

Shutesbury Select Board Meeting Minutes
April 12, 2022 Virtual Meeting Platform

Select Board members present: Rita Farrell/Chair, Melissa Makepeace-O'Neil, and Eric Stocker
Staff present: Becky Torres/Chair; Linda Avis Scott/Administrative Secretary
Other Staff/Volunteers present: Meryl Mandell/RSWC and Michael DeChiara/Planning Board
Guests: Tom Siefert, Leah Jack, and Joan Hanson

Farrell calls the meeting to order at 5:46pm.

Agenda Review: The hauling contract with Casella will be carried over; the timing of other agenda items will be adjusted to accommodate meeting with Meryl Mandell/RSWC at the allocated time. the Shutesbury Athletic Club item will be to review plans to disseminate information rather than a discussion.

Public Comment: Tom Siefert has a procedural question about the Shutesbury Athletic Club (SAC) discussion item on the agenda. Farrell explains that a letter is being sent to a broad group of abutters about the Club's request to extend outdoor live entertainment hours; because there will be limited time for comment (during the 4.26.22 meeting), email comments are encouraged; tonight's agenda item is about plans to disseminate information. Siefert asks if the abutters include SAC board members. Farrell: there was no distinction; the letters will be sent to approximately 50 abutters located within 2,000 feet of the SAC. Torres, to Siefert's request to see the letter, notes that it is a public document.

Discussion Topics:

1. SAC Request to Extend Live Entertainment Hours: The draft letter to property owners within a 2,000 foot radius of the Athletic Club was reviewed by Torres and Farrell; Assessors' Clerk Leslie Bracebridge developed the list of property owners; the letter will be sent 4.13.22. A Town Announce will include the letter. The letter and Town Announce will request receipt of as many comments as possible via email to the Select Board prior to the 4.26.22 meeting when there will be limited time for comments.

Torres to guest Leah Jack regarding Jack's email request for a budget expense report and cash reconciliation; after following up with Town Accountant Gail Weiss, Torres has the documents for Jack to obtain.

Unanticipated Item:

MMA Meeting Report: Farrell: the meeting topics included the use of ARPA funds; Linda Dunlevy/FRCOG will provide guidance for small towns on the use of these funds at the upcoming Town Administrators' meeting (4.13.22); legislation for Select Boards to weigh in on include a bill to create a direct stream of funding for municipal buildings and infrastructure focused on dirt roads; all presentations are available online. Per Farrell, it is in the Town's self-interest to obligate our ARPA funds and ensure full documentation because auditing is anticipated. Shutesbury has been allocated \$565,000 in ARPA funds.

2. Casella Recycling/Hauling Contract: Contract update provided by Recycling and Solid Waste Committee Chair Meryl Mandell: Casella needs to review the contract before signing the document; during the negotiation session, Casella agreed to increase the fuel formula to \$4/gallon diesel; the Town could be charged if the price increases beyond

\$4/gallon; requests a Select Board vote to approve the short term contract. Torres: a letter of award could be issued to Casella if the Select Board votes to approve the contract, provided there are no further changes, prior to receipt of the document signed by Casella; during the 4.5.22 meeting, the Select Board approved the short term tipping fee contract. Prior to voting, Stocker and Makepeace-O'Neil wish to see the contract. Farrell: the Select Board will wait to vote until the contract is ready and will hold a special meeting if necessary; if the contract is ready, it will be considered prior to the 4.13.22 meeting with the Finance Committee and Personnel Board.

To new guests, Farrell re-explains the Select Board will consider dissemination of information about the 4.26.22 discussion regarding the Athletic Club request to extend hours for outdoor live entertainment; letters will be sent to abutters within 2,000 feet of the Club and a Town Announcement will be made requesting feedback via email as there will be a limited time for public comment on the 26th.

