

Shutesbury Select Board Meeting Minutes  
May 4, 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

Other Staff/Volunteers present: Acting Police Chief Kristin Burgess; Police Officers Linda Newcomb, Taylor Beaudry, Nathaniel Masse, Zachary Warner, and Tarrah Dempsey; Paul Lyons/Town Moderator, Library Director Mary Ann Antonellis, Board of Library Trustees Brad Foster and Tim Logan

Guests: Gary Rehorka, Tom Siefert, Steve Sullivan, Joan Hanson, Penny Kim, Rachel Schwab, Ellen McKay, Meryl Mandell and Mike Vinsky

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

Agenda Review: As posted except to carry over considering the 4.26.22 minutes to the next meeting.

Public Comment: No comment is offered.

**Discussion Topics:**

1. Budget and Annual Town Meeting Warrant: Torres reviews the procedure for voting on the 5.4.22 draft of the 2022 Annual Town Meeting Warrant article by article. Each article is reviewed prior to the vote.

Article 1: Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 1 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 2: Lyons asks if a 2/3rds vote is required. Torres confirms a majority vote is needed. Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 2 as amended. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 3: Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 3 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 4: Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 4 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 5: The article considers the total due minus available funds, as noted in the article, and results in a balance due of \$1,172,871. Torres reviews “Projected FY23 CapEx Funding Analysis”; the value of the land may increase and community contributions are increasing. Farrell: as required by a debt exclusion, there will be a ballot vote 6.28.22. Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 5 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 6: Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 6 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 7: The budget was approved by the FinCom with two abstentions. Torres to Lyon’s inquiry: a majority rather than a 2/3rds vote is needed. Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 7 as amended. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 8: Makepeace-O’Neil moves and Stocker seconds a motion to approve Article 8 as written. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 9: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 9 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 10: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 10 as written. Torres: because the price on the Peterbilt increased, Highway Superintendent Tim Hunting sourced a Mack with sufficient power at the original price. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 11: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 11 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 12: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 12 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 13: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 13 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 14: Lyons, Torres and the Board agree to include proposed bylaw language in the warrant to ensure voters have access to the language when voting; materials will be available on the Town website; print copies will be available for pick up at Town Hall and during annual town meeting. Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 14 with the addition of the Building Committee bylaw language. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 15: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 15 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 16: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 16 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 17: Torres to Lyons' inquiry: Bob Groves' recusal is noted because he will be bidding on the project however his name is not needed. Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 17 as amended. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 18: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 18 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 19: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 19 as written. Torres: distribution of CPA funds was confirmed by Gail Weiss/Town Accountant. Stocker references the question from a member of the public via email regarding the Community Preservation Committee vote. Torres and Farrell: the party referenced in the email recused themselves from the vote. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries. The Board agrees to allow a brief public comment. Tom Siefert clarifies that a vote took place 12.21.22 prior to when the member recused himself that is why there is concern the recusal did not occur as early as it could have. Farrell as member of the Community Preservation Committee: the first vote to determine the eligibility of the application was unanimous; the abutter recused themselves from the final vote to recommend funding the project to annual town meeting.

Article 20: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 20 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 21: Makepeace-O'Neil moves and Stocker seconds a motion to approve the amended Article 21 to include the bylaw language. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 22: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 22 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries. Lyons recommends placing Article 47, citizen petition, after Article 22 because the petition is the same as the article therefore could be withdrawn. The Board agrees that once Article 47 is approved, it will become Article 23 and subsequent article numbers will change by one.

Article 23: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 23 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 24: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 24 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 25: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 25 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 26: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 26 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 27: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 27 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Articles 28-42: Torres: these articles were submitted by the Assessors; they are already on the books however updates need to be accepted and verified by annual town meeting in order to set a baseline; all funding comes out of the overlay, a fund managed by the Assessors so there is no budgetary impact. Makepeace-O'Neil moves and Stocker seconds a motion to approve Articles 28-42. Lyons would like to group these articles as a consent agenda and to require Administrative Assessor Kevin Rudden, prior to this block of articles, to give a concise presentation. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 43: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 43 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 44: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 44 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 45: Lyons conferred with Town Counsel Donna MacNicol about the two parts of this petition; the first part requests the Planning Board to develop a light bylaw in one year; the second part is to enact an immediate temporary light bylaw; there needs to be further consideration of part two by Town Counsel; Lyons will confer with the petitioner. Torres: if there is a language change, it will need to occur during annual town meeting. Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 45 as amended to include the full petition narrative. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 46: Makepeace-O'Neil moves and Stocker seconds a motion to approve Article 46 as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Article 47: This article will become #23 requiring renumbering of articles #23 -47; there will be no other reordering. Makepeace-O'Neil moves to approve Article 47, to become Article 23, as written. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

The Select Board supports Lyons in deciding on which articles to consider by consent.

