

Shutesbury Select Board Meeting Minutes
December 6, 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
Other Staff present: Kevin Rudden/Administrative Assessor, Leslie Bracebridge/Assessors’ Clerk, Jeff Quackenbush/Board of Assessors Chair, Miriam DeFant/Conservation Commission Chair, Town Counsel Donna MacNicol, and Grace Bannasch/Town Clerk
Planning Board members present: Jeff Lacy, Michael DeChiara, Nathan Murphy, Steve Bressler, and Robert Raymond
Shutesbury Athletic Club representatives: Mark Olszewski and Jennifer Donnelly
Guests: Ashleigh Pyecroft, Jake Messier, Attorney Sam Lovejoy, Henry Geddes, Joan Hanson, Don Wakoluk, and other unidentified participants

At 5:47pm, Farrell calls the meeting to order.

Public Comment: process explained by Farrell.

1. Miriam DeFant/Conservation Commission Chair refers to her 12.5.21 email “CPA proposal for conservation land acquisition”: the Conservation Commission had a lengthy discussion during their last meeting regarding the joint proposal with Kestrel Land Trust to acquire the Pearson property on Pelham Hill Road for recreation & conservation; the final Community Preservation Act application is due 2.10.22; the Commission wishes to hold a joint meeting with the Select Board, including a representative from Kestrel Land Trust, in January 2022.
2. Agenda Review: Cultural Council reappointments are added as an unanticipated item.

Discussion Topics:

1. Shutesbury Athletic Club (SAC) License Renewals: Scott reviews the relative documents, previously received by the Select Board, for consideration; the SAC has provided evidence of current liquor liability and workers’ compensation insurances; the required Department of Unemployment Assistance and Department of Revenue certificates of good standing; the Certificate of Inspection has been signed by the Fire Chief though issuance of the final certificate is pending; five SAC Directors have yet to submit their CORI request forms. Mark Olszewski/SAC President and Manager and Jennifer Donnelly/Secretary are present.
 - Makepeace-O’Neil moves and Stocker seconds a motion to approve the ABCC (Alcoholic Beverages Control Commission) Local Licensing Authority Certificate. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
 - Makepeace-O’Neil moves and Stocker seconds a motion to approve the ABCC Renewal Certificate. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Scott notes that the Seasonal Population Certificate does not apply in Shutesbury’s case.

- Makepeace-O’Neil moves and Stocker seconds a motion to approve the ABCC Seasonal Population Certificate. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to approve and issue the Town of Shutesbury Club License to sell alcoholic beverages to expire 12.31.22. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to approve and issue a license for “Use of a Pool Table”. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to approve and issue a license for “Live Entertainment”. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to approve and issue the Common Victualler’s License. Per Scott, the SAC is in process with the Board of Health; the license is for prepared and frozen food. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Olszewski: the SAC is going slowly, is in continuous contact with the Board of Health, Scott sends updates from the State (ABCC), and Acting Chief Burgess is helpful. The 12.14.20 version of the Memorandum of Agreement is considered. There are no questions or amendments. Makepeace-O’Neil moves and Stocker seconds a motion for the Select Board to sign the Memorandum of Agreement. Once the document is signed by Farrell, as Chair, arrangements will be made for Olszewski to sign. Donnelly will follow-up on the remaining CORI request forms.

2. Cultural Council Appointments (unanticipated item):

- Makepeace-O’Neil moves and Stocker seconds a motion to reappoint Val Gilman to the Cultural Council retroactive to 10.16.21. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.
- Makepeace-O’Neil moves and Stocker seconds a motion to reappoint Becca Wheeler to the Cultural Council retroactive to 10.2.21. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

