace-O'Neil seconds a motion to appoint Walter Tibbetts to the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Stocker moves and Makepeace-O'Neil seconds a motion to appoint Elaine Puleo as the Select Board representative to the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Stocker moves and Makepeace-O'Neil seconds a motion to appoint April Stein as the Personnel Board representative to the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Stocker moves and Makepeace-O'Neil seconds a motion to appoint Acting Chief Kristin Burgess to the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Stocker moves and Makepeace-O'Neil seconds a motion to appoint James Walton as the Finance Committee representative to the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Stocker moves and Makepeace-O'Neil seconds a motion to appoint Town Administrator Becky Torres as an ex-officio member of the Future Fire Department Study Committee. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
8. New Library Site: Farrell: Mary Anne Antonellis/Library Director and the Library Board of Trustees met 11.8.21 to vote on a site for the proposed new library; the site must be identified by 12.3.21.
- Michelle Regan-Ladd/Co-chair speaks on behalf of the Library Board of Trustees: after a lengthy discussion, the Board voted unanimously in favor of Lot 0-32/Leverett Road as the future library site; the lot received a clean bill of health; a prior assessment of the Town Hall site swayed the decision. Farrell clarifies that both sites under consideration are owned by the Town and that the Select Board has jurisdiction over their use. Regan-Ladd: both the Trustees and residents had concerns about the poor visibility exiting the Town Hall driveway onto Leverett Road; the prior Town Hall site investigation by the architect and civil engineers noted the following concerns: a limited place to build due to the shape of land, the library and its parking would overwhelm the area and a large amount of fill would be needed to level the site; with the Broadband building and solar panels it would be a crowded site; the pros for this site are that the land is clear, it is the community garden site and would have the Town Hall and Library on the same site. Kate Cell/Co-chair emphasizes the safety concerns, especially for children, the fact that there is no sidewalk for this top of the hill location and the difficult access to the road.

Regan-Ladd: Lot O-32 has good traffic visibility, the building itself will be visible from the road, the site is relatively flat and the tests results for the water and soil are fine. Mary Anne Antonellis/Library Director: back in 2010-12, testing showed trace PCBs which triggered further extensive testing managed by Torres; the three bay garage was demolished and debris piles were removed on a tight timeline; recent testing included 10 soil borings, 8 up front at the proposed library location and near the prior debris piles; 9 out of 10 of the borings were completely clear; the 10th boring detected gasoline in the soil near the former military installation cement pad; this boring is 1,300 feet from Leverett Road and 900 feet from the library site; the engineers clearly state that gasoline only travels 400 feet. Antonellis continues: the Air Force leased the site from 1957-67 after which they did some cleanup; Torres will continue an investigation relative to this area of the lot. Per Antonellis, the water in the Water Resources Committee monitoring wells was tested; the shallow well, 600-700 ft from the positive soil sample, indicated that there is no gasoline in the ground water as well as no PFAs or hazardous chemicals; because it is a test well, the water is not potable; the soil boring 600 ft from the positive one is negative.

Regan-Ladd: Lot O-32 has open exposure for solar and plenty of room for parking; the main negative is that there are wetlands to the west and the water table is high enough to require a raised septic system. Cell emphasizes that the one test showing PCBs has not been replicable over a span of twelve years. Tim Logan: the lowest index number is 100 which is what the measurement was for the positive boring at the rear of site. Stocker: Lot O-32 is the hands down winner; the community gardens could be located on Lot O-32; behind Town Hall has been used for outdoor meetings and may be needed for this function in the future.

Makepeace-O'Neil: based on the information given, Lot O-32 is the best of the two sites.

Farrell: because Lot O-32 is a Town owned parcel, the Town has responsibility to follow through on getting the site cleaned up. Torres: O'Reilly, Talbot & Okun identified that it is a former Air Force remote installation site leased by the Department of Defense (DOD) from the property owner. The rumor has been that the purpose of the site was to surveil for enemy planes during the Korean War. In 1995, a tank was removed along with over 100 tons of contaminated soil; where soil was removed, the area is now a curious ecosystem; the site was not totally cleaned up because the positive soil boring taken 8-15 feet below the surface had a distinctive gasoline smell and scored at a minimum level for volatile organic compounds; the Army Corps of Engineers has been contacted and reports provided to the Mass Department of Environmental Protection; the DOD may have significant responsibility for this site.

Brad Foster: the Trustees and a number of residents felt that Lot O-32 offered a site for a visible building seen from the road.

- Stocker moves and Makepeace-O'Neil seconds a motion to designate Lot O-32/Leverett Road as the site for a new library. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

The Select Board thanks and appreciates Antonellis and the Trustees for their due diligence.

9. Assistant Tax Collector Appointment: Ellen McKay, Tax Collector, is appreciated for her 46 years of service. Torres: McKay has been wanting to bring in someone to train as an assistant tax collector however the process was delayed by the pandemic; the Personnel Board has reviewed the concept of asking Ryan Mailloux/Treasurer if he would be interested in training as a tax collector in addition to his duties as Treasurer. Torres continues: both McKay and Mailloux feel this is a great idea; they are already in close communication and will have time to meet when their schedules overlap; Mailloux will provide coverage for McKay's vacations and her future retirement. Mailloux appreciates the opportunity to do more work for the

Town because he loves municipal work; it will be an invaluable opportunity to be trained by someone with McKay's experience and reputation. McKay: per statute, this combination is allowed; Shutesbury has never merged the tax collector and treasurer roles into one position; Mailloux is sharp and learns fast. Makepeace-O'Neil: it will be great to have a backup tax collector who is already familiar with the Town.

- Makepeace-O'Neil moves and Stocker seconds a motion to appoint Ryan Mailloux as the Assistant Tax Collector for Town of Shutesbury. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

10. Town Administrator Updates:

- a. Hiring Activity: the practice to have an ad hoc group interview an officer candidate, started by former Police Chief Harding, has been reinstated; Stocker, Acting Chief Burgess, Torres and Tim Logan interviewed Massey; it is important for incoming officers to get a feel for the community.
- b. Hybrid Meetings: Makepeace-O'Neil helped setup the new smart television that has been used for two Police Study Group sessions though is not fully functional for public remote access; the OWL equipment, to function with the smart TV, has arrived and will provide a conferencing camera and microphone allowing hybrid meetings to be workable. Torres appreciates Town Clerk Grace Bannasch, Select Board member Makepeace-O'Neil and Acting Police Burgess for their help.
- c. Budget: the Police and Fire Department reviews may have budgetary impacts.

Upcoming meetings:

11.17.21: Town Counsel and the Conservation Commission

11.20.21: Regional four town meeting

11.23.21: Building Committee, possible Recreation Committee appointment; Athletic Club and Clark Auto Wrecking license renewals; Board of Assessors reclassification hearing.

Administrative Actions:

1. Select Board members will sign #22-11 vendor warrants totaling \$84,959.95.
2. Select Board members will sign #22-11 payroll warrants totaling \$111,797.91.
3. Makepeace-O'Neil moves and Stocker seconds a motion to approve the 10.26.21 meeting minutes. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: abstain; the 10.26.21 minutes are approved as presented.

At 7:32pm, Stocker moves and Makepeace-O'Neil seconds a motion to adjourn the meeting. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. Revised Energy Committee Charge Draft, 11/9/21
2. 11.1.21 resignation email from Celinda Ezzell (Ezzell Floranina)

Respectfully submitted,
Linda Avis Scott
Administrative Secretary