2. Hiring New Police Chief: Farrell: the Police Study Group (PSG) report was accepted 4.26.22; prior to the report's submission, the Police Department operated with an Acting Chief; if prepared to do so, the Select Board will consider appointing a permanent chief from within the ranks. Makepeace-O'Neil: based on the PSG's research and survey results, the community would like to have their own chief and one hired from within our own department; she is comfortable with this plan. Stocker: this is what we should do. Farrell: the Board could promote Kristin Burgess from acting to full chief subject to an acceptable background check and salary negotiation.

- Makepeace-O'Neil moves and Stocker seconds a motion to appoint Kristin Burgess as Police Chief contingent on an acceptable background check and salary negotiation. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

Farrell thanks Chief Burgess and the Department's officers, all of whom are present, for their patience with the PSG process; their Department has positive support from the community. Burgess thanks the Select Board and Torres for trusting the guardianship and peacekeeping of the town with her and thanks her officers for their steadfast work; she is honored to be Shutesbury's first female police chief.

3. EMP Grant: This agenda item will be considered during the 5.10.22 meeting.
4. Fire Chief Hiring Committee: Because the Personnel Board and Finance Committee have yet to select representatives, the Select Board plans to appoint the full slate on 5.10.22.
5. MVP Action Grant: Farrell: the full application is due 5.5.22. Torres; the Select Board needs to sign the "Statement of Match"; the grant request is for \$150,000; due to the Town's per capita income, it qualifies for a 10% match/\$15,000 comprised of \$10,000 in-kind work by the Highway Department and \$4,500 in-kind administrative work by the Town Administrator and Administrative Secretary.
  - Makepeace-O'Neil moves and Stocker seconds a motion to approve the "Statement of Match" for \$15,000 comprised of in-kind work by the Highway Department, Town Administrator, and Administrative Secretary. Roll call vote: Makepeace-O'Neil: aye, Stocker: aye; and Farrell: aye; the motion carries.
6. Police Union Agreement: Makepeace-O'Neil/Select Board, Bob Groves/Finance Committee and George Arvanitis/Personnel Board represented the Town on the negotiating team. Makepeace-O'Neil: amendments to the current agreement include an adjustment to the shift differential, pay increases of 3%, and educational benefits. Torres: negotiations were delayed due the pandemic so the agreement is retroactive to 7.1.21; negotiations on the next contract will resume this summer; per this agreement, payment for detail work will occur as quickly as possible; the Tentative Agreement will be incorporated into full union contract to be voted on during a future meeting.

- Makepeace-O’Neil moves and Stocker seconds a motion to approve the “Tentative Agreement for Shutesbury Police July 1, 2021 to June 30, 2024”. Roll call vote: Makepeace-O’Neil: aye, Stocker: aye, and Farrell: aye; the motion carries.

7. Town Administrator Updates:

- A DEP contract request from the Recycling and Solid Waste Committee will be on the 5.10.22 agenda.
- The annual town meeting tent confirmation is in place; it will be set up 5.20.22 and taken down 5.23.22. It is anticipated the Library will use the tent for a tag sale in 5.22.22.
- The Town received letters of support from State Representative Natalie Blais and State Senator Jo Comerford regarding MSBA funding for the school roof and boiler along with a renewed effort for a meeting with the MSBA; application results are expected in the next couple of weeks; MSBA funding is a 50% match for costs; “boiler” is a general category for heating systems.
- Farrell: after annual town meeting, the Board will consider use of and priorities for ARPA funds; the Select Board decides on the allocation of these funds; a broader discussion with boards/committees about use of the funds is needed.
- There has been do no response to the Town’s letter to the Division of Fisheries and Wildlife; the meeting will be set up.
- The Highway Department has received \$103,000 in Winter Recovery funds which almost matches its annual Chapter 90 funding; Winter Recover funds are treated the same as Chapter 90 funds; the Town has until June 2023 to use them for materials, supplies, design, paving and other activities.
- Select Board representation will be present for the 5.11.22 Library Forum.

At 7:34pm, 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. 2022 Annual Town Meeting Warrant, 5.4.22 version
2. Shutesbury FY23 Budget 5.3.22
3. Projected FY23 CapEx Funding Analysis
4. Municipal Vulnerability Preparedness Action Grant Statement of Match
5. Local Union No. 404 “Tentative Agreement for Shutesbury Police July 1, 2021 to June 30, 2024

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary