

Shutesbury Select Board Meeting Minutes
March 1, 2022 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

Personnel Board members present: Peg Ross/Chair, George Arvanitis, Melissa Makepeace-O'Neil, Melody Chartier and April Stein

Finance Committee members present: George Arvanitis, Melody Chartier, Bob Groves, Jim Hemingway, Susie Mosher, and Ajay Khashu

Other Staff/Volunteers present: Steve Sullivan/School Committee, Miriam DeFant/Conservation Commission, Paul Lyons/Town Moderator, Grace Bannasch/Town Clerk, Mark Rivers/Lake Wyola Advisory Committee

Guests: Diane Jacoby, Joe Salvador, Mary Lou Conca, Gail Fleischaker and other unidentified individuals

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

Agenda Review: The agenda is as posted with the exception of unanticipated item and postponement of meeting minute review.

Public Comment:

1. Miriam DeFant asks about the Historical Commission's recommendation to appoint Leslie Bracebridge as an associate member. The Board agrees to attend to the recommendation as unanticipated business.
2. Steve Sullivan: at the last School Committee and Building Committee meetings, it was asked who is responsible for vertical and horizontal repairs; the School Committee would like a decision. Torres clarifies that sidewalks and parking are horizontal and buildings are vertical. Farrell: the Board will take this into consideration when reviewing the Building Committee charge.
3. Mary Lou Conca asks how funds are moved as she is wondering how free cash can be used for the elementary school's roof and ventilation. Farrell: the Select Board does not engage in discussion during the public comment period; suggests Conca ask the Finance Committee how funds are allocated.
4. Sullivan explains to Conca that work on the gym roof will be done by the end of April vacation.
5. Diane Jacoby appreciates that gym roof is being replaced and asks about the rest of roof. Farrell: repair of the rest of the roof is in process.

Unanticipated Item:

1. Historical Commission Associate Member:
 - Makepeace-O'Neil moves and Stocker seconds a motion to appoint Leslie Bracebridge as an associate member of the Historical Commission. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

Discussion Topics:

1. Lake Wyola Advisory Committee Appointment:

Per his 2.25.22 email “Membership changes on LWAC”, Chair Mark Rivers requests the appointment of Art Keene to the Committee.

- Makepeace-O’Neil moves and Stocker seconds a motion to appoint Art Keene to the Lake Wyola Advisory Committee. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

2. Three Board Review of FY23 COLA:

At 6:01pm, Susie Mosher calls Finance Committee to order and Peg Ross calls the Personnel Board to order.

George Arvanitis screenshares and reviews “COLA Calculation for Town Employees for Fiscal Year 2023”: this year, inflation is higher than 4%; the process will be reviewed every three years; for annual town meeting timing, the January index is used; the three year average is 2.42% which is what the Personnel Board is recommending for the upcoming fiscal year’s COLA (cost of living adjustment). Torres verifies that most contracted employees have language in their contracts that includes receipt of the COLA. Arvanitis screenshares and reviews “Market Alignment for FY2023”. Makepeace-O’Neil: the source for the spreadsheet is the current FRCOG wage and salary chart. Ross: the Personnel Board did not consider Orange, Greenfield or Montague due to their size. April Stein reviews the purpose of the proposed market alignment increases: it is hard to find qualified staff, it is important to retain and attract quality applicants, any time someone leaves there is the time needed to replace them and a lack of efficiency, these are specialized positions especially the treasurer and collector, and there are higher costs to contracting out. Per Stein, the Personnel Board spent hours on this spreadsheet. Bob Groves: in doing the cost comparisons with other towns, contract services do have some savings, i.e., benefits; did you examine nuances? Arvanitis: in municipal government, you cannot hire someone as a non-employee; you can hire a firm to do the work, i.e., FRCOG who charges \$71/hour; contracting in this context is not going to be cheaper. Makepeace-O’Neil: the cost of benefits will be added into the contract. Arvanitis: FRCOG includes administrative fees.

Arvanitis: analysis was done on all positions, the ones on list came up short; to get a better average, the calculations do not include the highest and lowest salaries; these are good rates given what other towns pay. Arvanitis reviews how the Personnel Board arrived at the “Proposed + COLA” numbers; \$~22,000 is the effect of this proposal; in total, it is .42% of the total budget. Groves appreciates the Board’s work and notes that hours per week in comparison to other towns is missing; this would be useful to incorporate for a clearer comparison. Arvanitis: we picked towns close to our size; the hours are pretty consistent and most of these positions are paid by the hour. Stein: the increases help to align with the market; including the COLA helps us to be current. Ajay Khashu: what is the rationale for why we are absorbing the full bridge now to the FRCOG average? Arvanitis: we looked at each position individually and how specialized the job is, i.e., it was too far to go the full amount for the accountant; the \$37,785 number is the Franklin County average. Arvanitis continues: we are being competitive in our county however we may not align with other Western Mass counties. Ross: the Personnel Board is being as practical as we can. Groves: once we incorporate changes, it will push raises

up; it is really important to look at the cost of an employee that we cannot see here. Stein suggests voting on the COLA proposal and allowing more time to consider the market realignment proposal. Stocker agrees to vote on the COLA; (regarding the realignment) we are paying people less, go for it. Makepeace-O'Neil, as the Select Board representative to the Personnel Board is willing to vote on both. Khashu and Mosher are ready to vote on the COLA. Mosher: the FinCom could quickly look at the realignment chart. Groves is ready to vote on the COLA though needs more time on the realignment data. The next FinCom is 3.8.22.

- Farrell moves and Makepeace-O'Neil seconds a motion to approve the 2.42% COLA as recommended by the Personnel Board. Roll call vote by Finance Committee: Groves: aye, Arvanitis: aye, Hemingway: aye, Mosher: aye, Khashu: aye; and Chartier: aye; Personnel Board: Ross: aye, Stein: aye, Arvanitis: aye, and Chartier: aye; Select Board: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

It is agreed that the three boards will meet 3.15.22 to vote on the "Market Alignment for FY2023". Arvanitis: a lot of work went into the market alignment proposal; he does not think further discussion will make a difference from the proposed increase of \$27,984 which includes the COLA and realignment. Farrell appreciates all the work done by the Personnel Board; because the proposal is new to most, time is needed to review the numbers. Torres: the hours are included for each position; those that are less than 20 hours/week do not receive benefits; there are actually two equipment operators which will change the numbers. Arvanitis will update the document.

- Groves moves and Arvanitis seconds a motion to adjourn the Finance Committee. Roll call vote: Mosher: aye, Arvanitis: aye, Groves: aye, Hemingway: aye, Khashu: aye, and Chartier: aye; the motion carries.
- Ross moves and Arvanitis seconds a motion to adjourn the Personnel Board: Makepeace-O'Neil: aye, Arvanitis: aye, Ross: aye, and Chartier: aye; Stein has left the meeting; the motion carries.

3. Conservation Commission Chair Disclosure Request: Torres: Conservation Commission Chair Miriam DeFant has a personal project that will go before the Commission; she has done her due diligence and submitted to the Ethics Commission the "Disclosure of Appearance of Conflict of Interest as Required by G.L. c. 268A, § 19" and "Disclosure by Non-Elected Municipal Employee of Financial Interest and Determination by Appointing Authority" so that she can ask the Conservation Commission to appoint a chair in her absence; in this case, as chair, she needs to make sure another member chairs the Commission during consideration of her project. Torres: as a Select Board appointee, Select Board permission is needed for DeFant to ask for an acting chair. DeFant explains that §23B does not need Select Board approval as she has met the standards regarding the appearance of a conflict and will not exert undue pressure on contractors because of her position; per §19B, there is an actual conflict of interest therefore she is requesting permission to ask the Conservation Commission to appoint an acting chair.

- Makepeace-O'Neil moves and Stocker seconds a motion to give Miriam DeFant permission to raise this issue (conflict of interest) with the Conservation Commission so that the Commission may ask another member of the Commission

to assume the role of chair during the proceedings regarding her project. It is clarified that during the proceedings regarding her project, DeFant will recuse herself and function as an applicant. Per DeFant, the acting chair will help the Land Use Clerk file the necessary paperwork. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