3. Fire Chief Hiring Process: Torres: because this is a major department head, the appointment of a hiring committee is required; an ad will run three times between about 4.20.22 and 4.29.22; the committee needs to be appointed so an organizational meeting can be scheduled and a calendar established; to allow some overlap time, the goal is to hire a new fire chief by the end of May. The hiring committee will include Acting Police Chief Kristin Burgess and Select Board, Finance Committee and Personnel Board representation along with two residents one of whom has experience in the field. Stocker notes Elaine Puleo's email request to serve on the hiring committee; Puleo was a member of the Fire Chief Study Group. Makepeace-O'Neil asks if the firefighters will be able to meet the candidates. Torres: the final interviews will be held during an open meeting. Farrell: whether the firefighters will have an opportunity to chat with the candidates is something for the hiring committee to consider. Next steps: Stocker will serve as the Select Board representative, the Personnel Board and Finance Committee will be asked for representatives; interested residents, in addition to Puleo, will be sought. Torres will confer with Fire Chief Walter Tibbetts on the recommendation of a resident with relevant professional experience.
4. Town Meeting Warrant Articles/Timeline: Torres: there may be a potential debt exclusion override to fund a new library.
 - Makepeace-O'Neil moves and Stocker seconds a motion for the Select Board to receive the Planning Board proposed Zoning Bylaw amendments to "Replace The current section 10.3-1 Zoning Board of Appeals Establishment with the proposed section 10.3-1" and "Incorporating Energy Storage Use Into Shutesbury Zoning" and to return the same to the Planning Board for the public hearing process. Michael DeChiara/Planning Board: the proposed amendments have been approved by Town Counsel; the public hearing is scheduled for 5.9.22; if changes need to be made to the amendments, they will be done from town meeting floor. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Torres expects the warrant will be ready for review on 4.26.22. The Select Board anticipates that an extra meeting on 5.3.22 may be needed to vote on the warrant.

5. Town Administrator Updates:

- a. Surplus E & D Funds: Per Doug Slaughter's 4.6.22 letter, exceeding balances from the Region School District's Excess & Deficiency Fund will be returned to the towns; Shutesbury will receive \$38,898 which will go into Free Cash.
- b. Mary Clark Lot: Another executive session will be needed to discuss one more easement issue; plan for this session to occur 4.26.22.
- c. 4.7.22 MBLC Letter: Per their 4.7.22 letter, the MBLC's grant costs, 75% of construction, cannot exceed \$6 million; the current estimate is for \$8.3 million, \$5 million/grant and \$3 million/town. If Shutesbury does not approve the matching funds, Otis will have a chance to seek approval. Per Farrell: the use of ARPA funds is possible.
- d. COVID Update: The number of COVID cases seems to be increasing and may be a consideration for annual town meeting; currently the Board of Health is not planning on being active as they were during the last two town meetings; they will help raise tents however, there will be no lines for spaced seating or wiping of mics. Farrell requests the Board of Health be asked to attend and check-in during the 5.10.22 meeting. Torres: Catherine Hilton/Board of Health Chair quoted CDC guidance that compromised individuals should wear masks; overall it is an individual decision however, we can encourage mask wearing.

Administrative Actions:

1. Select Board members will sign vendor warrants #22-22 totaling \$130,599.86.
2. Select Board members will sign payroll warrants #22-22 totaling \$118,208.18.

At 6.53pm, Makepeace-O'Neil moves and Farrell seconds a motion to enter an executive session, pursuant to MGL Sec. 21(a)(1), for reason #1, to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member, or individual. In particular to discuss a complaint against a member of the Historical Commission. For the purpose of review and vote on final minutes and to not return to open session. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye and Farrell: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. Select Board letter to Shutesbury Athletic Club abutters
2. 3.31.22 email from Elaine Puleo "Fire Chief hiring committee"
3. Proposed Zoning Bylaw amendments: "Replace The current section 10.3-1 Zoning Board of Appeals Establishment with the proposed section 10.3-1" and "Incorporating Energy Storage Use Into Shutesbury Zoning"
4. 4.6.22 letter from Doug Slaughter/Director of Finance
5. 4.7.22 letter from Massachusetts Libraries Board of Library Commissioners

Respectfully submitted,
Linda Avis Scott
Administrative Secretary