3. Planning Board Associate Members: In the absence of Chairperson Deacon Bonnar, Michael DeChiara calls the Planning Board to order at 6:17pm. Per DeChiara, the Planning Board unanimously approved nominations for Ashleigh Pyecroft and Jake Messier as Associate Planning Board members. Pyecroft has lived in the area for twenty years, is a high school teacher and mother, was a member of the Parent Teacher Organization when it went through the 501(c)3 process, is familiar with Roberts’ Rules of Order, has become acquainted with the consequential decisions the Planning Board makes, loves democracy and offers a cool head and experience working with the public. Messier has lived in Shutesbury for about one year, previously lived in Worcester area, is an arts and non-profit entrepreneur with experience in board work, wants to get involved with the local community and chose the Associate Planning Board member as an opportunity to serve. Pyecroft to Stocker’s question: the potential solar installation project to which she would have been an abutter is no longer slated for solar

development. DeChiara confirms that the Baker Road project has been removed from consideration; five potential sites remain; the two candidates are not abutters. Torres notes that Messier, 250 West Pelham Road, may be an abutter to a Pratt Corner Road site. DeChiara: with projects dispersed around town, there is a likelihood that a member or associate member of the Planning Board will be an abutter to one site. Lacy: there is a process for relieving the need to recuse oneself and associate members can be used judiciously. It is noted that Murphy has to recuse himself from all solar project applications.

- DeChiara moves and Lacy seconds a motion to appoint Ashleigh Pyecroft as an Associate Member of the Planning Board. Roll call vote: Stocker: aye, Makepeace-O'Neil: aye, DeChiara: aye, Lacy: aye, Raymond: aye, Murphy: aye, Bressler: aye, and Farrell: aye; the motion carries.
- DeChiara moves and Murphy seconds a motion to appoint Jake Messier as an Associate Member of the Planning Board. Roll call vote: Stocker: aye, Makepeace-O'Neil: aye, Lacy: aye, DeChiara: aye, Raymond: aye, Murphy: aye, Bressler: aye, and Farrell: aye; the motion carries.
- At 6:32 pm, Murphy moves and Lacy seconds a motion to adjourn the Planning Board meeting. Roll call vote: Lacy: aye, DeChiara: aye, Murphy: aye, Bressler: aye, and Raymond: aye; the motion carries.

Torres reports that the Land Use Clerk applicant declined the position for another opportunity.

Those who are not part of the executive session are asked to leave the meeting and will be readmitted once the open session resumes.

At 6:37pm, Makepeace-O'Neil moves and Stocker seconds a motion to enter executive session for reason #1 and to return to open session. Roll call vote: Makepeace-O'Neil: aye Stocker: aye and Farrell: aye; the motion carries.

Open session resumes at 7:32 pm.

4. Continue Classification Hearing from 11.30.21: At 7:33pm, the annual tax classification hearing is continued. Per Kevin Rudden/Administrative Assessor, the purpose of the hearing is for the Select Board to determine what property tax options will be adopted for the Town of Shutesbury for Fiscal Year 2022; the issue with the Department of Revenue (DOR) has been resolved. Rudden continues: there are four separate decisions for the Select Board to vote upon: 1. To have a single or a split tax rate; 2. To adopt/not adopt an Open Space Discount; 3. To adopt/not adopt a Residential Exemption and 4. To adopt/not adopt a Small Commercial Exemption. Rudden reviews his document "Tax Classification Hearing": for FY22, the total assessed value of all property is \$242,944,116, a 7.5% increase from FY21; the increase is due to the rise in property sale prices; the increase in the residential class during 2020 has continued into 2021; Commercial values increased because the State increased the value per acre for forest and farmland, i.e., Chapter 61 and Chapter 61B; the increase in Industrial values is attributable to the NextEra PILOT and the lease they pay to Cowls; Personal Property also increased due to a new way of valuing the three utility accounts (National Grid, Eversource and Verizon); during the COVID pandemic, some single person businesses were lost. Per Rudden, the tax base remains primarily residential; Shutesbury has always had a single rate calculated by the dividing the tax levy by the total assessed value (then multiplying by 1,000) equaling a