4. Energy & Climate Action Committee Candidates: Farrell: the seven applicants will be invited to attend the 3.15.22 meeting. The Board will review the letters of interest and be prepared to make appointments during the meeting on the 15th. If Stocker is unable to attend the 3.15.22 meeting, he supports the appointment of Committee members.
5. Town Meeting Plans: Farrell: the plan is to hold annual town meeting outside 5.21.22; this will allow time for the budget to be completed and to wait for the library grant announcement. Torres: the plan is to repeat the general guidelines from the last two years and hold the event outdoors rather than at the school; the Town Clerk is building the election calendar based on the 5.21.22 date. Paul Lyons/Town Moderator is okay with outdoor meetings; they are popular for folks and other towns are doing so. Lyons wants to broach the topic of electronic voting in order to have a warrant article at some point, not for this year, however, sooner rather than later. Farrell suggests the Town Clerk and Moderator and perhaps others meet to consider alternative methods for voting during annual town meeting. Lyons: there is no bylaw that lays out how we vote, however, it will be good to have a discussion when the warrant article is proposed. Farrell: the proposal could be reviewed during next year's budget process. Grace Bannasch/Town Clerk is in favor of an outdoor meeting; has heard no opposition and all who mention it prefer meeting outdoors; the school does offer parking. Per Bannasch, nomination papers will be due 4.2.22; she will send a Town Announcement soon with all the information. Lyons: in the recent issue of *Our Town*, he asked for thoughts about annual town meeting and has received about ten responses thus far and may ask for more input on NextDoor. At some point, Lyons will talk about what may make annual town meeting welcoming to more people. The decision regarding mask requirements will be done in consultation with the Board of Health closer to the meeting. Bannasch requests that Lyons and herself be the ones to provide information about electronic voting before there is further conversation on the topic.
6. Building Committee Charge: Farrell: at a prior meeting, the Select Board considered updating the Building Committee charge; the Committee was established through a bylaw in 1988; the charge is basic and does not describe roles/responsibilities. Farrell suggests an annual town meeting warrant article to revise the Building Committee bylaw so that it is more thorough. Per Torres, warrant articles are due the third week in April. Farrell will send out a draft charge to the Board with comments submitted to Torres; the draft will be discussed 3.15.22 and voted on 3.29.22; the members of the Building Committee will be invited to attend. Ways to identify the need for a specialized building committee are discussed briefly.
7. EOEA Council on Aging Grant: Torres: this is the standard annual Council on Aging grant. Scott/Council on Aging member explains that the grant is for \$6,000 a year, the

amount awarded to small towns; large municipalities receive an amount/elder based on the census; there is no dollar amount on the grant document because it is for a 10 year period ending 6.30.2032.

- Makepeace-O'Neil moves and Stocker seconds a motion to approve the Executive Office of Elder Affairs Council on Aging grant for \$6,000/year for the next ten years. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

8. Town Administrator Updates:

- a. Police Contract: The police union contract negotiations were delayed due to a change in steward; there is now a new steward and negotiations are expected to wrap up and have a contract ready for Select Board signatures.
- b. Recycling & Trash Hauling: Bids are due on 3.10.22; a pre-bid conference will be held 3.3.22; Casella and USA are expected to present; it is hoped that Casella will include a bid with back loading trucks that are best suited for Shutesbury's roads.
- c. MVP Grant: Torres met with Andrew Smith/EOEEA to review the MVP grant expression of interest letter; Smith felt the letter was too broad and recommended focusing on a single topic with more detail. Torres will confer with Farrell and DeChiara in preparation for the RFR (request for proposal).
- d. Town Hall: Things are going well; there are no facility problems; Highway Department equipment is okay; the two Police Officers attending the Bridge Academy are nearing the end of their training and are currently in EVOC (emergency vehicle operations course).
- e. Mass DOT Small Bridge Inspection Report: Mass DOT is now doing more inspections of small bridges. In 2018, the Locks Pond culvert had not been inspected. We were able to get an inspection done by our engineers and pushed for all of the Town's bridges to be inspected. The Cooleyville Road bridge was rebuilt several years ago; highlighting it will allow the Town to apply for grant money for repairs if the work is more than what the Highway Department can do. Torres will let the Select Board know what Tim Hunting/Highway Superintendent says after he has reviewed the report.
- f. Larger School Roof: Bob Groves/Building Committee reached out to Gayle Associates for a tentative bid on which Jeff Quackenbush gave positive feedback; a full scope of work is needed in order to have an effective quote; we can use what FRCOG used last year as a template; the Town has applied four times for MSBA funding; the last grant round was in late June of last year; Representative Blais' office has asked for information that may result in MSBA evaluating the roof.
- g. Police Study Committee: the Committee worked through the weekend to collate survey data; the next meeting is 3.3.22.

Administrative Actions:

1. Select Board members will sign vendor warrants #22-19 totaling \$81,484.34.
2. Select Board members will sign payroll warrants #22-19 totaling \$113,976.41.
3. Review of the 2.23.22 meeting minutes will be considered during the 3.15.22 meeting.

At 7:46pm, 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. Miriam DeFant 2.8.22 email “Associate Historical Commissioner”
2. Mark Rives 2.25.22 email “Membership changes on LWAC”
3. “COLA Calculation for Town Employees for Fiscal Year 2023”
4. “Market Alignment for FY2023”
5. Miriam DeFant’s “Disclosure of Appearance of Conflict of Interest as Required by G.L. c. 268A, § 19” and “Disclosure by Non-Elected Municipal Employee of Financial Interest and Determination by Appointing Authority”
6. EOE Council on Aging Grant

Respectfully submitted,
Linda Avis Scott
Administrative Secretary