FY22 tax rate of \$21.83/\$1,000 of valuation; this is a \$.78 drop; because last year's tax rate was subsidized and decreased by \$1.43, property owners will be paying more this year though less than they did in FY20. Rudden to Farrell's questions: yes, the 7.5% increase in Residential values is across the board; through about July 2021, the sale price increases continued then it slowed a bit therefore values will increase next year and it will be a recertification year with the bulk of the work done in 2023; there is also a new method for valuing utility companies that requires the hiring and cost of a consultant; it is important to ensure that values are evened out and there is no over/under taxing. There are no further Select Board questions. It is noted that Town Clerk Grace Bannasch is present to verify the Select Board's votes.

- Makepeace-O'Neil moves the Select Board vote to establish a Residential Factor of 1, meaning a single tax rate for FY22; Stocker seconds the motion. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
- Makepeace-O'Neil moves the Select Board vote not to adopt an Open Space Discount for FY22; Stocker seconds the motion. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
- Makepeace-O'Neil moves the Select Board vote not to adopt a Residential Exemption for FY22; Stocker seconds the motion. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.
- Makepeace-O'Neil moves the Select Board vote not to adopt a Small Commercial Exemption for FY22; Stocker seconds the motion. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

Rudden expects DOR to verify the tax rate before the end of the week and states his appreciation for the work done by Assessors' Clerk Leslie Bracebridge.

- At 7:59pm, Makepeace-O'Neil moves and Stocker seconds a motion to close the annual tax classification hearing. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

5. Town Administrator Updates:

- Land Swap with Cows: A survey drawing of the proposed easement is screenshared. Per Torres, Cows is asking the Select Board to approve the easement as drawn; the request is being presented this evening, however, if the Board needs more time, it can be considered during a future meeting. Makepeace-O'Neil and Stocker agree with Farrell's request for the topic be placed on a future agenda. Torres: the abutters include the Watkins, Michael Pill, and Carol Holzberg who have been involved in the process.
- COVID Policy: Because of a recent case and the fact that she did not participate in the initial review of the policy, Board of Health member Arlene Read would like the policy revised; Read manages the contact tracing program for the Board of Health. Read has provided notes for recommended revisions that will be considered during the 12.21.21 meeting.
- School Roof: Capeway Roofing received notice today that materials will not be received in time for the work to be completed during the holiday break; the work will be delayed until the April 2022 break; the current leak has stopped for now; the

Building Committee is working to find a contractor to replace the slider which is in terrible condition; there is a new spot on the gym floor that is squishy and seems to be separating from the flooring base; this area will be repaired after the roof work is completed.

- d. Miscellaneous: No PFAs update; the two new police officers are doing very well; there were power outages around the Lake area this evening.

Administrative Actions:

1. Select Board members will sign vendor warrants #22-13 totaling \$555,329.14.
2. Select Board members will sign payroll warrants #22-13 totaling \$120,320.74.
3. Makepeace-O'Neil moves and Stocker seconds a motion to approve the 11.17.21 meeting minutes. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the 11.17.21 minutes are approved as presented.
4. Makepeace-O'Neil moves and Stocker seconds a motion to approve the 11.23.21 meeting minutes. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the 11.23.21 minutes are approved as presented.

At 8:09pm, Makepeace-O'Neil moves and Stocker 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. Miriam DeFant 12.5.21 email "CPA proposal for conservation land acquisition"
2. Shutesbury Athletic Club license renewal documents
3. Rory Valentine 12.3.21-12.6.21 email relative to Cultural Council re-appointments
4. Jake Messier 12.2.21 "Planning Board Application" email
5. Ashleigh Pyecroft 12.2.21 "Interest in becoming an associate member" email
6. "Tax Classification Hearing" document by Kevin Rudden/Administrative Assessor

Respectfully submitted,
Linda Avis Scott
Administrative Secretary